

# MINUTES

## CRESSKILL PLANNING BOARD

FEBRUARY 9, 2016

Mr. Morgan opened the meeting at 7:33 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call: Mayor Romeo, Councilwoman Tsigounis, Mr. Morgan, Ms. Bauer, Mr. Calder, Mr. Moss, Mr. Ulshoefer, and Mr. Durakis. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

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Mr. Ulshoefer made a motion to approve the minutes of the January 26, 2016, meeting. The motion was seconded by Mr. Durakis. All present were in favor of the motion. Motion approved.

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### Correspondence

Memo from the Northern Valley Mayors' Association regarding the 2016 Membership. They would very much like the Board to join or continue the membership in the Planning Association. The Northern Valley Mayors and Planners have been holding joint meetings for many years to discuss topics of interest to all. Mayor Romeo said that we do not join. File.

Application for Soil Erosion and Sediment Control Plan Certification for 40 Fifth Street, Application #1474, Perrine Associates, LLC. File.

Memo from the Borough of Tenafly, Lissette Aportela, Borough Clerk, dated January 13, 2016, regarding Ordinance No. 16-03, an ordinance to amend Chapter 35 of the revised general ordinances of the Borough of Tenafly, entitled "Land Development Regulations" and more particularly: Amending Section 35-801.3, Zoning Map. File.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated February 2, 2016, sending Dr. Karen Reisner and Mr. Craig Barnett to this Board for Approval. They would like to relocate their businesses to 80 Broadway. Dr. Reisner currently has an orthodontic office and Mr. Barnett is a designer in town. Both were present. Dr. Reisner has been an orthodontist in town for 11 years and her husband has an office in Cresskill and has been there for eight years. They want to buy a condo on 80 Broadway on the second floor. It is a professional building. It is 2,700 square feet and they plan on sharing the space. She will be moving from behind Hudson Drug, next to the bar to this office building across from Crestron. She will be building a dental office so she will have to wire it and gut it and everything else. It has pretty decent access. Mr. Schuster asked if she had authorization from the board to do this. Dr. Reisner stated that she did. Mr. Schuster asked if she also owned parking spots as part of buying the condo. Dr. Reisner noted that she hasn't quite gotten to that part yet, but there is plenty of parking. Mr. Schuster wanted to know if she owned spots or if it was unallocated. Dr. Reisner believed it was unallocated and right now there is a child psychologist there and taxi/limo service there, but there is plenty of parking. There is a separate entrance.

Mr. Barnett has a graphic design company. His clientele are airliners throughout the world. They design the designs on the outside of the aircrafts. Dr. Reisner has four employees, two full time and two rotating. Mr. Barnett has three full-time and two part-time employees. He only has two or three visitors a year.

Mr. Durakis made a motion to approve, seconded by Mr. Calder. All present were in favor. Motion approved.

Dr. Reisner stated that currently there is no signage aside from a sign that says 80 Broadway. They may put signage up. Mr. Schuster stated that they will need a permit for that. Dr. Reisner noted that she is aware of that. Mr. Moss stated that that would be nice for all the businesses there to have signs because nobody knows what is in there.

Voucher from Mr. Steven V. Schuster relative to the Cresskill Planning Board for the month of August 2015 in the amount of \$1,508.77. Motion to approve made by Mr. Calder, seconded by Mr. Durakis. All present were in favor. Motion approved.

Letter of Introduction from Mr. Edward Rossi, Construction Official, dated January 12, 2016, sending Mr. Lucibello to this Board for approval. He wishes to construct a new single-family home at 40 Fifth Street. Application #1474, Perrine Associates, LLC, was received January 22, 2016.

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### **Subdivision Committee**

Councilwoman Tsigounis noted that Application #1474, 40 5<sup>th</sup> Street, Perrine Associates, LLC, was received on January 22, 2016. This is a knockdown. Mayor Romeo noted that this house is behind the swim club and is the Brenneiser home.

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### **Report from the Borough Engineer's Office**

Mr. Azzolina noted that he did a preliminary review on Application #1474, 40 5<sup>th</sup> Street, which is a knockdown almost at the end of 5<sup>th</sup> Street on the east side of the street. He has a draft memo that he will finalize by the end of the week. The site is actually in a flood plain. He doesn't think the engineer actually recognized that. That is the major revision that needs to be made to the plan. It needs to depict the limit of the flood plain. He doesn't believe any construction is taking place within the flood plain, but they need to add that to the map and go to the DEP for their confirmation. It is deceptive because it is quite a distance from the brook. The existing house is actually in the flood plain, but the new house will be beyond the floor plain.

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### **Old Business**

None.

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### **New Business**

None.

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### **Other Business**

None.

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Mr. Morgan opened the meeting to the public. Ms. Carol Biondi wished to be heard. Her address is 174 7<sup>th</sup> Street, Cresskill, and she was sworn in by Mr. Schuster. She is here to dispute the second house going up on the property on 6<sup>th</sup> street. She is here to dispute it because the last time she was here the Mayor told them they had signatures from a two-block area and everybody was disagreeing with this being built and the mayor said there was nothing they could do because there were two deeds. Mrs. Biondi asked what if there isn't. Mayor Romeo said that that is a different thing. Mrs. Biondi let him know that there is only one deed on that property. And now they are building and all the variances are off. She doesn't know why there are variances in town if nobody is going to follow them. The house is going to be built like two feet away from the other houses and frontage is supposed to be 100 feet and it is only 50 feet. Everything is off and she wants to know why this is being done. She has a neighbor that is trying to improve her house and the Board is giving her a hard time. Nobody gives this one a hard time. One deed on the property, they are building it on a side yard and she wants to know why. She thinks it is so unfair. The town is starting to look like West New York.

Mr. Schuster noted that at this point in time she has threatened the town with litigation and we are not at liberty to discuss it in any way with you. We have taken her statement today for the record. Mrs. Biondi noted that she didn't threaten the town with a lawsuit or with anything. Mr. Schuster stated that he has a letter saying that she did. She asked what the letter said. Mr. Schuster pulled the letter out and read from it. "Or I will find it necessary to retain an attorney and request a full investigation by an attorney at the sole cost of the town." Mrs. Biondi said that she will find one, but she didn't say she has one. She asked why the Board can't answer her questions. Mr. Schuster stated that we can't. Mrs. Biondi wanted to know why. Mr. Schuster stated that he just told her why. Mrs. Biondi noted that she doesn't have an attorney and she didn't say she had one. Mr. Schuster said that she threatened the town. It is not going to be reviewed with her again. They are not going to go over it again with her. If she wants to review the minutes of the meeting, she has the right to do that and she can request a copy of the minutes. If she wants to get a transcript of the hearing that took place, she can request that. If she wants to look at the resolution that was passed, she has the right to do that. She can request all these things from the town and she has the right to do that. But we are not going to re-debate the approval that was given on this application. It has been approved and it is done. All the findings of fact and conclusions of law are in the record which she can review at her leisure.

Mrs. Biondi said that so if you have one deed you can just build on your side yard. Mr. Schuster stated that he didn't say that. He just said that she can review all the circumstances of the approval which are all a matter of public record. Mrs. Biondi said that it is who you know. Screw you all.

Mr. Calder made a motion to close the public portion of the meeting. The motion was seconded by Mr. Durakis. All present were in favor. Motion approved.

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Motion was made by Mr. Calder to adjourn the meeting at 7:50 PM, seconded by Mr. Ulshoefer. All present were in favor. Motion approved.

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The next four regular Planning Board meetings are scheduled for February 23, March 8, March 22, and April 12, 2016, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo  
Recording Secretary