

MINUTES

CRESSKILL PLANNING BOARD

MARCH 22, 2016

Mr. Morgan opened the meeting at 7:39 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, Mr. Durakis and Mr. Mandelbaum. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Ulshoefer made a motion to approve the minutes of the March 8, 2016, meeting. The motion was seconded by Mr. Durakis. All present were in favor of the motion. Motion approved.

Correspondence

Application for Soil Erosion and Sediment Control Plan Certification for 76 Westervelt Place, 76 West LLC, Application #1478. File.

Notice from Rutgers Continuing Studies about the 16th Annual Current Issues in Planning and Zoning Conference on May 13, 2016. File.

Subdivision Committee

Councilwoman Tsigounis had nothing to report.

Report from the Borough Engineer's Office

Mr. Azzolina reported that Application #1478, 76 Westervelt Place, is a knockdown and rebuild. He has done a review and the plans are substantially complete as presented. He recommends that the Board schedule a Public Hearing. They require a few variances. The property is only 52 ½ feet wide. There are some existing non-conformities. Mr. Morgan asked if the applicant would be ready for a Public Hearing at the next meeting, which would be April 12. The applicant said they would. Mr. Azzolina explained that the impervious coverage is based on the lot area of the first 125 feet. Everything that is currently on the property is being torn down. Mr. Calder made a motion to schedule the Public Hearing for April 12, seconded by Councilwoman Tsigounis. All present were in favor. Motion approved. Applicants were present and informed of the Public Hearing date.

Mr. Azzolina is reviewing an application for 104 Morningside Avenue, 15 Wakelee Dr. Corp, Application #1477M. He spoke with their attorney last week. They are requesting a hearing on April 26. He is currently seeking some additional information. The architectural drawings were not submitted as part of the application and a couple of clarifications are required from the applicant's engineer. He expects to receive that information within the week. Assuming that is delivered, at the next meeting he will

recommend that we schedule a Public Hearing for the second meeting in April. That would be a major subdivision.

Another application under review is the Finetto application, 159 Magnolia. They are awaiting some additional information on that application. The Board does not have that application. This requires an FAR. He had some conversations with their attorney. There was some lack of agreement between the architectural and the engineering plans and they are still trying to work that out. The plan as it stands now, would require both an FAR variance as well as additional variances.

Mr. Azzolina also prepared a report for tonight's Public Hearing.

Old Business

None.

Public Hearing – Application #1476 – 274 Brookside Avenue

Mr. Mark Ruffolo, 145 N. Franklin Turnpike, Ramsey, NJ, Attorney, was present representing the applicant. They are here for a combined side yard variance. The requirement is 35 feet. The existing is 32.8 and they are requesting a 1.2 feet variance of the required 35 feet combined side yard. They are not looking for something that is substantial in nature. They don't think this has much detriment to the neighborhood. It is actually making the existing structure a little more conforming to the requirement.

Mr. Ruffolo called the architect, Mr. Uri Rapaport, 15 Franklin Street, Tenafly, NJ, who was sworn in by Mr. Schuster. Mr. Rapaport is a licensed architect and has appeared before this Board before. He is licensed in the State of New Jersey and his license is in good standing. He was accepted as an expert in the discipline of architecture.

Mr. Ruffolo asked Mr. Rapaport to explain the circumstances that necessitate the need for this variance application. Mr. Rapaport noted that this property is a little bit smaller than the current zoning requirements and they have only 80 feet width for the lot. He was trying to be very careful in designing the house to make sure they can comply as much as they can to the current zoning ordinances. The result is that they have a new house with improved side setbacks. If you look at the existing ones, they have 14.4 set back on one side and altogether they don't comply with the combined setback. What he has in the design is each setback is a little bit over, because you need 15 feet per side and they have 16.9 and 16.9 so they have a little bit more but the combined is still short by 1.2 feet, which is overall an improvement to what is there now. He is not asking much but when you have narrow lots, every inch counts. He hopes the Board finds it reasonable.

Mr. Schuster asked if he was testifying as an engineer or as an architect. Mr. Rapaport stated that he was testifying as an architect. Mr. Schuster noted that he wasn't talking about the structure, he was talking about the land and the lot. Mr. Rapaport noted that the engineer and the architect were working on that together. Mr. Schuster asked if there was an engineer that was going to testify today.

Mr. Chris Lantelme, 101 West Street, Hillsdale, NJ, was sworn in by Mr. Schuster. He has appeared before this Board many times. He is licensed in the State of NJ. He license is presently in good standing. He is being accepted as an expert engineer. Mr. Lantelme stated that this is an undersized lot at 80 feet wide. Right now there is a one story dwelling on it with a driveway and patio and walkway. It slopes down to the back. There is about an eight-foot difference between the highest point in the street and the lowest point in the back. Mayor Romeo asked if he was filling that it. Mr. Lantelme noted that they were not. They are proposing a single family house, with a two-car garage, front entrance, front walkway and rear patio. They are adding drainage that doesn't exist now. They are doing a seepage pit to take care of all of the runoff from the roof. The driveway actually pitches out to the street slightly.

The one variance that they are looking for is the combined side-yard. They are asking for 33.8 where 35 is required. It is a slight improvement to the existing condition. There is also a slight improvement to the existing condition where one of the side yards doesn't conform. If you looked at the property today, besides the undersized lot and the narrowness of the lot, lot width is also undersized, there are two existing variances, they are getting rid of one and they are making one a little closer to code. It is a small lot and the site plan actually attests to that. Even the soil movement is really hardly anything. Four or five truckloads and this project is done in terms of removing soil from the property. From a site standpoint, it is not a particularly large project. It is just a little constrained because of the width of the lot, as the old house was. The old house wasn't conforming either. All existing improvements are going to be removed and it is going to be a new dwelling. Mayor Romeo noted that the house is in disrepair. Mr. Lantelme agreed.

Mr. Schuster asked if they owned the property outright or if they were the contract purchaser. Mr. Ruffolo noted that Lumaj Builders owns it outright. Mayor Romeo asked where the previous owners were. It was noted that they were out of state and it was a rental that wasn't really taken care of.

Mr. Schuster asked why they needed variances for this property. Mr. Rapaport noted that on 80 feet, if you take off 35 feet combined it gives them a 45-foot house, which is a very narrow house. The house is not a very big house. It is a very moderate house and he believes that by allowing them to do the 16.9 on each side, they actually are going to have larger setbacks than many other properties on the street and in proportion to the 80 feet, what they are proposing looks really within reason. The house doesn't look too big or too small. If they make it narrow, then maybe they would have to push the house more to the back which makes the backyard smaller. This is the best solution.

Mayor Romeo asked which way they moved the house. In other words, which house are they closer to. Right now, if you look at the property, the house on the right is only 14.4 feet. That is now going to be 16.9 feet. Mr. Azzolina explained that the house on the north side is currently 18.4 feet and the proposed setback is going to be 16.9, so theoretically the new house is closer than the existing house by 1 ½ feet on that side, but it is offset on the other side.

Mr. Schuster asked if there is any benefit to the public by granting the application. Mr. Rapaport stated that the house currently is not being maintained well and it doesn't look right. He thinks that the builder has done some houses in the area and he has some nice results to show. He thinks it is going to be an improvement on the street. Mr. Schuster asked if there was going to be any detriment to the zone plan or zoning ordinance of the Borough if we grant this application. Mr. Rapaport doesn't think so because they come here because on narrow lots with the 35-foot combined setback they just cannot do that and the Board is very reasonable and listens to them. He thinks because of this combined 35, sometimes they have to ask for that and for the most part, the Board agrees. Mr. Schuster noted that special reasons are because of the shape of the lot. Mr. Rapaport stated that he wished he had a wider lot, but unfortunately it is a little bit too narrow.

Mr. Morgan asked if they received the engineer's report. Mr. Lantelme noted that he did. He noted that there are no problems with anything in Mr. Azzolina's report. Mr. Calder asked about all the trees remaining on the property. Mr. Lantelme noted that they were just talking about that earlier. Right now they are all remaining. However, they are afraid, once they get into this, they might be damaging too many roots to the one in the front. He thinks they are going to see how that goes. They may be removing that. The ones in the back they don't think have to be removed at all. They have room for the seepage pit without damaging them. But if they do end up taking that tree down in the front, they will follow whatever tree ordinance there is in Cresskill. They are talking about the 20" maple. The roots are pretty spread and he thinks once they start digging the trenches, they are going to see what they are damaging. That is not a Borough tree. Most of the trees are in the back and on the side.

Mr. Morgan opened the meeting to the public. No public wished to be heard. The meeting was closed to the public.

Mr. Durakis noted that we just repaved Brookside Avenue. He assumes that care will be taken to minimize any damage to the new paving of the roadway in front the house. Mr. Lantelme noted that Mr.

Azzolina mentioned it is his report. Mayor Romeo asked if the sewer line and gas line were good. Mr. Azzolina noted that the gas line is not because PSE&G was already there last week digging up the new road to disconnect the existing. He spoke with the foreman at the time. They will be back to install the new one. We will require that they do an infrared patch on the roadway. Normally he recommends that applicants remove and replace all the curb along the frontage. He didn't make that recommendation in this instance since the curbs are in decent condition so he prefers that they minimize any disturbance to the curb and whatever restoration of the curb is done that it all be done without cutting the pavement. He will speak to the builder before he does that work. He will make sure they are on the same page there. He will require that he does a video inspection of the sanitary sewer so he can confirm that the lateral one is OK. If the sewer and water are in good condition, they can be reused without having to open up the street any further.

Mayor Romeo stated that he thinks they are replacing a house that is in bad repair. It has been neglected. The owners live out of state and the renters don't take care of it the way they should. All the houses in Cresskill Gardens are going to disappear shortly so he thinks it is going to be a plus to the neighborhood.

Mr. Calder made a motion to approve, seconded by Mr. Ulshoefer. On Roll Call: Mayor Romeo, Councilwoman Tsigounis, Mr. Morgan, Ms. Bauer, Mr. Calder, Mr. Moss, Mr. Ulshoefer, Mr. Durakis, and Mr. Mandelbaum all voted yes. Motion approved.

New Business

None.

Other Business

None.

Mr. Morgan opened the meeting to the public. No public wished to be heard.

Motion was made by Mr. Calder to adjourn the meeting at 8:18 PM, seconded by Mr. Moss. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for April 12, April 26, May 10, and May 24, 2016, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary