

MINUTES

CRESSKILL PLANNING BOARD

APRIL 10, 2012

Mr. Vaccaro opened the meeting at 7:35 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call: Mayor Romeo, Councilwoman Tsigounis, Mr. Vaccaro, Ms. Bauer, Mr. Galdi, and Mr. Morgan. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Galdi made a motion to approve the minutes of the March 27, 2012, meeting. The motion was seconded by Mr. Morgan. All present were in favor of the motion. Motion approved.

Correspondence

Letter of Introduction from Mr. Edward Rossi, Construction Official, dated March 30, 2012, sending Mr. Hosu Lee, 102 6th Street, Cresskill, to this Board for approval. Mr. Lee had originally planned to enlarge his garage and had gone to the Zoning Board for approval. He now wants to demo the home and build a new one. No one was present. No application has been received.

Letter of Introduction from Mr. Edward Rossi, Construction Official, dated April 9, 2012, sending Ms. Estelle Lee to this Board for approval. She is seeking approval to sub-lease space at 50 Piermont Road. She would like to open an organic dry cleaning business. She also has another business in New City, New York. She also does tailoring and alterations. Mr. Lee was present on behalf of Ms. Lee. They will be taking over the dry cleaning business that is already located at 50 Piermont Road. Mr. Galdi made a motion to approve, seconded by Mr. Morgan. All present were in favor. Motion approved. Letter sent to Ms. Lee stating the Board's approval, with copies to the Building Department and Ms. Barbara Nasuto.

Mayor Romeo noted that Mr. Lee, from 102 6th Street, on the corner of Evergreen, had the project stopped because he was running a business out of his house. He had a whole bunch of equipment on the side of the house and they made him clean it all out. He is now coming in for a knock down and a new house.

Vouchers from Mr. Steven V. Schuster for services rendered relative to the Cresskill Planning Board for the month of January 2012 in the amount of \$1,090.08 and for Application #1418, Lucibello, in the amount of \$1,055.70. Mayor Romeo noted that he will discuss these bills with Mr. Schuster later in the week. Mr. Galdi made a motion to approve, seconded by Mr. Morgan. All present were in favor. Motion approved.

Subdivision Committee

Councilwoman Tsigounis noted that a new application was received. Application #1419L, 144 Truman Drive, Jian Bo Song, was received on April 2, 2012, and is currently under review.

Also, a revised application was received for Application #1412, 265 Piermont Road, which was received April 2, 2012. Mr. Mark Madeo was present representing the applicant, Jacob Vivat. Mr. Madeo noted that 265 Piermont Road is an oversized lot, but it is a very odd shape. It only has about a 20 foot frontage on Piermont Road. It is a weirdly pie-shaped piece that goes back into wetlands and then hits the railroad tracks. This tract had almost a little shack on it. That had been there for a great many years. What they did was they filed an application earlier (August 25, 2011), and one of the problems is that there is a DEP entanglement here. They decided that instead of coming here and having the Planning Board approving it subject to DEP approval, and quite possibly winding up in a whole DEP mix, they went to DEP first. DEP has stamped their approved plans. Where they are is largely determined on where the DEP will let them do this. They are not allowed to put a basement in, they have to have a crawl space, they have to have some flood vents, and they made them move the house significantly forward and out of what would be the flood plain and a top of bank issue with the Tenakill Brook, which is back there.

What they are really here for are a couple of variances that are pre-existing, the 20 foot lot frontage, which is already there and there is nothing they could do about that. Significantly what they are here for is the side yards. Mr. Madeo stated that the side yard adjoining 261 Piermont is 15 feet, where the old side yard was only six feet. They are nearly tripling that side yard. The fact is that as this house moved forward to get it out of everything to do with flood plain, the house starts to move forward into the narrower part of the lot. There is just no other way. They would have loved to have been able to put this house centered and further back and it would have required no variances. DEP has essentially made these decisions for them. He has the DEP Permit. DEP is saying that the back of the property is in the flood plain but it is not 300 foot top of bank. Mr. Azzolina believes they are within 300 feet of the Cresskill Brook, which is to the south, but it is previously disturbed so most likely they are allowing it.

Mayor Romeo noted that this part of the brook never floods. That brook goes further down and floods into the parking lot. Mr. Azzolina noted that the roadway floods also. He also noted that they received a flood hazard area individual permit. Mr. Madeo noted that they have dealt with those issues really dictating where they could place the house. When you look at the variances they need, it is really for combined side yards. They have almost 31 feet of combined side yards, where you need 35. Even given what they are dealing with, they are off on the total by about 10%.

Mr. Vaccaro noted that they will need a public hearing. Mr. Madeo stated that he is just here for completeness and is aware that he needs a public hearing. He wanted to address any concerns the Board may have. They are really only talking about a relatively small side yard variance when the actual side yards are two to three times what used to be there. They have the existing variance for the frontage. They have a variance for the driveway to the property line. Their goal was to stick with the existing driveway, which has always had a variance. He has architectural plans, they have the approved DEP plans, they have the various location surveys also approved by the DEP, so he would really like to get a public hearing date.

Mr. Schuster asked if the shed was going to be removed. Mr. Madeo stated that he believes that the shed is only a working shed. It is there right now for construction, a temporary building. He will get a definitive answer on that and be prepared to answer that at the public hearing.

Councilwoman Tsigounis noted that the side yard variances are required due to the fact that they are required to move the house up because of the flood zone, but the width of the house is normal. Mr. Madeo agreed with that assessment. He stated that the house is a very normal house. If it wasn't for the flood zone concern, they probably would have moved it further back and made it bigger. They have the garage jutting out front because it is consistent with the shape of the property and the building envelop. If it is OK with everyone, he would like to get a public hearing date.

Mr. Galdi noted that the variances should be on both the architectural plans and the site plan. Mr. Azzolina noted that they applied to the DEP and received an individual permit for the construction that is indicated on the plans. They noted the 100-year flood plain in the flood hazard area.

Mr. Galdi made a motion to schedule the Public Hearing for May 8, 2012, seconded by Mr. Morgan. All present were in favor. Motion approved. Mr. Azzolina noted that he reviewed the plans and they are complete as presented for a public hearing.

Mr. Schuster noted that they should notify the utilities. Mr. Madeo noted that he notifies everybody anyway. Mr. Galdi is concerned with the drainage and if they did test borings. Mr. Azzolina noted that typically they handle that during the construction. Mr. Galdi thought that since there is time between now and the hearing if there was a question, they could show drainage, where they are going, diversion drains, extra seepage pits, a tie-in to the catch basin. Mr. Azzolina noted that there is nothing to tie-in to. This is kind of a remote location. The seepage pits are in the back of the property. They are showing a daylight overflow to the rear area, which is along the railroad tracks and then basically it flows in a southerly direction toward the Cresskill Brook.

Mr. Madeo noted that there is a house on either side of this property. There is a large cinder block wall on the one property line. They have already planted some trees along the property line. They also did some clean-up on the property.

Report from the Borough Engineer's Office

Mr. Azzolina noted that the pavilion is now out to rebid. The first round of bids was higher than the appropriation, so they recommended that the Mayor and Council reject the bids. They turned it around quick, advertised this past Saturday for pickup on Monday with new bid opening next Tuesday, with the hope that they come in reasonably priced. A change was made whereby the Borough is buying the structure to cut out the large mark-up they are putting on the structure to begin with. The town is purchasing it for around \$35,000. The lowest installed number that they had was about \$82,000. That should bring the bids down, but more importantly it expedites the time frame. We are able to control the delivery of the structure. They should have the purchase order out in the next couple of days. They spoke with the distributor yesterday and they are on board with the procedure.

Mr. Azzolina has a meeting scheduled for Friday with the Daibes people regarding the Cresskill Plaza. Mr. Vaccaro noted that he got the two engineers together, Mr. Daibes, and the County will be here Friday. What is happening is they thought three people were going to pay for this. It is actually only one person, Mr. Daibes, who is supposed to be paying for this. The stream encroachment also held it up and that is supposed to be taken care of.

Mr. Azzolina prepared a map and a letter for the land that they are going to use for the intersection. It shows the easement area of what it used to be and now what they are proposing. It reduces the area from the 15,000 square foot range to 9,000 plus or minus, with the reduction of price going from \$350,000 to around \$206,000.

Old Business

None.

New Business

None.

Other Business

None.

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

Motion was made by Mr. Galdi to adjourn the meeting at 8:00 PM, seconded by Mr. Morgan. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for April 24, May 8, May 22, and June 12, 2012, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary