

MINUTES

CRESSKILL PLANNING BOARD

APRIL 28, 2015

Mr. Vaccaro opened the meeting at 7:38 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. Morgan, and Mr. Ulshoefer. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Morgan made a motion to approve the minutes of the April 14, 2015, meeting. The motion was seconded by Mr. Ulshoefer. All present were in favor of the motion. Motion approved.

Correspondence

Letter from Mr. Thomas Ludwig, attorney for Application #1462, 102 Westervelt Place, M3M Builders, LLC, dated April 24, 2015. This matter was heard by the Board on April 14 and was carried forward to the next date. Because the revised architect's plans and surveyor's calculations will not be available until April 28th, his client respectfully asks that this matter be carried to the public meeting of the Board scheduled for May 12, 2015.

Councilwoman Tsigounis noted that the revised plans were just received tonight. Mr. Morgan feels that they should re-notice. Mr. Schuster stated that you can do a few things. You can make them re-notice, which is probably the best thing to do, which means he has to send out in the mail again and publish in the newspaper. Or, you can dismiss this case and make him refile, without charging him any fees to do that and that it would just start up all over again. If he is going to be ready for the next time, then probably just have him re-notice is probably the best thing to do.

Mr. Morgan would like to make a motion to have him re-notice and publish. Mr. Ulshoefer seconded the motion. Mayor Romeo didn't think that he would be able to make it for May 12. He thinks that May 26 would be better because he is not here. Mr. Vaccaro thinks that May 26 would be better because there will be members not present on May 12. Mr. Schuster explained that if you were not here on the first hearing date and you are here on the second hearing date, the only way you can vote is if you listen to the tape of the first hearing date. You have to certify that you heard the tape. You cannot go by the typed minutes.

Mr. Schuster will notify Mr. Ludwig of the new hearing date and inform him that they have to re-notice and republish in the newspaper for May 26, 2015.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated April 16, 2015, sending Mr. Joshua Kim to this Board for approval. He would like to construct a new single family residence at 4 New Street. Application #1464, was received on April 21, 2015.

Councilwoman Tsigounis introduced Application #1464, Eunjung Kim and Joshua Kim, 4 New Street, which was received on April 21, 2015 and is currently under review. Mr. Azzolina noted that they are in

the process of reviewing this application. Mr. Kim was present. Mr. Azzolina explained that the process is that his office will review the plans for the next meeting. If everything is complete, he will recommend that the Board approve it. He does not know if they require any variances or not. He knows the plan says that they don't. In the two weeks, they will be contacting their engineer and architect with any questions that they may have. He does think that certain plan revisions may be required so he most likely will prepare a memo to their engineer to list those revisions and he will copy Mr. Kim as well. It could be the next meeting or the meeting thereafter, depending on the amount of revisions required.

Mayor Romeo asked Mr. Kim if he was putting one house on the property and facing it towards East Madison. Mr. Kim stated that the house will be facing New Street. Mr. Azzolina noted that it is an oversized lot.

Letter from Orange & Rockland, dated April 10, 2015, regarding the easements on which their electric facilities operate. The letter addresses RECO's efforts to enhance public and worker safety and to minimize service disruptions caused by interference with electric facilities in those easements. File.

Application for Soil Erosion and Sediment Control Plan Certification for 34 Ridge Road, 34 Ridge LLC (Richard An). File.

Subdivision Committee

Councilwoman Tsigounis covered her report during the correspondence.

Report from the Borough Engineer's Office

Mr. Azzolina noted that he received revised plans as well as architectural drawings for Application #1461, 34 Ridge Road, 34 Ridge LLC. The site plan is revised April 2, 2015. The applicants were present. At the Board's last meeting they had discussed that a couple of revisions were required. The masonry fireplace on the first design, which the Zoning Officer deemed to be part of the structure, so in order to not require a side yard setback, it was changed to a cantilevered wood-frame chase for the fireplace. The areaway that was on the westerly side of the dwelling was also deemed to be part of the structure that was removed. The other issue that was discussed was a tree. He sees the plan does not reflect any additional trees although he did check the notes and they did agree that they would replant at whatever ratio that the Board deemed appropriate. That would go with any approval should the Board approve the application. The other thing that he noted that he neglected to mention on the first discussion of the plans is the driveway is showing to be five feet off the property line as opposed to the 10 feet that is typically required, so a waiver would be required for that. The reason being, given the irregular shape of the this property, in order to have a side loading garage as opposed to a front loading garage, the appropriate back out dimension is 30 feet and at the garage, that's really that depth of the driveway, 30 feet, at the location. If they were to provide the 10 feet, then the back-out dimension would only be 25 feet and that would be a little tight. If there is a waiver condition, he doesn't really see the problem with it, but he just brings it to the Board's attention so the requisite waiver can be granted by the Board if they are so inclined. The plan was otherwise revised in accordance with the recommendations with his office as well as the Board.

Mr. Azzolina stated that with the clarification, he would recommend that the Board approve the plan. Mayor Romeo asked the applicants that they put some trees in. The applicants agreed. Mr. Morgan made a motion to approve, seconded by Mr. Ulshoefer. All present were in favor. Motion approved. Two copies of the plan were signed, with an approval memo. One copy to the Building Department, one copy to the file. Mr. Azzolina stated that that approval is subject to them replanting trees, which we didn't specify a ratio. Mayor Romeo suggested that they put in a couple of trees. The applicant said they will be putting in more than a couple of trees.

Mr. Azzolina stated that on Application #1463M, Ramapo Developers, 177 6th Street, his office has reviewed the plans and they are substantially complete as presented. The applicant's attorney was present. From his perspective, the application is complete enough that a Public Hearing can be scheduled. Ms. D'Arminio asked if there was anything that Mr. Azzolina felt should be added to the plans. Mr. Azzolina stated that there are some comments that are of a minor nature, nothing that would stop them from having a hearing. These things could be added after the hearing with any comments made from the Board. This way it can be done at one time. Ms. D'Arminio asked if they would be getting a letter from Mr. Azzolina with those so if they can address them ahead of the hearing they can. Mr. Azzolina noted that most likely it will be before the hearing.

Mr. Vaccaro asked if she could get the notices out for the next meeting. Ms. D'Arminio stated that theoretically she could, but it is not an ideal situation. If the meeting is open and the Board thinks they would have a quorum, she could try to make it, but it's not an ideal situation to try to rush it.

Mayor Romeo explained that they are asking for a subdivision, but what it is, is another one of those 50 foot lots that is on a separate deed there. He asked if there was a house plan with side yards and stuff like that. Ms. D'Arminio said that there was. The current house is going to stay and on the empty proposed lot they submitted preliminary architectural. The side yards are proposed at 11 and 11. The architecture is similar to the house being built by the same builder on 11th Street with a garage under design. The lot is narrow and deep. According to the zoning schedule as presented, there is no FAR, subject to confirmation.

Ms. D'Arminio stated that May 26 would be her preference for the Public Hearing. Mayor Romeo asked about the height variance that is stated on the plan. Ms. D'Arminio stated that the existing house is slightly over so that is an existing variance condition. The new house being built will not need a height variance. Mr. Azzolina explained that in a subdivision you look at variances that are, in essence, somewhat created even though they already exist, like impervious coverage would become more intense, and side yards are going to change.

Mr. Morgan made a motion to schedule the Public Hearing for May 26, 2015. The motion was seconded by Mr. Ulshoefer. All present were in favor. Motion approved.

Old Business

None.

New Business

None.

Other Business

Mr. Morgan asked about the outcome on the corner of Wilson and Kennedy. Mr. Azzolina stated that he filed an application for soil movement to remove the soil that was unauthorized. Mr. Morgan explained that he put about 25 loads of soil in his yard. Mr. Azzolina noted that he has been directed to remove that. He filed an application to do just that. He hasn't given a start date yet. Mr. Azzolina knows that he mentioned to the Building Department that he would like to talk to Mr. Rossi about something relative to

that property, but he doesn't know what that is. He drove by there this evening and it hasn't been started yet, but he assures the Board that it will be done.

Motion was made by Mr. Morgan to adjourn the meeting at 8:06 PM, seconded by Ms. Bauer. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for May 12, May 26, June 9, and June 23, 2015, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary