

MINUTES

CRESSKILL PLANNING BOARD

MAY 10, 2016

Mr. Morgan opened the meeting at 7:32 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, Mrs. Schultz, 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 April 26, 2016, meeting. The motion was seconded by Mr. Durakis. All present were in favor of the motion. Motion approved.

Correspondence

Voucher from Mr. Steven V. Schuster for services rendered relative to the Cresskill Planning Board for the month of January 2016 in the amount of \$1,508.77. Ms. Bauer made a motion to approve, seconded by Mrs. Schultz. All present were in favor. Motion approved.

Letter of Introduction from Mr. Edward Rossi, Construction Official sending Mr. Uri Rapaport to this Board for approval. He wishes to construct a new single-family residence at 95 Mezzine Drive. Application #1480 as received on May 4, 2016, and is currently under review.

Letter of Introduction from Mr. Edward Rossi, Construction Official, sending Mazen Iskandar to this Board for approval. He is proposing to take over the gas station at 229 Knickerbocker Road with three service bays and eight gas pumps. This is the Lukoil gas station at the circle.

Letter of Introduction from Mr. Edward Rossi, Construction Official, sending Ms. Christine Kerr, from Devonshire Associates LP, to this Board for approval for new tenants at 100 Union Avenue. One is Bergen Test Prep, which is education services.

Letter of Introduction from Mr. Edward Rossi, Construction Official, sending a representative for Mr. Garasimos Zapantis to this Board for approval. He is proposing the opening of a new Greek restaurant at 39 Union Avenue. They are also seeking approval for an electric sign.

Memo from Ms. Barbara Nasuto, dated May 10, 2016, to the Planning Board and Zoning Board regarding the FAR variance. She would like to know if an applicant goes to the Zoning Board of Adjustment for a FAR variance (since they are the only Board to approve such variances), should the applicant post a separate escrow fee for this variance. We have had a few applications where the Borough Engineer is involved in the FAR variance process and he charges the Borough for his services. Since escrow fees for Zoning applications are \$150 (for legal fees) or \$450 (if it is a use variance), additional monies would need to be posted if the Borough Engineer is involved. If it is new construction, the applicant would then have to go to the Planning Board and the escrow fees for the engineering are listed on the application. Ms. Nasuto is looking for help on the escrow fees.

Mr. Schuster feels that part of the problem is that the escrow fees for the Zoning Board is not sufficient. The way it is set up with the Zoning Board is it is just a flat fee. The other issue is if it is a flat fee and it exceeds that, good luck getting the rest of the money. Mayor Romeo noted that if he needs an FAR and its new construction,

he has to come before the Planning Board anyway. We have always had them come here first for new construction to see if we could get them to cut the FAR down and cut through all the red tape. If they don't do that, then we make them get the FAR, which will then make this application much smaller and easier to deal with. If Mr. Azzolina has to do two looks at this thing, he should be paid twice. Mr. Azzolina is not sure which application Ms. Nasuto is referring to. He doesn't get involved with FARs at the get go. He does get involved when there are problems with them and then he usually recommends that a separate escrow be established at that time. He is not sure about the billing the Borough part. He agrees with Mr. Schuster that the \$150 fee is obviously insufficient to pay the attorney and engineer for anything for a review. The thinking is that for the Zoning Board applications you don't want to burden the residents with a hefty escrow, but if you have neighbors that are concerned with sizes of houses, then it might have to be a cost of business.

Mayor Romeo asked Councilwoman Tsigounis about raising the FAR on a Zoning to \$450 or \$500. Mr. Schuster noted that it is engineering and Mr. Azzolina knows more about the fee. Mr. Azzolina thinks that \$1,000 would be reasonable but he doesn't review those plans right now. That would be really something entirely new. Mayor Romeo stated that we will raise it to \$1,000 if an FAR is involved on new construction. Mr. Azzolina noted that he can then confirm the numbers because they have had some problems with numbers not being correct and that turns into a problem.

Mayor Romeo asked about an FAR that is not a new construction. Mr. Azzolina feels that most of the applications will be in that category with additions and alterations that puts them over the FAR. They would do everything at the Zoning Board and the major part of what we would do with those types of large additions would be to determine whether drainage improvements are necessary so that they are not discharging water on to the neighbor's property, so those are the things that would be looked at as part of that review.

Mayor Romeo asked Mr. Azzolina what he would charge for new construction with an FAR. Mr. Azzolina noted that he is not involved with those applications. It is all going to be a function of who is preparing the plans. Some are more adept at the Cresskill code and the nuances and they get it right the first time. Others, not so much. Councilwoman Tsigounis also noted that it is an escrow fee that could grow. If \$1,000 is insufficient, they would be required to replenish it. Mr. Azzolina would make it the same as the Planning Board, which is \$1,500 for engineering and \$1,500 for legal. A memo was sent to Ms. Nasuto stating the Board's recommendation.

Ms. Christine Kerr was present for new 100 Union Avenue tenants. One was for Suite 230 for Bergen Test Prep which is going to be for education services and they are moving here from Closter. It is going to be test prep and education services to help the people get their kids to go to college. They are going to take two parking spaces and she has plenty. The second is NYPS Tech, which is a tech company that does software for the fashion industry. They are taking 500 square feet and they are also buying one of the Willow Run townhouses, so he can walk to work. The Bergen Test Prep business is a husband and wife and it is by appointment only so they only need two parking spaces. The hours for the Bergen Test Prep business are going to be from 1:00-6:30 PM. The software company hours will vary because he will also be working from home. Mr. Calder made a motion to approve, seconded by Mr. Durakis. All present were in favor. Motion approved. Letter of approval sent to Ms. Kerr.

Mr. Iskander was present for the gas station at the circle. They are proposing to buy the Lukoil Gas Station. It has eight pumps with three service bays. They did all the lease agreements. They bought the business. The property is owned by a woman in Florida. It is a franchise from Lukoil. Mayor Romeo suggested that he get a generator and hook it up to the pumps in case of a power outage. It will be the same employees and same shop attendants. Mr. Calder made a motion to approve, seconded by Mr. Ulshoefer. All present were favor. Motion approved. Letter of approval sent to Mazen Iskandar, Iskoil LLC.

Angelo, the brother-in-law of Mr. Gerasimos Zapantis, was present representing Mr. Zapantis and are proposing to open a Greek restaurant at 39 Union Avenue. It is going to be called GRK Grill. They are renting 1,800 square feet. They plan on seating 50 and have a 25-foot bench. Mayor Romeo asked if they talked to the fire official. He said there is a formula for how many tables for how many square feet and he will tell him how many he could put in there and be up to code so he will have no problems. There are six outside tables proposed. There will be 6-8 employees. The sign will be similar to the same sign that is there for the salon and the liquor store. It is an LED backlit sign. They do not have a liquor license but would like to eventually apply for one. Mayor Romeo noted that there is parking on the street, but eventually there will be parking behind on Allen Street. That whole area will be done over in the next year so there will be plenty of parking for the restaurant

there. There will be only one entrance in the front. Mr. Morgan explained that when they have the sign figured out they will have to come back in before they put it up. Mr. Durakis made a motion to approve, seconded by Councilwoman Tsigounis. All present were in favor. A letter of approval sent to Mr. Zapantis.

Subdivision Committee

Councilwoman Tsigounis introduced Application #1480, 95 Mezzine Drive, Lumaj Builders. This application was received on May 4, 2016, and is currently under review. Applications were distributed to the Board members.

Report from the Borough Engineer's Office

Mr. Azzolina noted that they are currently reviewing the plans for Application #1480, 95 Mezzine Drive, Lumaj Builders. They have some minor comments that they are working through with the engineer and architect. It is an oversized property so no variances are required as of the current review. It is not anticipated that any will be required. Mr. Rapaport was present. This property was previously owned by Campanelli. Mr. Rapaport stated that this plan meets all requirements and doesn't go to the max. It is a large property. It has five bedrooms if you count the one in the basement. The one in the basement can be used as a guest bedroom, nanny's room or whatever, and it has become almost a requirement of a new house. There is no kitchen in the basement. There is a full bathroom in the basement. The guests can have total privacy. Mr. Azzolina asked what was meant by air handler in the basement. Mr. Rapaport noted that it pushes the air for heating and cooling.

Mayor Romeo asked how big the house is. Mr. Azzolina noted that it is not correct on the engineer's plans and that is one of the items that they are discussing with both the engineer and architect. Mr. Rapaport said it is at about 27% where 30% is allowed. He will have the engineer correct it. Mr. Azzolina said that he doesn't have that information, but as Mr. Rapaport stated, it will comply with the FAR. Mr. Rapaport noted that they could have built a bigger house for the property but chose not to. It will fit in with the neighborhood.

Mr. Azzolina noted that he would say, subject to them revising the plans in accordance with his comments and recommendations, that the Board approve the plans. They can either approve it now or can wait. Mayor Romeo noted that they will not get the permits until Mr. Azzolina signs off on the plans. Mrs. Schultz made a motion to approve it subject to complying with Mr. Azzolina's comments and recommendations. Mr. Calder seconded the motion. All present were in favor. Motion approved.

Mr. Azzolina reported that Application #1479, 39 Chestnut Street, Mr. Frank DeCarlo, is complete as submitted. He recommends that the Board schedule that for a hearing on the next open date. They need two variances relative to the new construction relatively minor in scope. A rear yard setback to the second floor cantilever, which is at 29.25, where 30 feet is required, and as far as the building coverage, they are proposing to cover 21.4% vs. 20%. The lot itself is existing non-conforming with respect to its area of 7,500 square feet and its width of 75 feet as opposed to 100 feet. They do require two new variances so a Public Hearing would be required.

Mayor Romeo made a motion to schedule a Public Hearing for June 14, 2016, seconded by Mr. Calder. All present were in favor. Motion approved. Letter sent to Mr. DeCarlo advising him of the Public Hearing date.

Resolution for Application #1477M, 104 Morningside Avenue, 15 Wakelee Dr. Corp. with correction on page 1 was introduced by Mrs. Schultz, seconded by Mr. Ulshoefer. On Roll Call: Mayor Romeo, Mr. Morgan, Ms. Bauer, Mr. Calder, Mrs. Schultz, Mr. Ulshoefer, Mr. Durakis and Mr. Mandelbaum all voted yes. Mr. Moss was absent. Motion approved. The original resolution shall become a permanent part of these minutes.

Resolution for Application #1475, 4 Evans Road, Eyal Morad was introduced by Mr. Ulshoefer, seconded by Mr. Calder. On Roll Call: Mayor Romeo, Mr. Morgan, Ms. Bauer, Mr. Calder, Mrs. Schultz, Mr. Ulshoefer, Mr. Durakis and Mr. Mandelbaum all voted yes. Mr. Moss was absent. Motion approved. The original resolution shall become a permanent part of these minutes.

Old Business

None.

New Business

None.

Other Business

None.

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

Motion was made by Mrs. Schultz to adjourn the meeting at 8:13 PM, seconded by Mr. Durakis. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for May 24, June 14, June 28, and July 12, 2016, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary