

## MINUTES

### CRESSKILL PLANNING BOARD

MAY 22, 2012

Mr. Vaccaro opened the meeting at 7:42 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 Mrs. Schultz. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

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Mr. Galdi made a motion to approve the minutes of the May 8, 2012, meeting. The motion was seconded by Mrs. Schultz. All present were in favor of the motion. Motion approved.

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#### Correspondence

Application for Soil Erosion and Sediment Control Plan Certification for 2-8 Union Avenue, 6 Madison Avenue Associates, LLC. File.

Memo from Ms. Barbara Nasuto, Borough Clerk, to all Department Heads, enclosing a copy of the "Whistle Blower" policy and Employee Complaint Form. File

Letter from Mr. Lawrence J. Ferolie, Jr., dated May 8, 2012, to the Cresskill Planning Board. Mr. Ferolie noted that in the minutes of the March 13<sup>th</sup>, 2012 Planning Board Meeting, the minutes state the following: "Mr. Ferolie just told him that there was a bunch of litigation going on with the builder." Mr. Ferolie wanted to clear it up stating in the letter that "the litigation was with Cubellis Architects and New England Timberworks, NOT the builder. I want to make clear that this is not what I said or in any way what intended to say. The errors that occurred, were not errors caused by the execution of the design but errors in the actual design itself. My builder had no responsibility in the errors that occurred and I regret not being able to use him to finish the project. I felt at this point it was necessary for the designer also be responsible for making sure his design could be built. The best way to accomplish this in my opinion was for him/her to be one in the same. Please adjust the minutes accordingly." Mr. Schuster noted that a member of the public does not have the right to change the minutes. The letter will be put on file.

Letter of Introduction from Mr. Edward M. Rossi, Construction/Zoning Official, dated May 17, 2012, sending Mr. Chansoo Kim and Ms. Girgae Seor to this Board for approval. They wish to open a business at 45 Legion Drive (owned by RDLF – Roni Dersovitz). They have a tutoring business currently in Tenafly and Bayside, NY, and are looking to expand to Cresskill. The program is an after school program that teaches middle and high school students in every subject. They offer Olympiad programs such as physics, chemistry, biology, and math. They specialize in training for the USA math Olympiad and have had several students who've achieved top awards.

Mr. Kim was present and stated that they have a tutoring business that focuses on gifted students in science and math. Their specialty is training students for the math Olympiad. They also tutor for the science Olympiad, the physics, biology and chemistry Olympiads. They also teach all high school subjects. Sometimes they teach college students. They mainly teach high school students who have a talent in science and math.

Mayor Romeo noted that he has a concern with this location, right across from Crestron. They have received a lot of complaints about a lot of cars parking on the street. He needs to know what the landlord told him about what parking spots they have and what are their restrictions and how many people do they expect to have in class at any one time. Mr. Kim noted that he hasn't heard anything about the parking space matter. Most of his clients are students so they are drop off and pick up. He has 1,250 square feet. Since he is late for the summer session, he doesn't expect much for the summer, but usually they are small groups, less than 10, unless they are holding an SAT class. SAT classes are not their main concern. Their interests are mostly the special students training for the Olympiads who have a talent in science and math. The whole room is 12,500, but they are renting only half of that, but they are only using 1,250 square feet of that. There are only four small rooms.

Mr. Kim noted that the kids are going to be dropped off and picked up, after school. During the summer, it will be Monday thru Friday and during the school year it will be Monday thru Saturday because many students do after school sports. Mrs. Schultz noted that Crestron is the biggest offender of the parking. Everybody parks on the street because the parking lot is full.

Mr. Galdi is concerned with the quantity of people and the parking. They have to keep that within reason. Mr. Kim doesn't think he can have more than 10 people in the room. Mr. Galdi wants to place a limit on it as a way to prevent a parking issue. Mr. Galdi made a motion to approve it subject to policing the parking situation. Mrs. Schultz seconded the motion. Mr. Kim noted that he has four rooms and when he says 10, that is for one of the rooms. The smaller rooms can only hold four students. He will police the parking himself. He will inform the parents that there is an issue with the parking.

Mr. Nathan Kipperman from the Farmhouse Café was present for approval on his signs. He is proposing three signs. All will be in wood in an old fashioned style. They will be in three different locations. The first one is very simple. The front sign is the smallest sign. He found an old wheel from an old farmhouse that is about five feet in diameter and buried it in the ground. From that they want to hang a sign that says Farmhouse Café that is about 13" x 36". The square footage is 3.25 square feet. The second one is going to be on the dorm that is facing Kings. All signs have the same design and all are hanging, just different sizes. This one is 20" x 72". Mayor Romeo asked about the visibility from Kings. Mr. Kipperman explained that it is all open and there is good visibility from Kings. There is no light on the sign. It is in the style of the old barn, with the chain hanging and a little bit aged. The biggest sign is going to be towards Piermont. It is going to be hanging from the big dorm on the other side. It will be lit. This sign is going to be 26" x 90". The measurements basically match the proportions of the building. The width of the building is 30 feet. The sign is eight feet. He looked at the specifications and he is within the proportions. Mr. Schuster noted that if he has a 30 foot frontage, he is entitled to 15 square feet of signage. Mr. Kipperman noted that the sign is eight feet. The total square footage of all the signs together is 30 square feet. Mr. Schuster stated that that is twice what they are supposed to be.

Mr. Schuster noted that the lawn sign is different. That is permitted if we give him approval for that. That sign is not included in the square footage of the building signs. That leaves 26 square feet of signage on the building. Mr. Schuster noted that he is entitled to 15 square feet based on the 30 foot frontage of the building. Mr. Kipperman stated that the letters are less and he can make the wood smaller. The lawn sign is a separate issue.

Mr. Schuster looked up the sign ordinance and noted that it states that the aggregate area in square feet of all signs of any wall shall be not greater than half of the length in feet of those walls. In other words, he is entitled to have a 15 foot sign on the front wall, and if the side wall is 30 feet, he can have a 15 foot sign on that wall as well.

Mr. Galdi made a motion to approve, seconded by Mrs. Schultz. All present were in favor. Motion approved.

Resolution for Application #1412 was introduced by Mr. Galdi, seconded by Mrs. Schultz. On Roll Call: Mayor Romeo, Councilwoman Tsigounis, Mr. Vaccaro, Ms. Bauer, Mr. Galdi and Mrs. Schultz all voted

yes. Mr. Morgan and Mr. Vieni were absent. Motion approved. The original resolution shall become a permanent part of these minutes.

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### **Subdivision Committee**

Councilwoman Tsigounis had nothing to report.

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

Mr. Azzolina noted that he reviewed Application #1414, 158 Truman Drive, Abigail Alvarez. It was submitted to his office for completeness. He stated that the application is complete. He spoke to their attorney. He was trying to schedule his professionals. Their architect is from California. He is trying to schedule for the first July meeting, which is July 10. They have not submitted plans to the Borough Clerk yet for distribution to the Planning Board. They have addressed Mr. Azzolina's concerns. There are variances, which is why he needs a Public Hearing. Mr. Azzolina will tell them to submit the plans before the next meeting so the Board has them in advance of the Public Hearing. He wasn't sure 100% of the July 10 meeting, but he would tentatively like to be scheduled.

Mr. Azzolina received a stormwater management report for the 6 Madison Avenue project. It is lacking with respect to what he requested. He will touch base with their engineer to go over the required revisions. He is still waiting on other drawings. CSX sent Mr. Azzolina an e-mail which indicated that they agreed with the cut down of the easements. In that regard, he forwarded that e-mail to the County to make them aware of this and asked them what the next step is. He has not heard anything from them in about a week so he called them today and left two voice messages and has not heard back from them yet. Basically the County needs to direct the design engineer to formalize the descriptions and the mapping and forward that down to CSX and we give them a check for \$198,000.

Mr. Vaccaro asked about Allen Street. Mr. Azzolina noted that he kind of put it on the back burner after he got the Verizon \$500,000 estimate, but he will put something together. Mr. Vaccaro would like to present it at the next COW meeting and see which way the Mayor and Council wants to go.

Mayor Romeo noted that they are trying to figure out what to do with the Merrifield deed. They have to change the deed. There can't be anything in a Green Acres deed like a reverter clause. That has to be taken out and they are going to pass an ordinance in perpetuity saying that the property will always be a park and can never be rescinded and then they will release the \$500,000 grant that we have been waiting for.

Mr. Azzolina noted that the excavation and disposal has started for the pavilion. They are digging for the pile caps. They are going to form them and lay them out on Wednesday. There are a total of 14 pile caps. The steel columns are supposed to be delivered June 4 with the pavilion. It should go up in a couple weeks once it is delivered to the site.

Councilwoman Tsigounis had a question regarding the walking track. The Suburbanite article talked about the pavilion and also in the works was a walking track. They spoke about it at the last COW meeting and about it getting smaller. Mr. Azzolina noted that they don't have a final location for it yet. They are still talking about it. That is a work in progress. They need DEP permits in order to construct it.

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### **Old Business**

None.

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**New Business**

Ms. Bauer asked if, at the next Planning Board meeting, they could use it to accept the ERI as part of the Master Plan. This is just a finality. There has to be a Public Hearing. She can make the presentation. She has to invite ANJEC. They do not have to come, but they have to be invited. They have everything. Everything has to be sent to ANJEC. Ms. Bauer made a motion to schedule the Public Hearing for June 12, seconded by Councilwoman Tsigounis. All present were in favor. Motion approved. Ms. Bauer will notify Ms. Nasuto to publish for the Public Hearing.

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**Other Business**

None.

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

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

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The next four regular Planning Board meetings are scheduled for June 12, June 26, July 10, and July 24, 2012, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo  
Recording Secretary