

MINUTES

CRESSKILL PLANNING BOARD

JUNE 10, 2014

Mr. Vaccaro opened the meeting at 7:41 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, Mr. Galdi, Mr. Morgan, Mrs. Schultz, Mr. Calder, Mr. Ulshoefer and Mr. Moss. Ms. Bauer arrived at 7:51 PM. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Galdi made a motion to approve the minutes of the May 27, 2014, meeting. The motion was seconded by Mr. Morgan. All present were in favor of the motion. Motion approved.

Correspondence

Public notice from the City of Englewood regarding Ordinance #14-18, an ordinance amending Chapter 250, Land Use, Article XI District Regulations, Section 250-76, Supplemental Multifamily Housing, Subsection B (5B-3) of the code of the City of Englewood. File.

Memo from Ms. Barbara Nasuto dated June 3, 2014, regarding the League of Municipalities Convention schedule for November 18-20, 2014. Anyone planning on attending this year should let her know so she can make hotel reservations.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated June 4, 2014, sending Mr. John Manfredonia, on behalf of the owners, Mr. and Mrs. Girman, to this Board for approval for a Major Sub-Division at 80 Morningside Avenue. No plans have been received.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated June 3, 2014, sending Mr. John Manfredonia, on behalf of the owners, Mr. and Mrs. Barretta, to this Board for approval for a Major Sub-Division at 74 Park Avenue. No plans have been received.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated May 29, 2014, sending Hye Cha Pak to this Board for approval. She wishes to open a nail business, Mona Nail & Spa at 6 Madison Avenue, #102. This is in the Daibes new project on Madison Avenue. Ms. Pak and her daughter, Joanna were present. They were informed that they would have to wait until a CO is issued and they were aware of that. They will be occupying a store of about 800-1,000 square feet. They will be open from 9:30-7:00 on weekdays and will close earlier on the weekends. At this point, they don't know how many employees.

Mr. Schuster asked how many parking spots they were getting as part of their lease. Ms. Pak did not know. Mayor Romeo noted that it should be OK because the middle is parking and behind it is another whole row of parking. When they originally did the plan, they had more than enough parking. Mr. Ulshoefer asked if there was going to be assigned parking for the people that live there. It was noted that there is no assigned parking. Mr. Schuster said there should be some idea of what the overall is going to be. The theory behind having a residential/commercial is that during the work days the people that are living there are not going to be there, so there will be additional parking. Mr. Moss noted that they were going to be open on the weekends and he doesn't know how many other businesses were going to be open on the weekends as well. Mr. Schuster noted that that has always been the issue. There is no office space in there. It is retail. Mr. Galdi made a motion to

approve, seconded by Mrs. Schultz. Mayor Romeo stated that they are not going to change the parking because it was approved in 1999 so it doesn't really matter what it is. The way it was put at that time, there was more than enough parking. Mr. Schuster stated that it is not an uncommon practice in planning to have a situation where a lot of people are going to be away during business hours. All present were in favor. Motion approved. A letter was sent to Ms. Pak, with copies to Ms. Barbara Nasuto, the Building Department, Fire Department, Police Department, and Board of Health.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated June 6, 2014, sending Mr. David Patel to this Board for approval. He is the new proprietor of the Cresskill Tavern and he would like to put up signage as there presently is none. Mr. Patel noted that the one sign will be facing Madison Avenue. The sign is proposed to be 3 x 6. Mr. Schuster noted that the size of the signage is determined by how big the building is. There is a limitation on the size of the sign. Mr. Patel noted that right now there is no sign in the front or back. There are no signs on any stores on the Madison Avenue side of the building. Mr. Patel is also asking to put a sign above the door. He is proposing both signs to be 3 x 6.

Mr. Schuster asked how wide his portion of the building is. Mr. Ulshoefer asked what the actual ordinance says as far as the building dimensions versus the sign dimensions. Also, is it legal to put it facing East Madison. Mayor Romeo feels there is no doubt he can put one in the front. Mr. Schuster noted that the ordinance states that you cannot have more than one sign facing the street. If he has a 20 foot wide frontage, he can have a 10 square foot sign. The aggregate in square footage of the signs can be no greater than 1/2 of the length in feet of such wall. Therefore, a 2 x 5 foot sign would work on both the front and back. Mr. Patel was OK with that. Mr. Galdi made a motion to approve the 10 square feet signs on each side. Mrs. Schultz seconded the motion. All present were in favor. A letter of approval was sent to Mr. Patel, with copies to Ms. Barbara Nasuto and the Building Department.

Subdivision Committee

Councilwoman Tsigounis had nothing to report.

Report from the Borough Engineer's Office

Mr. Azzolina distributed his memorandum dated June 10, 2014, regarding Application #1447, 113 Jackson Drive, Julian Singer, noting the plans deficiencies. They have reviewed the plan prepared by Hubschman Engineering. His comments are relatively minor technical types of revisions. The only significant comment would be the retaining wall design, which he discussed with Mr. Hubschman this afternoon. He has a six foot wall in the rear yard behind the pool. Our code does not allow for a six foot high wall in that location. His proposal is to terrace the wall so he will have two three foot walls instead of one massive six foot high wall. Mr. Hubschman agreed and noted that they are under on the FAR, impervious and building coverages. Mr. Azzolina received the architectural drawings that he requested to confirm the FAR numbers and they are in agreement. The drainage design is adequate. It is actually more than adequate. It provides an overflow to the municipal storm drain as is typically recommended. His recommendation would be, subject to Mr. Hubschman revising the plans in accordance to his memo, that the plan be approved. Mr. Galdi asked Mr. Azzolina if he had any problems with the drainage and if it had an overflow. Mr. Azzolina noted that three seepage pits were proposed with an overflow and he had no problems with the drainage.

Mr. Ulshoefer stated that from an environmental standpoint, he looked over the site plan and he noticed that they were going to take down 28 trees that are there. It appears that most of the trees that they are going to leave there are the fir trees facing towards the back of the other neighbor's property and on the left, which is also a blockage to the other neighbors. He is concerned with taking down 28 trees when there is an existing house already there. Why do so many trees have to come down just for the sake of putting up another building in place of the one that is presently there? Is there any way of possibly reducing that number? Mr. Hubschman noted that they are putting in a different driveway and a lot of those trees are just ornamental hemlocks and spruces and they will be replaced. Mr. Ulshoefer noted that some were 36 feet high like the oaks and cedars. Mr. Hubschman noted that he is trying to create more of a level rear yard so some of them are in the rear. Mr.

Ulshoefer stated that there are nine right in the front. Mr. Hubschman explained that there is a new driveway configuration. Mr. Azzolina noted that the only thing with tree removal in Cresskill is we do not have any specific regulation relative to how many you can take down, whether you have to mitigate in any fashion. Some towns do, Cresskill doesn't. It is difficult to say that they can't when the code is silent on that. Mr. Ulshoefer said it was a comment when he saw that many trees were coming down. Mr. Azzolina stated that the trees that are coming down are necessary to be removed in order to build this site as presently designed.

Mr. Morgan asked if the pool was properly fenced. Mr. Hubschman stated that the pool will be properly fenced. The fence is going around the property and connecting up to the house. Mr. Galdi made a motion to approve, subject to the engineer getting revised plans from Mr. Hubschman. Mrs. Schultz seconded the motion. All present were in favor. Motion approved.

Mr. Azzolina noted that the other application he has to discuss is the Samdan outdoor seating. He expected the applicant to be here. He spoke with the architect today. They did look at the site. In speaking to the architect, the plans as presented show two locations, the front of the building along Piermont Road, as well as a second location, which is described as Phase Two along the side of the building near the baseball field. The architect indicated that his preference was to not have anything along Piermont Road and quite honestly that would be his recommendation as well. If you could avoid putting tables along a busy road, that would be more desirable. There are no dimensions provided, but by guesstimation you are talking about 12-14 feet off the building. They are talking about pavers. According to the architect, he agreed with Mr. Azzolina. He told the owner not to propose the seats along Piermont Road. We had approved seats for Spasso, but they didn't enjoy the luxury of having a side yard that you could put tables in. This applicant does. Mr. Galdi noted that we made Spasso put planters in because of that. Mayor Romeo noted that if we stop them from putting tables in the front, we can stop whoever rents Spasso's from doing the same thing. It is too dangerous. Councilwoman Tsigounis noted that we made them aware of it at the last meeting that we were not keen on the Piermont location.

Mr. Morgan asked about the spacing between them and the field. Mr. Azzolina looked at the original plans and said they have a side yard of 29 feet on that side of the building before that goes to Borough property. Mr. Morgan asked how many feet they needed for the tables. Mr. Azzolina noted that it is not dimensioned on the plans, so he would get that information from the applicant, but he approximated it at about 15 or 16 feet. Mr. Morgan thought that was getting skimpy. Mr. Azzolina noted that there is really nothing going on in that section of the property as well as the town's property. Mr. Morgan stated that that is not the point. The point is the distance from the property line. Whether there is anything going on on the other property is mute in his opinion. Mr. Galdi also noted that it depends on the size of the tables. He agrees with what Mr. Morgan said. They are going to be too close. Mr. Moss asked if they were putting up some kind of screening. Mr. Azzolina noted that there is no proposal to do any of that. They show on this plan some planters similar to what is at Spasso's. They were put there to screen as well as to theoretically stop errant vehicles, but those planters are not going to stop a car. Mr. Schuster stated that they are much smaller than what he thought they were going to be. Mr. Azzolina noted that they are dimensionally about five feet long and you can't move them. He tried moving them himself, but a car would. That is why his recommendation would be to put something on the side of the building. Once again, he doesn't think we have anything in our code that specifically delineates what the setback requirement would be so it is kind of a judgment call. Councilwoman Tsigounis suggested checking in the code to see if there is anything about recreational use next to dining and if there is any barrier requirement. Mr. Schuster stated that he is pretty sure that there isn't. Mr. Azzolina noted that some towns have outdoor seating regulations, but we do not so we are on a case by case basis.

Mr. Vaccaro stated that they have to show how many tables and how big the tables are. Mr. Galdi stated that now you can limit the size of the tables. He asked if that was a single row of tables. Mr. Schuster stated that when both restaurants were active, they had a valet to park cars up and down Allen Street. Mr. Azzolina noted that one of his engineers talked to the owner about parking and he indicated to him that he had a shared parking agreement with the bank. We asked him to provide them with a copy of that and he hasn't received that yet. Mr. Schuster noted that with them now, it probably won't be too bad, but if the other restaurant gets occupied, it might be a problem.

Mr. Calder asked if it was a paver surface, is impervious coverage something that gets measured. Mr. Azzolina noted that it is not measured in the commercial zone because we do not have an impervious coverage limitation. Mr. Schuster stated that we have to know about the parking. We are doing something with Allen Street, and right now it probably won't be an issue with Spasso's restaurant vacant. Councilwoman Tsigounis

said this is a popular restaurant. Mr. Moss was wondering if it would enhance the appeal of Cresskill. Does it have another angle to it? Does it add an element to our town? Does that add some class to a very popular restaurant? Mr. Schuster noted that it is a very trendy thing right now.

Mayor Romeo stated that he has no problem with it, but we need to know a definitive answer on exactly what he is asking for. Mr. Azzolina noted that he was expecting them to be here. Councilwoman Tsigounis is concerned with the parking and the buffer. Mr. Morgan asked how he was going to serve that. Mr. Azzolina noted that there is no door on the side but there is what appears to be a fire door on the corner. His assumption is that they are going to utilize that as his service. Mr. Morgan thinks it would enhance the town of Cresskill. Mayor Romeo said that he has to come in and make a presentation and show us what he wants to do. Mr. Azzolina stated that if the direction of the Board is to discourage the Piermont Road tables, then the number of tables would be decreased. Councilwoman Tsigounis asked Mr. Azzolina to find out what other towns are imposing for any sort of buffer zones between two different uses.

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. Calder to adjourn the meeting at 8:19 PM, seconded by Mrs. Schultz. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for June 24, July 8, July 22, and August 12, 2014, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary