

MINUTES

CRESSKILL PLANNING BOARD

JULY 22, 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 and Mr. Ulshoefer. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Ulshoefer made a motion to approve the minutes of the July 8, 2014, meeting. The motion was seconded by Mr. Galdi. All present were in favor of the motion. Motion approved.

Correspondence

Application for Soil Erosion and Sediment Control Plan Certification for Brookside Avenue Improvement – Section 2. File.

Vouchers from Mr. Steven V. Schuster for services rendered relative to the Cresskill Planning Board for the month of May in the amount of \$1,442.58 and for the month of June in the amount of \$1,768.58. Mr. Galdi made a motion to approve, seconded by Mrs. Schultz. All present were in favor. Motion approved.

Subdivision Committee

Councilwoman Tsigounis noted that a revised application for Application #1447, 113 Jackson Drive, Julian Singer was received on July 21, 2014.

Report from the Borough Engineer's Office

Mr. Azzolina reported that on Application #1447, 113 Jackson Drive, Julian Singer, we discussed at the last meeting the Board hadn't received copies of the plan that he had received. There were still minor deficiencies with the plan that have since been corrected. Basically they relocated the drainage system to the back of the wall where it should be and added the detail for a storm drain manual in the front yard. Those were the only minor issues on his end. He knows the Board had requested that they receive the drawings. He had left him a voice mail sometime last week. He didn't call him the next day because he didn't realize that it was imperative that the Board have the plans before the meeting. He assumed he submitted the copies of the plans for everybody. Councilwoman Tsigounis noted that he submitted it yesterday. Mr. Azzolina stated that from his end he doesn't have any problem of recommending approval of the plan, but that is up to the Board.

Mr. Morgan feels that the plans are under review and have always taken plans and put them under review and he doesn't know what their hurry is and what the delay has been, so he says to hold like we have been and keep it under review. There is no public hearing required. Mayor Romeo suggested that everybody look over the plan and we will decide at the next meeting. They knew at the last meeting and they still didn't get it in and

one day isn't enough for the Board to review it. It is not fair. Mr. Azzolina did say that he did not call him the day after the meeting. He didn't call him until last week. Councilwoman Tsigounis noted that if Mr. Azzolina received it within the allotted time frame, why didn't he submit the copies to the Borough Hall as well for the Board members.

Mr. Azzolina noted that on Application #1449M, Richard Baretta, 74 Park Avenue, is termed a major subdivision, and actually this applicant has correctly identified it as a major. Most applications come in as a minor subdivision seeking a waiver of the major subdivision requirements. It would be a major simply because it requires variances. As discussed at the last meeting, these are existing platted lots that they wish to return to their original configuration. The plans as presented are sufficient for consideration for a Public Hearing at the next meeting.

Mr. Azzolina stated that the same comments would hold true for Application #1448M, Frank & Cecelia Girman, 80 Morningside Avenue. Mayor Romeo noted that they are coming in just to redo the lot line but they will have to come back again with a house plan. Mr. Azzolina noted that that is correct. We are only going to vote to give them the separation. They have to come back in whenever they choose and go through all this again except they would then have the land and they would have to fit a house on it. Mr. Azzolina stated that this application is substantially complete as presented.

Mr. Manfredonia is the attorney on both of them so they can be scheduled for the same night. Mr. Calder asked about causing variances on the Morningside Avenue property by subdividing the property. Mr. Azzolina stated that it is already existing. The one corner of the accessory garage building is 0.9 feet off the corner so that one corner is currently non-conforming. It would then be extended once you create the subdivision line so that the entire wall of the garage is then located 0.9 feet off the property line. That is, in essence, created and then you would probably have some coverage variances, so yes there are definitely some variance conditions associated with the existing structures on each of the created lots.

Mr. Calder noted that by subdividing the lots you are creating variances with respect to the lot size because it will go from 12,000 to 7,500. Mr. Azzolina stated that that is clear on both of these applications. They are creating undersized properties and they are seeking variance relief for that. Councilwoman Tsigounis asked, if for this first lot, will we be approving the intensification of that rear yard variance? Mr. Azzolina noted that we will be for the existing structure. Councilwoman Tsigounis noted that by approving that, if they ever wanted to build a second story on that framed garage, they would have to go back before the Zoning Board. It was noted that that is correct.

Mr. Ulshoefer asked how that garage ever got approved such a short distance off the property line. Mr. Schuster noted that that is not that uncommon for old properties. Mayor Romeo stated that if you look at all the old sections in town you are going to see that almost everything is in violation. Mr. Ulshoefer asked if this is going to make it worse if we approve it. Mayor Romeo explained that it does make it worse but you have to look at the whole picture. It has no bearing on anything. It affects nothing. It is there and it will be there next week even if there is a 50 foot lot and there is no impact on anybody there. That is what you have to look at. That is why the Zoning Board approves this every month. If you didn't, there would be no building in the town at all. You wouldn't have a second floor anywhere there is a Cape Cod. There would be two dormers. You couldn't build anything else. Councilwoman Tsigounis stated that is why you have to look at each case individually. Mr. Vaccaro stated that you can't even disapprove it. We have to set a Public Hearing. Mayor Romeo noted that he would win in court. He would say he has a lot that faces two streets. Every lot on the block is 50 feet. The only houses that are exactly in uniformity are probably the houses on Piermont Road in the R-15, Stonegate and up on the hill because they are all in the last 30 years. Anything before that is probably in non-compliance. Mr. Azzolina agreed.

Mayor Romeo stated that when the builders come in here, they have already done their homework, they have talked to the neighbors and they are coming in with something that is not going to upset the neighborhood. All the houses built on 5th and 6th Street are all on 50 foot lots and there are no complaints. There was nobody down here screaming and yelling because the whole neighborhood is 50 foot lots. We regulate what they can build so that it is not intrusive or offensive to the neighborhood. The housing is being replaced. That is why we have the FAR.

Mr. Galdi made a motion to schedule the Public Hearings for both applications (#1448M and #1449M) for August 12, 2014. Mr. Calder seconded the motion. All present were in favor. Letter sent to Mr. Manfredonia informing him of the Public Hearing date for both applications.

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 7:56 PM, seconded by Mr. Calder. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for August 12, August 26, September 9, and September 23, 2014, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary