

MINUTES

CRESSKILL PLANNING BOARD

AUGUST 27, 2013

Mr. Vaccaro opened the meeting at 7:44 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, Mr. Morgan, Mr. Vieni, Mr. Calder and Mrs. Schultz. Also present were Mr. Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Galdi made a motion to approve the minutes of the August 6, 2013, meeting. The motion was seconded by Mr. Morgan. All present were in favor of the motion. Motion approved.

Correspondence

Application for Soil Erosion and Sediment Control Plan Certification for 90 Roosevelt Street, Nadav and Maayan Gottesman, Application #1434. File.

Notice from the Borough of Alpine regarding passage of Ordinance #736, an ordinance of the Borough of Alpine to amend Chapter 220, Section 13, authorizing an amendment to the Zoning Code for an addition of a new section entitled "Electric Power Generator Systems." File.

Notice of Public Hearing of the Cresskill Planning Board for August 27, 2013, for Application #1436M, 34 Merrifield Avenue, Mr. Avi Lavon and KishKush LLC. File.

Subdivision Committee

Councilwoman Tsigounis had nothing to report.

Report from the Borough Engineer's Office

Mr. Azzolina noted that he has reviewed the plans for Application #1435, 182 Madison Avenue, Jane Lee. He stated that the plans are currently incomplete in respect to detail requirements of the code. He has prepared a draft memo and will finalize it this week once he gets the feedback from the Board. Ms. Jane Lee and her architect, Mr. Taeik Kim were present. He requested that Mr. Kim complete his presentation from the last meeting and answer any questions that the Board may have at this time.

Mr. Kim presented the Board members with a collage of the proposed house. He noted that last time he should not have presented a big scale elevation that to some gave a dangerous perception since it is a three dimensional representation. As you can see by the collage, he is trying to fit the house to the right scale in the neighborhood. The width of the front is nearly 35 feet. There is a flat roof. Apparently it

looks like it will adversely affect the neighborhood, but a good design in a good neighborhood is trying to encourage the diversity without losing the major clarity. Even though there are many different materials and the color palette has been chosen, he doesn't think it adversely affects the area.

Mayor Romeo asked how high the house was. Mr. Kim noted that the house is 27 feet high. The first page shows the different materials. The second page is the elevations. The exterior is so many things. It has glass, wood, block and he is trying to make so many different palettes. Seeing is believing. When he finishes the construction, it will look exactly like the pictures.

Mr. Vaccaro asked if this was the only type of design that they came up with for that property. Mr. Kim stated that he strictly respects the owner's wishes. When he designs he has to consider many things, not only the building owners, but this house is strictly for the owner.

Mr. Azzolina said that he will finalize the memo by the end of the week and if the applicant is able to turn it around by the next meeting he will be able to recommend approval, assuming these comments are addressed. Basically the comments are that he needs an accurate survey of the property to confirm that the zoning analysis is correct, the plans are not exactly to scale and some other things. Mr. Kim noted that he is not the engineer and he will not be able provide all the answers. He explained that Ms. Lee hired an engineer, Mr. Steven Kastner, and most of the questions will be directed to him. Things like the flat roof and the drainage need to go to the engineer.

Mr. Azzolina asked if Mr. Kastner had a plan. Ms. Lee noted that he does. Mr. Azzolina stated that he has to submit that plan to the Board and he has to see that. He has not seen that and commented that that will probably address a lot of his comments in his memo. Mr. Calder asked about the trees that were shown on the plan a couple of weeks ago. He wanted to know if this presentation is how it is going to look. Mr. Kim noted that he went to the site and took pictures to make the collage so it is not a totally accurate presentation of the greenery.

Mr. Vaccaro stated that before it goes anywhere else, we need the engineer's plans. Ms. Lee presented Mr. Azzolina with one plan from the engineer. She was instructed that she needs to present 15 copies to the Borough Hall.

Old Business

None.

New Business

None.

Other Business

None.

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

Public Hearing – Application #1436M – 34 Merrifield Way

Mr. Vaccaro announced that this is a Public Hearing for Application #1436M, 34 Merrifield Way, Mr. Avi Lavon. Mr. Vaccaro, Mayor Romeo and Councilwoman Tsigounis recused themselves from this Public Hearing. The meeting was turned over to Mr. Galdi.

Mr. Schuster confirmed that Mr. Vaccaro, Mayor Romeo and Councilwoman Tsigounis recused themselves from this application.

Mr. Galdi announced that Public Hearing for Application #1436M, 34 Merrifield Way can now begin. Mr. Schuster requested the notices and a copy of the mailing list from Mr. Lavon. He also requested the affidavit of publication and the affidavit of mailing. Mr. Lavon presented the return receipts from the mailing. He did not have the tax list or mailing list that he should have received from the Borough Hall indicating who to send notices to. Mr. Lavon requested access to a computer so he could log on and get the proof of mailing and the mailing list.

The meeting was recessed at 8:04 PM in order for Mr. Lavon to obtain the proper notifications for Mr. Schuster. The meeting resumed at 8:49 PM.

Mr. Schuster noted that Application #1436M, 34 Merrifield Way, is not going to be able to proceed tonight due to some technical problems we have with some of the notices and some plan issues as well. Mr. Schuster has advised the applicant that there are certain things he is going to have to do. He is going to have to re-notify by mail and by publication. Another technical matter is that there is a corporation involved in the purchase of the property. If they are an applicant and listed on the notices, they should be represented by an attorney as well. The tax list that Mr. Lavon was able to obtain appears to be appropriate. He requests that when he posts them, he has the white slips and he photocopies them and he keeps the extra set. When he does the publication, he should get a certification from the newspaper which includes a copy of the notice and the date. The general terms of the notice appear to be OK. The only thing he wanted to note is that there is a discrepancy from the notice and the plan. Just as a technical matter, we are just going to be talking about giving him the subdivision for the two lots. We are not going to get into anything about the houses. That should make the application a simpler thing to do.

Mr. Azzolina also noted that there are some issues that need to be addressed with the engineer. He had a discussion with the engineer briefly and it is his understanding that because our ordinance does provide for a major subdivision where variances are required, we can waive those requirements so it would be a minor. That is between the applicant and the engineer and as long as the engineer is satisfied with the plans that are submitted. Mr. Lavon understood what he has to do.

The next meeting is September 10. Mr. Schuster noted that there needs to be a quorum, which is five people. Mr. Galdi will not be present. Mr. Schuster asked Mr. Azzolina if he could be ready by September 10. Mr. Azzolina noted that he will be able to review the plans. If any revisions are required, Mr. Lavon's engineer will have to respond promptly. Mr. Lavon agreed that they are going just for the subdivision and his engineer should be able to respond promptly.

Mr. Schuster explained that it is quicker and easier just to get the two lots and whatever he wants to do later on, he comes in for. One of the issues that comes up is whether or not he needs an FAR variance. If he needs an FAR variance, he can't get that here, he needs to go to the Zoning Board for that. If he doesn't need an FAR, he can come back here for site plan review. Mr. Lavon noted that he will definitely need a variance for the setbacks because of the shape of the lots. Without the variance for the setbacks, he can't develop the lots.

Mr. Lavon noted that he can be ready for September 10, with the understanding that if there is not a quorum, it will be carried until September 24, without further noticing.

Mr. Vieni made a motion to reschedule the Public Hearing for September 10, seconded by Mr. Morgan. All present were in favor. Motion approved.

Motion was made by Mr. Galdi to adjourn the meeting at 9:02 PM, seconded by Mr. Morgan. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for September 10, September 24, October 8, and October 22, 2013, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary