

MINUTES

CRESSKILL PLANNING BOARD

SEPTEMBER 25, 2012

Mr. Vaccaro opened the meeting at 7:37 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. Paul Azzolina, Borough Engineer, and Mr. Steven Schuster, Board Attorney.

Mr. Morgan made a motion to approve the minutes of the September 11, 2012, meeting. The motion was seconded by Mr. Vieni. All present were in favor of the motion. Motion approved.

Correspondence

Memo from Ms. Barbara A. Nasuto, Borough Clerk, dated September 20, 2012, regarding Ordinance #12-14-1436, Amend Chapter 210, Article II – Sewer Treatment. The Borough hereby declares its intent to regulate and control the flow of any ground-waters or surface waters except sanitary sewer waters into its sanitary sewer system. It is the intent of this section to prevent ground-waters, surface waters, and any other waters from entering the Borough of Cresskill Sanitary Sewer System by means of sump pumps, storm drains or any other devices and to provide penalties for the violation of same. Mr. Vieni made a motion to approve the ordinance, seconded by Mrs. Schultz. All present were in favor. Memo sent to Mrs. Nasuto noting the Board's approval.

Letter of Introduction from Mr. Edward M. Rossi, Construction/Zoning Official, sending Mr. Cordasco and Mr. Dewitt to this Board for approval. They wish to open a hair salon at 156 Piermont Road. The recently empty suite was previously a salon. Mr. Cordasco was present. He noted that they are leaving it the way it is. It is next to Umeya. He has been in business over 25 years in Englewood. The signage will be the same size as what is there. Mr. Galdi made a motion to approve, seconded by Mrs. Schultz. Letter of approval sent to Mr. Cordasco and Mr. Dewitt with copies to the Building Department, Mrs. Barbara Nasuto, the Police Department, the Fire Department and the Health Department.

Letter of Introduction from Mr. Edward M. Rossi, Construction/Zoning Official, sending Sarina Rose Boutique to this Board for approval. Sarina Rose Boutique wishes to lease 12 Union Avenue to open a women's clothing boutique. They are going in where the make-up shop used to be. The awning will stay the same. Mr. Galdi made a motion to approve, seconded by Mrs. Schultz. All present were in favor. Motion approved. Letter of approval sent to Sarina Rose Boutique of stating the Board's approval, with copies to the Building Department, Mrs. Barbara Nasuto, the Police Department, the Fire Department and the Health Department.

Memo from Ms. Lissette Aportela-Hernandez, Borough Clerk, Borough of Tenafly, dated September 12, 2012, regarding Ordinance No. 12-13 – an ordinance amending Chapter XXXV, Section 35-815 of the revised general ordinances of the Borough of Tenafly providing supplemental regulations for age-restricted housing; assisted living and/or congregate care housing, and nursing homes. The public

hearing on this ordinance will be held on Tuesday, October 30, 2012 at 8:45 PM in the Council Chambers located in Borough Hall in the Municipal Center at 100 Riveredge Road, Tenafly. File.

Subdivision Committee

Councilwoman Tsigounis noted that a revision for Application #1425, 102 7th Street, Izet Mamo, was received on September 18, 2012.

Report from the Borough Engineer's Office

Mr. Azzolina noted that he did receive engineering site plans as he requested on Application #1425, 102 7th Street, Izet Mamo, and he has reviewed it. The plan is now substantially complete as presented. There are a couple of minor issues that he discussed with Mr. Mamo's engineer this morning. The primary issue for the Board is he is not sure how they want to proceed with the application. It is an undersized property in the R-10 zone. It is 80 feet wide where 100 feet is required, so it has an 8,000 square feet area as opposed to 10,000 square feet. Those are two existing non-conformities that in the past, when we have had redevelopment on those properties, we have not required public hearings. He is looking for the Board's direction on that. The frontage and lot area are substandard. The proposed structure complies with all the zoning of the R-10, the building coverage, the FAR, the impervious coverage and all the setbacks and bulk requirements are compliant. He has the front yard setbacks on both streets. It is a corner lot. One front yard setback is 31 feet along 7th Street and 25 feet along Evergreen Avenue. The driveway will be off of Evergreen Avenue. The plan as presented is substantially complete. There are a couple of minor revisions that he will discuss with the applicant's engineer.

The other thing that Mr. Azzolina discussed with the property owner is that he has to apply for a Bergen County Soil Conservation District approval before the Board can issue its final approval. That is, once again, subject to what the findings of the Board are relative to whether or not a hearing is required for the application. The square footage of the house is approximately 2,600. That complies with the FAR for an 80 foot wide lot. Mr. Galdi asked if there were any drainage problems. Mr. Azzolina doesn't anticipate any drainage problems. He provided a calculation that indicates that he does not need to provide any supplemental drainage, but he indicated to him that his recommendation would be that a seepage pit be installed. He is not increasing the impervious. There are two existing structures on the property. His calculations actually indicate less run off. Mayor Romeo noted that the Board Attorney indicated that we have done this in the past so if those are the only two things, lot width and lot area, we will be OK.

Mr. Azzolina recommended to the engineer that they install a seepage pit system which will collect the roof drainage with an overflow to the storm drain at the corner of Evergreen and 7th Street. He was agreeable to that, but will have to discuss that with his client, but he thinks that is a relatively minor request. The only other issue for consideration by the Board is the curbing. Typically we require that the builders remove and replace the asphalt curbing with granite block. On this particular lot, it is a little bit different because he has two frontages. Typically a portion of it is going to be damaged or destroyed during the construction anyway. He doesn't know if there is a preference by the Board. There is nothing in the code that absolutely requires it. It is usually something that the builders do. Ultimately the rest of the curb on the street will be changed over to granite block, so this will be one less section that will have to be done. The question is whether he needs to replace the curbing completely around or just do one of the frontages. There is currently asphalt on both frontages. He is proposing a driveway on the side that an opening currently does not exist so he will have to cut the curb. Similarly, on the front of the house where the existing driveway is located, he would have to fill in that opening. During construction, asphalt curbs tend to get destroyed anyway, so you are going to wind up redoing some or all of that. The question is whether he is going to do granite on both frontages. Mr. Mamo noted that he will do granite on both sides.

Mr. Galdi asked if he will have an overflow from the seepage pit to the catch basins. Mr. Azzolina noted that he will. The plans do not currently reflect a seepage pit, so the revision that he discussed with the engineer this morning was for him to install a seepage pit with an overflow.

Mr. Vieni asked about the footprint. Mr. Azzolina noted that he doesn't actually provide the existing footprint, but looking at it graphically, it is probably about the same if you take into account the existing dwelling and the detached garage. The bungalow type dwelling has asbestos shingles and is very close to the neighboring property. That is being set off about three times what it is currently. It currently is about five feet off the property line now and the new structure will be 15 feet off the northerly property line and neighbor's house to the north is probably about five feet off the common boundary so right now there is only about 10 feet between the existing houses, and it will now be about 25 feet. Mayor Romeo noted that that street is all being done over so he can put a little bit of a higher priced house there because up and down the street there are larger, newer houses. He asked what the house was going to look like. Mr. Azzolina showed the front elevation that was in the plan.

Mr. Azzolina stated that he ultimately will be satisfied with the plan. He recommends that the Board approve it subject to the applicant's engineer revising the plans and the applicant obtaining Soil Conservation District approval. Mr. Galdi added also that he satisfy the comments that were brought up. Mr. Galdi made a motion to approve subject to all the changes and Mr. Azzolina's final review. Mrs. Schultz seconded the motion. All present were in favor. Motion approved.

On Application #1426, 71 Westervelt, Ed Solari and Kevin Martin, Mr. Azzolina received revised plans, dated September 13, 2012. They addressed the comments that he offered at the last meeting. He has obtained the Bergen County Soil Conservation District approval as required. He recommends that the Board approve that plan as presented. Mrs. Schultz made a motion to approve, seconded by Mr. Galdi. All present were in favor. Motion approved.

Old Business

None.

New Business

None.

Other Business

Mr. Anthony Malara, an architect from Harrington Park, was present on the request of Mr. Edward Rossi. He noted that his client has a business in Tenafly, a Pilates studio. It is a reputable, growing business. She would like to move the business to Cresskill. She has made contractual arrangements with the property at the corner of E. Madison and Milton. Basically, she has established a good relationship with a few anchor businesses, Harvest Restaurant, for example, and what she is looking to do is build, essentially, a house that houses a commercial structure. The property is known as 56 E. Madison and is in the R-10 Zone, directly across the street from Kings and Griffin's. Basically she is looking to build approximately an 8,500 square foot structure. The building would be forward to the site. It would try to culminate what seems to be a developing pedestrian/commercial zone and top it off with a small piazza at the end of it, which would serve as the entrance to retail space. Mr. Malara noted that he discussed this with Mr. Rossi and was aware that these are D variances that he needs and he would need to get them from the Zoning Board. He knows that this would need to be considered to be a commercial zone. The height of the commercial zone is 31 feet and the coverage and impervious are not workable in a

residential zone. The expectation he had was to discuss with Mr. Rossi getting rejected in the R-10 Zone so he could go forward with the Zoning Board application. He thinks Mr. Rossi sent him here to get an opinion or consideration on what that particular piece of property, which is sort of sandwiched in between commercial properties, potentially might be headed in the direction of becoming commercial.

Mr. Vaccaro noted that in order to change the use, you have to go before the Zoning Board. Mr. Malara understood that. The size of the property is 12,054 square feet. They are having a formal analysis done right now, so this was just based on a property survey done for the purchase. It is a trapezoidal shaped property. The footprint is in the vicinity of around 3,000 square feet. They would be looking to use a gable roof architecture which is very historical in this area and try to capture some of the third story space. They are talking about a three story building. Mayor Romeo asked if they tried to go to the neighbor to buy their property. Mr. Malara noted that they did not. It was suggested that he may want to do that to see if they were interested in selling. There are residential properties behind this lot. He is having a parking study done by an engineering firm. He noted that by the staggered usage from the prospective tenants in here, they are looking at any period of day between 17-18 spaces. With the layout as it is, he is able to fit in 18 spaces. However, depending on whether there would be difficulties with that, there is a municipal parking lot within walking distance of this property. He noted that he wasn't prepared to present the arguments, he is really just looking for an informal. Mr. Schuster noted that he needs handicapped parking and a dumpster so he may lose some parking. Mr. Malara wanted to make clear that he is not presenting this as an official plan.

Mayor Romeo asked how many tenants he was proposing. Mr. Malara stated that he basically had a deep-tissue massage person from Englewood, one professional office, the off-shoot of Harvest Restaurant, which is a breakfast and lunch eatery, the Pilates studio, and in addition to the Pilates studio, in the same space, would be private fitness. The other spaces would be dedicated to two retail at ground level and a blow-out bar. He noted that the ten spaces that they worked out fit into this arrangement. At this point, their process was going to be to go through the channels to be rejected formally and then go before the Zoning Board of Adjustment after the application drawings are completed and the details are worked out and make their overture to see if they would find it something they would approve. Mr. Vaccaro noted that Mr. Rossi would direct him to the Zoning Board, not the Planning Board. Mr. Schuster noted that this Board is not supposed to be giving advice and when then do an informal it is when there is an application that is pending before the Board. Anything said here is not binding. Mr. Malara understood and stated that Mr. Rossi suggested he come here. Councilwoman Tsigounis noted that Mr. Rossi told him to come here and that is why he is here. Mr. Malara stated that he is not trying to garnish any ideas.

Mr. Schuster noted that the Planning Board is authorized to do an informal review. Technically that is not part of the authority and duties of the Zoning Board. He knows it has been done. Some towns will not do it under any circumstances. He doesn't know if the Zoning Board will do it or not. In that case, your sole shot is to take your application and file it, have your hearing and let your chips fall where they may. Mr. Malara noted they absolutely expected to go through the due process. He thinks this is something where Mr. Rossi felt that putting it on the table might have some concerns addressed. Mr. Schuster noted that this is not the norm and Mr. Malara understood that. Mr. Schuster stated that we are not supposed to be doing this because we are only advisory of this Board, not the Zoning Board. We don't handle matters that are D variances. They are Zoning Board of Adjustment matters. This is basically a use variance.

Mr. Vieni made a recommendation that we cease with this conversation. Mayor Romeo recommended that at the very least, if it is going to the Zoning Board to at least be informally looked at, the Borough Engineer needs to be involved in this. Mr. Schuster agreed that that is certainly legitimate. Mr. Vaccaro stated that it needs to go back to Mr. Rossi and Mr. Rossi has to say that it has to go to the Zoning Board. Mayor Romeo noted that Mr. Azzolina will then get involved with helping with this.

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 8:11 PM, seconded by Mrs. Schultz. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for October 9, October 23, November 13, and November 27, 2012, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary