

MINUTES

CRESSKILL PLANNING BOARD

SEPTEMBER 9, 2014

Mr. Vaccaro opened the meeting at 7:40 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, Mrs. Schultz and Mr. Calder. 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 26, 2014, meeting. The motion was seconded by Mrs. Schultz. All present were in favor of the motion. Motion approved.

Correspondence

Application for Soil Erosion and Sediment Control Plan Certification for 62 Morningside Avenue, Sean Campbell, Guardian Homes. File.

Letter of Introduction from Mr. Edward Rossi, Construction official, dated August 7, 2014, sending Mr. Mederos to this Board for Approval. He would like to construct a new single family dwelling at 87 Monroe Avenue. This property had recently gone to the Zoning Board and was approved for variances. Application #1453 was received on August 28, 2014.

Notice of Public Hearing for tonight's hearing for Application #1450, R&J LLC, 86 East Madison Avenue. File.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official/Zoning Officer dated August 28, 2014, sending Mr. Rodriguez to this Board for approval. He would like to temporarily change one of the rooms in a residential building on the property at Stivers and 12th Street, Northern Valley Evangelical Church, to a Sunday school classroom. Mr. Rodriguez was present. Mayor Romeo explained that they are doing something in the basement. Mr. Rodriguez explained that they are not using the residential building as a house anymore and they would like to use it for Sunday school classes at least as long as the construction. The house hasn't been used as a house for about 20 years. If there is an opportunity to use it for classes, it would be ideal, if not, they are open to whatever the Board suggests. They are flexible.

Mayor Romeo asked what they were doing in the church. Mr. Rodriguez explained that the building's gymnasium has some structural issues on the sidewalls. They haven't come to the conclusion yet as to whether they are going to demo it and rebuild it or if they are just going to shore it back up and correct it. It is the gymnasium building off the side of the church. They are working with the Building Department and that is why they are here. Mayor Romeo noted that they have to make sure that the Board of Health and the Building Department allows ingress and egress into that building. Mr. Morgan asked if Mr. Azzolina has looked at it. Mr. Azzolina noted that this is the first he is hearing about it. Mr. Galdi noted that it has to be approved by all the departments. They need certification that everything is ready to go. You can't act on it until they get that. Mayor Romeo asked Mr. Vaccaro to set up the inspections and

after the inspections are set up, they can call back to the Building Department or to Mr. Vaccaro to find out the status.

Mr. Rodriguez noted that an inspection is already set up with Mr. Rossi. Mr. Galdi stated that they have to make a request for those departments to go in and make an inspection and turn them over to Mr. Rossi. Once he gets an approval of it all, we can make it subject to. Mayor Romeo was OK with that. Mr. Vaccaro noted that automatically the Board of Health has to approve it. Mayor Romeo said we can make it subject to all the departments approving it and then they can get their occupancy. Mr. Galdi noted that they don't have to come back to this Board unless there is a problem with any of the inspections. If everything is fine and everything meets the standards, then we have no problem.

Mayor Romeo stated that they will get a temporary CO because this isn't going to be permanent. Mr. Rodriguez noted that they will use it as long as the Board will let them. Like he said, the house hasn't been used as a house for 20 years. If they don't use it as classrooms, it sits empty. If they can make it permanent, they would like to. Mayor Romeo explained that they will have inspections by all the departments and they will tell them whether or not they will have to do modifications to that building or whether they can just go in and do it. It is a parsonage owned by the church. Mr. Galdi noted that it all depends on what the use is. Mr. Rodriguez stated that there would probably be two or three classes in there at one time. Mayor Romeo informed them that they will tell them if they will have to come back or if they can go in.

Letter of Introduction from Mr. M. Rossi, Construction Official/Zoning Officer, dated August 25, 2014, sending Dr. Sangavaram and Heidi Francavilla to this Board for approval. They propose to open a Doctor's Express Care Facility at 46 Union Avenue. The facility is described as a mini walk-in ER with a minor procedure room that will be equipped to handle minor injuries, such as stitches, without the need to transport the patient to the hospital. Ms. Francavilla was present. Ms. Francavilla stated that they are looking to occupy the space next to Hudson Drug. They have two ER doctors and a pediatrician, general surgeon, plastic surgeon and a podiatrist that would be there. What they also will be doing is co-branding with Englewood Hospital just to let them know that if they need any kind of transportation, they will be going right to Englewood Hospital for emergencies, if needed. All their doctors are Board certified. They actually have two doctors from New York that are coming out and their specialties are general surgery and they are very, very well qualified. She thinks with the area, for the convenience, there is nothing in the area. So far, you have Valley Hospital that is going into Dumont and Bergenfield. Englewood has already called them and said they would like to co-brand with them as long as they use their emergency room. She thinks that is something that the town would like, especially with the school right here for kids. They have a plastic surgeon for suturing. It would be an upscale type of place and hopefully they can provide excellent service.

Ms. Francavilla noted that they will be taking about 1,800 square feet. It used to be Friedberg. What they like is that Hudson Drug is right there so people can get their prescriptions right next door. There is nothing like it nearby and for minor bruises and colds in general and with flu season it will be convenient. Mayor Romeo asked how many nurses and doctors will be on call at one time. Ms. Francavilla noted that there will be two ER doctors there all the time. It is either an ER doctor with a Physician Assistant and nurses on board. With anything like for suturing and stuff, they will have a plastic surgeon on standby and they will come in right away. The ER doctors will determine if they need to go to the hospital. They will have X-rays there. They will also have a podiatrist there that specializes in ankle and foot problems. They are just trying to see what the need is. Until you are in a place to see what comes in, it could be children with bruises and scrapes or it could be elderly care where they could have pain management there also. They don't really know until they are in the town. She noticed across the tracks there is a big community of seniors. Whatever they can't manage, they are sending over to Englewood Hospital.

They have about 1,800 square feet. They don't need it that large because they have a suturing room and a procedure room and an X-ray room. It is not emergency care. It is a doctor's care express, meaning that if you are in a hurry and you don't want to go to the hospital and your doctor can't see you, there is a third option. She wants people to go to the hospital if they have an emergency. They just want to say if it

is stitches or illness, they are another extension of their doctor's office. If their doctor is not available and you know you don't really have to go to an ER, you can come to an Express Care kind of service.

There will be two doctors, two nurses, a PA and a receptionist. Mr. Schuster is looking at the building and the parking situation. Mayor Romeo wouldn't even want them to park in the back. Mr. Schuster stated that that is the problem if they are going to have at least eight people working there. Ms. Francavilla noted that if they have to park somewhere else and walk two blocks, they don't mind. Mayor Romeo noted that there is a new parking lot going in behind the buildings across the street and he would rather have them park there. Ms. Francavilla stated that that would be fine because she would rather have the parking for their patients.

Mr. Galdi noted that that would all have to be inspected. Mayor Romeo asked if you could call up and make an appointment because you thought you had the flu. Ms. Francavilla said you could and they would check you and if they thought it was more than the flu they would send you to the emergency room. A lot of people end up in the emergency room when it is not an emergency. You go there and spend three hours and you come out and they say go see your doctor tomorrow. They will be open from in the morning until about 10:30 at night. They also like that they have the drug store next door.

Mr. Schuster asked who owned the building. Yaz owns the building and he is the one that has complained about the parking in the back. He thinks it is a good thing to have but he doesn't think the location is the best. Mayor Romeo asked if it was going to be the same doctors all the time or if there was going to be rotating doctors. Mrs. Francavilla said that they were going to be rotating, but they have to see. They have to see what the town calls for. They will always have an ER doctor there. As for specialties, they will be on call. They will see what the need is. They have been in the business for a long time. They have a same day surgical center in Ridgewood and Saddle Brook. Those locations are bigger. They would like to have more space but that's all the space that is there and they like the location.

Mr. Morgan asked if it was going to be similar to the one that just opened in Dumont. Ms. Francavilla noted that that one is under Valley. The hospitals are all in competition with each other now. Mayor Romeo asked who was going to transport those patients that need to go to the ER. Ms. Francavilla stated that it would be the Cresskill Volunteers. But Englewood Hospital would be the emergency room for them.

Mr. Galdi stated that there is a lot to be determined by whoever is going to make the inspection. Mayor Romeo has no problem with the concept, he just thinks that the construction code official now has to call in all the departments to inspect this and go over the plan with them. Ms. Francavilla stated that she has a medical architect that is going to do the plans. They want it done the right way.

Mr. Calder made a motion to approve, seconded by Mrs. Schultz. All present were in favor. Motion approved. Mayor Romeo reiterated that once they are approved, that they have the employees not park behind the building, but to keep those spots for patients. Mr. Schuster also noted that they will need a sign. Letter send to Doctor's Express Care noting the Board's approval, with copies to Mr. Rossi, Ms. Barbara Nasuto, the Police Department, the Fire Department, and the Health Department.

Copy of letter sent to 15 Wakelee Drive Corp. from the County of Bergen, Department of Planning and Economic Development, regarding the preliminary plat for the Park Avenue and Morningside Avenue subdivision, Application #1441M. The Letter is to advise that this application was reviewed and given final approval by the Bergen County Planning Board on August 27, 2014. Final approval must also be secured from the appropriate municipal agency. File.

Subdivision Committee

Councilwoman Tsigounis had one new application to introduce. Application #1453, 87 Monroe Avenue, Oded and Limor Kovar. Mr. & Mrs. Kovar were present along with their architect and engineer. Mr. Azzolina noted that he received the application last week. They have done a review of the plan. The plan as presented requires no variances. Mr. Angelo Anello presented the plans and noted that the lot was 10,000 square feet, 100 x 100. He is from Anello Engineering, Ramsey, NJ. He has had plenty of experience testifying before planning boards in New Jersey.

Mr. Anello noted that this is a conforming lot in the R-10 zone. The property is located at 87 Monroe Avenue. The plan of action is to demolish the existing structure, raze the foundation and remove no trees and build a new home which is conforming to the R-10 requirements. There is an overall impervious reduction of 516 square feet to bring it down to conforming, as well as a reduction of the building area of 90 square feet. The existing conditions are slightly over the 20% maximum building coverage, so the new building will be 20% or just under the 20% mark. There are no variances required for setbacks or impervious coverage. As far as location, it is one block off Madison Avenue, two houses in from Brookside. It is a quiet street. A lot of the homes have been reconstructed. The footprint is 1998 square feet. The FAR is 2,977 square feet. This fits in the FAR. Mr. Azzolina noted that it purports to fit into the height, but that is one of the items that he needs to double check to make sure that the architect's and the engineer's plan are in agreement with one another. The only comment he would make is that even though the plan adheres to the impervious limitations and the building coverage limitations of the zone, typically with new construction we require that the roof drain system discharge to a seepage pit. That recommendation, notwithstanding the fact that it does comply, with new construction we do require a new drainage system, so he recommends that the plans be revised to provide at least a 1,000 gallon seepage pit. The other comment he would offer is he notes that the drainage patterns are being modified slightly with the driveway discharging to the side yard there, so perhaps one of the seepage pits can be located in the side yard so it can pick up the runoff before it has the ability to flow onto the neighbor's property during a very heavy rainfall.

Mr. Anello noted that the plan hasn't been that in depth. With the existing driveway, all the drainage comes back to the low point in the back. The drainage plan here is to do the same thing. The reason for being slightly higher around the foundation is to keep water away from the foundation of the home, which is always positive. As for pitch, they are not talking about a mountain here, they are just raising it up about a foot around the foundation from what is existing there now. Mayor Romeo asked what the height will be when they raise the house. Mr. Anello noted that the house is conforming with how it is shown now at 27.2 feet. Mr. Azzolina noted that the building height is based on the proposed elevation. If they raise the grade about a foot, which is not a significant amount of fill, it is typically to direct the water away from the foundation. Mr. Anello also noted that they have applied to the Bergen County Soil Conservation District for a permit.

Mr. Azzolina stated that he recommends the Board approve this application, subject to any final modifications that Mr. Anello and he may discuss, primarily with respect to the addition of the seepage pit. Mr. Morgan made a motion to approve. It is going to be a big improvement in the area. His motion is subject to Mr. Azzolina's approval. Mrs. Schultz seconded the motion. All present were in favor. Motion approved.

Report from the Borough Engineer's Office

Mr. Azzolina reported Application #1452, M. Mamo, 187 14th Street, was received, but it is unclear what the applicant is proposing. Mr. Mamo was present. The drawings that we received are architectural drawings that are entitled "additions and alterations." Mr. Mamo noted that the existing foundation is 28 x 40 and he has to make a new basement that is going to be 14 x 38, plus what is already there. He is knocking all the walls down. That is recognized to be new construction in Cresskill. Mr. Mamo was informed that he needs to prepare a complete site plan application similar to what he did on 7th Street

where he retains the services of an engineer. Mr. Azzolina informed Mr. Mamo that that is his next step, to prepare a detailed site plan with drainage, zoning schedule, etc. Once that is submitted, we will review it, and assuming there are no variances required, we will take it from there. The lot area complies. The lot is at the end of the dead end of 14th Street.

Mr. Azzolina prepared a report dated September 9, 2014, for the Public Hearing scheduled for tonight.

Resolution for Application #1448M, 80 Morningside Avenue, was introduced by Mr. Galdi, seconded by Mr. Morgan. On Roll Call: Mayor Romeo, Councilwoman Tsigounis, Mr. Vaccaro, Ms. Bauer, Mr. Galdi, Mr. Morgan, Mrs. Schultz and Mr. Calder all voted yes. Mr. Ulshoefer was absent. Motion approved. The original resolution shall become a permanent part of these minutes.

Resolution for Application #1449M, 74 Park Avenue, was introduced by Mr. Galdi, seconded by Mrs. Schultz. On Roll Call: Mayor Romeo, Councilwoman Tsigounis, Mr. Vaccaro, Ms. Bauer, Mr. Galdi, Mr. Morgan, Mrs. Schultz and Mr. Calder all voted yes. Mr. Ulshoefer was absent. Motion approved. The original resolution shall become a permanent part of these minutes.

Public Hearing – Application #1450 – 86 East Madison Avenue

Mr. Vaccaro opened the Public Hearing for Application #1450, 86 East Madison Avenue, R&J, LLC. Mr. Brian Halligan, Crawford & Halligan, 3 University Plaza, Suite 207, Hackensack, was present representing the applicant, R&J, LLC. The principal of the applicant is John Campoli. Mr. Halligan noted that this is a basic site plan application for construction of a single-family dwelling at 86 East Madison Avenue. They have submitted the site plan prepared by Hubschman Engineering. Mr. Hubschman is present as a professional planner and engineer to testify. They have submitted the architectural plans of William Brown to show the house they intend to construct.

Mr. Halligan noted that there are two minor variances requested, one for the front yard at Legion Drive, 25 feet is required and 23.07 feet is being offered in the plan. The rear yard is 30 feet required and 18.96 feet is being provided. The peculiar issue with this property is that it is a corner lot, which raises a hardship to construct the house and to enhance the neighborhood. They need these two variances. There are also two pre-existing non-conformities on minimum lot area and minimum lot frontage. Those are pre-existing. He understands from the engineer's report that they need to request a waiver regarding the survey requirement for the properties within 200 feet.

Mr. Halligan called Mr. Michael Hubschman to testify and would like the Board to except him as an expert. Mr. Hubschman was sworn in by Mr. Schuster. Mr. Hubschman's address is 263 South Washington Avenue, Bergenfield. He is a licensed professional engineer and planner. His license is in good standing. Mr. Hubschman noted that this is part of a subdivision that they did in 2008. There were two lots that they bought and combined them with Mr. Campoli, Sr.'s house, who lives behind it and they re-subdivided them into three lots. One lot was sold to Mr. and Mrs. Bergalou to the left and there was a problem with the driveway going down. They tried to design this house with the driveway level, which they thought would be a more positive aspect since there are some drainage problems in the area. That necessitated the request of the variances from a C2 standpoint. That positive of the driveway having to be at grade necessitated the footprint to be just slightly off killer. You can basically see on the footprint that there is a box in the back, which is the garage, instead of it being under, because of the FAR requirements. Mr. Schuster marked the colored rendering of the site plan as Exhibit A1.

Mr. Hubschman noted that they are requesting those two variances in order to get that regular small two-car garage on the site, which dimensionally works out to 23.07 feet from Legion and the front yard requires 25 feet and the rear yard is at 18, where 30 feet is required. That is all due to the fact that they wanted to keep the garage on the first floor. They also wanted the driveway to face on the side street

rather than have it be under the front. The existing house behind them is 43 feet from the side yard. That is a fairly large lot. There is no detriment in the rear yard. They face the Legion parking lot and the Legion across the street, so there is no detriment to those neighbors. There are a lot of positives like keeping the driveway on the side street. There are also some hardships. You can see the lot is sort of irregular in shape and it is undersized. They are not seeking any variances for FAR or coverage. The FAR is 27.03. It is about the same size as the neighbor's house.

Mr. Halligan asked Mr. Hubschman if it was his opinion that the benefits of the deviation of the zoning standards for the two variances outweigh any detriment. Mr. Hubschman noted that the benefit of the no garage under and the rear yard which is at 18 feet, you could also call it a side yard which would require 15 feet, so there is no detriment to that house behind them. Mr. Halligan asked if they would meet the standard for a variance under C2. Mr. Hubschman noted that under C2, the benefit outweighs the detriment and also under the C1 hardship aspect because you have the groundwater condition in this area and the drainage and also the irregular sized lot, so you have some hardship associated with it. It is a modest request to solve most all of the problems of the lot.

Mr. Halligan asked Mr. Hubschman if he sees any substantial detriment to the public good by granting these variances. Mr. Hubschman does not. The frontage is 23 feet so you wouldn't even really recognize that. On the side yard, the only adjoining house is 43 feet away, so you still have 60 feet between the two houses. Mr. Halligan asked if he thought granting the variances would have any substantial impairment on the purpose of the Zoning Code of Cresskill. Mr. Hubschman noted that it wouldn't at all.

Mayor Romeo asked Mr. Campoli if they were leaving the wall. Mr. Campoli stated that it was up to the couple that was building the house. He would like to leave it. He likes the style of the home. He just met with the couple building the house and said they really want to build a nice house. Mr. John Campoli, owner of R&J properties, 28 Milton Street, Cresskill, was sworn in by Mr. Schuster. Mr. Campoli said he thinks it is going to be an asset to the corner and it sits nicely on the corner. He thinks it is a nice improvement and it doesn't impact his properties at all. This is so much nicer without the driveway that goes down.

Mr. Campoli stated that in this area you really need to have the driveway at grade because of the water issues. Mr. Galdi noted that that is what he was looking for with the house next door. Mr. Campoli noted that his mom's house has a basement and they have sump pumps in the house. Anybody in Cresskill that has a basement has sump pumps in the basement. This is going to be a poured concrete foundation with a two pump system for back-up, waterproofing, and if they build it, it would be a quality house.

Mayor Romeo noted that we are just approving the site plan. Mr. Campoli stated that he has the architectural. Mr. Azzolina wanted a clarification on the drainage system after the home next door was built. What they discovered shortly thereafter was there was a major clog in that downstream pipe system that has since been rectified. Beyond that, just about a year ago, they constructed an additional inlet about 200 feet up the street from this property to intercept the large flow that was talked about. He thinks the situation has been corrected on the adjoining property. He agrees with the testimony of Mr. Hubschman and Mr. Campoli that this is a superior design just by virtue of the fact that the garage grades out to the street as opposed to the downgrading design.

Councilwoman Tsigounis asked about the waiver they were requesting. Mr. Hubschman noted that it is for not showing survey data within 200 feet. Mr. Schuster asked about sidewalks. Mr. Azzolina noted that that is one of his comments in his memo. The applicants should replace approximately 40-50 feet of sidewalk that was not replaced as part of the subdivision approval, which it was to have been. They are going to replace the sidewalk on Madison but there is no sidewalk on Legion. Mr. Azzolina also noted that the ramp may or may not comply and there is also about 75 feet of curbing that needs to be constructed.

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

Mr. Galdi made a motion approve. Mrs. Schultz seconded the motion. On Roll Call: Mayor Romeo, Councilwoman Tsigounis, Mr. Vaccaro, Ms. Bauer, Mr. Galdi, Mr. Morgan, Mrs. Schutlz, and Mr. Calder all voted yes. Motion approved.

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 8:39 PM, seconded by Mrs. Schultz. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for September 23, October 14, October 28, and November 11, 2014, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary