

## **MINUTES**

### **CRESSKILL PLANNING BOARD**

**MARCH 26, 2019**

Mr. Morgan opened the meeting at 7:29 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call:

Mayor Romeo, Councilwoman Tsigounis, Mr. Morgan, Ms. Bauer, Mr. Calder, Mr. Durakis, Mr. Mandelbaum, Mr. Ulshoefer, Mr. Malone and Mr. Rummel. Also present was Mr. Schuster, Planning Board Attorney, and Mr. Azzolina, Borough Engineer.

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Mr. Calder made a motion to approve the minutes of the March 12, 2019, meeting, seconded by Mr. Durakis. All present were in favor of the motion. Motion approved.

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#### **Correspondence**

Letter of Introduction from Mr. Bob Rusch, dated March 15, 2019, sending 31 Allen Street LLC (Al Diasparra) to this Board for approval. He would like to construct a new single-family dwelling at 31 Allen Street. Application #1549 was received on March 25, 2019, and is currently under review.

Letter of Introduction from Mr. Bob Rusch, dated March 15, 2019, sending Ramiz Bodini to this Board for approval. He would like to construct a new single-family dwelling at 157 Knickerbocker Road. Application #1548 was received on March 15, 2019, and is currently under review.

Vouchers from Mr. Steven V. Schuster for services rendered relative to the Cresskill Planning Board for the month of January 2019 in the amount of \$2,939.48 and for the month of February in the amount of \$2,631.78. Mr. Ulshoefer made a motion to approve, seconded by Mr. Durakis. All present were in favor. Motion approved.

Application for Soil Erosion and Sediment Control Plan Certification for Merritt Field Improvements, 184 Piermont Road. File.

Letter of Introduction from Mr. Bob Rusch, dated March 15, 2019, sending Sung Jeon from Arkiv Pet Shop to the Board for approval. She would like to expand their existing store, Arkiv Shop at 22B Union, to include a showroom and office for their pet clothes at 12 Union Avenue. Ms. Jeon was present. She noted that it is not a pet shop. The space is 300 square feet and they want to open a showroom/office space. They are not trying to create a lot of traffic for people to come. It is mainly for them to be able display the pet supplies and clothes to take pictures for Instagram and on-line. They are trying to keep it very minimal. They are going to use the name Bits and Crew. It will be dog clothes and supplies. They are not selling any animals.

Mr. Schuster asked if it was going to be pet food. Ms. Jeon noted that it was going to be pet toys, cushions, clothes, leashes, pre-packaged snacks, but no big bags of food. Mainly for dogs. They don't have the space to incorporate the stuff for more animals. They can use some of the stuff for cats, but their specialty and knowledge is for dogs. There will be no refrigerators. There will be only one or two people working there at most. Mr. Calder asked what their hours were going to be. Ms. Jeon noted that

they are thinking the hours will be Wednesday-Friday 11:00-7:00, Saturday-Sunday 11:00-8:00 and closed Monday and Tuesday. They will not do anything to promote traffic. It will be mostly on-line sales. The internet will handle most of it. Mr. Calder made a motion to approve, seconded by Mr. Durakis. All present were in favor. Motion approved. Letter of approval sent to Ms. Jeon with copies to Ms. Francesca Maragliano, Mr. Bob Rusch, the Fire Department, the Health Department and the Police Department.

Subdivision Deed for 26 Cresskill Avenue from the Law Offices of Mark Madaio. There is something on Mr. Azzolina's report and on the plans that needs to be included. They are supposed to do the right-of-way deeds. The right-of-way there existing is 45 feet. The current standard is 50 feet, so to do a subdivision on one side of the street, they have to make up one-half of the deficiency. So, they need to dedicate a piece of land 2 ½ feet wide by the length of the lot. The deed description does not have a description of that parcel. Since this is a minor subdivision, they need to describe that by deed. Otherwise, it would be on a filed map and then it would be on record. Since there is no map being prepared for this application, it is done by deed. Mr. Schuster noted that this deed is OK, but we need an additional deed to reflect transfer to the Borough for the right-of-way. Mr. Azzolina noted that, as we discussed, we wanted to handle everything all at one time rather than piecemeal. This is not a new thing. It was in all of his reports and was depicted on the original plan. They are recognizing it but there is no legal instrument that says here is how this land is being conveyed from the applicant to the Borough of Cresskill.

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### **Old Business**

Mr. Robert Hamburg was back regarding the sign for Sacred Space Meditation Studio at 15 Broadway. Mr. Schuster stated that he did drive by there and looked around. One of the questions is which zone is this in. This is not in the commercial zone as he understands it. It is in the professional zone. There is no directory outside. Only the name of the building is posted on the sign. There is no restriction on second story signs. As far as actual size of the signs, there is a different requirement depending on which zone it is in. Mr. Morgan stated that they looked it up and it is in the commercial zone.

Mr. Schuster noted that the ordinance says that not more than one such sign shall be permitted for each tenant on the premise on each wall fronted on the street. One of the problems with the building is that they have signs not fronting on the street. There are some signs on the back of the building facing the parking area and other signs are facing on Broadway. Technically, you are not supposed to have a sign on the back of the building. They are all over the building. The aggregate sign area is one-half the frontage. Mr. Hamburg noted that her width is 24 ½ feet. He showed a picture of the signage and how it would look on the building.

Mr. Calder made a motion to approve, seconded by Mr. Rummell. All present were in favor. Motion approved.

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### **Subdivision Committee**

Councilwoman Tsigounis reported that two new plans were received. Application #1548, 157 Knickerbocker Road, Ramiz Bodini, was received on March 15, 2019, and is currently under review.

Application #1549, 31 Allen Street, 31 Allen Street, LLC (Al Diasparra), was received on March 25, 2019, and is currently review.

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**Report from the Borough Engineer's Office**

Mr. Frank DeCarlo was present for Application #1547, 56 Chestnut Street, FDC Development LLC (Ramapo Developers). Mr. DeCarlo noted that he designed the house below the FAR and in staying under the FAR he kept the side yards, front and rear yards. He is looking for a couple inches in the cantilever on the second floor, which is de minimus.

Councilwoman Tsigounis stated that Mr. DeCarlo is correct in saying that the FAR was established to keep the MacMansions from happening. What he is trying to do is justify the variances he is requesting by saying he is still keeping below the FAR. Mr. DeCarlo stated that the mistake in the design is that the building coverage should be a sliding scale as well on the undersized lots in direct proportion.

Mr. Azzolina noted that he reviewed the plan and it is ready for a Public Hearing. Mr. Morgan asked if he can be ready for April 9, 2019. Mr. DeCarlo stated that he can be ready for April 9. Mr. Azzolina does agree that it is less than one inch on the second-floor cantilever. On the sliding scale building coverage, he is not aware of that in any town. For the most part, the sliding scale FAR has worked. Mr. Azzolina noted that this is not a small house. It is 2,500 square feet and has been built four other times in town.

Mr. Azzolina noted that he just received Applications #1548 and #1549. He spoke with the architect for 157 Knickerbocker and asked him to submit architectural for that project. We did receive architectural for 31 Allen Street. On Knickerbocker, he is keeping the orientation, which fronts on Stivers, and asking to change the address from Knickerbocker to Stivers. It currently faces Stivers but has a Knickerbocker address. He is knocking it down and pulling it away from Knickerbocker.

Application #1540M, 35 Westervelt Place, Robert and Theresa Zerrenner, is currently under review.

Mr. Azzolina received the final plat for the subdivision on Pershing Place. It is consistent with the earlier approval. It is a major subdivision because it is a two-lot subdivision but it had variance conditions. The one outstanding issue was the County letter, which they have now received. He recommends that the Chairman and the Secretary sign the plat tonight.

Mr. Azzolina also spoke with the architect and attorney for the Cresskill Tavern application where they had the structure in the existing easement. He told them the Board was not looking in favor on that. They have been advised of that and they are going to revise the plan accordingly, assumably.

Mr. Durakis asked if the Zerrenners had two deeds for that property. Mr. Azzolina noted that he didn't have a chance to talk to them about that yet.

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**New Business**

None.

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**Other Business**

None.

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Mr. Morgan opened the meeting to the public. Mr. Mike Sutura from Knickerbocker Road wished to be heard. He wanted to know if there was any update on the building materials on the property on 12<sup>th</sup> Street. Nothing has been done. Mayor Romeo will ask about that tomorrow.

The second issue is about a sidewalk that was removed on Lexington. A lot of people on Knickerbocker have dogs and don't like walking them on Knickerbocker so they come down Lexington. In 2015, they lost a sidewalk that had been there for well over 40 years. Was there something in the records that would suggest that the property owner would be responsible to upkeep and maintain it? Apparently, the last building manager had made some kind of concession to the owner to allow them not to repair it and actually remove it. It is very dangerous in that particular corner. When the lights are off, cars come very quickly off the corner. He showed pictures of the corner. He spoke with John Casper, the maintenance manager for the town who didn't go into great detail, but who had said there had been a concession made to the homeowner, possibly for financial reasons at the time, but the reality is the homeowner is now renting the property. The property is on the corner of Knickerbocker and Lexington.

Mr. Morgan noted that it used to be a macadam sidewalk. Mr. Sutera stated that it was a dreadful sidewalk. Mr. Morgan noted that he got permission to remove it somehow in the last five years. It was a rough sidewalk. Mr. Sutera left the pictures with Mayor Romeo for him to look into it.

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Motion was made by Mr. Mandelbaum to adjourn the meeting at 8:09 PM, seconded by Mr. Durakis. All present were in favor. Motion approved.

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The next four regular Planning Board meetings are scheduled for April 9, April 23, May 14, and May 28, 2019, at 7:50 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo  
Recording Secretary