

MINUTES

CRESSKILL PLANNING BOARD

MAY 25, 2021

Mr. Ulshoefer 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, Mr. Ulshoefer, Ms. Bauer, Mr. Malone, Mr. Rummel, Mr. Sutura, Ms. Tsigounis and Ms. Furio. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Stamos, Board Attorney.

Mr. Rummel made a motion to approve the minutes of the May 11, 2021, meeting, seconded by Ms. Tsigounis. All present were in favor of the motion. Motion approved.

Correspondence

Letter of Introduction from Mr. Bob Rusch, Construction Official, dated April 13, 2021, sending Mrs. Mufson to this Board for approval. She is seeking a driveway waiver (as per 218-E(1)(c)) at 579 Knickerbocker Road. The resident was not present.

Memo from Ms. Francesca Maragliano regarding Ordinance No. 21-23-1573, An Ordinance by the Borough of Cresskill in the County of Bergen, New Jersey prohibiting the operation of any class of cannabis businesses within its geographical boundaries and amending Section §275 et seq of the ordinance of the Borough of Cresskill. All were in agreement. Memo sent to Ms. Maragliano stating the Board's agreement.

Subdivision Committee

Nothing to report.

Report from the Borough Engineer's Office

Mr. Azzolina is currently reviewing the subdivision Application #1567M, 268 E. Madison Avenue, Jane Reilly. It is still under review. The 45-day window is extended to 60 days under the Pandemic Emergency Declaration.

Site Plan Application #1568, 67 Westervelt Place, a single-family home for Ashley Norris. The application is substantially complete. The applicant's engineer was present. Mr. Azzolina noted that he did not receive architectural drawings and the check off list for that application. The site plan itself is pretty straightforward. He assumes that the applicant will be able to provide his office with the architectural drawings in short order. He would recommend that this be scheduled for the 2nd meeting in June. The Public Hearing was scheduled for June 22. There are just some minor issues. He will send a memo to Mr. Hubschman and will finalize it once he receives the architectural drawings.

Old Business

None.

Public Hearing – Application #1566 – 5 Merrifield Way

Mr. Mark Madaio, Legion Drive, Bergenfield, NJ, was present for the applicant. He presented the Board Counsel copies of the green cards that he received back and a copy of the ad for The Bergen Record. With regards to this application, which is Block 4, Lots 9-11, it is a major subdivision. The property requires variances as to lot frontages. These are not undersized lots. Each one of these lots is a full-size lot. It is simply that the configuration of those lots has a slightly undersized frontage as to the interior lot, and the corner lot, also has a slightly undersize frontage combined with the fact that the corner has two front yards. The good news about that corner lot is the variance required for the front yard and the only other variance that is required is with regard to the driveway being near the property line and is a product of the fact that they want to keep the existing house. They think the house at the corner of Grant and Merrifield has some architectural value. Their goal is to build one new house on a full-size lot with a slightly undersize frontage, but keep the existing house, upgrade it, make it look a bit better, and sort of have it be one of those nice homes that you come down Grant Avenue and think about that's what Cresskill used to look like. If there are some variances that they are going to talk about this evening on the existing house lot, they are minor. Some of it is a product of the fact that it is a corner lot, and you just can't change that, and he thinks one of them is a product of the fact that they want to keep the old house. The lot next to it, he believes is about an 85-foot frontage, full-size lot, just a slightly undersize frontage. When you have a full-size lot, but your frontage is undersized, it sort of speaks to the configuration of the lot. Obviously, they have enough square feet. They are creating two 10,000 square feet plus lots. It's the shape and configuration of these lots that mean full-size lots still might need a variance as to frontage.

Mr. Stamos noted that he reviewed the paperwork and everything is in order. Mr. Madaio noted in addition to the major subdivision, they have also brought in the architectural plans for the new home, because they are also seeking the residential site plan component.

Mr. Michael Hubschman, 263 S. Washington Avenue, Bergenfield, NJ, was sworn in by Mr. Stamos. His license is in good order. Mr. Hubschman noted that the lot is almost 21,000 square feet. It is 20,600 square feet, where the R10 zone requires 10,000 square feet. There is an existing single-family older home on the corner lot that is sort of hugging the corner piece. There is the proposed yard that they are going to make the single-family lot to the north. There is an existing garage in the rear of the property that they are going to be removing and constructing a new garage.

The site already has existing sewer, water, electric, gas, and any of those things that we think of traditionally in terms of site plan. Mr. Hubschman stated that all the utilities are there. The site slopes from the rear towards the front. That slope is consistent with the fact that when you drive down Grant you drive downhill. Mr. Madaio asked Mr. Hubschman what the applicant's intention with regard just to the subdivision component was and to speak a little bit to the idea that to do that the existing garage that is very near the property line has to go.

The site plans were marked as Exhibit A1. Mr. Hubschman stated that the existing two-car garage is being removed and is being relocated a little bit south. There are no variances required to relocate the garage. They are requesting the two frontage variances along Merrifield. Both lots are in excess of 10,000 square feet. Lot 11.01 is 10,067 square feet, and 9.01 proposed is 10,600 square feet. The frontage is 81 feet on the north lot and 87 feet on the south lot facing Merrifield. They are 145 feet deep and about 136 feet deep on Grant. They are irregularly shaped. The original subdivision was from 1906 that created all these little parcels on Merrifield Way. The variances are frontage, frontage and the side yard of 11 feet for the existing house.

On sheet two, it shows the proposed dwelling fronting on Merrifield. There are not any variances for the new house. The existing house has the 11-foot side yard. There is about 34 feet between the two homes, 15 feet on the north. This plan shows where the new garage location is pushed more forward towards

Grant and it is all pretty much at that grade. They are going to widen the driveway and have it go out onto Grant again.

Mr. Madaio stated that which we can control, the size and location of the new home, they haven't sought any variances. Mr. Hubschman agreed that it was designed to fit. It is a little narrower to fit in that area. The new home has no variances, a full-size lot, but yes, a frontage variance. The old home, it's a continuation of whatever variances it has, plus a variance as to lot frontage, just like the adjoining lot, and a variance because they could only get 11 feet on the side yard.

Mr. Madaio wanted to talk a little bit about drainage. Mr. Hubschman noted that they are proposing one seepage pit on Merrifield on the lower end of the lot, not behind the house so it doesn't drain into the house.

Mr. Madaio asked if the Borough Engineer had an opportunity to review their designs and issue a report. Mr. Hubschman noted that he got Mr. Azzolina's report. A couple issues that he brought up was that the sidewalk and curb on Merrifield needs to be replaced. The sidewalk and curb along Grant are in good condition. There are some other issues that are minor. They would want to save the tree and the sidewalk would go right through it so they would go around it. Their goal is to save the tree. Mr. Madaio stated that the sidewalks on Grant are relatively new, but of course, if they damage or destroy them when they are putting in the new curbing and the apron for the driveway and the movement of the garage, they will replace and repair any damage.

Mr. Hubschman also noted that the Borough requires them to provide shade trees every 50 feet. Mr. Madaio noted that they will do that. He asked if there was anything in Mr. Azzolina's letter that they can't do. Mr. Hubschman stated that, with the exception of the underground utilities, since the poles are on the opposite of the street, they will have to talk about that, but everything else was addressable. Mr. Madaio asked if this lot were a large rectangle of over 20,000 square feet that they were cutting into two smaller rectangles of over 10,000 square feet, in all likelihood they wouldn't need frontage variances, and they could do a lot of different things. Except that this lot is in this configuration, on that hill and that curve on Merrifield. Mr. Hubschman pointed out that they are over 20,000 square feet and there is a lot of green area and if it was square they wouldn't need a variance on it.

Mr. Madaio asked if there were a lot of lots in the area that were under the 100-foot frontage but greater than 75. Mr. Hubschman said that they vary. Across the street it is 88 feet, 17.01 is a 73-foot frontage, 17.02 is 86 feet, so it is similar. There is a mix. The one next to them is wider in the front because of the curve, but the rear is only 80 feet. They are all sort of narrower in the back. One is 95 feet in the rear and a little less in the front. Because of the curve they are irregular. Mr. Madaio stated that if they were clearing the entire lot, trees, existing house, everything comes off, and they build two brand new houses, they probably could do something a little bit more conforming. Mr. Hubschman agree that if you tore the house down you could fit something in that you wouldn't need the 10-foot side yard. Mr. Madaio said that their position to maintain that house and use it as a renovation at this point rather than render it vacant land, controls their options to some extent. Mr. Hubschman stated that they designed the line around it sort of even over the 10,000 square foot lots. The actual distance between the houses is just about what you would expect on fully conforming frontages, brand new homes and everything like that.

Mr. Madaio asked Mr. Hubschman to switch to the architectural drawings. Mr. Hubschman isn't the one who drew them, but he is going to testify about them as the architect (Mr. John Bryjak) wasn't available tonight. He wanted to make sure the Board has a pretty good idea what they are going to see on that lot. This was marked as Exhibit A2.

Mr. Hubschman explained that this is a center-hall Colonial, slightly less than 28 feet. The FAR is about 2,900 square feet and it is conforming. Even though it is a full-size lot, they are building a conforming and not oversized house as evidenced by the FAR. The lot coverage is okay and the building coverage is okay as well. They have a pretty standard center-hall Colonial with a two-car garage. There are four bedrooms. It will have vinyl siding. It is the same builder that is doing the houses where the Hungry Peddler was. It is a modest sized living area. On the first floor is a kitchen, dining room, small living room in the front, dinette area in the rear and a little family room to the left. The second floor has four bedrooms, master suite with a bath. The master is in the rear. The bedrooms are small, 10x11, 14x12, and the master bedroom is

19x16 in the rear. It is a standard center-hall, standard roof lines, it is not a real modern looking house. It will fit into the neighborhood.

Mr. Madaio asked if there was any detriment to the properties that adjoin the new house. Mr. Hubschman noted that it is a wide house, not a railroad looking house. It is going to be 40 feet wide. It will fit in with the older homes in the neighborhood. Mr. Madaio stated that they preserve light, air and open space and meet those purposes of zoning, which are the reasons that zoning exists, despite the fact that the frontage is somewhat undersized. Mr. Hubschman agreed and stated that they are seeking the frontage variance, but it is not that detrimental in this area. The size of the house is normal and it will fit in. If it was a 50-foot lot and they were trying to put a 20-foot wide house in, that would be sort of detrimental to the area. This is a good looking house and will fit into the area. Mr. Madaio explained that the old house will continue to look the same but will be spruced up.

Mr. Ulshoefer opened the meeting to the public. Mr. Donald Dickstein, 305 Grant Avenue, Cresskill, wished to be heard and was sworn in by Mr. Stamos. Mr. Dickstein stated that the garage right now as it sits is pretty much on the property line. It kind of leans into their shrubs and trees. He wanted to know if that was going to be moved down a little bit. Mr. Hubschman noted that it is only 2.4 feet right now. The code is five feet and they are moving it five feet off the property line. Mr. Dickstein asked what the frontage was going to be depthwise. How far back will the house be? Mr. Hubschman stated that the new house is 25 feet back. It is as close as it can be. The rear yard is 69 feet. Mr. Dickstein asked if they can count on them putting up some kind of fencing, be it shrubs or a fence in the backyard? Mr. Madaio said the answer is yes.

Mr. Ulshoefer closed the meeting to the public.

Mr. Ulshoefer asked about the 13 trees being cut down. He wanted to know if they were going to be replaced. Mr. Madaio doesn't know what their replacement plan is. Mr. Hubschman noted that it is in Mr. Azzolina's report. They usually try to do one-to-one. They are going to be putting in the street trees also. Mr. Azzolina stated that it depends on where they are situated with respect to the new construction. The ones in the building envelope are exempt from replacement so that is something that you need to discuss with the Building Inspector. Mr. Hubschman said that they are probably going to put in about 6-7 street trees.

Mr. Stamos stated that the plan shows that they will comply with all setbacks for the new home. Mr. Madaio agreed that the new home is setback compliant. Mr. Stamos noted that nothing would stop them from coming back and asking for them in the future. For the purposes for the granting of the subdivision, it would be stipulated that the new house has no setback variances required. Mr. Madaio understood that if you are going to grant the subdivision, you don't want somebody to come back five years from now and have somebody build a bigger house. Perfectly reasonable condition.

Ms. Tsigounis made a motion to approve, seconded by Ms. Furio. On Roll Call: Mayor Romeo, Mr. Ulshoefer, Ms. Bauer, Mr. Malone, Mr. Rummel, Mr. Sutera, Ms. Tsigounis and Ms. Furio all voted yes. Motion approved.

New Business

None.

Other Business

None.

Mr. Ulshoefer opened the meeting to the public. No public was present. Mr. Ulshoefer closed the meeting to the public.

Motion was made by Mr. Sutera to adjourn the meeting at 8:01 PM, seconded by Ms. Bauer. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for June 22, July 13, July 27, and August 10, 2021, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary