

MINUTES

CRESSKILL PLANNING BOARD

AUGUST 10, 2021

Mr. Ulshoefer opened the meeting at 7:32 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call:

Mayor Romeo, Councilman Kaplan, Mr. Ulshoefer, Ms. Bauer, Mr. Malone, Mr. Rummel, Mr. Sutera, and Ms. Furio. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Stamos, Board Attorney.

Ms. Bauer made a motion to approve the minutes of the July 27, 2021, meeting, seconded by Mr. Sutera. All present were in favor of the motion. Motion approved.

Correspondence

Letter of Introduction from Mr. Bob Rusch, Construction Official, dated August 6, 2021, sending Dana Runyun from StickerBeans to this Board for approval. They would like to open their children's accessory company at 15 Broadway, Suite 208, and install a new sign. Ms. Runyun was present and noted that it is not retail, it is just office space on the second floor. Mr. Stamos noted that they have been there for quite a while. They are just relocating from one office to another. The business is basically collectable stickers. Mr. Sutera made a motion to approve, seconded by Mr. Rummel. All present were in favor. Motion approved. Letter sent to Ms. Runyun stating the Board's agreement with copies to Ms. Francesca Maragliano, the Building Department, the Health Department, the Fire Department and the Police Department.

Letter of Introduction from Mr. Bob Rusch, Construction Official, dated August 2, 2021, sending a representative for Silver Palate Kitchens, Peter Harris, 211 Knickerbocker Road, to this Board for approval. They will be purchasing the building at this address. There is no tenant change. This is the building south of the Lukoil gas station. This is a commercial change of ownership. Mr. Harris was present and noted that the building was owned by his father, brother, sister and him. He is buying it from his brother and sister because his father just died. The Board had no problem with it. All were in favor. Letter of the Board's approval sent to Mr. Harris with copies to Ms. Francesca Maragliano and the Building Department.

Subdivision Committee

Subdivision had nothing new to report.

Report from the Borough Engineer's Office

Mr. Azzolina reported that Application #1572, 62 Willis Avenue, Giesi Holland LLC, was received on July 22, 2021, and is currently under review. The applicant's architect was present. He noted that his guy was supposed to call him for architectural drawings. Mr. Rapaport stated that nobody called him. Mr. Azzolina is waiting for architectural drawings and asked Mr. Rapaport to submit them to the Board and email them to him.

Revised plans for Application #1567M, 268 E. Madison Avenue, Jane Reilly, were received on July 13, 2021. Mr. Azzolina had determined that application to be incomplete. The revised plans were received but they did not include a storm water management report which was one of the comments. He needs to speak to their engineer, which is Mr. Hubschman.

Application #1571M, 103 Huyler Landing Road, Adam Forem, was received on July 9, 2021, and is currently under review. Once again, he did not receive architectural drawings on this one yet, so he is not able to comment on the FAR, etc., etc. There are a couple other things that are incomplete. They didn't receive a stormwater management report for this application either. He will speak to them tomorrow.

Mr. Azzolina prepared a report dated August 10, 2021, for tonight's Public Hearing.

Old Business

None.

Public Hearing – Application #1570 – 36 Douglas Drive

Mr. Uri Rapaport, 15 Franklin Street, Tenafly, was representing the applicants, Josef & Victoria Gelman. Mr. Rapaport was sworn in by Mr. Stamos. He is a licensed architect in the State of New Jersey and his license is in good standing. Mr. Stamos noted that the notices were done by the applicant. They were sent out to everyone on the lists successfully and it was published in The Record timely. The one issue is that it states the time and place of the meeting, but it states "at the Borough of Cresskill" without the specific address. It says a copy of the application and the supporting documentation are on file with the secretary of the Planning Board at the municipal building. There is reference to the municipal building. He spoke with Mr. Gelman and he mentioned that he just used the template that he was provided as part of the application package. He references the correct date and time and the borough hall, just not the specific street address. The Board was okay with the notice and allowed the hearing to proceed. Mr. Stamos stated that they are proceeding at their own risk. In the very unlikely event that somebody appeals, they have a procedural issue they could raise.

Mr. Rapaport stated that they are here because they are looking to construct a new single-family home at 36 Douglas. There is an existing home there right now and they are going to remove it and build a brand new single-family home. The property is a little bit undersized. In the R-10 Zone you need to have 10,000 square feet. This one is 8,100 square feet. It is roughly 90 feet wide, and they are here because they are not asking to build anything bigger. They meet all the requirements, but the only thing they cannot meet or it would create a problem is the combined side yard setbacks. They need to have 35 feet combined side yard setbacks, which reduced from 90 feet would make the house a little bit narrow. What they are proposing is to make the side setbacks 15 and 15, which is the minimum. They would have 30 feet but don't meet the 35 which is the requirement. They are close to five feet short on the combined. He doesn't think that is going to have any effect, especially when the existing house today, one side is only 10 feet. They are improving the existing because they are going to have 15 instead of the 10 existing.

It is a modest house with four bedrooms on the second floor. It is about 2,540 square feet livable area plus the garage. He thinks this makes sense because they are not doing anything out of the ordinary and they have been here a few times asking for relief in the combined set back and usually the Board has been kind to them. Councilman Kaplan questioned if they were slightly improving the side yards. Mr. Rapaport stated that if they have 100 feet it wouldn't be a problem, but if they were to meet the 35 feet, they would push the house more to the back so it would take away from the backyard. He thinks by meeting the minimal on each side, it is a reasonable solution for this lot.

Mr. Stamos noted, to summarize Mr. Rapaport's testimony, the property is an undersized lot being 90 x 90. Mr. Rapaport agreed. Mr. Stamos stated that that is what makes him require the side yard setbacks. Mr. Rapaport explained that they are not asking to build anything bigger than they are allowed. The FAR and the coverage and the impervious, all those requirements are met. To meet the setback requirements and build the same size house, then they would go to the back, and it would make the backyard smaller. He thinks they are not asking much by just keeping the minimum but not the combined minimum. They have the sufficient depth.

Mr. Stamos asked if he saw any detriment to the area or the zone planning. Mr. Rapaport thinks he came up with a good solution. Mr. Ulshoefer asked how far into the backyard he would have to go if he changed it. Mr. Rapaport said it would be a few feet, but you have to look at the back yard line which is not a straight line. Ms. Furio stated that the lot is 90 x 90 so no matter where you go, you are going to be short since the lines are perpendicular.

Mr. Josef Gelman, 473 12th Street, Cresskill, was sworn in by Mr. Stamos. Mr. Gelman noted that he plans to live in the home. He will rent or sell his current home.

Mr. Azzolina, following up on a conversation he had with Mr. Gelman a few weeks ago regarding the basement space. He questioned the use of the basement space and in taking a closer look at the plans he noticed that there is a separate entrance to the basement area shown on the architectural drawings as well as the site plan. He wanted Mr. Gelman to confirm for the Board the use of that bedroom/clinic space. Mr. Gelman stated that the word "clinic" is misleading. It is intended to be either a home office for him (he works in software sales) or they are planning in the future for this to be the room of their older son who is 15 right now. They wanted him to have more privacy and be able to get in the house from a side door. Mr. Azzolina wanted that to be on the record so everybody is aware of this semi-unique situation with a separate entrance.

Mayor Romeo asked Mr. Gelman if he read Section 275-8.E.1 which states "*Professional offices or studio of a lawyer, architect, insurance agent, notary public, artist, dentist, musician, teacher, physician, osteopath or chiropractor, but not including veterinarians, provided that:...*" He noted that that is what he is allowed to have down there. Mr. Gelman noted that it is just going to be his home office and he will just be working there by himself.

Mr. Azzolina noted that the other comments in his report are the standard form comments relative to the stormwater management. They provide the necessary seepage pit for the roof drains, and the StormTech Chamber for the areaways. Inspect the site prior to the construction of the seepage pits and while it is being constructed. With respect to the concrete curb along the frontage of the property, they will have to fill in where the existing driveway is and create a depressed curb on the other side of the property which is about 40 feet of 90 feet. So, that being the case, the concrete curb is in fair condition, but once it gets construction traffic on it, it is going to need replacement. So, the recommendation is that the applicant be required to replace the entire 90 feet of concrete curb.

There is one tree to be removed, which is pretty much straddling the right-of-way line. It appears to be in poor health. That is in the driveway basically, so it has to be removed. He is assuming that the applicant proposes to replant at least one tree on the property, perhaps more. The applicant stated planting more. Also, regarding the building sewer, he recommends that a video inspection be performed from the cleanout at the curb line to the main in the street to confirm that it is still in good condition and able to be reused and that there are no root problems or displacement of the line.

Mr. Malone made a motion to approve, seconded by Ms. Furio. On Roll Call: Mayor Romeo, Councilman Kaplan, Mr. Ulshoefer, Ms. Bauer, Mr. Malone, Mr. Rummel, Mr. Sutera, 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 8:06 PM, seconded by Ms. Bauer. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for August 24, September 14, September 28, and October 12, 2021, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary