

MINUTES

CRESSKILL PLANNING BOARD

OCTOBER 12, 2021

Mr. Rummel opened the meeting at 7:30 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, and Mr. Sutura. Also present was Mr. Paul Azzolina, Borough Engineer.

Mr. Rummel made a motion to approve the minutes of the September 28, 2021, meeting, seconded by Ms. Bauer. All present were in favor of the motion. Motion approved.

Correspondence

Application for Soil Erosion and Sediment Control Plan Certification for Application #1575, 8 Mountain View Road, Lumaj Homes, LLC. File.

Application for Soil Erosion and Sediment Control Plan Certification for Application #1574, 33 Center Street, John Passarotti. File.

Letter of Introduction from Mr. Bob Rusch, Construction Official, dated September 13, 2021, sending Mr. Lantelme to this Board for approval. He is representing the owner of 54 Willis Avenue, Payam Panahi, who would like to construct a new single-family dwelling at 54 Willis Avenue. No one was present and no plans have been received.

Letter of Introduction from Mr. Bob Rusch, Construction Official, dated October 6, 2021, sending Mr. Lumaj to this Board for approval. He would like to construct a new single-family dwelling at 8 Mountain View Road. He is seeking a total combined side yard variance. Application #1575 was received on October 8, 2021, and was distributed to the Board members.

Letter of Introduction from Mr. Bob Rusch, Construction Official, dated October 7, 2021, sending a representative for the Cresskill Board of Education to this Board for approval. They would like to use the school at 220 Jefferson Avenue, St. Therese School as a temporary emergency school for in person instruction. Upon approval from the Board, the applicants are required to contact the Building Department for inspections prior to occupying the space.

Subdivision Committee

Application #1575, 8 Mountain View Road, Lumaj Homes, was received on October 8, 2021, and was distributed.

Report from the Borough Engineer's Office

Mr. Azzolina stated that he became aware today that the Public Hearing for Application #1567M, 268 E. Madison Avenue, Jane Reilly, will be requesting a deferral until November 9. That being the case, typically we would have a completeness determination for the next meeting since the Board has just received the Lumaj application and then a hearing the meeting after, then maybe you would have two hearings on November 9 if that were the case. However, the Lumaj applications are usually pretty straightforward. It is recognized that they do need a variance for combined side yards. If the Board is willing, he can do what he has to do for October 26. Mr. Lumaj said he could be ready for October 26.

On the application that Mr. Madaio is representing, 39 Center St. LLC, Application #1573, apparently they have a buyer for that home, so the plan that they submitted is currently being modified, so basically that is out.

On Application #1574, Mr. Passarotti, 33 Center Street, Mr. Azzolina reviewed the plan in depth. There are a couple issues that he wanted to discuss with the architect. They are relatively minor in scope. It is a flat piece of property. The drainage design is more than adequate. There are a couple of numbers that need to be clarified with the architect. He believes he can, if the Board is willing, approve it subject to his further conversations with the architect to resolve a couple calculations on the plan relative to the size of the deck. He asked Mr. Passarotti if he had any idea what size deck they were proposing. He was not sure. Mr. Azzolina noted that decks are included in the building coverage, and he didn't dimension it. Graphically it appears to be a pretty small deck, but it can only be a certain size in order to attain code compliance. Then the height of the structure, typically elevations at the height of the structure are based on the corner elevations so he would need to provide a reference from the first floor down to the two front corners. If the architect returns his call, he can go over those couple items. He can also adjust the roof pitch if necessary to obtain code compliance to comply with the 28-foot height restriction. Given the fact that it is a relatively level lot, it should not be an issue.

The only other thing that is somewhat unique about the home, he noticed that there is a garage overhead door on the side of the home. He wanted to make the Board aware of that. Mr. Passarotti noted that that is where all the stuff that clutters up the garage is going to go, the lawnmower, the bicycles and all that. Mr. Azzolina stated that other than the confirmation of the height, he has no objection to the plan as presented. He asked Mr. Passarotti if he was proposing to use the existing utility connections, sewer, water, gas. Mr. Passarotti noted that he may not be reconnecting gas, he is working on that now. He may put a solar roof on and work with just electric and solar power. He should be at net zero with the house. He plans to plumb for gas but not use it.

Mr. Azzolina asked if the house currently has a basement. Mr. Passarotti said it does and he will have a nine-foot basement. Mr. Azzolina stated that at depth he may encounter water and may need a sump pump. Mr. Passarotti noted that he is planning on a sump pit and not needing a pump. Mr. Azzolina asked if the house has an underground storage tank anywhere on the site. Mr. Passarotti noted that it does not.

Mr. Azzolina stated, with that said, subject to the architect ironing out a few details with him over the next week, he recommends that the Board approve the plan as to be modified. Ms. Bauer made a motion to approve, seconded by Councilman Kaplan. On Roll Call: Mayor Romeo, Councilman Kaplan, Mr. Ulshoefer, Ms. Bauer, Mr. Malone, Mr. Rummel and Mr. Sutura all voted yes. Motion approved.

Mr. Azzolina noted that on site plan #1571, 103 Huyler Landing Road, Adam Forem, the drainage is still incomplete. He spoke with their engineer about that today. He has also been directed to have the architect submit additional copies of the plan which the Board has not yet received. He will take care of that in the next couple of weeks. He wishes to appear before the Board informally on November 9. There are no variances required with this application. There is an existing non-conforming frontage with respect to the lot that was created in the 1980s when the lot was created. That variance runs with the land. The proposed development complies fully with the zoning requirements, but he recommends that they be before the Board to present the plans so that everybody understands what is being built. That is tentatively scheduled for November 9 subject to the Board's ability to hear it on that date.

Old Business

None.

New Business

Mr. Lumaj was present for Application #1575, 8 Mountain View Road. This lot is not that small. It is about 9,600 square feet. They don't need any variance for coverage, but it is a narrow lot and it goes back. They have the minimum side yards, but they are missing three feet of the combined side yards. The house is 40 feet and the lot is 75 so they are at 16 feet on both sides. They plan on putting the house right in the center so each side yard meets the minimum, but they don't meet the combined. They are trying to still make it look nice with the garage in the front with the front door.

Mr. Azzolina stated that he needs a hearing and if the Board is agreeable, he can be ready for October 26, 2021. Mr. Lumaj noted that he could be ready as well. Mayor Romeo said that one house next door is higher and the other house is lower so he shouldn't have a problem.

Other Business

None.

Mr. Ulshoefer opened the meeting to the public. Mr. Eric Wein, 254 Jefferson Avenue wished to be heard. He lives behind Bryan School. Unfortunately, his sewer line was disconnected during what they think was the addition of the Bryan School a couple years ago. It seems like their sewer line was compromised. What they discovered is that their line was attached to about 10 feet of corrugated pipe and then connected nowhere, just leaching into a field within feet of the Bryan School grounds. He has had a lot of communication with the Board of Education. This started on August 15. He has no sewer line connected. He had another sewer backup into his house yesterday. His patience has boiled over. He has attempted many times to try to keep this a private matter to have someone hold themselves accountable for why this happened and reconnect his line. That hasn't been the case yet. Now he is going to attend more meetings to have his voice heard and try to avoid this becoming a legal matter, publicized matter and it is an embarrassing matter for the Board of Education, for his family that is in the school system, and he just wants to get it resolved.

Mayor Romeo stated that we have no responsibility because it is Board of Education property. He has been in communication with them. The builder admits he found the pipe. If he found the pipe, there was a pipe there. Mr. Azzolina has talked to the previous owner, Mr. Noseworthy, and he has an as built showing some of these things. The first thing they should have done is put it on their (the BOE) builder. The builder is now denying it. Mayor Romeo doesn't know how they can deny it when they said they found three pipes. Now that you came to a public meeting, he will have to take some action. Mr. Wein stated that the builder definitely cut the pipe. Mr. Azzolina noted he didn't speak to the prior owner of the house, he spoke to his nephew.

Mr. Azzolina found out some information that there is a possibility that there was a shared line between Mr. Wein's line and Mr. Noseworthy's property that was demolished before they built the school. The prior owner of the property may have some knowledge of the fact that there was a shared line or an individual line, but he agrees they have to do something. Mr. Wein said that the DPW has something that shows his

line went right down along the north side of 57 Brookside connecting to Brookside Avenue. Mr. Azzolina stated that that is what he is talking about. Councilman Kaplan noted that it is Board of Education property, and they should take care of it. Mr. Wein stated that it has been 50 days and he just had another sewer backup in his house, not in his basement, not outside, in his house. It is just causing more problems. Their solution was to put a temporary above-ground septic tank on school property and tie his line into that. That is not working so well because it is getting clogged. This is no way to live with a three and six-year-old. The builder is saying there was no sewer easement denoted on his plans. His plans were approved without a sewer easement noted on it.

Mayor Romeo noted that either the builder or the Board of Education needs to take responsibility for it. The Board of Health will be notified. Mr. Azzolina will contact Mr. Noseworthy in Virginia.

Mr. Ulshoefer closed the meeting to the public.

Motion was made by Ms. Bauer to adjourn the meeting at 8:03 PM, seconded by Mr. Malone. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for October 26, November 9, November 23, and December 14, 2021, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary