

MINUTES

CRESSKILL PLANNING BOARD

JANUARY 23, 2018

Mr. Morgan opened the meeting at 7:33 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. Ulshoefer, Mr. Malone and Mr. Rummel. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Schuster, Planning Board Attorney.

Mr. Ulshoefer made a motion to approve the minutes of the January 9, 2018, meeting. The motion was seconded by Mr. Calder. All present were in favor of the motion. Motion approved.

Correspondence

Application for Soil Erosion and Sediment Control Plan Certification for 130 Morningside Avenue, 15 Wakelee Drive Corp. File.

Voucher from Mr. Steven V. Schuster in the amount of \$2,378.87 for services rendered relative to the Cresskill Planning Board for the month of December 2017 (corrected). Mayor Romeo made a motion to approve, seconded by Mr. Calder. All present were in favor. Motion approved.

Subdivision Committee

Councilwoman Tsigounis noted that a revised plan was received for Application #1514M, 18 Kenilworth Drive, Vajily Kuzubov and Aleander Chalov, on January 12, 2018. This is scheduled for a Public Hearing tonight. Mr. Azzolina noted that these are conceptual architectural drawings for the possible development of the subdivision. In that regard, he had a conversation a few minutes ago with the applicant's attorney. They were going to be heard tonight, but he defers to Mr. Capizzi because he believes there is a notice defect. Mr. Capizzi stated that they had a slight issue with the notices. They missed one of the names on the list, so they have to redo that and come back at the next meeting. The Public Hearing was rescheduled for February 13, 2018.

Report from the Borough Engineer's Office

Mr. Azzolina stated that Application #1524, which is the Luppino application, 66 Pershing Place, the applicants are here represented by council, as well as his professionals. Mr. Azzolina noted that at the last meeting they had reported very briefly on the application that a primary finding at that time was the provision in the code relative to the front of the house. This is a corner lot, with two front yards, which comply with the setback requirement of 25 feet along Pershing Place, as well as along 12th Street. They have two entrances to the dwelling, so there is some form of interpretation of the code relative to what

constitutes the front of the house. Since that original application, they have had several conversations with the applicant and his architect regarding just the design of the home. The one primary change that was made on the set drawings that he received by e-mail which depicts... Mr. Russell Bodnar, the architect interjected and stated that they got rid of the deck in the rear, which they talked about, and just made a patio, and other information listed in terms of the coverages. Mr. Azzolina wanted to finish his one thought and asked them to flip to the floor plan. He noted that at the Pershing Place entrance, the original plan had a laundry at that location. That is now the entry foyer.

Mr. Jason Tuvel, the attorney for the applicant was present. He noted that as Mr. Bodner has indicated, when the applicant was here previously, there was an issue concerning where the front of the house was. The applicant was initially told that they could place the front of the house on 12th Street. After discussing it with the Board's professionals, it turns out that the front actually has to be on Pershing Place. With that being said, the architect made adjustments to the plan to put the front of the house on Pershing Place. Right now they have the door on the Pershing Place. Initially that area led into the laundry room. It now leads into a foyer. In terms of the other zoning requirements, building, height, coverage, setbacks, the application is in full conformance with all the regulations. He believes that the engineer had some comments regarding building height and coverage. Just to ensure they comply, he believes the architect can address those stating that they do comply with the coverage as well as the building height. And any other technical requirements, they will also be happy to work with the Board on any of those. That is kind of where they are and where they came from the last meeting.

Mr. Azzolina noted that regarding the compliance, he compared the applicant's plan versus the site plan prepared by Steven Colazzo and there were some discrepancies with the Colazzo plan that he had received at that time. He is assuming there are revisions being made to the Colazzo plan. Mr. Luppino noted that once he gets the approval on this going forward, he is going to have the engineer make all the adjustments that were spoken about. Mr. Azzolina noted that the discrepancies can definitely be corrected, it is just that they are not correct as of now. Mr. Tuvel stated that, post approval, they can hand in those corrected drawings so Mr. Azzolina can review them.

Mr. Azzolina stated that that would be minimally required for the Board's satisfaction. The general discussion is if the Board is in agreement with the applicant's testimony that the front of the house is in fact on Pershing Place, the rule of thumb is that the rear yard is opposite the front yard, so the rear yard has greater than 25 feet in the rear yard and the other remaining yard is 15 feet, but 37 feet to where the living area is. It complies to the side yard setback. The height of the house is 28 feet. Mr. Azzolina stated that that is the function of where the front of the house is. The height ordinance states it is the average of the proposed grades of the two front corners. They are defining the front as Pershing and that is the set of elevations that is depicted on the Colazzo plans, that need to be revised. Furthermore, this is a one-story dwelling. The dormers on the second floor are false. The other aspect of the design that he spoke to the applicant's professionals about the garage being at basement level on what is essentially a flat lot. It is a little unconventional, but there is nothing in our code that says you can't do it. Typically, you see that on the smaller properties, the 50-60-foot-wide lots. This is an oversized lot, greater than 10,000 square feet and greater than 100 feet in each direction. It is unusual, and he doesn't really recommend it, but there is nothing in our code to preclude the applicant from doing it. It will require retaining walls along the driveway. They are less than four feet, which is in compliance with our code that says they can be no higher than four feet. As he warned the applicant, the only drawback would be is if you have a very heavy rain, for a very brief period of time, and if the storm drain (he has a trench drain at the base of the driveway), which gives him some level of protection, is not clogged. If it is somehow clogged, he will get water in his garage and if it really rains, he is going to have water in his basement. That is a risk they will be assuming.

Mr. Luppino noted that the engineer has given them the proper stormwater infrastructure design for it. Mr. Azzolina agrees. If properly maintained, that system has adequate capacity to handle that volume of runoff. Mr. Morgan asked how far the driveway was from the corner. Mr. Bodner noted that they are about 60 feet from the corner. The driveway is in close proximity to the front door.

Mr. Tuvel stated that they needed revised engineering drawings just to confirm the grading issues that they discussed. He will have revised architectural drawings once they are handed in. Mr. Luppino stated that he is moving in. He has a 21-month-old daughter and a 4-week-old son and currently rents in Weehawken.

Councilwoman Tsigounis asked, had he been informed that the front had to be on Pershing Place, would the house have been the same design. Mr. Bodner noted that they wanted a ranch, so a ranch lends itself to this design more than anything. If they wanted a two-story home, it would have been a different story. They wanted one-story living. So, yes it would have been the same design. Mr. Ulshoefer asked what the square footage was. Mr. Tuvel stated that the footprint is 2,695 square feet and it is a one-story dwelling. The garage is underneath. The dormers are extra ceiling space in the living area.

Mr. Azzolina stated that the FAR is not based on the 2,695. He had conservatively included the basement area. We exclude the basement. It will definitely be under. No building permits will be issued without revised plans. Mr. Calder made a motion to approve, subject to receiving revised plans, seconded by Mr. Ulshoefer. All present were in favor. Motion approved.

Resolution for Application #1519, 273 Jefferson Avenue., 273 Jefferson Avenue, LLC, was introduced by Mr. Calder, seconded by Mr. Ulshoefer. On Roll Call: Mayor Romeo, Councilwoman Tsigounis, Mr. Morgan, Ms. Bauer, Mr. Calder, Mr. Ulshoefer and Mr. Malone all voted yes. Mr. Durakis and Mr. Mandelbaum were absent. Motion approved. The original resolution shall become a permanent part of these minutes.

Old Business

None.

Public Hearing – Application #1514M – 18 Kenilworth Drive

The Public Hearing was postponed until February 13 due to an issue with the notices.

New Business

None.

Other Business

None.

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

Motion was made by Mr. Ulshoefer to adjourn the meeting at 7:54 PM, seconded by Councilwoman Tsigounis. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for February 13, February 27, March 13, and March 27, 2018, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary