

MINUTES

CRESSKILL PLANNING BOARD

JUNE 23, 2020

Mayor Romeo opened the meeting at 7:31 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call: Mayor Romeo, Ms. Bauer, Mr. Calder, Mr. Mandelbaum, Ms. Tsigounis, Mr. Malone and Mr. Rummel. Councilman Kaplan arrived at 7:37 PM (via phone). Also present were Mr. Stamos, Planning Board Attorney, and Mr. Azzolina, Borough Engineer.

Mr. Calder made a motion to approve the minutes of the June 9, 2020, meeting, seconded by Mr. Mandelbaum. All present were in favor of the motion. Motion approved.

Correspondence

None.

Subdivision Committee

Ms. Tsigounis had nothing to report.

Report from the Borough Engineer's Office

Mr. Azzolina had nothing to report except the report for tonight's meeting.

Old Business

None.

Mayor Romeo asked Mr. Madaio about Application #1559, 1 Union Avenue, Cresskill 1 Union Ave., LLC/152 Piermont Road, c/o F. Cavuto & Co. It was noted that Mr. Azzolina cannot hear this. He asked Mr. Madaio to get in touch with Mr. Lydon to schedule a meeting. Mr. Madaio noted that he was better on the 2nd meeting of the month, generally speaking. Mayor Romeo said that we can do it on July 28, 2020. Mr. Madaio will contact Mr. Lydon and if that date is good, it will be scheduled for July 28. If it is not good, he will be in touch to reschedule it for another date.

Public Hearing – Application #1560 – 368 12th Street

Mr. Mark Madaio, with offices on Legion Drive in Bergenfield, NJ, was present representing the applicants, John and Stephanie Hronic. The house is located at 368 12th Street. It is a ranch house that has been in its current configuration for many years. Essentially, the existing house is there, and the applicant intends to add a second floor. With very slight exceptions, that is the entire application. The existing house has some slight yard variances. If you take an existing house, with an existing yard variance and bring it straight up, you have made the amount of the house at variance greater. You haven't increased or decreased the quantum of the variance, but more house, being the second floor, will now be at variance. So, it is no more or no less variance, it is just more house at the same setback. Technically speaking, that is the expansion of a non-conforming structure, requiring the Board's approval. Most of what you see on the plan is simply that, add a second floor. He will have the architect explain a couple of the exceptions and why that doesn't change the footprint very much and it doesn't affect very much.

Mr. John Bryjak, of Oakland, NJ, was sworn in by Mr. Stamos. He is licensed in the State of New Jersey since 2007. He has appeared before this Board in the past and has appeared before Planning Boards on a monthly basis. He was deemed an expert in the field of architecture. Mr. Madaio explained that he briefly explained that the primary component of this application is an add-a-level. Mr. Bryjak agreed. Mr. Madaio asked if, when we add that level, are there any exceptions to just a straight ahead add-a-level. He asked Mr. Bryjak to go around the house and point out where there is anything that deviates from a pure add-a-level.

Mr. Bryjak looked at Sheet D1.0. In the middle of the drawing there is drawing A, which is the site plan. On the site plan it shows the existing footprint of the one-story ranch as it is right now, along with the addition and modifications that they are making. In the rear, where it is cross-hatched, they are adding a two-story addition. To the left, where it is just hatched one way, they are doing a one-story addition with a balcony above. So, in one part they are adding a first story with a second story balcony. In the other part they are adding both a first story and second story. That area is approximately 6 x 15. That addition does not add any additional side yard variance. It goes along the line of the existing home. The same on the left side where they are doing the one-story addition with the balcony on the second floor. All of that is within the existing setbacks of the existing home.

In the front, there is a cantilever in the front which extends forward from the existing footprint. There is no implication on the front yard setback or any other zoning regulations. Since they are adding a second floor, they can now cantilever over the first floor, which is a common architectural feature. That doesn't impact any setback or requirements. They have also altered the front porch. There is an existing portico that they are going to expand left and to the right and they are going to push it forward to allow that new porch to be a little more usable so there is not a tight space between the railing and the columns. They will be increasing the front yard setback to 23.67 feet as opposed to the required 25 feet. Mr. Madaio noted that they are less than a foot-and-a-half shy of the front yard now because they are providing a porch. If they were not providing a porch, the front yard would remain conforming. Mr. Bryjak noted that a front porch is a pretty common architectural feature and it has some value in the streetscape and the look of the home. It adds character to the home.

Mr. Madaio noted that the subject property is only 80 feet wide where 100 feet is required. The application doesn't change that in any way. The maximum lot coverage permitted is 31.9% and they will be 33.75%. That is 1.85% over. The front yard setback is slightly less than required, which is the trade-off for the porch. The required side yards, pre-existing and proposed, are the exact same, they are simply going up. The total side yard is supposed to be 35 and it is only 22.5, but that is existing as well. That is no surprise on a lot that is 80 feet wide. Those are existing. The proposed home is pretty similar to what is on the rest of the street. It fits in with general Cresskill streetscape. Mr. Bryjak agreed. There are no detriments to the zoning or zone plan.

Mr. Bryjak read the letter from Mr. Azzolina and it noted that if additional drainage was needed or trees needed to come down, that is all part of normal engineering. Mr. Bryjak stated that there is nothing in the report that they would object to or would be unable to accomplish.

Mayor Romeo stated that he feels that it fits right into the neighborhood. Ms. Tsigounis asked if the narrowest part of the front porch is 4'4". Mr. Bryjak noted that once you deduct for the post and railing that is about where you are at and you don't want to go narrower than that. Ms. Tsigounis asked what the bump out in the rear was for. Mr. Bryjak stated that it was for a little more space in the family room and bedroom and to give it more dimension.

Mr. Stamos asked if the patio was proposed. Mr. Bryjak stated that it was proposed. Mr. Stamos asked if that calculated into the lot coverage. Mr. Madaio noted that the Borough Engineer calculated that out and part of where they are increasing the lot coverage is so there is a patio. It is not an oversized patio and it is not an unusual feature. If the coverage were just limited to the house, there would probably be no increase at all, or very, very little increase. He doesn't think it is odd to have a patio in the backyard. Ms. Tsigounis asked how this appears before us and the drainage issue. Mr. Azzolina noted in his report that he thinks that drainage improvements will be required here given the fact that they are seeking a variance for impervious coverage. He also noted that the applicant's architect correctly calculated the coverages which are based on the lot depth up to 125 feet as opposed to using the entire depth of the property which is approximately 130 on one side and 132.79 on the northern property line. The coverages are detailed correctly on the plan and he concurs with Mr. Bryjak.

Ms. Bauer asked about the tree that is standing in the front yard and if they are going to remove it, and if so, will they replace it with something. Mr. Bryjak noted that unfortunately they have to replace it because of the sidewalk landing. They will replace it more to the side. Mayor Romeo requests that they replace it with something in kind. It is approximately 8-10" in diameter. Mr. Madaio noted that Mr. Azzolina mentioned the tree in his report. He doesn't think the tree is extraordinary in any way and he does feel that it should be replaced with one in kind.

Ms. Tsigounis asked who the builder was. Mr. Hronic noted that they don't have a builder yet.

Mr. Stamos asked if the existing variances will be under C1. Mr. Madaio believes that the application presents itself rather naturally as a C1. A C1 is of course the hardship section, but what people often miss in that section is that a C1 variance applies to the property or the structures lawfully thereon. Obviously, this is a lawful structure. If they are adding a second floor, they can only add it on top of where the first floor is. They don't have a choice. They can't move it so that it is not where the first floor is. They are bound by what the existing floor and foundation, etc., is, and, of course, is what burdens the property and limits their options.

Mr. Stamos stated that the front yard and lot coverage is worked into the C2. Mr. Madaio noted that the porch is purely a visual function. They could all build two-story shoeboxes. It might fit the town's building ordinances, but the town would look like heck. So, the idea of a lemonade porch or a front porch on a normal residential street is one which advances the purposes of zoning set forth in the Municipal Land Use Law and those purposes include adequate light, air and open space. An aesthetic benefit in most Master Plans would seek to design that streetscape that draws people in as opposed to some towns that just have a whole lot of boxes.

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

New Business

None.

Other Business

None.

Mayor Romeo opened the meeting to the public. No public wished to be heard.

Motion was made by Mr. Calder to adjourn the meeting at 7:56 PM, seconded by Mr. Mandelbaum. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for July 14, July 28, August 11, and August 25, 2020, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary