

MINUTES

CRESSKILL PLANNING BOARD

JANUARY 10, 2023

Mayor Romeo opened the meeting at 7:34 PM and announced the requirements of the Open Public Meetings Act had been fulfilled. He stated that the first order of business was the election of officers for the year 2023. Mr. Malone nominated the same slate as last year, Mr. Robert Ulshoefer for Chairman. Mr. Rummel for Vice Chairman and Ms. Bobbi Bauer for Secretary. Councilwoman Schultz-Rummel seconded the nominations. All present were in favor. Ms. Tsigounis made a motion to keep Mr. Stamos as the Planning Board Attorney. Ms. Bauer seconded the motion. All present were in favor. All nominations and motions were approved.

Mayor Romeo turned the meeting over to Mr. Ulshoefer:

Members present at roll call: Mayor Romeo, Councilwoman Schultz-Rummel, Mr. Ulshoefer, Ms. Bauer, Mr. Malone, Mr. Rummel, and Ms. Tsigounis. Mr. Berger arrived at 7:55 PM. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Dean Stamos, Board Attorney.

Mr. Rummel made a motion to approve the minutes of the December 13, 2022, meeting, seconded by Mr. Malone. All present were in favor of the motion. Motion approved.

Correspondence

Letter of Introduction from Mr. Bob Rusch, Construction Official, sending 101 Heather Hill Road LLC to this Board for approval. They would like to construct a new single-family dwelling at 101 Heather Hill Road. Variances are required. No plans have been received. No one was present.

Ms. Kathy Schultz-Rummel has been appointed as the Class III Board Member for the year 2023.

Subdivision Committee

Ms. Tsigounis noted that Application #1586, 158 Truman Drive, Monica Alvarez, c/o Mr. Matt Capizzi, was received on January 6, 2023, and is currently under review. It was distributed to the members.

Also, a revised application for #1585, 266 Concord Street, Adam Pitt, was received on December 15, 2022, and was distributed to the members as well. Mr. Azzolina is not quite sure why that application is here because it is an addition and alteration. Mayor Romeo believes it is because it is 95% of the house. This is the first submittal that included a site plan. They had an FAR variance and Mr. Azzolina was told by the applicant's attorney that they were going to the Zoning Board or had been to the Zoning Board. If they have an FAR they have to go the Zoning Board. That would be their first step and this Board would be their second step. The interpretation is that since it is such a significant renovation that it would be classified as new construction. Mayor Romeo noted that if it is over the FAR (maybe on purpose) they go to the Zoning Board and get all the approvals there.

Ms. Tsigounis noted that according to the architect's zoning analysis, there is no need for an FAR, and the engineer says the same thing. They are in need of an impervious variance. Mr. Azzolina stated that this is a revision to eliminate what was an FAR. Mayor Romeo stated that when we get something of this size

in new construction, it has to come here. They don't have any engineering at the Zoning Board or any professionals there. Ms. Bauer was told not to put it on the Zoning Board agenda yet. Mr. Azzolina has to look at it further.

Report from the Borough Engineer's Office

Mr. Azzolina had nothing else to report.

Old Business

None.

New Business

Mr. Matt Zuch was present with a Letter of Introduction from Mr. Bob Rusch, dated December 15, 2022. His attorney, Bob McNally, had corresponded with Mr. Rusch. He owns a psychology practice in Tenafly, and they are going to be moving to 300 Knickerbocker Road, Suite 2300A. The landlord said they need to come to this Board for approval. There are four psychologists. The office is 1,450 square feet. There is a waiting room, a breakroom and four offices. Mr. Rummel made a motion to approve, seconded by Ms. Tsigounis. All present were in favor. Motion approved. A letter of approval was sent to Mr. Zuch, with copies to Ms. Francesca Maragliano, Mr. Bob Rusch, The Fire Department, The Health Department and the Police Department.

A representative from Professional Physical Therapy was present with a Letter of Introduction from Mr. Bob Rusch, dated December 9, 2022. They would like to open a physical therapy office at 300 Knickerbocker Road, Suite 1600. Services provided would include out-patient physical and occupational therapy for all ages and levels of function. They will be moving in equipment like exercise equipment, bikes, hand bikes and stuff like that. They have about 4,800 square feet. They are on the first floor where you can see the windows from the parking lot. Mr. Rummel made a motion to approve, seconded by Mr. Malone. All present were in favor. Motion approved. A letter of approval was sent to Professional Physical Therapy, with copies to Ms. Francesca Maragliano, Mr. Bob Rusch, The Fire Department, The Health Department and the Police Department.

Other Business

Mr. Stamos stated that he and Mr. Azzolina received an email from the Mayor and Council and Mr. Rusch regarding the height ordinance. The current building height in the R-10 and R-15 zone is 28 feet. They are anticipating that in the near future the DEP will increase the first-floor flood elevation by one foot above flood level to two feet above flood level. That might create a hardship in constructing new homes with the height required. If you keep to that 28 feet, you may have homes with flat roofs instead of gables that you like to see. They are proposing or recommending that we increase the height limitation to 30 feet or 31 feet. The position is to allow for much more appealing structural design in case that height restriction goes into effect. It certainly is not to 35 feet. Mayor Romeo opposes it simply because if you go to 30, they will go to 32, if you go to 32, they want 34. Mr. Malone wanted to know if this was limited only to the areas affected by that one foot or is it townwide. They believe it is townwide.

Ms. Tsigounis noted that she has researched it in other towns, and we are low with the 28 feet. The way the letter reads, you would think he is granting it for just those areas affected, but she thinks he means it

across the board, all R-10. Mr. Malone thinks we can go to 30 and if someone is affected by that area, we could maybe approve to 31 with a variance. Councilwoman Schultz-Rummel has the same concern as Mayor Romeo. We are going to increase it by two feet when they are only increasing it by one foot and then the builders will come in and ask for 32 feet or 34 feet and this Board is not the one that controls that.

Ms. Tsigounis stated that Mr. Rusch is looking to change the height to 30 feet. It will allow people to have nine-foot first floors and nine-foot second floors, which is more in tune instead of doing the nine and eight-foot floors. Her house has a five on 12 pitch, and she wishes it was a little steeper because when she goes in her attic, she has to crunch down. A good architect will make it work. It's the developers that worry her. Mr. Azzolina noted that nine feet on the first floor is now the standard. She thinks it is okay to go to 30 as long as the Zoning Board sticks to 30.

Mr. Azzolina noted that before you make the decision to go to 30 feet there is the other component of how it is measured. Right now, we use the proposed elevation at the two front corners. The code book says you use the existing. That's never been the case, it's always been the proposed two front corners of the dwelling. Mr. Rusch's other recommendation, based on the discussion that they had, pertains to using the proposed average ground elevation around the dwelling to get a more representative baseline. For properties that have a slope to them, you are accounting for that. It tells you more realistically what the height of the house is especially on sloped properties. It may look one way from the street and quite differently from the rear yard. Using an average, and averages can be calculated in a couple of different ways, sometimes as simple as four corners, or every ten feet, there is a calculation involved, so there is an engineering review that may or may not take place with additions and alterations. He doesn't know what kind of review is done currently in respect to height. It's probably just accepted that whatever the architect is putting on the paper is exact which may or may not be the case.

Mr. Azzolina would recommend an average but there would be a cost element for additions and alterations where people would have to get a partial topographic survey of their property to determine that average ground elevation. It is an extra cost. It's more for the additions and alterations. Mayor Romeo asked Mr. Azzolina and Mr. Stamos to write something up. Ms. Tsigounis also suggested no garages unless it is at natural grade. Once they write something up, the Board can approve it and bring it to the Mayor and Council.

Mr. Ulshoefer opened the meeting to the public. No public wished to be heard. Mr. Ulshoefer closed the meeting to the public.

Motion was made by Mr. Rummel to adjourn the meeting at 8:00 PM, seconded by Ms. Bauer. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for January 10, January 24, February 14, February 28, and March 14, 2023, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary