

MINUTES

CRESSKILL PLANNING BOARD

FEBRUARY 28, 2023

Mr. Ulshoefer opened the meeting at 7:34 PM and announced the requirements of the Open Public Meetings Act had been fulfilled.

Members present at roll call: Mayor Romeo, Councilwoman Schultz-Rummel, Mr. Ulshoefer, Mr. Berger, Mr. Malone, and Mr. Rummel. Also present were Mr. James Feury in for Paul Azzolina, Borough Engineer, and Mr. Dean Stamos, Board Attorney.

Mr. Malone made a motion to approve the minutes of the February 14, 2023, meeting, seconded by Mr. Rummel. All present were in favor of the motion. Motion approved.

Correspondence

Letter of Introduction from Mr. Bob Rusch, Construction Official, dated February 1, 2023, sending a representative for Dynamic Acupuncture to this Board for approval. They would like to install a permanent non-illuminated sign for their home business at 133 Hillside Avenue. Mr. Une Song was present. Currently they have a sandwich board sign. Mr. Song stated that he just wants a two by one sign. Sometimes people come and they miss the property. He wants to have a permanent sign out there, so it is easier to find. It would be a post and panel. He believes 2 x 1 is the maximum size. It would be perpendicular to the road pretty much where the sandwich board sign is right now. Mr. Stamos noted that that is the permitted sign size. Mr. Song was informed that it has to be ten feet from the road.

Mr. Song said that he has a tree that he doesn't want to cut and has a fence there that is probably 10 feet from the road. Mr. Stamos asked if he could put it by the fence since it doesn't go all the way to the Belgium block. Without a survey it is hard to determine where the permitted spot is. Mr. Song noted that the fence was there when he moved in. He asked if he could put the sign on the fence. He was told he could put it on the fence.

Mayor Romeo asked Mr. Song if he had a recent survey. Mr. Song noted that he had a survey that is probably about two years old. Mayor Romeo told him to take it in to Mr. Rusch and let him look at it and send it to Mr. Stamos and they will talk about it and if they are okay with putting the sign on the fence based on the survey, the Board is okay with it.

Letter of Introduction from Mr. Bob Rusch, Construction Official, dated February 15, 2023, sending a representative for the Cresskill Library to this Board for approval. They would like to temporarily move to 210 Knickerbocker Road, Suite 101, as their building is being renovated. Ms. Laura Chumas was present. She noted that there will be limited services, two computers, newspapers, copiers, limiting the occupancy to eight people at any one time. There will be books there to pick up, but mostly new items. You can order items from another library which will be delivered there. It will be like a little bookstore kind of situation. The hours are going to be the same. They might change them if they don't get a lot of business on a Saturday or Sunday. For now, they plan on having the same hours. The Board approved the temporary move. An approval memo was sent to Ms. Laura Chumas, with copies to Mr. Bob Rusch, Ms. Francesca Maragliano, the Fire Department, the Police Department and the Health Department. File.

Subdivision Committee

Nothing to report.

Report from the Borough Engineer's Office

Mr. James Feury was present at the meeting for Mr. Paul Azzolina. He had nothing to report except for the report for tonight's Public Hearing.

Old Business

None.

New Business

Mr. Scott Roberts was present and is interested in purchasing Moo Moos and putting in an American kind of sports bar in it. He will have cheeseburgers, beer battered fish and chips, and fare like that. He is basically looking for some kind of feedback. He will have TVs everywhere, pool tables, dart leagues, fun food. He had a restaurant, then went to the Marine Corps for about ten years. When he got out he went to medical school and did that for a little while, and now he is going back to restaurants. He still teaches an on-line class for medical students. He is going to keep that. He thinks it jives with the town. He moved here about two years ago with his wife and two kids. He has made an offer and they have accepted it, but he hasn't put it in writing and signed it yet. It is beautiful in there and the only thing he has to do in there is put high tops along the window. Where the bar is will be the eating part and the front part will be the fun room that people can rent out or normally on weekends it will be the fun room. He is ready to go, he just wanted some feedback.

Public Hearing – Application #1587 – 101 Heather Hill Road

Mr. Matthew Capizzi was present representing the applicant. This is an application for a new single-family home at 101 Heather Hill Road. The site is on the northerly side of Heather Hill Road in the Borough's R-10 Zone. As you will note from the Bulk table the lot is undersized as to area and width. The lot only contains 7,500 square feet of area, where 10,000 square feet is required. And only 75 feet of frontage where 100 feet is required. As a result of the undersized nature of the lot, the existing home is non-conforming as to the side yard setback requirements as well as the combined setback requirements. What they are proposing to do by way of the application, is remove the existing dwelling, construct a new single-family home that will be conforming in all respects with the exception of building coverage. The Zone allows for 20% maximum allowable building coverage, and they are proposing 21.5%. They are 114 square feet over the maximum allowed. Approximately 35 square feet of 114 square feet of the overage is attributable to the covered entry and the balance of roughly 79 square feet is spread out throughout the balance of the house. If the lot were conforming, they certainly would not require any variance relief. Based on other applications that have recently been before the Board along Heather Hill Road, the variance relief being requested here is less than those other companion applications. The only variance is for building coverage. All other facets of the building are going to be conforming, FAR, side yard setback, height, impervious coverage, and so forth. Mr. Raul Mederos is the architect and Mr. Sean McClellan is the civil engineer and he will address Mr. Paul Azzolina's letter when it is appropriate.

Mr. Stamos reviewed all the notices and publication, and it is all acceptable so the Board has jurisdiction over this matter. Mr. Raul Mederos was sworn in by Mr. Stamos. He has testified before this Board many

times. He was accepted as an expert in architecture. Mr. Mederos noted that he prepared the drawings for the lot in question. The last revision date is December 20, 2022.

Mr. Mederos noted that it is a rather typical undersized lot in this part of Cresskill. It is 75 wide by 100 deep lot. The existing house is non-conforming as to the side yard setbacks. He has overlaid the proposed house over the survey prepared by the engineer's office. You can just make out the blue outline of the former house, which on the right side has a 9.7 side yard setback and a 12.3 foot side yard setback on the left side.

This is now Mr. Mederos's fourth project on Heather Hill Road. Three of the four are new construction, this being one of them. One of them was a renovation project. This one in particular being 75 feet wide, based on this different design than the other house he has done on the street, allows for it to be a lot narrower and actually conform to the combined side yard setback. The house is narrow and allows for a lot of air on both sides. On the main level, being that they condensed everything down and tried to work within the zoning parameters of this part of town, a good way to make a house like this function is for it to be open concept. You will notice that you walk in the front door to a small covered porch entrance and then it is just open space. It leaves for flexibility defining the dining room, between the family, between the kitchen. It is a more flexible floor plan than more traditional compartmentalized plans. From the garage there is a mud room to filter through into the house. Another core first floor elements that need walls, they have consolidated them on this side to allow for that more open feel being that they have condensed everything down so much.

On the second floor you have to remain universal. There are four bedrooms, one of them being a master suite, laundry room, and nothing out of the ordinary. The covered porch on the first floor is seven feet by five feet. That accounts for 35 square feet. In Cresskill, the footprint of the building is the building coverage here that they are seeking. You can see the dashed line around the perimeter are the setbacks. They are very close to the front yard setback, very close to the rear yard setback, and with the sides, there is some space because it is 15 feet individually but 35 combined and the extra five feet is distributed on both sides.

Mr. Mederos showed the front of the building. To allow for the concept of the open plan on the first floor, they have tucked the stairs into the front corner. The garage was shown on the first-floor plan and the kids' bedroom is above the garage. It does not have a flat roof. It is inverted that is kind of like a butterfly roof. It sheds water to both sides of the house. The only gutters you see are along the sides of the house and it gives the impression of a flat roof on the front and back. Mr. Mederos tried to explain how the roof was built and showed how it allowed for the mechanicals. They will be installing linear heater snow melt devices at the bottom of the ridges. There is a similar roof on Center Street. You don't want water to sit in the valley. Everything exists on a pitch. Everything will filter into a seepage pit system that will be covered by Mr. McClellan.

Councilwoman Schultz-Rummel asked about the media room below the garage. It looks like there is a couple steps down from the cellar. Mr. Mederos noted that it exists below the garage. In any conventional house the garage exists at ground level. The first floor in a healthy house should be about two feet or higher than the ground around it. In the basement, you can have a comfortable basement under the first floor, but when there is living space that exists under the garage, it has to be lower, so you have to step down. In addition to that, the garage is holding cars, so the assembly for the that structure is deeper as well, so that further brings you lower, so you have those steps to maintain a normal ceiling height to have living space under a garage. Councilwoman Schultz-Rummel is concerned about water and the water table there. There is quite a bit of water in that part of town and we have been experiencing some flooding there. Mr. Capizzi noted that they will have to do test holes and make sure the seepage pit system has percolation. Mayor Romeo said that that is at the top of the hill so it shouldn't be a problem.

Mr. Stamos marked Mr. Mederos's plan as Exhibit A1 and the Engineer's plans as Exhibit A2. Mr. Sean McClellan, 101 West Street, Hillsdale, NJ, was sworn in by Mr. Stamos. He has appeared before this Board many times and was accepted as an expert in the field of engineering. Mr. McClellan noted that the proposed house will be completely conforming on the side yards and the combined side yards, 20.1 and 15.2 feet and 35.3 combined where 35 is required. The existing house that they are removing has 12.3

and 9.7 side yards where 15 is required and 22 foot combined where 35 is required. Removal of the existing house will eliminate all three of those non-conformities. Also, not on his chart, but the existing driveway is only three feet off the property line, where 10 feet is required, so by repositioning the driveway, they will be eliminating that non-conformity as well.

The proposed house has a two-car front load garage, with a patio in the rear. As far as the drainage, they have two 500-gallon seepage pits, that they will tie the roof leaders into. For this size house, they will need a capacity of 2,012 gallons and they are providing 2,600 gallons so they have more than enough capacity for the entire house. Just a note about the existing house, there is no drainage system. The roof leaders go onto the grass and run off onto the neighboring properties. Their office went out to do a percolation test. They dug down to 9 ½ feet and didn't see any water. Because of what was addressed in Mr. Azzolina's letter about the living space under the garage, they actually went down to 12 feet, that wasn't witnessed by him, and there was no water or rock at that point. They are very confident with the design of the living space under the garage and that it will be okay.

Mr. Azzolina also raised the question about the grading rule on the patio area about steps going down to that area. Mr. McClellan noted that it will be one step or two steps down from the first floor to the patio and the other concern he had was that he had a little bit of a lip around the outer area of the patio. He will raise the grade a little so the patio will be about six inches above grade. As far as landscaping, they are removing three trees. Mr. McClellan noted that there is one tree right in the footprint, there is a 15" tree that is marked as dead, and an 18" oak at the rear of the property where they will have a retaining wall. Based on Mr. Azzolina's request, they will add a shade tree in the front, maybe a Red Maple, or whatever the Board would like them to have. Also, the rear is already screened, but they will put some Green Giants along the sides for some additional screening.

Mr. Azzolina asked to TV camera the sewer line. Mr. McClellan said that they always do that. Mr. Capizzi stated that Mr. McClellan has covered Mr. Azzolina's comments in his letter.

Mr. Stamos noted that they have variances and it is the nature of the lot that is creating the basis for the C1 variance relief. Mr. Capizzi agreed. Mr. McClellan noted that the building coverage is only 1,614 square feet. If they had a 10,000 square foot lot, they would be at 16.1%, which is well below the 20% maximum. The variances are all being driven by the undersized nature of the lot. Mr. McClellan explained the area of the lot. Any negatives from the additional 114 square feet are mitigated by the enhanced side yard setbacks being provided. Mr. McClellan noted that they meet the front and the rear as well and they actually more than meet what is required for the side yard, even though they have a lot that is 25 feet deficient. More important is removing the non-conformities of the current house of only 9.7 and 12.3 side yards, which is only a combined side yard of 22 where you are supposed to have 35 feet. They also improved the driveway situation to conformity from three feet off the property line when it is supposed to be ten. It will be a little over 20 feet.

Mr. McClellan explained that they are going to have two 500-gallon pits that will be able to handle 2,600 gallons for a 1,614 square foot house. This size house requires seepage pits to handle 2,012 gallons so they will have about 600 gallons of excess capacity. They have retaining walls at a maximum of four feet that goes the right side of the property and then goes a little in the rear. There is an existing wall there now that is about two feet high now. They will be a little bit higher than they are now. It is higher on the right than it is on the left. They are looking to flatten the back yard out to make it a usable back yard. He knows that Mr. Azzolina's letter mentions that they may be a little over four feet, but they will make sure that at no point will they exceed the four feet maximum. Everything runs to the rear. The existing house, everything that lands on the house just flows off the property. Now they caught the water in the seepage pits, and they will flatten the rear yard. It will not flow off the property as quickly because it will be a flat area.

Mr. Ulshoefer opened the meeting to the public. No public was present. The meeting was closed to the public.

Mr. Rummel made a motion to approve the application. The motion was seconded by Mr. Malone: On Roll Call: Mayor Romeo, Councilwoman Schultz-Rummel, Mr. Ulshoefer, Mr. Berger, Mr. Malone, and Mr. Rummel all voted yes. Motion approved.

New Business

None.

Other Business

None.

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. Malone to adjourn the meeting at 8:21 PM, seconded by Mr. Berger. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for March 14, March 28, April 11, and April 25, 2023, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo
Recording Secretary