

# MINUTES

## CRESSKILL PLANNING BOARD

MARCH 12, 2019

Mr. Morgan opened the meeting at 7:29 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. Durakis, Mr. Mandelbaum, Mr. Malone and Mr. Rummel. Also present was Mr. Schuster, Planning Board Attorney, and Mr. Azzolina, Borough Engineer.

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Mr. Durakis made a motion to approve the minutes of the February 26, 2019, meeting, seconded by Mr. Mandelbaum. All present were in favor of the motion. Motion approved.

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### Correspondence

Letter of Introduction from Mr. Bob Rusch, dated March 4, 2019, sending Mr. DeCarlo to this Board for approval. He would like to construct a new single family dwelling at 56 Chestnut Street. Application #1547 was received, and it is currently under review.

Voucher from Mr. Steven V. Schuster for services rendered relative to the Cresskill Planning Board for the month of December 2018 in the amount of \$2,691.97. Mr. Durakis made a motion to approve, seconded by Mr. Calder. All present were in favor. Motion approved.

Application for Soil Erosion and Sediment Control Plan Certification for Legion Drive and Division Street, Application #1529. Copy to Mr. Schuster. File.

Mr. Jeff Chen was present and is the owner of 69 County Road. He noted that his property is zoned MU (Municipal Use). That has raised some questions in his mind. He didn't know it was zoned for municipal use and, secondly, what kind of recourse or what kind of option does he have in requesting that this be rezoned to something that is more suitable for the location. Mr. Morgan suggested that he leave his name and address and the Planning Board will do some research and get back to him.

Councilwoman Tsigounis asked how he discovered that it was zoned MU. Mr. Chen noted that he recently put it on the market and the broker found out that it is zoned MU. The house is next to the Terhune Park. Mayor Romeo noted that we tried to buy it under Green Acres many years ago and they wanted way too much money. He thinks they may be misreading the map. Mr. Chen stated that only the realtor told him that is zoned MU. The realtor that sold him the house did not mention it. He showed the Board the picture of the survey.

Mr. Azzolina stated that they are looking at an old map and is not sure that the realtor is looking at a current map. He will be able to tell once he reviews the files in his office. Mr. Chen gave his phone number to Mr. Azzolina and he will look into it.

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### **Subdivision Committee**

Councilwoman Tsigounis reported that a revised site plan for Application #1540, 35 Westervelt Place, Robert and Theresa Zerrenner, was received on March 11, 2019. Mr. Azzolina noted that it was a minor subdivision, maybe site plan. He is assuming that they clarified that they are seeking both approvals at this time. There are a number of deficiencies with the application. We haven't heard from them in about six months. There is an existing dwelling and what used to be a glass business, smaller building in the back of the lot. He did not receive the deeds, so he doesn't know if it is two deeds.

He wants to keep the existing home and knock down the smaller out-building and construct a new home on the other property as well. Each property will be 50-feet wide. Councilwoman Tsigounis noted that it is in Mr. Rusch's introduction that they would like to sub-divide the lot at 35 Westervelt. Mr. Azzolina noted that they will be two 50-foot lots with depths greater than 125, so they will be limited to that depth. They always had to subdivide it, but the question was, was he seeking site plan approval at the same time.

Councilwoman Tsigounis mentioned that they only submitted eight plans for the Board. Mr. Azzolina said that it is a continuation of the original application. It is what he always proposed, he just didn't have enough information. It is not known if he has one deed or two deeds. Mr. Azzolina noted that that will be part of his next inquiry. Typically, deeds are not submitted as part of the application. Mayor Romeo stated that on the older streets where there were two deeds, they were clearly meant to be two houses because the houses on the block are fifty-foot lots. Mr. Schuster noted that the houses next door and across the street are 75 feet and 100 feet. Councilwoman Tsigounis noted that they are asking for a nine-foot variance on one side and a ten-foot variance on the other side. This will be under review.

The other application that came in tonight is Application #1547, 56 Chestnut Street, FDC Development (Ramapo Developers), received March 7, 2019. This is under review. He is asking for small variances on the impervious and coverage.

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### **Report from the Borough Engineer's Office**

Mr. Azzolina noted that he received the deed for the Lumaj subdivision on Cresskill Avenue. He spoke to the attorney this afternoon. The descriptions and the portions for the lot creations are accurate and acceptable. They do, however, need to provide us the deed for the dedication of the right-of-way. Once we receive that, then he will recommend that both be signed at the same time. Mr. Schuster is going to contact Mr. Madaio and let him know.

Mr. Azzolina also received the revised plans for the Cresskill Tavern project. They are still calling it a concept plan, which he doesn't quite understand. At this stage, it should be a minor site plan, assumably, but one of the things they are failing to recognize is they didn't provide a survey, but you don't need a survey to know that there is an easement on this property from when that site was developed in the mid-80s. It shows on the tax map, so when you look at their plan, it is a 10-foot easement, if this is drawn correctly, and he is not sure because he didn't submit a survey, so he has nothing to base it on. Assuming that it is, the highlighted line is a 10-foot wide easement as measured off the streetline. A portion of that structure is within the limits of that easement. He doesn't know how the Board feels about that. That is a threshold thing he would like to discuss with them. They are not even recognizing that there is an easement there, which is obviously a mistake. It is an easement for future development, if the Borough ever needs to put a drain through there or a sewer through there, or widen the road, we already have that easement. Typically, the Borough discourages people from putting anything within the easement. Here they are putting a structure within the limits of the easement.

Councilwoman Tsigounis asked if that was just patio space. Mr. Azzolina said it was kind of a little bit of both. It has a roof. Mayor Romeo agreed that that part of the road is very narrow. Mr. Azzolina will tell

them that they are not even recognizing the easement but it is clearly there. He is going to throw it back at them.

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**Old Business**

Councilwoman Tsigounis asked about the sign. Mayor Romeo noted that he did talk to Mr. Rusch and he saw nothing wrong with doing it. Mr. Schuster noted that there is a problem because there are different sections of the ordinance all over the place. There are different requirements in the commercial zone than in the professional zone. He wanted to check the map to see what zone this property is in. The other thing about this building is that there are two sides of the building, so you have signs on both sides. There is no directory outside this building.

Councilwoman Tsigounis thinks that when we get these applications for signs, she would like to see the calculations already done before we get. Mr. Schuster would like to see all the sign ordinances in one place. Mayor Romeo agrees that the ordinance should be recodified to have all signage in one place. Then, when signage is sent to this Board, Mr. Rusch should have all the calculations already done.

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**New Business**

None.

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**Other Business**

None.

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

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Motion was made by Mr. Durakis to adjourn the meeting at 7:59 PM, seconded by Mr. Mandelbaum. All present were in favor. Motion approved.

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The next four regular Planning Board meetings are scheduled for March 26, April 9, April 23, and May 14, 2019, at 7:50 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo  
Recording Secretary