

MINUTES

CRESSKILL PLANNING BOARD

JANUARY 10, 2017

Mayor Romeo opened the meeting at 7:35 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 2017. Mrs. Schultz motioned to keep the slate of officers the same, with the exception of Mr. Galdi as Vice Chairman, keeping Mr. Morgan as the Chairman and Ms. Bauer as the Secretary. The motion was seconded by Mr. Durakis. All present were in favor of the motion. Mayor Romeo made a motion to approve Ms. Carolyn Petillo as the Recording Secretary, seconded by Calder. All present were in favor. Motion approved. Mayor Romeo made a motion to approve Mr. Steven Schuster as Planning Board Attorney. Mr. Durakis seconded the motion. All present were in favor. Motion approved. It was decided that the Board members will discuss, over the next two weeks, who will be nominated for the position of Vice Chairman and it will be voted on at the next meeting.

The meeting was turned over to Mr. Morgan.

Members present at roll call: Mayor Romeo, Mr. Morgan, Ms. Bauer, Mr. Calder, Mr. Moss, Mrs. Schultz, Mr. Durakis and Mr. Mandelbaum. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Schuster, Planning Board Attorney.

Mr. Durakis made a motion to approve the minutes of the December 13, 2016, meeting. The motion was seconded by Mr. Moss. All present were in favor of the motion. Motion approved.

Correspondence

Resolution designating the Borough Clerk as the official to make and issue certificates as to whether or not subdivisions have been approved by the Planning Board or Governing Body; and that in the absence of the Borough Clerk, the Deputy Borough Clerk is hereby designated as such official.

Resolution appointing Councilwoman Simone Tsigounis as the Class III Planning Board Member for the term ending December 31, 2017.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated December 20, 2016, sending Mrs. Yael Omer to this Board for approval. She would like to use 300 Knickerbocker Road, Suite 2800, for a therapeutic center, while Dr. Ilan Levinson uses the office one or two days a week for a psychiatric center. They are part of Tenaflly Therapy Group and ISL Ltd. Mrs. Omer was present. Mrs. Omer is the owner of Tenaflly Therapy Group and is also one of the therapists. She is a behavioral therapist. Dr. Ilan Levinson is a psychiatric therapist and he is going to use the facility twice a week. They have five rooms and she is going to take three and Dr. Levinson is going to take two. Now they are renting a place in Englewood and they are going to move to Cresskill. They will have at least five staff there at the same time. It is pediatric, although they would like to start taking adolescents in their center. Their main work is in the afternoon because most of their patients are going to school. Every hour it is about three to four kids, sometimes they have social skills so it is up to four kids at the same time. They are also running some workshops at night. They hope to open as soon as possible. They have to move out of the other facility by February 1.

Mr. Moss asked if they were referred to by doctor's offices in any way. Ms. Omer noted that they operate individually. Signage will just be on the door. They have about 15 therapists. They are a bi-lingual therapy center actually, so they provide Hebrew and English. They are the only facility to provide therapy in Hebrew and there are a lot of Israelis in the area that need support when they come from Israel. Mr. Calder made a motion to approve, seconded by Mr. Durakis. All present were in favor. Motion approved. Letter sent to Mrs. Omer with copies to Mrs. Barbara Nasuto, the Building Department, the Fire Department, the Police Department and the Health Department. File.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated December 20, 2016, sending Mr. Lumaj to this Board for approval. He would like to construct a new single family dwelling at 11 Elmwood Terrace. Application #1494 was received on December 21, 2016. Mr. Azzolina noted that he looked at it. He is not sure if the Board has received the plans. They were sent to the Board members. Mr. Azzolina noted that there are three pre-existing non-conformities, but past practice has been to not require Public Hearings for these types of applications. The applicant's architect is present.

Mr. Uri Rapaport was present. Mr. Morgan noticed that the deck goes out a little far on the side yard. Mr. Rapaport noted that they meet all the requirements because they wanted to avoid asking for any variances. They will be removing all the existing structures and the new house should conform to all the zone ordinances including the side setbacks, which is usually the problem. Mayor Romeo asked if they were building within the footprint of the existing house. Mr. Rapaport noted that it is very similar.

Mr. Azzolina stated that there are no variances. There are three existing, non-conformities. The non-conformities are relative to the lot when they did the original subdivision. The lot area is deficient at 7,888, where 10,000 square feet is required. The depth of 80 feet where 100 feet is required and the frontage of 80 feet where 100 feet is required are also deficient. The improvements are all in compliance. The proposed development is in compliance with the FAR as the architect stated. Impervious coverage is compliant with the code, setbacks, front, rear and side, are all compliant with the code. The only piece of information that they are waiting for at this point in time is the Bergen County Soil Conservation District approval, which he is assuming application has been made.

Memo from Stephanie Wehmann, Municipal Clerk, Borough of Alpine, dated November 29, 2016, regarding the introduction of Ordinance 765, An Ordinance establishing Chapter 35, Article IV §35-36 Creating an Historic Preservation Commission for the Borough of Alpine. File.

Memo from Stephanie Wehmann, Municipal Clerk, Borough of Alpine, dated December 21, 2016, attaching a copy of Ordinance 765, An Ordinance establishing Chapter 35, Article IV §35-36 Creating an Historic Preservation Commission for the Borough of Alpine as amended prior to final adoption, which amendment did not substantially alter or change the intent and purpose of said Ordinance. The Ordinance was adopted on December 14, 2016 and published on December 20, 2016. File.

Memo from Ms. Barbara Nasuto, dated January 6, 2017, announcing the passing of Kenneth Ayres on January 1, 2017. Mr. Ayres was a Councilman from 1974-1978, a member of the Planning Board from 1979-1991 and a member of the Zoning Board of Adjustment from 1991-1999.

Copy of letter to Mario Valente, 15 Wakelee Drive Corp, dated December 13, 2016, from the County of Bergen, Department of Planning & Engineering. The letter states that a review of 182 and 184 4th Street, Block 38, Lot 98-102, Application #1490, indicates that Bergen County Subdivision Approval will not be required. Therefore, under authority of Revised Statute 40:27-1 to 12, inclusive, the Department of Planning and Engineering has exempted this Subdivision from County review and approval. File.

Application for Soil Erosion and Sediment Control Plan Certification for 67 & 73 Phelps Avenue, Lumaj Builders, LLC, Application #1485M. File.

Application for Soil Erosion and Sediment Control Plan Certification for 11 Elmwood Terrace, Lumaj Builders, LLC, Application #1494. File.

Application for Soil Erosion and Sediment Control Plan Certification for 79 Fifth Street, FDC Contracting, Application #1484M. File.

Application for Soil Erosion and Sediment Control Plan Certification for 182 & 184 4th Street, 15 Wakelee Drive Corp., Application #1490. File.

Subdivision Committee

No report from the Subdivision Committee.

Report from the Borough Engineer's Office

Mr. Azzolina reported that the DeCarlo subdivision at 177 5th Street, Application #1484M, the final plat was reviewed and he finds it to be in order. He asks that the Board approve the plat and it can be signed tonight and it has to be recorded within 95 days from the date of approval. The Chairman, the Secretary and Mr. Azzolina have to sign the plat.

Application #1493, Carbonell, 62 Jackson Drive, is currently under review by his office. Those plans were in the packets that the Board members received. The house was demolished a couple of years ago.

Mr. Azzolina prepared a report Application #1492, 70 Park Avenue, Louis Zimick, which is the subject of the Public Hearing tonight.

Old Business

None.

New Business

Mr. Sung Park was present from the architect group and Mr. Dung Soo Park, the builder, was also present representing the party interested in the Hamrah's property. Mayor Romeo noted that there are two parts to the Hamrah property, the lot and the building. He asked which part their client was interested in. Mr. Park noted that they are interested in only the building.

Mr. Schuster stated that they are here for an informal. It is not binding in any way on the Board. They are here to give the Board some information and the Board may give some feedback or they may not. Anything the Board says is not binding on the Board. They can bring a new application if they want. This is to just to get some feedback from the Board. Whatever the Board says or does is not binding in any way on the Board. He wanted to make sure Mr. Park understood that.

Mr. Sung Park noted that his client would like to purchase the building for his office and for a deli in the future. They are not sure if it would be a take-out deli or a sit-down deli because it is a future tenant. The owner is not sure of the future tenant he just wants to be sure of the space. Mr. Schuster wanted them to understand that it will have a big impact on the parking whether it is a sit-down or take-out deli. Mr. Park noted that it will not have any tables. Currently they are talking about the second story. The potential buyer wants to use that as an office.

Mayor Romeo wanted to understand that they are going to split the first floor and the northern side is going to be for the future tenant and the southern side is going to be used as an office. Mr. Park noted that the second floor, that is used as storage only now, he is going to use as offices. Mayor Romeo asked if they were going to do anything with the vaulted ceiling and bring the floor across. Mr. Park stated that they are going to use it as is. The potential buyer is going to use the second floor and the office on the first floor. The owner is not thinking about having a deli with tables at this point. Mayor Romeo noted that they are going to lose the parking spots across the street.

Mr. Moss asked what stage they are in at this point in buying the building. Mr. Park stated that it is with the lawyers. The potential buyer wants a feel as to what he can put in it before he signs the contract. Mayor Romeo noted that it is zoned commercially and offices is a commercial use. The other thing is the deli may attract a lot of need for parking. They have 29 spots. Mr. Park noted that right now the deli space is going to be an empty space. The deli space is for the future.

Right now there will be two tenants. The owner will have the second floor and one of the spaces on the first floor. Mr. Schuster stated that if the owner decides to move out, there will be three rentable properties on the site. Mayor Romeo asked what kind of business the potential buyer was in. Mr. Park informed the Board that he was in import and export. They will only have 10 employees and some space will be for storage. Mr. Calder asked if there was a separate access to the second floor. Mr. Park said that there will be one because they will build one. Mayor Romeo stated that they have to come back with plans to show the egress for the fire and stuff like that.

Mr. Moss asked about the deli and if they had anybody in mind. Mr. Dung Soo Park noted that he doesn't know. Ms. Bauer asked if the second floor was going to be used for merchandise and if it was going to be a warehouse. Mr. Dung Soo Park said no. They sell small parts. They will not be storing the product there. Mr. Park noted that he plans just office use for the second floor. Mayor Romeo stated that it seems OK but they have to come back with some plans. Mr. Schuster said that in a general sense it seems OK, but they need particulars about what they are planning. Mayor Romeo explained that they need more detailed plans with the fire escape, egress from the second floor and stuff like that. Mr. Schuster asked if there was any signage proposed for the building. Mr. Park noted that they haven't thought about that yet.

Mr. Park asked if the architectural plans are good to come back with. Mr. Azzolina noted that it is going to depend on what the intended use is. They are going to need some kind of site plan that shows the 29 spaces that the Mayor was speaking of. He also told them to be aware of ADA requirements, parking and accessibility of the building.

Public Hearing – Application #1492 – 70 Park Avenue

Mr. Martin Santini, licensed architect and licensed professional planner was present representing the applicants, Mr. and Mrs. Louis Zimick. He was sworn in by Mr. Schuster. He is a licensed architect and planner in the State of New Jersey. He has appeared before this Board many times before. His architectural license is C6131 and his planner's license is 1345. Both licenses are presently in good standing. Mr. Santini was deemed an expert in architecture and planning.

Mr. Santini noted that this is an application for a new single-family residence at 70 Park Avenue, also known as Lot 19.02 in Block 167. The site is on the southerly side of Park Avenue and it consists of a 5,000-square foot lot in the R-10 Zone. He has several exhibits to be marked. The first exhibit is a site plan prepared by Hubschman Engineering and it was marked as Exhibit A1. It is a colored rendition of the engineering drawing that was prepared by Mr. Hubschman's office. The second document is a detailed engineering plan, also prepared by Mr. Hubschman's office and that is marked as applicant's Exhibit A2. The third exhibit is a series of photographs on two pages and he marked them individually as Exhibit A3 and Exhibit A4. There are four pictures on Exhibit A3 and three pictures on Exhibit A4. The

last exhibit is the plan that depicts the architectural character, floor plans and elevations of what they are proposing and that will be marked at Exhibit A5.

Mr. Santini wanted to describe the property. On the Hubschman engineering plan there is a key map that illustrates the location of the subject property being approximately 75 feet easterly of Rose Street. The site is also in the vicinity of Margie Avenue and Morningside. The site is also very close to the Cresskill Board of Education Merritt School site. The diagram, as prepared by Mr. Hubschman, indicates the actual footprint of the house. The footprint is 1,335 square feet. It illustrates the side yard setbacks at 9.5 feet on both sides. It illustrates the front yard setback as 25 feet and it illustrates the rear yard setback at 30 feet. This diagram also indicates a seepage pit, which has been engineered by Mr. Hubschman's office, which is a 1,000-gallon seepage, which he believes has been dually engineered and he will go through some brief comments about it. Also on this page, prepared by Mr. Hubschman, there is a building coverage calculation on the bottom of the page. There is also an impervious coverage calculation, FAR calculation and a building height calculation.

The second sheet is all of the detailed engineering requirements that the municipality has as well as the Borough Engineer has, and this is a soil erosion and sediment control plan with all of the details that is required for a building permit.

Mr. Santini pointed out that the top photograph is the subject property. It is the view of the existing 50 x 100-foot lot on Park Avenue. It is adjacent to the owner's property, the applicant's property at 74 Park Avenue, and it is also adjacent to 62 Park Avenue, which is to the west of the subject property. The bottom photograph is a panoramic view of 74 and the adjacent single family houses that go easterly on Park Avenue. The second photographic exhibit illustrates the adjacent house which is at 62 Park Avenue, which is the westerly boundary of the existing single-family proposed lot. The next photograph is 74 Park Avenue, which is owned by the applicant as well as 62 Park, which is between the adjacent proposed single-family lot. The last photograph on the bottom is the view of the houses that exist on the other side of the street, on the northerly side of Park Avenue. The view is of Mr. Valenti's recent house at 73 Park and adjacent to it and directly across from the applicant's property is 67 Park Avenue.

The last exhibit is the architectural floor plans and architectural elevations. The property will have a basement of approximately 800 square feet that will be used strictly for storage and for mechanical equipment. There is a first-floor plan which has a two-car garage and a very modest small kitchen, dining/living room combination with a half bath with stairs to get up to the second floor. The second-floor plan has three bedrooms. It will have two full baths and it will have a laundry room on the second floor. The bottom part of the drawing is the exterior elevations. The exterior elevations, starting with the left side, illustrates what is going to be adjacent to 74 Park Avenue, which is the applicant's own property. The materials that they are proposing to use are a cementitious siding, some cultured stone, there will be two garage doors, bedroom windows flanked by decorative vinyl louvers. The elevation that will be to the west is basically the same kind of siding. There is going to be a window at the top of the stair, another window in the master bedroom. The last elevation, which is the rear elevation, indicates that there is a small 10 x 13 deck with a sliding patio door, a window in the living/dining space and a window in the master bedroom.

Mr. Santini wanted to go through all of the building requirements that are necessary for the Board to understand what this application is about. He wanted to begin by going through the zoning data. The zoning data is clearly delineated on his company's plan. The minimum lot area, as required by the ordinance in the R-10 Zone is 10,000 square feet. The proposed size of the lot is 5,000 square feet. It is an existing non-conformity. The minimum lot depth is 100 feet and there is 100 feet on this property so there is no variance with that part of this project. The minimum lot frontage is 100 feet and this is an approved 50 x 100 lot, so there is an existing non-conformity. The minimum front yard is 25 feet in the R-10 Zone and we are at 25 feet set back from Park Avenue.

The first variance that they are requiring is the minimum side yard. The ordinance requires 15 feet and they are at 9.5 feet on both sides. The total side yards are 35 feet and they will be at a total of 19 feet, so that would be the second variance. The minimum rear yard is 30 feet and that is what they have. There

is no variance for that. The maximum building height is 2 ½ stories, or 28 feet, and they will be at 28 feet. The maximum building coverage is 20% in the R-10 Zone and they are 28% and Mr. Santini will give the special reasons as to why he believes this can be accomplished. The maximum FAR in this zone on the sliding scale is 39%. They are at 38.98%. There is no variance for the FAR. The maximum impervious coverage required is 35% and they are at 39.2%, with a note that Mr. Azzolina made a note to Mr. Hubschman that they can deduct the 130 square feet of the deck which reduces it down, so they have taken advantage of that so they will have approximately 4% overage in that maximum coverage. Mr. Moss asked why his plan showed 41.8%. Mr. Santini explained that after the discussion between Mr. Azzolina and Mr. Hubschman, the deck was deducted. The deck is pervious rather than impervious. That brings it down to 39.2%. The drawings need to be corrected.

Mr. Azzolina pointed out that with the same deck structure, the building coverage would be greater than what is showing in the table right now. That is stated in his letter. The code requires that the deck be included in the building coverage, so the building coverage as calculated by his office is 30.60% as opposed to the 28% stated by Mr. Santini. That is just a little wrinkle in the code. It does exclude it from the impervious coverage as long as there is a pervious surface below the deck, but it requires it be included as part of the building coverage.

Mr. Santini wanted to illustrate some of the coverage requirements. The building coverage is 1,400 square feet and divided by 5,000 square feet, gives you 28%. The ordinance permits 20% so they are 8% over. The impervious, as he said, they are deducting the 130 square feet so the percentage is 39.2% as opposed to the 35% of the ordinance. There is no variance for the FAR. There is no variance for building height. The only variances they would have for this would be the two side yards, the total side yards, the maximum building coverage and the maximum impervious coverage.

Mr. Santini now wanted to go through the negative criteria as to why he thinks this project can be approved. Mr. Moss asked if Mr. Zimick owned the property at 74 Park Avenue. Mr. Zimick stated that he did and that they live in Edgewater. The home at 74 Park Avenue is a two-family home that they rent.

Mr. Santini stated that relief cannot be granted unless it can be granted without substantial detriment to the public good and unless it will not substantially impair the intent and purpose of the zone plan and the zoning ordinance. This is an extraordinary and exceptional situation uniquely affecting a specific piece of property. The lot is undersized and no additional land is available for purchase to make it conforming. The strict application of the regulations result in exceptional practical difficulties and undue hardship arising out of a narrow lot approved in an R-10 Zone. What is creating the hardship? The lot was approved at 50 x 100 consisting of 5,000 square feet. However, it is subject to the zoning requirements for a 10,000-square foot lot contributing to the hardship. Therefore, the property cannot be reasonably developed conforming to the bulk requirements and they are respectfully requesting relief. If they were to build on this property in accordance with the zoning ordinance requirements, they would have a house that would be 15-feet wide by approximately 40 feet in depth. The application relates to a specific piece of property and the purposes of the municipal land use law would be advanced by a deviation from the zoning ordinance and that the variances can be granted without substantial detriment to the public good. The benefits of the deviation would substantially outweigh any detriment and the variances sought would not substantially impair the intent and purposes of the zone plan and the zone ordinances.

The site is particularly suitable for this type of residential structure and will have sufficient side yards and will not have any negative impact on the adjacent properties. Mr. Moss asked if the house across the street was similar in size, give or take. Mr. Santini said that it was.

Mr. Santini noted that the positive criteria, the special reasons, are that the project as designed would provide adequate light, air and open space for the users as well as the adjacent properties. That is a very important thing as it relates to the purposes of zoning. The project does not require variances for front yard, rear yard, FAR, building height or parking. This application does not require a use variance. The project as designed promotes the establishment of appropriate densities and concentrations that would contribute to the well-being of persons, neighborhoods and contributes to the preservation of the adjacent residential properties. This project as designed promotes a desirable visual environment through creative

design arrangements. The simple architectural character of the design compliments the scale and character of the existing neighborhood and will fit very well with the other houses on Park Avenue. This application as presented promotes and preserves the public health, safety, morals, visual compatibility and general welfare, in his opinion, as a licensed architect and planner in the State of New Jersey. The site has been properly designed as regards to grading, drainage, utilities and will comply with all other requirements of the 2015 International Building Code, the New Jersey Edition, if it is approved.

In summary, in addition to the special reasons that Mr. Santini outlined, the Board can grant the variances requested as this application relates to a specific piece of property and is particularly suitable for this modest house. The project has some unique characteristics related to the side yards of the adjacent properties. 74 Park Avenue is six feet away from the subject property line. 62 Park Avenue is 16 feet away from the subject property line. The east side will have 15.5 feet of open space and the west side will have 25.5 feet of open space, providing adequate light, air and open space. The purpose of the Municipal Land Use Law would be advanced by the deviations on the zoning requirements as illustrated in the negative and positive criteria as stated. The variances can be granted without substantial detriment to the public good. The benefits of the deviation would far outweigh any detriments as the project promotes community compatibility and a desirable environment. The variances requested would not substantially impair the intent and purposes of the zone plan or the zoning ordinances.

Mr. Santini stated that it is very important to note that this project is not for a developer. This project is for two young adults recently married who both grew up in our great community. They want to construct this modest house and start their married life in Cresskill. Both of these young people are from families who have contributed to the well-being of our community by providing their time and efforts, like the Board does, and he is sure that Mr. and Mrs. Zimick will do the same thing to make Cresskill a better place to be. This is a particular case, this is a specific piece of property and the special reasons he stated, wherein the benefits far outweigh the detriments, gives the Board the power to allow departure from regulations for the coverage, impervious coverage and side yards.

Mr. Morgan opened the meeting to the public.

Mr. Anthony Scianna, 62 Park Avenue wished to be heard and was sworn in by Mr. Schuster. Mr. Scianna asked about the fence between the properties. He wanted to know if Mr. Zimick planned on doing anything with the fence like taking it down. Mr. Zimick noted that they have a dog so they will probably be replacing it. Mr. Scianna noted that the fence is on Mr. Zimick's property but wanted to know if when he replaces the fence, will his yard still be completely fenced in. Mr. Santini stated that he would and that the fence is on Mr. Zimick's property. Mr. Scianna agreed that the fence is on Mr. Zimick's property. He has a chain link fence that goes along the back of his property that abuts this fence so his backyard is completely fenced in. He was wondering if he does replace the fence, will his yard remain completely fenced in or if there is going to be a six-inch gap. Mr. Santini said that it will be in the same location as where it is right now.

Mr. Scianna noted that there were a couple trees cut down and he thanked Mr. Zimick. There is one tree that is left that is right by the fence. It is starting grow. If Mr. Zimick is not planning on cutting that down, he asked if he could trim it. Mr. Louis Zimick, 11 Sterling Place, Edgewater, NJ, was sworn in by Mr. Schuster. Mrs. Elizabeth Zimick, 11 Sterling Place, Edgewater, NJ, was sworn in by Mr. Schuster. Mr. Zimick stated that he will take care of the tree. Mr. Scianna asked when they planned on starting and how long would it take. Mr. Zimick wasn't sure and said he would keep Mr. Scianna in the loop.

Mr. Morgan closed the meeting to the public.

Mr. Morgan asked Mr. Santini if he got Mr. Azzolina's report. Mr. Santini said he didn't get the report and that it must have been sent to Mr. Hubschman. Mr. Azzolina stated that he sent it to Mr. Santini as well yesterday. Mr. Santini noted that he didn't see it. He wants to make sure that he complies with whatever is in the report. He stated that he will certainly comply with whatever comments the Borough Engineer has and he will address them. Mr. Morgan noted that that would be part of the approval.

Mr. Calder asked about the hardship. It is a rectangular lot and it is flat. Mr. Santini noted that the hardship really is that the zoning ordinance is dealing with an R-10, which is a 10,000-square foot lot. They only have 5,000 square feet. They didn't reduce the requirements as is outlined in the zoning ordinance. The 15 feet really relates to a 100-foot wide lot. That is the hardship. Mr. Calder then stated that the hardship is building a large house on a small lot. Mr. Santini stated that it is not a large house. It is only 1,900 square feet. Mr. Calder is still not sure he gets the hardship. What is unique about a rectangular, flat piece of property.

Mr. Schuster confirmed that they had C1 hardship. Mr. Santini noted that they have all the special reasons that he enumerated. Mr. Moss asked if there was six feet between 74 and 70 Park Avenue. Mr. Santini said that at 74 Park Avenue there is part of the structure that is existing that comes to six feet to the property line. Mr. Zimick stated that it is a single-car garage that extends to six feet from the property line and a total of 15 feet to the new structure. It is not six feet to the new house.

Mr. Morgan asked Mr. Azzolina about the underground utilities. Mr. Azzolina noted that the pole is on their side of the street so it can be underground if that is the way they choose to install it. The question he is asking is relative to a subdivision. If there is a major subdivision, then the utilities have to be installed underground, but this is a site plan so it is really up to the applicant. It can be overhead. Mr. Schuster asked if we can make it a requirement of the approval to do it that way. Mr. Azzolina thought it was more up to Rockland Electric than this Board. There is the ability to install it underground. It is a cost issue he is sure. If the applicants want to do it. Mr. Zimick stated that it was his plan to do an underground service. They have the utility on their side of the street and it is on their property. They will most likely go underground. Mr. Morgan stated that the code says underground in certain areas and he didn't know if this was the case here. Mr. Zimick said that he doesn't think it falls within the requirement. None of the other houses have it underground. But he plans on putting it underground. Mr. Santini stated that for the Board's information, Mr. Zimick is a licensed electrician.

Mr. Calder stated that Mr. Hubschman worked on another project in the neighborhood about a year ago that looks like they took greater care in trying to be more in compliance with the zoning. He is kind of curious with respect to this one. For instance, that project was also on a 5,000-square foot lot, and would have been in compliance with the impervious and the side yards would have been larger, as well as less of a variance on building coverage. He is referring to a project on Morningside. Mr. Santini is not familiar with that one. Mr. Calder noted that that house tells him that this can be designed with smaller variances. Mr. Santini said that yes they can, but it is his opinion that the site that they have and the house that he put on there with the program requirements of the owner, is more than adequate and he believes that with the special reasons, the relief they are requesting can be granted without substantially being detrimental to the intent and purposes of the zoning plan or the zoning ordinance. They are seeking this relief for those two items, the coverage items and two side yard items and they would respectfully request that the Board consider this.

Mr. Schuster asked how these variances compare with similar houses in the area. Mr. Santini said they were pretty much similar. Some of the houses in the area are closer to Park Avenue so the setbacks are not 25 feet. Some of the houses have their garages in the backyard with a hell of a lot more impervious surface. They are respectfully requesting that the Board consider the plan as it is designed. They think it meets the criteria. Mr. Calder asked to see the pictures of the houses across the street. He said that they look like single-car garages. Mr. Santini noted that they are double-car garages. The one to the left doesn't have a garage, it just has a driveway. Mr. Calder asked if he knew the square footages of house in the area. Mr. Santini did not have that information. In his professional opinion, he would say that they are in the neighborhood of 1,800 square feet or approximately 1,900 square feet, which is the house they are requesting. He believes that the architectural scale and character is going to be very compatible and that is one of the special reasons in the land use law that the house you are building should be somewhat compatible with what is going on in the neighborhood. He would say that the house that they have is very, very compatible with the community and with the existing environment on Park Avenue.

Mayor Romeo asked Mr. Scianna if he had any problem with this house. Mr. Scianna stated that he did not and he lives right next door. He stated that his wife grew up in Haworth and she wanted to live in

Cresskill since she was probably seven or eight. This is the only town she would live in. When they started looking, they were only allowed to look in Cresskill. He can only imagine trying to build a house. Owning a piece of property is great. You can also live where you are going to be renting out. The landlord will be living right there so that is also going to help the property there. He thinks it is great. He has a two-car garage, so if the two-car garage thing is what they are talking about, he has no problem with it. He thinks it is a great place to be and he thinks it is great for young people to start moving into. A couple of other young people have started moving on the block. He has no problem with it and he would rather see a house there than an empty lot.

Mr. Zimick noted that there is another house on Park that is on a 50 x 100-foot lot with a two-car garage with two separate doors. Mr. Rob Vadala owns that. Mr. Calder asked what his side yards were. Mr. Zimick said that he didn't know. He would image that it is much less than what he is proposing. Most of the existing houses on Park extend much closer to the property lines. If you take a drive by you will see that it is pretty apparent. The newer buildings are actually allowing for more side yard.

Mr. Mandelbaum made a motion to approve, seconded by Mrs. Schultz. On Roll Call: Mayor Romeo, Mr. Morgan, Ms. Bauer, Mr. Calder, Mr. Moss, Mrs. Schultz, Mr. Durakis and Mr. Mandelbaum all voted yes. Motion approved.

Other Business

None.

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

Motion was made by Mr. Durakis to adjourn the meeting at 8:52 PM, seconded by Mr. Mandelbaum. All present were in favor. Motion approved.

The next four regular Planning Board meetings are scheduled for January 24, February 14, February 28, and March 14, 2017, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo

Carolyn M. Petillo
Recording Secretary