

# MINUTES

## CRESSKILL PLANNING BOARD

MARCH 28, 2017

Mr. Morgan 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, Councilwoman Tsigounis, Mr. Morgan, Mr. Calder, Mr. Durakis, Mr. Mandelbaum, Mr. Moss and Mr. Ulshoefer. Ms. Bauer arrived at 7:33 PM. Also present were Mr. Paul Azzolina, Borough Engineer, and Mr. Schuster, Planning Board Attorney.

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Mr. Durakis made a motion to approve the minutes of the February 28, 2017, meeting. The motion was seconded by Mr. Moss. All present were in favor of the motion. Motion approved.

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### Correspondence

Notice for the 17<sup>th</sup> Annual Planning Board/Zoning Board Conference. File.

Three vouchers from Steven V. Schuster for services rendered relative to the Cresskill Planning Board for the months of November 2016 in the amount of \$1,627.63, December 2016 in the amount of \$1,547.53 and January 2017 in the amount of \$1,790.67. Motion by Mr. Durakis, seconded by Mr. Ulshoefer. All present were in favor. Motion approved.

Performance guarantee reduction for Pulte Homes that was passed two weeks ago. File.

Letter of Introduction from Mr. Edward M. Rossi, Construction Official, dated March 1, 2017, sending Mr. Zapantis to this Board for approval. He is proposing to have 20 two-seated tables outside of his Greek restaurant at 39 Union Avenue for the warmer months. Mr. Zapantis was present. He operates Grk Grill at 39 Union Avenue. He asked for 20 tables but is only going to have 15 tables after he did some measurements. Mr. Schuster asked where they are going to park. Mr. Zapantis noted that they are going to park streetside for now. Mr. Morgan said it is the same parking that they have now. Mr. Schuster stated that they are now going to have 15 more people there but have the same parking. That is his point. Councilwoman Tsigounis stated that a lot of people like the al fresco dining.

Mr. Morgan suggested that they give a drawing. Mayor Romeo stated that they are already in the space. Once the Allen Street parking is done, hopefully that will give them the parking. Mr. Calder asked if they are talking about 15 seats or 15 tables. Mr. Zapantis stated that it is 15 tables that seat two people. Mr. Durakis made a motion to approve, seconded by Councilwoman Tsigounis. All present were in favor. Motion approved. Letter of approval sent to Mr. Zapantis with copies to Ms. Barbara Nasuto and Mr. Edward Rossi.

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### Subdivision Committee

Councilwoman Tsigounis had nothing to report.

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

Mr. Azzolina reported that on Application #1493, 62 Jackson Drive, Vince Carbonell, the plans were revised in accordance with his memo dated January 24, 2017, and he recommends that the Board approve the site plan at this time. Mr. Ulshoefer made a motion to approve, seconded by Mr. Durakis. All present were in favor. Motion approved. Two copies of the site plan were signed, along with an approval memo. One copy to the Building Department. One copy to the file.

On Application #1490, 182 4<sup>th</sup> Street, 15 Wakelee Dr. Corp, we received the final plat for that project. Mr. Azzolina finds that it complies with the requirements of the Title Recordation Act. He recommends that the Board approve the plan at this time. Mr. Ulshoefer made a motion to approve, seconded by Mr. Durakis. All present were in favor. Motion approved. The final plat was signed.

Application #1499, 5 Crest Drive North, New Land Mark Properties LLC, Mr. Azzolina notes that the applicant's architect was present. He reviewed the plans for compliance. He finds them to be substantially complete. They do require variance relief so a Public Hearing will be required. Mr. Uri Rapaport was present and noted that the applicant is away. The next meeting date is the first day of Passover so the applicant is not going to be able to attend. He requested that they schedule it for April 25, 2017. Mr. Durakis made a motion to schedule the Public Hearing for April 25, 2017, seconded by Mr. Calder. All present were in favor. Motion approved. Mr. Rapaport took notice of the hearing date.

Mr. Azzolina noted that for subdivision Application #1489M, 46 Pershing Place, Avi Lavon, the plans are complete as presented. He did get the opportunity to speak to the architect regarding the height variance that they are seeking. He advises that it is per the client's direction to increase the headroom in the attic for mechanical equipment. His attorney is now Mark Maryanski. Mayor Romeo stated that we are not ready to hear this yet. He had a second attorney that he hired. He told them to review this a little more carefully before they come in.

Mr. Azzolina prepared a report dated March 27, 2017, for M3M Builders, 112 Westervelt Place, Application #1498, scheduled for a Public Hearing tonight.

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Mr. Morgan noted that a gentleman was present representing the tenant for 34 Union. They want to rent 34 Union. The tenant was not present. That is the Cresskill Deli. It is now owned by the people that own Cresskill Pharmacy. The real estate brokers were present. They are looking to put in a restaurant that does sweets in the morning, like donuts and that kind of thing, and at night they want to have seafood. Mayor Romeo noted that our concern is the number of tables and the inside and how they are going to do it. He asked if they had any kind of floor plan or anything to show the Board. The real estate broker said he doesn't know how they are going to set it up but they are having an inspection tomorrow.

Mr. Schuster asked if it was going to be a sit-down restaurant or a walk in and take out. The real estate broker said it sounds like in the morning it is going to be in and out and at night it will be sit down. Mr. Schuster asked about a sit-down counter. There will not be any sit-down counter, but the Cresskill deli did have tables. The apartments will stay upstairs. Mayor Romeo stated that he didn't have a problem with the use but he would like to see a floor plan for the Fire Department and for the Board of Health. He needs to get the plans over to the Building Department and then they can come back here. He said the owner has been frustrated because he has had a couple of transactions that didn't come to fruition and he is wondering what is going on. Mayor Romeo doesn't have a problem with the use, he just needs to see the floor plan to see what they are going to do. Also, the signage, they have to show what they are going to do. Mr. Schuster said the floor plan can just be sketch. It doesn't have to be formal.

Mr. Borga from C U Latte was present and noted that he has plans to put an awning in the back of the building. Hailey Langan told him to come here this evening. He gave some pictures of the building and the awning to the

Building Department. He wants to put a retractable awning in the back over the little patio for shade. Ms. Langan didn't give anything to the Board for tonight's meeting. He didn't have anything with him. He was told that it has to be green. Since we didn't have anything for this, he was told to come back to the next meeting.

A representative from Northern Valley Earth Fair was present. She was present for a temporary sign permit application. They want permission to hang one large sign across from the fire house and 25 lawn signs. The Earth Fair is in Closter this year on April 22. Mayor Romeo noted that this comes before the Council at the Committee of the Whole, which is April 12. They were hoping to put the signs up April 1 since the event is April 22. She submitted the application in early March with expectations that it would go to the March 10 meeting. Mr. Moss asked if we can make a decision on it. Mayor Romeo noted that we cannot make a decision on it. It is out of our jurisdiction. Mayor Romeo told her to come on April 5 to the Council meeting.

Mr. Zdravko "Steve" Saranovic was present about a re-occupancy at 44 East Madison Avenue. Mr. Saranovic is moving The Hungry Peddler to where Griffin's was. It will be called The Peddler. The menu will basically be the same. They are going to clean the place up. Outside they are going to clean everything up and put some new shrubs in the front. They took out all the growing stuff that was there. They will have outdoor seating in the front like what was there. They are going to put the sign that Griffin's had before that hangs down. The inside will be a little different in the bar area. It will be a little bit more refreshing and open. It will have the same number of seats as before. The bar is wide open now. He hopes to open by April 6. Mr. Durakis asked about entertainment. Mr. Saranovic noted that he would have entertainment on Saturday night. Mr. Durakis made a motion to approve, seconded by Mr. Calder. All present were in favor. Motion approved. An approval letter was sent to Mr. Saranovic, with copies to Ms. Barbara Nasuto, Mr. Edward Rossi, the Police Department, the Fire Department and the Health Department.

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### **Old Business**

None.

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### **Public Hearing – Application #1498 – 112 Westervelt Place**

Mr. Thomas Ludwig, representing M3M Builders, LLC, the applicant and owners of the property located at 112 Westervelt Place. He submitted, on behalf of the applicant, the survey, site plan and architectural plans and mailed out the notices to the homeowners within 200 feet as per the assessor's list, as well as published in The Record newspaper. He submitted the affidavits of service to Mr. Schuster. He called Mr. Sean McClellan from the office of Lantelme, Kurens & Associates who prepared the site plan.

Mr. Sean McClellan, 84 Gettysburg Way, Lincoln Park, NJ, was sworn in by Mr. Schuster. He is being proffered as an engineer. He has appeared before this Board before. His license is presently in good standing in the State of New Jersey and his license number is 45193. He was accepted as an expert engineer. Mr. Ludwig asked Mr. McClellan if he had a chance to review the plans that were prepared by his office. Mr. Ludwig noted that he has and he explained that the variance they are seeking today is for the combined side yard setback. They are proposing a combined side yard setback of 30 feet where 35 feet is required.

What currently exists is a two-story dwelling on a non-conforming lot. The lot is non-conforming in width and frontage. They have 73 feet where 100 feet is required. The existing two-story dwelling also has a detached garage in the rear of this property as well as a shed that is kind of detached in the rear. The existing house, as it stands now, is actually non-conforming in height. The height is 30.6 feet currently where 28 is allowed. Their proposed house is going to alleviate that existing non-conformity. In regards to drainage, for a house this size, they will need one 1,000-gallon seepage pit to control the stormwater runoff that that will create. As far as soil moving, they will be removing approximately 300 cubic yards of soil for the foundation and the basement.

Mr. Ludwig asked if it was Mr. McClellan's opinion that this would, other than the side-yard setback, conform with the other zoning requirements. Mr. McClellan noted that they conform with the FAR, the building coverage, and the lot coverage. The front yard setback is 30 feet where 25 is required. Their lot is conforming in area. Ten thousand is required and their lot is 10,528 square feet. They have a large rear yard. They are within the setbacks of 15 feet on both sides, but on the combined setback they fall short there.

Mr. Ludwig asked, with regards to the lots that are adjoining on either side, how are the widths of those lots. Mr. McClellan noted that he believes that they are both 70 feet as well. Mr. Ludwig stated that Mr. McClellan's office also did a plan for the applicant at 102 Westervelt. He asked if this was a similar plan to the one that was approved by the Board about two years ago. Mr. McClellan noted that it is. He believed that that one also required a combined side yard setback as well. Mr. Ludwig believes that that was a five-yard setback variance.

Mr. Moss asked how this home compared with other homes on the street. Mr. Ludwig noted that it is almost identical to the one that is two doors down at 102. The total square footage is 3,075 square feet. The footprint is 1,922 square feet. Mr. Morgan asked what the height of the home was. Mr. McClellan stated that it was 26.5 and noted that it is well below what is required. Mayor Romeo asked M3M Builders if they built 102 Westervelt as well and they noted that they did. Mr. Ludwig noted that the garage is on the same side as 102, it would be on the right as you face the house. He asked if there was a possibility that it could be flipped the other way. Mr. McClellan stated that it could be flipped but there is a maple tree in the right-of-way that belongs to the town. If they were to flip the house, it would most likely have been in the way. They are preserving the town tree.

Mr. Ludwig called Ms. Stephanie Pantale, 70 Chestnut Ridge Road, Montvale, NJ, and she was sworn in by Mr. Schuster. She is being proffered as an architect. Her license number is 13820. She has appeared before this Board many times before. Her license is presently in good standing and she is accepted as an expert architect.

Ms. Pantale stated that this house is not a center hallway, but the hall is in the center. The house has a 20-foot garage. It has about a 13-14-foot living room across the front and an entrance. That is where they need the 40 feet. It is 1,500 on the first floor with a 440-foot garage. It is a very modest plan, not very fancy. You walk in and there is a living room in the front and a dining room in the back. You have a hallway that is approximately six feet through the center. Stairs to the side behind the garage. It is a two-car garage, which is required. A small powder room, kitchen, dinette and a family room out the back that is only 15 feet on one side but it conforms on the other side. They are only asking for the house on the right side 15 feet, the back half conforms. It is a five-bedroom home, four bedrooms up and one in the basement. It is a very modest plan. Two bedrooms have a shared bathroom, one bedroom has its own and then there is a master suite. The first floor is 1,500 square feet, plus the garage that is 440 square feet. The second floor is 1,575. The total is 3,075, which is the FAR. The garage is 20'2" out-to-out, which does not include the walls, so basically inside it is about 19 feet. You can't get much narrower. They do not have any fireplaces encroaching on the side yards, which are typically permitted. They also do not have anything encroaching in the basement. Everything is in the back. There is a fire egress in the basement in the back. Typically they go on the sides. They have tried to minimize any encroachment on the side property lines. There are roof overhangs and they are allowed to be two feet.

Mr. Calder asked if it would be a challenge to try to reduce it by five feet. Ms. Pantale noted that the garage is 19 feet interior now. The hallway walking in is six feet, which leaves the living room at 13 feet. You really can't get much narrower. They have taken as much out of the garage as possible, as much out of the hallway to walk through, have doors swing into it, and they could possibly skim a foot off the side, but they would still be here before the Board for a four-foot variance vs. a five-foot variance. The goal was to keep all the side setbacks, keep the fireplaces in, keep any railed area to the basement away from the sides so they did not encroach anymore on the neighbors as possible, and come here with their hat in their hand asking for the aggregate.

Mr. Schuster asked how many access points the basement has. Ms. Pantale noted that it only has an egress window. There is no staircase. There is no outside exit except for an egress window out the back of the house. There is no access through the garage to the basement.

Mr. Ludwig stated that as the Board might remember, two years ago when they did 102 Westervelt, they originally asked for a ten-foot wide combined setback and then they reduced it down to a five-foot variance on the combined side yard setback, which the Board then approved. They decided that they would just merely

apply for the five feet and not try to do the ten feet again. Mayor Romeo asked again if there was any entrance or exit to the basement to make that into some sort of separate apartment. Mr. Ludwig stated that there is no Bilko door or anything. Mayor Romeo asked what the chances are of narrowing the house a little bit. Ms. Pantale stated that it would be a little bit difficult on the sides. The only side to do it would be the shorter side, not the longer side. This is the side that needs to maintain that. Again, they would still be here for a side yard aggregate. Typically, they would have accesses out for sometimes two egress windows, one for light in the play area, one for light in the bedroom and she has had a chimney on the other side, which imposed, and they understood that there might be some people who are upset so they tried to maintain any other encroachments away from the side property lines that are permitted to be there.

Mr. Ludwig asked Ms. Pantale if she had a chance to look at other homes in the neighborhood. Ms. Pantale stated that she represented the other house two years ago. She did another house about eight years ago, kind of like a bungalow house. She has done work on the corner house in the basement and some other stuff. This is pretty much in keeping with the neighborhood. You have 60-foot lots and 70-foot lots. They are trying to keep as much light and air to the neighbors by not putting any other encroachments. They are staying within the allowed setbacks of 15 feet. Mr. Ludwig asked, other than the five-foot variance they are asking for, if there are any other negative impacts. Ms. Pantale stated that there is not. They are actually lowering the height from the original house. She noted that they also hipped the roofs as well to let more light and air. They have done everything possible to not encroach. This is one of the better ones she has done so that they don't encroach on anybody as little as possible.

Ms. Bauer asked how many trees are going to be cut from the lot. Mr. Ludwig noted that he thinks most of them were cut and he believes the applicant discussed some of them with the neighbors and the neighbors actually asked that some of those trees along the side yards be cut down so that is what he did. It was at the request of the neighbors. Mr. McClellan noted that the original site plan showed just one tree, which he probably should have put more on the site plan. He was trying to save as many as possible. Some of the trees he didn't mark to remove were kind of close to the house.

Mr. Morgan opened the meeting to the public. Mr. Philip Chin, 120 Westervelt Place, wished to be heard and was sworn in by Mr. Schuster. Mr. Chin noted that two years ago the Board let the same variance by the same architect. What he is understanding is that variances are when you cannot keep to the law or current regulations so you are asking that you want to extend. That's why you have to hear it to get it. Already you knew that when you bought that house, you already knew in your mind you have to have 35 feet, not 30 feet. The other concern is that his neighbors, two years ago complained about the same 30 foot variance. He doesn't think everybody is at 35 feet. Is everybody on Westervelt conforming to 30 feet or 35 feet between the houses. Mr. Ludwig explained that the requirement is 15 feet side yard setback, but when you combine the setbacks it has to be 35 feet. Mr. Chin's understanding is that between the houses, overall, is supposed to be 35 feet, but based on the house shape you can move 2.5 feet around there. That is his understanding about this variance. You need 15 feet minimum between the two house and combined it is 35 feet. Mr. Ludwig noted that if they moved the house, say two-and-a-half feet, they would then be into one of the side yard setbacks.

Mr. Chin stated that it is a 15-foot minimum and combined you have 35 feet. If you meet the regulation on every house, overall, between the houses is supposed to be 35 feet. Ms. Pantale stated that he is correct and that is based on a 100-foot lot. The zoning in Cresskill states that you need a 100-foot wide lot. This is a 70-foot lot. So, if you have a 100-foot lot, they are asking for a 35 feet total side yards for a 100-foot lot. This property, which was divided years ago, and they are still imposing the minimum foot on each side, plus the 35. Mr. Ludwig stated that because the lot is narrower than the required zoning of 100 feet, they are allowed to ask for relief of the zoning requirements for several of the elements. They are only asking for one element for relief, not five elements. He did research the last time he was here and pretty much every house on the south side of Westervelt was not conforming on width and probably side yard setbacks. Ms. Pantale pointed out properties that were probably 70-foot lots on the plan. The zoning is for 100-foot lots, but they are imposing the same criteria on the lot that is 30% less. Mr. Chin wanted to know why they can't change the zoning. Ms. Pantale explained that that is why they make them come before the Board. They designed the house. They conform to the 20% building coverage, they conform to the FAR, they conform to the setbacks that are imposed on a 100-foot lot. If she was on a 100-foot lot, she would be allowed to have a 65-foot long house. She doesn't have that lot and is trying to conform to everything, but it is very difficult to get a house with 35-feet of side yards. They

are asking for relief for the total sum of the side yards while conforming to what the minimum is. She doesn't think they are asking for a lot, but the zoning is imposing a lot on these lots. Mr. Ludwig noted that some of the lots are 52.5 feet wide and if you impose a 35 feet side yards you have a 17-foot wide house.

Mr. John Buchak, 111 Westervelt Place, Cresskill, wished to be heard and was sworn in by Mr. Schuster. Mr. Buchak stated that the houses on that street are too close together. He has lived there for over 50 years. The south side of the street, when you come up the street from County Road, and you get to the crest and look to the right, it looks like other towns that he isn't going to mention. They are so close to each other that during the last snow storm, people had to throw their snow onto other people's property to clear the properties and nobody really seemed to care. Everybody was alright with it. He didn't see the police come by. But it is tight. He feels that this is a non-conforming lot to begin with and he feels that the side-line and the front setback should be somewhat sacrosanct on that lot. He wouldn't be here if they wanted to go out the back. He doesn't care about the back. They are too close together. They are making a bad problem even worse. This house right here, all it is, whatever the size house it is, they want more to build and the reason for that is it is a money grab. He is not going to live there. He is going to leave and he is going to have to be across from this house for rest of his life. He wants to make it worse than it is already. Seventy-six Westervelt Place was knocked down recently and somebody built a house and it conformed to the lot. It is not going to be as much money when he winds up selling it, but it can be done. So, that is what he can build. But he is not going to make anywhere near as much money. Is that really a concern of the Planning Board.

He should work within the confines set forth by the Planning Board and that is it. Five feet is five feet. He has a novel idea. Why doesn't he make it five feet smaller than is required. That is not going to happen. It is all about how much money he can get for the house. That is all it is. All it is. It is not like he is looking to have a wheelchair ramp brought up to the side of the house for somebody who is handicapped. It is not like he is putting a chimney on the side of the house and he needs some room for the fire box. This is all about money. This is all 100% about how much money this guy can make on this house and that should not be the right reason to come in front of the Planning Board and ask for five feet. It should be no feet. Because you wind up going back and conforming to the undersize lot and having the setbacks that are required front and side. He doesn't care about the back. He won't even comment if he wants one in the back. It doesn't matter to him. Side line setbacks on that street on the south side are so close that you literally could throw snow on your neighbor's front porch. It's close. They are too close. He just doesn't feel that it is right. And you can knock down houses and build houses like the one at 76 Westervelt Place, a few houses down, that will conform. It's not going to make as much money, that's all. Is that really a concern of the Planning Board how much money this guy makes?

Mr. Ludwig asked Mr. Buchak how wide 76 Westervelt Place is. Mr. Buchak said he has no idea. But that house can be built to conform. Mr. Ludwig was just asking if he knew the width of the lot and whether there were any variances. Mr. Buchak said it doesn't really matter because he is not here for that reason. Ms. Pantale is like we are going to do a service to the street by making this house beautiful. He doesn't care how much that house is worth when it is done. He doesn't care. He is not going to be around for that as far as that goes. He doesn't care if there are million dollar houses going up around him. He is not there for that. He bought his house for \$19,000 and he is going to be there until the very, very end. Basically, there are houses that can be built to conform on that property. It's just not going to make as much money. That is all it is. That is the only thing that changes it. It is not going to make as much money and that should not be the reason it is in front of the Planning Board and the Planning Board should not grant him relief because if he gets an extra five feet maybe he could make another \$150,000 on that house. That is not the reason he should be doing this. Five feet is five feet. Let him build that house instead and he will have plenty of room on both sides.

Mr. Walton Clark, 108 Westervelt Place, Cresskill, wished to be heard and was sworn in by Mr. Schuster. Mr. Clark stated that he lived on Westervelt about 30 years. There are roughly 50 houses on the street. He was trying to count up, since he moved in, how many have been rebuilt, there was one empty lot, or how many had significant renovations. Maybe about 25 have. If he looks right next to him, standing on his front porch and looks left, he has five houses, one still under construction, one just moved in three months ago, one other is brand new, and the other two are significant remodels. They have had a lot of construction. He doesn't know how long he is going to live here. He doesn't know if he will die in that house. He probably will be selling in about ten years. What he expects from the Planning Board is consistency. So, when he goes to sell his house,

whoever buys it can expect a consistent ruling. It shouldn't change one week to the next. He is asking consistency, consistency. Yes, we have too many houses that are a little close together, but if you look at the zoning or the map, they have a lot of narrow lots. There is one lot that is maybe 60 feet wide, there are some that are very narrow, but they need consistency. In regards to the trees, the trees have been all cut down. There were several that needed to be cut down. There was one, probably a 90-foot pine, that leaned over his house that he is glad was taken down. There was another tall pine that was way over the power lines that needed to come down. The tree that is left is the city tree, which has been so butchered by the power company that he wishes he would give the applicant permission to take it down. It looks ugly. It looks like a Charlie Brown Christmas tree, except it is a Maple. What he would ask is, a lot of times when new houses are built, there is very minimal landscaping. When we take down trees, money should be put back in into landscaping. He doesn't know how that can be done. He can't ask the Board to put a burden on one person and not put the burden on all builders, but he thinks the landscaping requirements, what he has been witnessing, are pretty light. He would like to see more requirements for landscaping. What made Cresskill great is a lot of the trees. Yes, big trees are nice, but they all start out as small. We need not only a couple bushes, but big trees and bushes. We need to up our landscaping requirements. He can't ask the Board to do that for one person. They need to do that for everybody.

Mayor Romeo stated that the Board has done this where the builders have been more than willing to comply. He is sure that if we ask the builder here, he would put in a Redwood if he wants. Mr. Clark is just asking for fair and consistency. Mayor Romeo noted that we are going to ask him to put in shrubs and trees. It is not out of line and he will do it.

Mayor Romeo noted that when it comes to the width of the lots, 80-85% of the town of Cresskill is on a non-conforming lot. The zoning was put in back in the late 40s and early 50s so it doesn't make any sense. In the late 40s, they made the zoning 100 x 100 foot lots in the R-10 Zone, which is probably almost the whole town. And then, in their infinite wisdom, they built Cresskill Gardens, where there is not even one 100 x 100-foot lot. They built 350 houses on 75 foot lots after they had passed the zoning two years before that every lot had to be 100 x 100. So, about 85% of the houses in this town are on non-conforming lots. The older the area, the more non-conforming it is. You have 5<sup>th</sup> Street that has 40-, 50- and 60-foot lots. Westervelt is probably, if not the oldest, one of the oldest streets in the whole town, Westervelt and Hillside Avenue, because the Westervelts owned everything up there. They named the street after themselves and then they had the apple orchards and they built all along Hillside Avenue. So, all the lots on Hillside Avenue are non-conforming lots. They are all 75-foot lots until you get up around the bend. That is what we are dealing with here. What they are asking for in a five-foot combined side yard, to be honest, is minimal compared to some of the stuff that comes in here that we beat back. Yes, builders do come in here and ask for a lot more and they do want to make a lot more money and that is just the way America is. And John (Mr. Buchak) is absolutely right. But in this case here, it's five feet, and maybe they can cut it back, but it is really not out of line with the modern architecture of today. It is just the way it is. When they go to sell their house, they are going to want to sell it to a builder, because he is going to give him the most money for it. He is not saying it is right or wrong. That is just the way life is. He is going to take that money and go to retire somewhere else. What they are asking for is not much compared to what some other people ask for.

Mr. Clark understands, but stated that we need to be consistent over time. Mayor Romeo thinks that he will see that the Board is consistent. In the 18 years that he has sat on the Board, we have kept pretty well to the same rule for everybody. Nobody got anything extra. The unfortunate part is they are seeing Westervelt being decimated of the old houses and all new ones coming in because the population there are the older people, single woman, widows, widowers selling to people that are young families with two, three and four kids. That is why the schools are overcrowded now because of the cycle of life. Mr. Clark wants to get some trees going and get it buffered a little bit. Mayor Romeo thinks the builder will be on board with it and the pine in the front of the house had to go.

Mr. Morgan closed the meeting to the public.

Mr. Moss said that he lives in Cresskill and is proud to live in Cresskill and when he goes through other towns with his family he does notice that the houses are close together compared to our town and he thinks it is a big deal and a big point. As a member of the Board he is conscious of trying to keep the integrity of the town up.

He thinks that the Mayor and Ms. Pantale have an understanding and are doing the best they can within the realm of everything and the public made their point and they made their point and he just wants them to know that the Board is very conscious of what the public is saying. He agrees with them with regards to the proximity of the homes.

Mr. Ulshoefer had a question for the builder. They both walked the property today. Right now we don't have an ordinance, but hopefully we will have an ordinance on trees that every tree doesn't get cut down. When he was there he had mentioned about making a buffer zone in the back of the house where there is an open lot behind them. And also, if they could put other trees around the property. Since 13 trees came down, and it was listed that only one tree was coming down, when he went there today, he was surprised because he had been to the property before and those trees were standing. That concerns him because basically he just clear cut the lot. If he could agree that he will put a buffer zone in the back as well as some trees around the sides and stuff like that so there will be some privacy between the neighbors. Nobody wants to be looking into somebody else's window. Mayor Romeo asked if he could put arborvitae or something like that along the back. The builder agreed. He also would like trees planted in the right places. The building inspector will hold him to it. Mr. Ludwig noted that usually the problem with trees is that they are nice but usually they are in the wrong spot. Mr. Ulshoefer stated that now they have a new canvas to work with.

Mr. Morgan asked if they received the engineer's letter and if they could conform with everything in the letter. Mr. McClellan stated that they can comply with everything that Mr. Azzolina has asked for in his letter and will submit a new plan. Mr. Azzolina wanted to add that the building sewer should be looked at to make sure it is in working order and as typically requested, we required the curb and sidewalk be removed and replaced. The applicant has agreed to make those modifications to the plan.

Mr. Ludwig asked if the Board wishes them to flip the house and take down the "Charlie Brown" tree. Mr. Azzolina noted that the applicant is asking about the Maple that is in the right-of-way, referring to it as the "Charlie Brown" tree. It does appear to be in poor condition. They can request that that be removed. Councilwoman Tsigounis asked what makes better sense as far as the driveway location. Mr. Azzolina noted that the location is acceptable. If they were to remove the tree, he suggests that they put two more trees within the right-of-way area, he thinks that would be a better long term solution that looking at that poor condition tree. Councilwoman Tsigounis was asking about flipping the house. Mr. Ludwig noted that they were going to leave the house the way it is. Ms. Pantale stated that they need to work with the grade of the street so she thinks the driveway needs to stay where it is so they are not going to change it.

Mr. Calder made a motion to approve the application, seconded by Councilwoman Tsigounis. On Roll Call: Mayor Romeo, Councilwoman Tsigounis, Mr. Morgan, Ms. Bauer, Mr. Calder, Mr. Durakis, Mr. Mandelbaum, Mr. Moss and Mr. Ulshoefer all voted yes.

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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. Ulshoefer to adjourn the meeting at 8:38 PM, seconded by Mr. Durakis. All present were in favor. Motion approved.

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The next four regular Planning Board meetings are scheduled for April 11, April 25, May 9 and May 23, 2017, at 7:30 PM in the Borough Hall.

Respectfully submitted,

Carolyn M. Petillo  
Recording Secretary