

Approved 5/13/15

**REGULAR PUBLIC MEETING OF THE
TENAFLY PLANNING BOARD
APRIL 22, 2015**

Chairperson Wilmit called the meeting to order at 8:00 p.m.

The announcement was made regarding compliance with the Sunshine Law.

The secretary was asked to call the roll:

Voting members present:	Mayor Peter Rustin	Mary Beth Wilmit
	Kevin Tremble	Gus Allen
	Eugene Marcantonio	Jon Warms
	Marc Harrison	Ted Kagy
	Sheryl Gaines	Eugene Kwon

Voting members absent: Councilman Mark Zinna

Others present: Jeffrey Zenn, Esq.
David Hals, P.E.

A motion was made by Mr. Warms and seconded by Mr. Kagy to approve the Special Public Meeting minutes of April 8, 2015. A voice vote carried the motion. All eligible members voted in favor; none were opposed.

PUBLIC HEARINGS

PB#1-15-06, Minor Subdivision with Variances

Block 802, Lot 9

59 George Street

Applicant: Marc Celli & Christopher Arp

Mr. Elliot Urdang is the attorney for the applicant. Mr. Zenn noted that all documentation was in order for the hearing to proceed this evening. Mr. Urdang called upon Mr. Christopher Lantelme of Lantelme, Kurens & Associates, P.C. for his testimony. He gave his credentials to the board and was accepted as an expert in the field of engineering. He reviewed his plan entitled "Subdivision for 59 George Street" previously submitted to the board, last revised 4/7/15, as per D. Hals' comment letter dated 4/2/15.

Mr. Urdang entered the following exhibit into the record:

- Exhibit A-1, 4/22/15, Photograph of dwelling & garage depicting existing structures, taken by E. Urdang's associate

The property is located on the westerly side of George Street in the R-9 Residential Zone District. The lot is 18,974 S.F. and contains a single family dwelling, detached garage and driveway. The proposal is to remove the existing dwelling and site improvements and subdivide

the property into two (2) new building lots. Each of the proposed lots conform to the R-9 zone district requirements for lot area. The northerly lot is 9,429 S.F. and the southerly lot is 9,544 S.F. There are variances required for lot frontage and lot width for each of the proposed lots.

Mr. Lantelme explained that the plans were revised pursuant to Mr. Hal's completion letter of April 2, 2015. The lots were renumbered; the right-of-way of George Street was shown on the plan. The curb, sidewalk and right-of-way on the opposite side of the street were added to the plan. The existing sanitary sewer line was labeled properly. The applicant will agree that the existing curb and sidewalk would be replaced along the entire property frontage.

Mr. Lantelme reviewed the "Average Lot Width Study" shown on the plans with the board. He noted that the study encompassed all lots within 500' on George Street. The average lot width is 52.9'.

He assured the board that the drainage on the two (2) new lots will meet all present Borough requirements. All drainage requirements will be reviewed by the Planning Board Engineer.

Mr. Urdang entered the following exhibit into the record:

- Exhibit A-2, 4/22/15, copy of Tax Map Segment, Borough of Tenaflly, showing proposed subdivision lot and surrounding lots.

The meeting was open to the public with questions of this witness. There being no one with questions for Mr. Lantelme, this portion of the meeting was closed.

Mr. Hals' was sworn in to give his testimony. He noted that all revisions he requested in his letter of April 2, 2015, had been made.

Mr. Urdang called upon Christopher Arp, the applicant, to give his testimony regarding the proposed new homes. After discussion between Mr. Urdang and the board regarding whether Mr. Arp would be bound by any testimony regarding the size and details of the homes, it was decided that Mr. Arp would not testify this evening.

Mr. Urdang called upon David Spatz for his testimony. After giving his credentials to the board, he was qualified as an expert in the field of planning. Mr. Spatz reviewed the average lot width study again with the board and noted that many lots across the street have less than a 50' frontage as required. He also indicated that most lots in the area do not meet the 75' width at setback requirement either. He reviewed the negative and positive criteria for C-2 variances. He testified that the proposed variances are not detrimental to the neighborhood as the lot area exceeds that of neighboring lots.

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Board members expressed concerns about the intensity of the neighborhood. There is one home on the site now and the applicant is proposing to build two (2) homes. The lots are very narrow. Mr. Spatz noted that he had not seen architectural plans. Board members questioned how he could know that the homes would stay consistent in size and character of the neighborhood if he hadn't seen any plans.

The meeting was open to the public with questions of this witness. There being no one with questions for Mr. Spatz, this portion of the meeting was closed.

The meeting was open to the public for comments on the entire application. The following individuals expressed support for the project:

- Dean Pedoto, 51 George Street
- Allan Young, 228 Tenaflly Road
- Stuart Conboy, 53 George Street

There being no one else wishing to comment on the application, this portion of the meeting was closed.

Mr. Urdang gave a brief summation of the application urging board members to approve the minor subdivision.

Board members deliberated on the application testimony. They were bothered that the applicant chose not to testify as to the size and style of the proposed homes. One board member commented that the application doesn't seem like it would be a substantial deviation from the rest of the neighborhood. Other board members were concerned with the depth of the lots and that the homes would be substantially larger than those surrounding them.

Mr. David Hals was sworn in to give testimony on the size of the homes which could be built on the property. He indicated that from the frontage you would be looking at a 30' wide home, consistent with some of the homes on George Street; however, because of the depth of the lots, larger homes could be built on the lots. If the subdivision is denied, a very large house could be built on the property. If the subdivision is approved, because of the depth of the lots, two larger homes can be built.

A motion was made by Mr. Marcantonio and seconded by Mr. Kagy to deny the subdivision application as presented. The roll was called and the motion carried. Voting YES: Mrs. Wilmit, Mr. Allen, Mr. Tremble, Mr. Warms, Mr. Harrison, Mr. Marcantonio, Mr. Kagy, Mrs. Gaines and Mayor Rustin.

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COMMITTEE REPORTS

Mrs. Wilmit noted that the Site Plan Review Committee met with representatives of an applicant who will be coming before the board with a completed application in several months.

Mr. Warms advised the board that the Environmental Commission has been awarded a \$1,500 grant from ANJEC (Association of New Jersey Environmental Commissions) re: Tenaflly Nature Center Trail System GIS Inventory and Assessment Project.

Mr. Tremble explained that a Certificate of Appropriateness was to be heard for 195 Jefferson Avenue at the April 9th Historic Preservation Commission meeting; however, due to an issue with notice, the hearing is rescheduled for tomorrow evening.

Mrs. Nicolosi reminded all board members to file his/her 2015 Financial Disclosure Statements by the end of the month. She noted that the Local Finance Board has started to fine local government officers for failure to file Financial Disclosure Statements. She will contact the Borough Clerk to see who hasn't completed the filing and forward an email to those individuals.

A motion was made by Mr. Harrison and seconded by Mr. Tremble to adjourn the meeting at 9:42 p.m. A voice vote carried the motion. All were in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary