

Approved 4/8/15

**REGULAR PUBLIC MEETING OF THE
TENAFLY PLANNING BOARD
MARCH 25, 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	Councilman Mark Zinna
	Mary Beth Wilmit	Kevin Tremble
	Gus Allen	Eugene Marcantonio
	Jon Warms	Marc Harrison
	Ted Kagy	Sheryl Gaines

Voting members absent: Eugene Kwon

Others present: Jeffrey Zenn, Esq.
Joseph Vince, P.E.

A motion was made by Mr. Warms and seconded by Mr. Kagy to approve the Work Session minutes of March 11, 2015. A voice vote carried the motion. All eligible members voted in favor; none were opposed.

PUBLIC HEARINGS

PB#1-15-02, Minor Subdivision

Block 412, Lot 2

88 Norman Place

Applicant: Build to Please, LLC

Ms. Jaclyn D'Arminio is the attorney for the applicant. Mr. Zenn noted that all documentation was in order for the application to proceed for hearing this evening. Ms. D'Arminio called upon Mr. David Garval of Azzolina & Feury Engineering Inc. for his testimony. He gave his credentials to the board and was accepted as an expert in the field of engineering. He reviewed his plans previously submitted to the board entitled "Minor Subdivision Map prepared for Build To Please LLC", dated 2/5/15.

The applicant is proposing to subdivide the existing property at 88 Norman Place. The lot is located on the southerly side of Norman Place in the R-10 Residential Zone District and contains 42,822 square feet. The existing site contains a single family dwelling, driveway, block, garage, concrete pond and an in-ground pool.

The proposal is to remove the existing dwelling and site improvements and subdivide the property into two (2) new building lots. There are no streets or extension of any off-tract improvements. Each of the proposed lots is conforming to the R-10 zone district requirements. The applicant is aware of the need to apply for a soil moving application for the removal of the existing structures.

Approved 4/8/15

Tenaflly Planning Board Regular Public Meeting
March 25, 2015
Page 2

The board posed questions about the size of the homes to be built, the size of the surrounding lots, drainage issues and the turtle population at the site. Mr. Tremble would like to see the existing home shifted to one of the lots to retain the character of the neighborhood.

The meeting was opened to the public for questions of Mr. Garval. The following residents addressed the board:

- Philip Bazzini, 278 Knickerbocker Road
- John Cicero, 82 Norman Place
- Reggie Smith, 91 Norman Place

There were questions/comments regarding overgrown trees and shrubs. A resident commented the home is in total disrepair and an eyesore. There was frustration with the Planning Board for considering this subdivision and questions as to why Tenaflly's codes aren't written properly to prevent older homes from being torn down and replaced. The applicants/owners of Build to Please, LLC were identified for the record. There being no one else from the public with questions for Mr. Garval, this portion of the meeting was closed to the public.

Mr. Zenn and Mrs. Wilmit explained Land Use Law to those present and indicated that if there is a subdivision application presented to the board that does not require any variances; the board is bound by law to approve such a request. They further went on to explain that the Planning Board is not the body which changes the laws for the Borough. This is done by the Mayor & Council. In fact, the Planning Board had worked to change zoning regarding 2-family homes and this ordinance failed at the Mayor & Council level.

Ms. D'Arminio had no additional witnesses. Mr. Zenn noted that a Report and Recommendation to the Tenaflly Planning Board regarding the application was received on March 23, 2015 from Tenaflly Historic Preservation Commission Chairman David R. Wall. The board will take this report into consideration. Ms. D'Arminio had no questions for Mr. Wall, who was present at the meeting.

The meeting was opened to the public for comments on the entire application. The following residents addressed the board:

- Richard Rosenblum, 96 Norman Place
- Lori Nessel, 82 Norman Place
- John Cicero, 82 Norman Place
- Mary Elizabeth Smith, 91 Norman Place
- Phil Bazzini, 278 Knickerbocker Road
- Douglas Murray, 28 Norman Place
- Sharon Frank, 175 Westervelt Avenue
- Catherine Buerger, 87 Norman Place

Most residents were against the subdivision and particularly against demolishing the home. Norman Place is a park like area which should be preserved. The home was the site of a turtle

Approved 4/8/15

Tenafly Planning Board Regular Public Meeting
March 25, 2015
Page 3

preserve enjoyed by many Boy Scout troops and neighbors. There is a chicken coop on the block. The character of the neighborhood shouldn't be changed. One resident was in favor of the subdivision and is hopeful that the new homes will be well maintained given that the existing home is in disrepair and that the resident isn't able to enjoy his own backyard due to overgrown shrubs/trees and debris.

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

Ms. D'Arminio stated that her client indicated that it is not economically feasible to move the home to another location on one of the lots. There has been no architect retained as of yet so there has been no thought as to the size/type of home to be built on the property. The board would like to see the curbing match what is presently in the neighborhood. This cannot be a condition of the resolution; however, the Planning Board engineer can recommend this during the construction phase at the site.

Mr. D'Arminio gave a brief summation to the board on the minor subdivision application, which has no variances. Both lots will be conforming to Borough code and she urged the board to approve the application as submitted.

Board members commented on the application explaining to the public that although many concerns were given this evening to maintain the neighborhood as it is, the fact remains that this is a minor subdivision with no variances and as such, they will be voting in favor of the application tonight.

A motion was made by Mr. Marcantonio and seconded by Councilman Zinna to approve the minor subdivision application as submitted with fully conforming lots. The roll was called and the motion carried. Voting YES: Mrs. Wilmit, Mr. Allen, Mr. Warms, Mr. Harrison, Mr. Marcantonio, Mr. Kagy and Councilman Zinna. Voting NO: Mr. Tremble and Mayor Rustin.

A motion was made by Mr. Marcantonio and seconded by Mr. Allen to have Mrs. Nicolosi forward a memo to Planning Board Engineer David Hals to recommend that the curbing on the site be in conformity with other curbs in the neighborhood. A voice vote carried the motion.

Mr. Tremble noted for the public that the Planning Board reviewed a memo on Transfer of Development Rights recently. Copies of this document can be requested.

The board took a brief recess.

PB#1-15-01, Minor Subdivision

Block 124, Lot 13

195 Jefferson Avenue

Applicant: Jerry O'Brien/O'Brien Signature Homes, LLC

Approved 4/8/15

Tenaflly Planning Board Regular Public Meeting
March 25, 2015
Page 4

Ms. Jaclyn D'Arminio is the attorney for the applicant. Mr. Zenn noted that all documentation was in order for the application to proceed for hearing this evening. Ms. D'Arminio called upon Mr. Michael Hubschman of Hubschman Engineering, P.A. for his testimony. As he has appeared numerous times before the Planning Board, he was accepted as an expert in the field of engineering.

The application is proposed to subdivide the existing property at 195 Jefferson Avenue. The lot is located at the southwest corner of Newcomb Road and Jefferson Avenue. The property contains the Christie-Parsels House, which is a designated historic site. The property is located in the R-9 Residential Zone District and contains 35,162 square feet. The proposal is to subdivide the property into two lots. There are no streets or extension of any off-tract improvements. Each of the two (2) proposed lots is conforming to the R-9 Residential Zone District requirements.

The following exhibit was marked for the record:

- Exhibit A-1, 3/25/15, Colorized Version of Sheet 1 of 2 entitled "Minor Subdivision, No. 195 Jefferson Avenue Subdivision, dated 1/7/15.

Mr. Hubschman reviewed the plans with the board. Proposed Lot 13.01 is to contain the existing Christie-Parsels House. The existing driveway from Jefferson Avenue to the rear garage is to be relocated onto the new proposed lot. The existing driveway that crosses Proposed Lot 13.02 is to be removed. An existing shed and patio near the westerly property line are to be removed. Proposed Lot 13.02 is the new building lot.

The meeting was opened to the public for questions of Mr. Hubschman. There being no one from the public, this portion of the meeting was closed.

Ms. D'Arminio advised the board that the applicant has been working with the Historic Preservation Commission and will be filing a Certificate of Appropriateness application tomorrow morning. Mr. Zenn noted that a Report and Recommendation to the Tenaflly Planning Board regarding the application was received on March 23, 2015 from Tenaflly Historic Preservation Commission Chairman David R. Wall outlined some of the items requested by the commission. The board will take this report into consideration. Ms. D'Arminio had no questions for Mr. Wall, who was present at the meeting.

Mr. Hals noted in his letter of February 17, 2015 that a design waiver is required for the proposed lot line. The lot line is not at a right angle to Jefferson Avenue. Mr. Joseph Vince, an engineer from Mr. Hals' firm explained this waiver.

Mr. Hals also indicated in his February 17, 2015 letter that several retaining walls are proposed to be removed from Proposed Lot 13.02. It should be determined if the walls have any historical significance. Mr. Zenn noted that this matter will be resolved before the Historic Preservation Commission when the applicant files for his Certificate of Appropriateness.

Tenafly Planning Board Regular Public Meeting
March 25, 2015
Page 5

The meeting was opened to the public for comments on the entire application. There being no one from the public wishing to comment, this portion of the meeting was closed.

Ms. D'Arminio gave a brief summation to the board on the minor subdivision application, which has no variances. The present owners will continue to live in the Christie-Parsels House and the applicant will work with the Historic Preservation Commission. Both lots will be conforming to Borough code and she urged the board to approve the application as submitted.

A motion was made by Councilman Zinna and seconded by Mr. Marcantonio to approve the variance-free minor subdivision application as submitted with fully conforming lots. The applicant will be required to file a Certificate of Appropriateness application with the Historic Preservation Commission. The roll was called and the motion carried. Voting YES: Mrs. Wilmit, Mr. Allen, Mr. Tremble, Mr. Warms, Mr. Harrison, Mr. Marcantonio, Mr. Kagy, Councilman Zinna and Mayor Rustin.

PB#1-15-03, Minor Subdivision

Block 603, Lot 45

50 Knickerbocker Road

Applicant: 50 Knickerbocker LLC

Mr. Gordon Braverman is the attorney for the applicant. He noted that his engineer was delayed at a meeting in Closter. He presented the application himself to the board.

The applicant is proposing to subdivide the existing property. The lot is located on the northeast corner of Knickerbocker Road and Oak Avenue. It is in the R-20 Residential Zone District and contains a single family dwelling and circular driveway. The proposal is to remove the existing dwelling and site improvements and subdivide the property into two (2) new building lots. There are no streets or extension of any off-tract improvements. Each of the proposed lots is conforming to the R-20 zone district requirements for lot area, width and frontage. There are no design waivers required.

Mr. Braverman reviewed the plans entitled "Subdivision for 50 Knickerbocker Road, prepared by Christopher Lantelme of the firm of Lantelme, Kurens & Associates, P.C., last revised 3/11/15 in accordance with Planning Board Engineer David Hals' recommendations in his letter of 3/3/15. Mr. Joseph Vince confirmed that the revisions were made and acceptable.

Mr. Zenn noted that a Report and Recommendation to the Tenafly Planning Board regarding the application was received on March 23, 2015 from Tenafly Historic Preservation Commission Chairman David R. Wall. The board will take this report into consideration. Mr. Braverman had no questions for Mr. Wall, who was present at the meeting. Mr. Braverman noted that although the home is listed on the Borough's Inventory of Historic Properties, Identified Historic Sites based on Bergen County Historic Sites Survey, the home is not a local designated site or protected by ordinance.

Approved 4/8/15

Mr. Braverman indicated that an application for approval has been submitted to the Bergen County Planning Board. The matter is scheduled to be on an agenda soon.

Tenafly Planning Board Regular Public Meeting

March 25, 2015

Page 6

The meeting was opened to the public with the questions for Mr. Braverman. Carol Hadden, 50 Knickerbocker Road, addressed the board. She is the owner of the home and indicated that she is in favor of the application as presented.

Mr. Tremble requested that the applicant go before the Historic Preservation Commission and ask if the home could be moved. The applicant is not required to meet with the Historic Preservation Commission. Mr. Braverman will discuss the matter with his client.

The meeting was opened to the public for comments on the entire application. There being no one from the public wishing to comment, this portion of the meeting was closed.

A motion was made by Mr. Marcantonio and seconded by Mr. Allen to approve the variance-free minor subdivision application as submitted with fully conforming lots. The roll was called and the motion carried. Voting YES: Mrs. Wilmit, Mr. Allen, Mr. Warms, Mr. Harrison, Mr. Marcantonio, Mr. Kagy, Councilman Zinna and Mayor Rustin. Voting NO: Mr. Tremble

A motion was made by Mr. Kagy and seconded by Mr. Allen to adjourn the meeting at 10:33 p.m. A voice vote carried the motion. All were in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary