

Approved 9/14/16

**REGULAR PUBLIC MEETING OF THE
TENAFLY PLANNING BOARD
AUGUST 24, 2016**

Vice Chairperson Allen called the meeting to order at 8:10 p.m.

The announcement was made regarding compliance with the Sunshine Law.

The secretary was asked to call the roll:

Voting members present:	Gus Allen	Mayor Peter Rustin
	Gene Marcantonio	Marc Harrison
	Jon Warms	Sheryl Gaines
	Eugene Kwon	Marc Harrison

Voting members absent:	Mary Beth Wilmit	Councilman Mark Zinna
	Ted Kagy	Adam Michaels

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

A motion was made by Mr. Marcantonio and seconded by Mr. Warms to approve the minutes of the Regular Public Meeting of July 27, 2016. A voice vote carried the motion. All eligible members voted in favor; none were opposed.

A motion was made by Mr. Marcantonio and seconded by Mr. Harrison to approve the minutes of the Work Session of August 10, 2016. A voice vote carried the motion. All eligible members voted in favor; none were opposed.

PUBLIC HEARING

PB#1-16-02, Minor Subdivision with variance

Applicant: David & Daryn Katz

Block 1709, Lot 5

86 Hillside Avenue

Mr. Elliot Urdang is the attorney for the applicant. He indicated that he would be calling several witnesses including his engineer, planner, architect and his applicant, Mr. Katz. He called upon Mr. Michael Hubschman as his first witness. As Mr. Hubschman has appeared before the Tenafly Planning Board numerous times, he was qualified as an expert in the field of engineering. He entered the following exhibit into the record:

- Exhibit A-1, 8/24/16, Colorized version of Drawing No. 3466-2, "Existing Conditions Plan, Proposed Subdivision, No. 86 Hillside Avenue" prepared by Hubschman Engineering, P.A. dated 6/17/16

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Mr. Hubschman reviewed the application and plan with the board. The property is located on the southerly side of Hillside Avenue in the R-10 Residential Zone District. The lot contains 29, 283 s.f. and presently has two (2) dwellings, a garage and a driveway. The proposal is to remove all existing structures and the driveway to subdivide the property into two (2) new lots. Each of the proposed lots conforms to the R-10 zone district requirements for lot area. Lot 5.01 is 14,666 s.f. and Lot 5.02 is 14,617 s.f. Each of the proposed lots requires lot width at setback variances. The minimum required width at the building setback line in the R-10 zone is 85'. Both lots have proposed 71.16' at setback. He reviewed the average lot width table provided on the plans noting that the average lot width of the properties within 500' of the subject property is 74.23'.

The following exhibit was entered into the record and briefly reviewed by Mr. Hubschman:

- Exhibit A-2, 8/24/16, Colorized version "Aerial Map, Proposed Subdivision, No. 86 Hillside Avenue" prepared by Hubschman Engineering, P.A., dated 8/24/16

Board members had questions about the steep slopes on the property. Mr. Hubschman indicated that these areas, shown on the plan in the right hand corner of the site, would not be disturbed. Any newly constructed dwelling would not interfere with the steep slopes. Both homes will be located in alignment with the other homes on the block.

Planning Board engineer David Hals has no questions for Mr. Hubschman. The meeting was opened to the public with questions for Mr. Hubschman regarding the shape of the homes, the size of the proposed subdivided lots in comparison to other lots, the grading of the street, the size and number of trees in the building envelope for each lot, clarification that two (2) homes were being taken down and two (2) homes would be built, the placement of driveways for each lot, drainage and traffic concerns. Those individuals with questions included:

- Carl Zipperle, Hillside Avenue
- Daniel Pollak, Hillside Avenue
- Mary Salpukas, Hillside Avenue

Mr. Hubschman indicated that no traffic study had been done for the applicant. Having answered all questions asked by the public to which he had given testimony, this portion of the meeting was closed.

Mr. Urdang called upon Mr. Sean Moronski, planner for the applicant. He gave his credentials to the board and was qualified as an expert in the field of planning. It was noted that Mr. Moronski had worked previously for the present Borough Planner Burgis Associates, Inc., several years ago. He noted that he has visited the site, met with his clients and professionals for the application, reviewed the Borough's Master Plan and reviewed Board engineer Mr. Hals' review letter of July 22, 2016.

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He reviewed the key chart of lot width within a 500' radius of the property with the board. He noted that the home is listed in the "Identified Historic Sites (based on Bergen County Historic Site Survey)", part of the Borough's Master Plan; however, the property has not been protected by ordinance.

The following exhibit was entered into the record, with copies being distributed to the board members and professionals:

- Exhibit A-3, 8/24/16, Series of seven (7) photos taken by applicant Planner Sean Moronski and one (1) Google aerial shot

Mr. Moronski reviewed this photo packet with the board members. He explained the positive/negative criteria as it relates to C-2 variances. The benefits of this subdivision outweigh the detriments. The lot width at setback is within the range of what presently exists in the adjacent lots. The plan calls for replacing two (2) buildings on one (1) lot with one home located in front of the other with two (2) homes on two (2) separate lots. There is no substantial detriment to the neighborhood or zone plan. New dwellings provide a benefit in that all drainage will need to be updated from what is presently there.

There was some board discussion regarding density and intensity. Mr. Moronski testified that as a planner that two (2) homes on subdivided lots would fit in with the neighborhood. He reiterated again that the proposed application is consistent with the goals and objectives of the Borough's Master Plan.

Planning Board engineer David Hals had no questions for Mr. Moronski. The meeting was opened to the public with questions for Mr. Moronski. Mr. Carl Zipperle, Hillside Avenue, had questions regarding the setbacks requested, the marketability of the homes, drainage concerns, lot sizes in the R-10 zone, intensity/density and historic preservation as noted in the Master Plan. Mr. Moronski answered those questions to which he had given testimony. Mr. Zipperle wished to provide his own exhibit. Mr. Zenn indicated that he could do this after all testimony has been concluded. The public would be given an opportunity to comment on the entire application. At this point of the hearing, Mr. Zipperle could provide his exhibit.

Mr. David Wall, Cameron Road, came forward as a Class "B" member of the Historic Preservation Commission. He asked if Mr. Moronski was aware that this property is listed in the Master Plan. He indicated that he was aware. Mr. Wall then asked Mr. Moronski to look at the bottom of the chart included in the Master Plan and read the significance key. Mr. Urdang objected to this.

Mr. Wall commented that the Historic Preservation Commission is supposed to be given copies of all applications which deal with possible historic properties. Mrs. Nicolosi noted that the application was forwarded to Chairperson Karen Neus on August 1, 2016, for review by the Historic Preservation

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Commission. Mr. Wall testified that it was a detriment to demolish a home built in 1861-1867. Mr. Moronski indicated again that this property was not protected by Borough ordinance. Mr. Wall questioned Mr. Moronski regarding the streetscape who indicated that the homes would improve the streetscape.

Mr. Wall requested that the following exhibit be entered into the record:

- Exhibit O-1, 8/24/16, "Bergen County Historic Sites Survey, Borough of Tenaflly, dated 1982-1983"

He noted that many years ago, the Historic Preservation Commission tried to get the entire Hillside Avenue District designated as historic. Mr. Moronski was not aware of those proceedings.

The following individuals had questions regarding the size of the homes presently on the lot, the number of bedrooms in each home, the benefits to the community, and the precedent set should the subdivision be approved:

- Alida Kratnoff, Highwood Avenue
- Daniel Pollak, Hillside Avenue
- Mary Salpukas, Hillside Avenue

Mr. Moronski answered those questions to which he had given testimony. He indicated that there will be no precedent set as each application must stand on its own merits. He reviewed the negative/positive criteria again for the residents.

There being no further questions from the public for this witness, this portion of the meeting was closed to the public.

The board took a 10 minute recess. The meeting was resumed at 10:17 p.m. Mr. Zenn indicated that the board would adjourn tonight's meeting at 10:45 p.m.

Mr. Urdang called upon Mr. Robert Zampolin to give his testimony. He gave his credentials to the board and was qualified as an expert in the field of architecture. He entered the following exhibit into the record:

- Exhibit A-4, 8/24/16, Architectural rendering of new homes on Hillside Avenue

Mr. Zampolin indicated that the proposed homes for the property are consistent with the neighborhood. There will be porticos on both homes. He addressed concerns regarding the driveway locations for the homes raised earlier in the evening. Each driveway will have ample room to permit a K-turn which would allow a vehicle to enter Hillside Avenue nose first. Mr. Zampolin noted that

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Mr. Katz, the applicant, planned to live in one of the homes and will control the design of the other home on the other lot. He noted that the front doors face Hillside Avenue.

Board members had questions about the width of the home and concerns that the garages were located in the front of the home and would be seen from the street. Mr. Zampolin indicated that there was ample room to build homes on each site and the location of the garages permitted the K-turns from the driveway. At this point it is not known the number of trees which would need to be removed to permit the construction of these homes. The applicant would need to apply for a tree permit. The drainage on the site was discussed. Mr. Zampolin indicated that it will be much improved from what is presently on site.

Planning Board engineer David Hals had no questions for Mr. Zampolin. The meeting was opened to the public with questions for Mr. Zampolin. Mr. Carl Zipperle, Hillside Avenue, had questions regarding the square footage and locations of each home. He inquired as to the type of architectural style and had questions regarding the garages and the number of cars in the driveways. Mr. Zampolin answered questions for which he gave testimony. Mr. Urdang objected to the general comments made by Mr. Zipperle indicating that questions were to be made to the witness. There being no one else from the public with questions for Mr. Zampolin, this portion of the meeting was closed to the public.

Mr. Urdang noted that the applicant is not responsible for forwarding the application and the submitted plans to the Historic Preservation Commission. He indicated that Mrs. Nicolosi told the board that she had forwarded same to the Historic Preservation Commission.

Mr. Zenn indicated that the hearing for this application, PB#1-16-02, Applicant: David & Daryn Katz, Block 1709, Lot 5, 86 Hillside Avenue, will continue on Wednesday, September 28, 2016, at 8:00 p.m. in Council Chambers without further notice.

A motion was made by Mr. Marcantonio and seconded by Mr. Harrison to adjourn the meeting at 10:55 p.m. A voice vote carried the motion. All were in favor; none were opposed.

Respectfully submitted,

Valerie B. Nicolosi
Planning Board Secretary