

Regular Public Meeting of the Englewood Cliffs Planning Board
Minutes
October 8, 2015

The Regular Meeting of the Englewood Cliffs Planning Board was called to order by Chairman Fehre at 7:30 PM.

Present at Roll Call:

Mrs. Fehre
Mrs. Rosenberg entered @7:44pm
Mr. Torvato
Mr. Kilmartin entered @7:40 pm
Mr. Dooly
Mr. Surace, 3rd Alternate
Mr. S. Kim, 4th Alternate

Absent:

Mr. Nikow
Mr. K. Kim 1st Alternate
Mr. Duffy 2nd Alternate
Councilwoman Oh
Mayor Parisi

Also Present:

Jeffery Morris, PE, of Boswell Engineering, the Borough's consulting engineer
Michael Kates, Esq., of Kates Nussman Rapone Ellis & Farhi, the Board's attorneys.

Public notice of this meeting has been given in compliance with the Open Public Meeting Law by advertisement in The Record, The Star Ledger, and posting of notice on the municipal building bulletin board at 482 Hudson Terrace.

Flag Salute led by Mr. Vincent Surace

The minutes of April 9, 2015, May 14, 2015 & June 11, 2015 meetings motioned by Mr. Surace seconded by Mr. S. Kim, and approved by voice vote.

Old Business:

None

New Business:

Application #251K - New Home Site Plan Approval
Mr. & Mrs. Civan – 560 Floyd Street – Block 609 Lot 10

Mr. Cereste attorney representing the applicant gave a description of the application to be a demolition of a one story home at 560 Floyd Street, Block 609 Lot10 and to rebuild a 2 ½ story center hall colonial style home. The property is 50 x 150 which is very narrow and unable to acquire additional land to make it a conforming lot for the RA zone which requires 10,000 sq. feet. They have 7700 sq. feet. This lot also does not have the minimum lot width of 100 feet. This generated what we call a bulk "C" variances to construct this dwelling. Variance that are required for this application are:

Minimum Lot Area 7787 Sq. Feet where 10,000 Sq. Feet is required

Minimum Lot Width 49.26 Ft. where 100 Ft. is required this is existing non-conforming
Corner Side Yard 8 Ft. to Chimney & 10 to Structure where 15 Ft. is required this is

existing non-conforming

Side Yard 5.6 Ft. where 10 Ft. is required this is existing non-conforming

Both Sides 13.6 Ft. where 30 Ft. is required this is existing non-conforming

Impervious Coverage 53.9% where 51% is required

Mr. Cereste listed the following items as exhibits for this application:

- A-1 Site Plan (2 pgs.) by Mark Martins dated 4/30/15
- A-2 Architectural Drawing (2 pgs.) by Mario Lacahanaris dated 4/23/15
- A-3-4-5 Three Photos by Mr. Civan taken approx. 1 month ago
- A-6 Drainage Calculations by Mark Martins dated 5/1/15
- A-7 Photo Board (6) by David Spatz
- A-8 Survey of existing house by Mark Martins dated 5/22/14 Revision 10/8/14
- A-9 Colorized Site Plan (1 page) by Mark Martins dated 4/30/15

Mr. David Spatz was called first due to conflict with another meeting. Mr. David Spatz, 60 Friend Terrace, Harrington Park, NJ, professional planner. Mr. Spatz gave a description of the photos of the existing dwelling today. The property slopes up from Floyd St. to the west. This is a single family smaller home than those within the area. Mr. Cereste submitted 3 additional photos of the home which are marked as A-3-4-5.

Mr. Kilmartin entered the meeting at 7:40 pm.

Mr. Spatz went over the zoning requirements for the property and described the variances they were trying to obtain for this application. Mr. Spatz believes that all the variances they are requesting are because of the under sized lot. These would be a 'C1" variance and the hardship is again due to the size of the existing lot. Mr. Spatz feels that the variances they are trying to acquire is not a detriment to the neighborhood.

Mr. Fehre questioned the side yard set back towards the south side. Mr. Spatz stated the existing is 5.9' and we are proposing 5.6'.

Mr. Kilmartin question what the height of the house will be? Mr. Spatz stated 29.92' at grade and 31.54' at the mean curb.

Mr. Spatz stated he feels that this can be granted due to it being a "C1" hardship variance due to the property being undersized by approx. 2200 sq. ft. and is also narrow and they have no way to enlarge the property.

Mr. Chinman questioned the access out of the driveway onto Floyd Street that it may be dangerous. Mr. Spatz feels there could be enough room on the driveway to do a "K" turn before exiting. Mr. Chinman questioned the sq. footage of the existing to the new home. Mr. Spatz stated the first floor of the existing is approx. 800 sq. feet and the first floor of the new home will be approx. 2400 sq. feet.

Mr. Cereste called his second witness Mr. Mark Martins, P.E. 5 Walnut Street, Norwood, NJ.

Mr. Martins described the existing dwelling and lot using exhibit A-8. The existing structure has the front door on Demarest as will the new dwelling. The existing set back on the Demarest side is 15.1 feet and on the opposite side which would be the side yard they have 5.7 ft. towards the front and 5.9 ft. towards the rear of the structure. The rear yard is approx. 52 ft. and the front yard is 38.6 ft.

Mr. Cereste questioned what the new dwelling side yard will be compared to the existing. Mr. Martins stated that it will be 5.6 ft. which is nearly the same as what it is now.

Mr. Martins described to the members the zoning table of what they are proposing:

- Front Yard 40'
- Rear Yard 40.4'
- Corner Side 8' to Chimney and 10' to Structure
- Side Yard 5.6'

The variances we are requesting is the side yard of 5.6' where 10' is required and the corner side of 8' and 10' where 15' is required. Mr. Martins stated that to conform to the lot they would have to have a structure no wider than 25'. The current structure is approx. 30.1'. The footprint of the new structure will be approx. 2400 sq. ft. Mr. Martins stated they will be using permeable pavers for the driveway.

Mr. Kilmartin questioned if the set back on Floyd will be in line with the other homes on Floyd? Mr. Martins stated yes, we designed it to line up with the homes.

Mr. Kilmartin questioned what is the height of the existing structure? Mr. Martin stated they did not measure it but estimated that it looks like approx. 15'. Where as the new dwelling will be 31.54' at the mean curb and 29.92 at grade.

Mr. Fehre questioned if the driveway is pitched down toward the dwelling. Mr. Martins stated no it is actually pitched a little toward the street and again permeable pavers will be used to help the drainage. Mr. Trovato questioned where the a/c units will be. Mr. Martins stated on the rear side of the dwelling.

Mr. Martins stated that there will be some retaining walls 3-4' in height on the driveway area. There will be a seepage pit placed in the driveway. Mr. Martins stated that the drainage plan complies with the Borough requirements.

Mr. Martins stated he reviewed Mr. Mirandi's letter and feel there is no problem with us to comply with his requests.

Mr. Dooly questioned that the total dwelling square footage is going to 4800 sq. ft. which is three times larger then what is there. Mr. Martins stated yes, but it is in compliance with the zoning building coverage of 32%. Mr. Kilmartin questioned if there is something showing the existing structure overlaid with the proposed. Mr. Martins stated that it is on the site plan drawing it is a little hard to see so he highlighted it in color which was then marked as exhibit A-9. The existing home is 1508 sq. feet with livable space of approx. 1200 sq. feet.

Mr. Chinman questioned if there was any consideration of leaving the driveway on Demarest as is? Mr. Martins stated that the architect may answer that better, but he feels that leaving it on Demarest then the driveway would slope down and the house will then become much higher.

Mr. Mario Lachanaris, 1610 Center Street, Fort Lee, NJ, architect for the application described the existing dwelling that faces Demarest Avenue where the new dwelling will be facing the same way. The garage is on Demarest where as the new home will have it on Floyd Street. The existing dwelling is a 2 bedroom one bath home. The kitchen and dining area is very small. The proposed dwelling which will be 72' long with an additional 6' for a nook area. It will be a center hall colonial style home. The house will be 30' in depth. The reason why the driveway/garage is placed on Floyd Street is so that the family will have access to the back yard from the family room. If the driveway/garage is on Demarest they would have to go through the garage to access the backyard. The basement will have access to the side yard through a door. Basement will have several rooms, bar area and full bath.

Mr. Chinman questioned the height of the house on the Floyd Street side. Mr. Lachanaris stated it will be approx. 35'. Mr. Kim questioned the distance from the new structure on the south side to the next house on Floyd is it approx. 12' apart and are there windows on that side. Mr. Lachanaris stated yes.

Mr. Morris from Boswell Engineering stated there are a couple of concerns in regard to the walls that are being constructed on the property. Do you feel you would be catching water where they are? Mr. Martin stated no he doesn't feel that will happen.

Chairman Fehre asked for a motion to open to public. Motion was made by Mrs. Rosenberg, seconded by Mr. Kilmartin and carried unanimously by voice vote.

No public comments made.

Chairman Fehre asked for a motion to close to public. Motion was made by Mr. Trovato, seconded by Mr. Chinman and carried unanimously by voice vote.

Mr. Chinman questioned Mr. Morris if the retaining walls they are proposing do you feel it will trap water on the neighbor's lot? Mr. Morris stated that's what he was concerned about and also that it should be taken into consideration. Mr. Kates stated that it should be a condition to the approval and that there should be engineering oversight to this matter. Mr. Martins stated he will work with the borough engineer during the construction.

Mr. Raffi Civan was sworn in at this time and questioned by Mr. Fehre on when the existing house was constructed? Mr. Civan stated it was built in the 1950's and that he renovated it approx. 14 years ago. Mr. Civan stated that the house is just too small for his family.

Mr. Kates questioned Mr. Civan to show on the drawings his home compared to his neighbors on Floyd and what is between them. Mr. Civan stated he has a berm and some landscaping on his property. On the neighbor's side there is a paver walkway which he also has and has put drainage along his property.

Mr. Fehre questioned what is the distance from the property line to the neighbors home. Mr. Civan stated approx. 7 ft.

Mr. Kates questioned if the landscaping that is there now will stay. Mr. Civan stated he is planning on keeping all the landscaping.

Mrs. Rosenberg stated that one of the concerns of many of the members is the size of the home. You are going from a 1200 sq. ft. home to approx. a 4800 sq. ft. home. Mr. Civan stated that when he purchased his home he did not have children and now he has 2 and are in need of space.

Mrs. Rosenberg questioned if they would consider amending the house plans to make it smaller. Mr. Cereste stated they would shift the house over 2-3 feet towards Demarest Ave. to leave more space between the homes. Mr. Dooly stated he would have more concern about that. His concern is the setback on Demarest.

Mr. Kilmartin stated that moving it closer to Demarest is causing more of a problem. The house is nice but just too large for the property.

Chairman Fehre asked for a motion to approve the application. Motion was made by Mr. Fehre, seconded by Mr. Trovato. This motion was denied by roll-call vote. 3 Ayes (Mr. Fehre, Mr. Trovato, Mr. Surace), 5 Nays (Mrs. Rosenberg, Mr. Kilmartin, Mr. Dooly, Mr. Chinman, and Mr. S. Kim) No Abstentions.

Mr. Kates gave a briefing on the application for Montrose Dean which has an appeal pending by Mr. Morfesis. He stated that he requested it to be dismissed. It is returnable at the end of the month.

Mr. Kates also discussed the information that was sent to each member in regards to the LG case and that it be kept confidential as per the Mayor.

Chairman Fehre gave a briefing to the members on the zoning ordinances and the changes that are being proposed, which have been worked on for several months with the zoning official Paul Renaud, Michael Kates and Cathy Scancarella. We will have to schedule a public hearing for this but we just don't know when. Members should start to read over the changes and make comments or concerns if any.

There was no people in the public so the board did not open for public comments.

Chairman Fehre asked for a motion to adjourn the meeting at 9:20 pm. Mr. Kilmartin made a motion, seconded by Mr. Trovato, and carried unanimously by voice vote.

Respectfully submitted



Caterina Scancarella
Planning Board Administrative Secretary

ENGLEWOOD CLIFFS PLANNING BOARD
REGULAR MEETING – October 8, 2015 7:30 PM

10 Kahn Terrace, Englewood Cliffs, NJ

CALL TO ORDER

The meeting of the Englewood Cliffs Planning Board will come to order this (date). The time is (time).

"OPEN PUBLIC MEETINGS ACT" STATEMENT

Public notice of this meeting has been given in compliance with the Open Public Meeting Law by advertisement in The Record, Star Ledger, and posting of notice on the municipal building bulletin board at 482 Hudson Terrace, Englewood Cliffs.

ROLL CALL

FLAG SALUTE LED BY:

APPROVAL OF MINUTES: April 9, 2015, May 14, 2015 & June 11, 2015

OLD BUSINESS:

NEW BUSINESS:

Morfesis v. Planning Board

Application #251K - New Home Site Plan Approval
Mr. & Mrs. Civan – 560 Floyd St. – Block 609 - Lot 10

PUBLIC COMMENTS OTHER THAN HEARING ON THIS AGENDA

COMMITTEE COMMENTS:

Zoning Recodification Committee Report

ADJOURNMENT



VIA EMAIL

October 1, 2015

Borough of Englewood Cliffs
482 Hudson Terrace
Englewood Cliffs, New Jersey 07632

Attention: Ms. Cathy Scancarella, Planning Board Secretary

Re: Plot Plan Review
Raffi and Denise M. Civan
560 Floyd Street
Block 609, Lot 10
Our File No. ECES-1391
ECPB Application No. 251K

Dear Ms. Scancarella:

Boswell McClave Engineering is in receipt of copies of the following documents:

- a. Planning Board , Borough of Englewood Cliffs, Application Form dated August 13, 2015 inclusive of an Addendum and Impact and Evaluation Statement [containing Exhibit A - Photographs of Property] prepared by the Applicant's Attorney, Saverio V. Cereste. Also attached are Certification of Taxes paid, Authorization and Consent to inspect the premises and Certifications on Restrictions and Covenants.
- b. Engineering Plan Set (2 sheets) entitled, "560 Floyd Street, Lot 10, Block 609 situated in the Borough of Englewood Cliffs, Bergen County, New Jersey," as prepared by Mark S. Martins, P.E. & L.S., of Mark Martins Engineering, LLC, dated April 30, 2015 consisting of the following drawings:
 - Sheet 1 of 2, Site Plan
 - Soil Erosion Plan/Details
- c. Architectural Plan Set (2 sheets) entitled, "Proposed One Family Residence, 560 Floyd Street, Englewood Cliffs, New Jersey," as prepared by Marios Lachanaris, Architect, LLC, dated April 23, 2015.
- d. Drainage Calculations as prepared by Mark S. Martins, P.E. & L.S. dated May 1, 2015.

Based on our review of the above referenced information and recent site inspections, we offer the following comments:

General

1. The Applicant/Owner in this matter is:

Raffi and Denise M. Civan
560 Floyd Street
Englewood Cliffs, New Jersey 07632

The Applicant should notify the Board of any change in the above mentioned information.

2. Block 609, Lot 10 (the "Site") is a corner lot located on the northwesterly intersection of Floyd Street and Demarest Avenue. The Applicant seeks to demolish an existing one (1) story ranch style dwelling and construct a new 2 ½ story single family dwelling with a permeable paver driveway fronting Floyd Street, a covered (entry) porch, a paver patio in the rear yard and Keystone retaining walls along the northwesterly property line and at both sides of the driveway. Also proposed are stormwater management improvements.

Boswell McClave Engineering deems the application complete from an engineering perspective.

Land Use

3. The property is located, in the R-A Residential Single Family Zoning District. Single Family dwellings are considered a permitted use in this zoning district.

Variances and Waivers

4. According to the application, the following variances are required and the Board should request comments from the Board Attorney regarding the requirements for variances or waivers for the following:
 - a. Minimum Lot Area: §30-6.1 – Schedule A requires a lot area of 10,000 sq. ft. An existing non-conformity of 7,787 sq. ft. is the existing and proposed area.
 - b. Minimum Lot Width: §30-6.1 – Schedule A requires a lot width of 100 feet. An existing non-conformity of 49.26 feet is the existing and proposed width.
 - c. Minimum Corner Side Yard: §30-6.1 – Schedule A requires a 15 feet corner side yard setback. The Site Plan indicates a proposed corner side yard setback of 10 feet to the building and 8 feet to the chimney.
 - d. Minimum Side Yard – One Side: §30-6.1 – Schedule A requires a 10 feet side yard (one side) setback. The Site Plan indicates a proposed side yard setback (one side) of 5.6 feet.
 - e. Minimum Side Yard – Both Sides: §30-6.1 – Schedule A requires a 15.33 feet side yard (both sides) setback. The Site Plan indicates a proposed side yard setback (both sides) of 13.6 feet.

- f. Maximum Impervious Coverage: The maximum permitted is 51%. The Applicant proposes 53.9%.

We also note an additional variance:

- g. Maximum Lot Coverage: (Possible Variance) The Zoning Schedule Table indicates a proposed maximum building coverage as complying at 31.88%. However, it is uncertain if the largest floor area was included in this calculation. Lot coverage is defined as that portion of a lot covered by the largest floor area. The architectural plans include cantilevered floor area at both bedrooms #2 and #3 at the second floor level.

Stormwater Management

5. We take no exception to the submitted drainage calculations.
6. Should the Planning Board look favorably upon this application, a soil log and percolation test shall be performed at the exact locations of the proposed stormwater management structures to substantiate the soils acceptance of such a system and to determine the elevation of groundwater and rock.
7. The installation of the stormwater management facility shall not be allowed to commence until this office has received and reviewed the aforementioned tests for acceptance. A note to this effect should be indicated on a revised plan.
8. The Applicant shall contact this office or the Building Department at least 48 hours prior to the installation of the seepage pits in order for this office to schedule the inspection of same. No Certificate of Approval shall be issued unless this office has inspected and accepted the drainage system. A note to this effect should be indicated on a revised plan.
9. No drainage from this property shall affect adjacent properties both during and subsequent to construction. Should any adjacent property be affected by runoff from this property, the Owner shall be responsible to remedy the matter at the owner's own cost.
10. Sump pumps are not indicated on the Architectural or Site Plans. Please provide testimony confirming whether sump pumps are or are not proposed.

Additional Comments

11. Should the Board look favorably upon this application, Soil Moving Calculations shall be provided.
12. In accordance with Section 30-7.15 of the Borough Code, any demolition activity of one or more structures and/or any new disturbance activity involving more than 5,000 square feet of area within the site, including the construction of one single-family dwelling or other project, the Applicant should contact the Bergen County Soil Conservation District (BCSCD) for their review of the application and obtain a Soil Erosion and Sediment Control Plan Certification.
13. Soil erosion control measures shall be maintained throughout the course of construction.

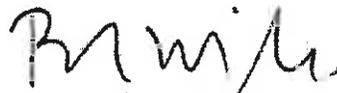
14. According to the engineering drawings, five (5) trees are indicated for removal and no shade trees are proposed. The Borough's Shade Tree and Environmental Commissions shall review/comment with regard to this plan. Their review is required to ensure that any removal of selected trees and the preservation of trees to remain are in accordance with the Borough Code. Four of the five trees proposed for removal are within the building and driveway footprint. One of the five trees proposed for removal is along the northerly property border.
15. The Applicant is reminded the proposed rear yard patio cannot exceed six (6) inches above the surrounding grade. In the event the patio elevation exceeds 6 inches above surrounding grade the building coverage calculations are affected.
16. The installation of the proposed improvements shall comply with any and all applicable Federal, State and local requirements, including Section 9-22 of the Borough of Englewood Cliffs Zoning Ordinance.
17. In the event the existing sanitary sewer connection is to be utilized, the Borough requires video inspections of the existing sanitary lines to ensure the adequacy of the line. As noted on the plans, the applicant shall provide a DVD of the video inspection of the sanitary line to the Superintendent of Public Works prior to Certificate of Occupancy. Also, all connections shall be discussed with the DPW Superintendent for his concurrence. A note to this effect is included on the engineering drawing.
18. The plan indicates the applicant is responsible for the replacement of all curbing along the property frontage. All necessary curb replacement and damaged paving shall be installed to the satisfaction of the Superintendent of Public Works.
19. The Applicant shall undertake, at the time of foundation completion, a foundation location survey inclusive of setback dimensions and top of "Block" elevation which shall be submitted to the Borough for review. A note to this effect should be indicated on a revised plan.
20. The Applicant shall survey the Roof Ridge Elevation upon completion of framing. Compliance verification with the allowable roof ridge elevation is required prior to commencement of roof sheathing. A note to this effect should be indicated on a revised plan.
21. Building height certification shall be provided by a licensed Land Surveyor in the State of New Jersey prior to the issuance of a Certificate of Occupancy. A note to this effect should be indicated on a revised plan.
22. An As-Built Survey shall be provided by a licensed Land Surveyor in the State of New Jersey prior to the issuance of a Certificate of Occupancy. A note to this effect should be indicated on a revised plan.
23. The engineering drawing depicts a 4 ft. high maximum 'Keystone' retaining wall being proposed along the driveway and a 3 ft. high maximum 'Keystone' retaining wall along the northerly property line. The Applicant shall be made aware of the following:
 - All retaining walls greater than four feet (4 ft.) in exposed height require retaining wall stability calculations to be provided by a Professional Engineer licensed in the State of New Jersey, signed and sealed, for the Municipality's review and approval prior to construction.

- All retaining walls greater than four feet (4 ft.) constructed on-site will require a certification of a licensed Professional Engineer that he/she has provided on-site inspection during the wall construction, proper methods were utilized in the construction, the wall has been constructed in accordance with the approved design drawings, the wall has been properly stabilized and the wall will be adequate for the intended purpose. Inspecting engineers must also certify appropriate batter, heights, and locations have been respected pursuant to the approved design drawings. Copies of these certifications are to be forwarded to the Municipal Engineer.
24. The Applicant shall review the proposed location of the generator with the Construction Code Official.
 25. The Board may wish to review the need for landscaping screening around the generator and AC units.
 26. The Board may wish to seek comment from the Englewood Cliffs Police Department on the proximity of the new driveway curb cut fronting on Floyd Street to the intersection with Demarest Avenue.
 27. Any other issues the Planning Board deems necessary.

Thank you for your kind attention to this matter. Should you have any questions or require anything further, please do not hesitate to contact me.

Very truly yours,

BOSWELL McCLAVE ENGINEERING



Bernard N. Mirandi, P.E.

BNM/amg

cc: Paul Renaud
Environmental Commission
Shade Tree Commission
Mark Neville, via email
Chief Michael Cioffi, via email – Note item 26
Ed Fehre, via email
Michael B. Kates, Esq., via fax & e-mail
Raffi and Denise M. Civan
Mark Martins Engineering, LLC.
Marios Lachanaris, Architect, LLC
Saverio V. Cereste, Esq., via email
Jeffrey L. Morris, P.E.
John Englese

