Borough of Cresskill
Zoning Board of Adjustment
Minutes Dec. 3, 2009

Present: Mr. Amicucci, Ms. Batistic, Mr. Kassis, Mr. Merzel, Ms. Furio, Mr. Moldt, Mr. Mueller (Board Attorney)
Absent: Mr. Benton, Mr. Gangi, Mr. McLaughlin,
The meeting was called to order at 7:42 pm.
Mr. Amicucci announced that the meeting had been published as required by the Sunshine Laws of the State of New Jersey.
The minutes from Oct 22, 2009 were approved.

#1163 Heller 11 Woodland Rd Block 190 Lot 10
The applicants were granted the following variances in the R-10 Single Family Zone.
They are proposing to construct an addition over an existing garage..

Min. Lot Area	Reqd: 10,000 S.F	Existing: 7,579 SF	Variance Reqd: 2,421 SF
Min. Lot Frontage	Reqd: 100’	Existing: 66.8’	Variance Reqd: 33.2’
Min. One Side Yd	Reqd: 15 ‘	Existing: 10.4’	Variance Reqd: 4.6’
Building Coverage	Reqd: 20%	Existing: 21.89%	Variance Reqd: 1.89%

Mr. Peter Heller and Mrs. Monica Heller were sworn in.
Mr. Mueller explained that since only 6 board members out of 9 were present tonight, 4 affirmative votes were needed to grant the application. The applicants have the option of postponing the hearing to the next Zoning board meeting.
Mr. and Mrs Heller said that they would have the hearing tonight.
Mr. Heller said that they are seeking variances because their property is too small and the garage is too close to the property line.
Mrs. Heller said that all the variances were existing.
Mr. Amicucci said that you want to add a 2nd floor over your garage. The addition will match the rest of the house, it will not be higher.
Mr. and Mrs. Heller agreed.
Mr. Moldt noted that there was a missing variance from the application. The required impervious is 33.3%, the existing impervious is 33.05%.
Mr. Amicucci agreed that this was an existing non-conforming.
Mr. Kassis said that the addition was going exactly over the garage, except for the cantilevered front that did not effect the front yard 25’ requirement.
Mr. Amicucci asked if there was anyone in the audience for or against the application.
Mr. Moldt made the motion to approve the application with the addition of the existing impervious variance.
Ms Furio seconded.
The application was granted.
Mr. Amicucci told the applicants that the resolution will be memorialized on the 4th Thursday in January.

#1164 Bar-David 82 Heather Hill Rd Block 1.050 Lot 9

The applicants are seeking the following variance in the R-10 Single Family Zone.
They are proposing to construct a 5 foot fence where a 4 foot fence is required.

Mr. Moldt recused himself.
Ms. Michan Bar-David was sworn in.
Mr. Mueller explained that since only 6 board members out of 9 were present tonight and one was recused, 4 affirmative votes were needed to grant the application. The applicant has the option of postponing the hearing to the next Zoning board meeting.
Ms. Bar-David indicated that she wanted to have the hearing tonight.
Ms. Bar-David explained that she had a big dog and needed a 5 foot fence to contain him. The back yard is small. The limit is 25' from the back property line and they want to go ten feet more. The back yard is very small, the first 10' from the back property line are very steep, which makes the usable yard very small. The area that we use is the square in front of the deck.
If we put the fence 25' from the back, 2/3 of the deck would be outside of the fence. Also the steps that go from the deck to the lawn is adjacent to the house. We want to enclose this square area so that when we use the steps to the lawn, we go into the area where the dog is.
Mr. Amicucci said that you want to put in a fence from the back corner down to the back of the house.
Ms. Bar-David agreed.
Mr. Amicucci asked if that would be the same on the other side.
Ms. Bar-David said yes, we thought it would be symmetrical and nicer looking if it was the same on both sides. Behind the deck there is the family room and we thought it would look better. The house is pushed back, and the fence is not close to the street.
Mr. Amicucci asked what is the measurement of the back of the house to the back line. Is it 35'.
Ms. Bar-David said yes it was.
Mr. Moldt said that on the application the measurement is listed as 36'.
Ms. Furio said that that was from the back of the house not the extension.
Mr. Amicucci said from the back of the house to the back line is 35'.
Mr. Amicucci asked will the back fence be five feet too ?
Ms. Bar-David said yes it will.
Mr. Amicucci said that he was for the application. The fence will be 5' in the back. She is looking for an extra 10'. Legally she can put 6' in the back and come out 25' with a 6' fence. If she puts up a 5' fence all the way around, I have no problem with that.
Mr. Kassis asked if the fence is chain link.
Ms. Bar-David said it was.
Mr. Amicucci said that was better because it does not block the view.
Mr. Moldt asked if the fence was off the right hand corner of the house, just above the number 14.
Ms. Bar-David said yes it was.
Mr. Moldt said that the end of the fence was 64' from the front property line.
Mr. Amicucci asked about the shed shown on the plan.

#1164 Bar-David (cont.) 82 Heather Hill Rd Block 1.050 Lot 9

Ms. Bar-David said it was no longer there.
Ms. Bar-David said that the dog was a Golden Retriever puppy.
Mr. Kassis made the motion to approve the application.
Mr. Moldt seconded.
Mr. Amicucci said the resolution should stipulate that the fence go no further than the west side rear corner of the house.
Mr. Amicucci asked if there was anyone in the audience for or against this application.
the application was granted.

Other Business

A neighbor said he had come because he had received a 200' notice of the Heller application. He was told that the application had been heard and granted.

Mr. Amicucci announced that nominations must be made for 2010 for chairman, vice-chairman, recording secretary.
Ms. Furio made the motion to nominate the board as it stands.
Mr. Kassis seconded.
The nominations were voted on and passed unanimously.
Mr. Amicucci said that Don Benton, vice-chairman, was presently in a Nursing facility, but hopefully he will return .
Mr. Mueller said that he heard that Don Benton was doing OK but was still not walking.
Mr. Amicucci said that he spoke to Mario Gangi tonight. He had a hip replacement and is in Oradel recuperating. He will probably be back for the next meeting.
Mr. Amicucci said that the next meeting of the Zoning board will be on Jan. 28 at 8:00pm.
Mr. Kassis suggested putting the new time on the agenda.
Mr. Kassis said that it had been a pleasure working with everyone on the board.
Mr. Mueller thanked everyone for their support. He is resigning as board attorney because he is elected to the Borough council. His replacement is Jack Van Horne.
Mr. Amicucci thanked the board. He said that the board had 9 members and 2 alternates and through the years the alternates always did their share of voting.

The meeting was adjourned at 8:08pm.