

**Borough of Cresskill
Zoning Board of Adjustment
Minutes May 26, 2016**

Present: Ms. Furio, Mr. Kassis, Mr McCord, Mr. Corona, Ms. Westerfeld,
Mr. Van Horne (Board Attorney), Ms. Bauer (recording secretary),
Absent Mr. Merzel, Ms. Batistic

The meeting was called to order at 8:01 pm.

Ms. Furio announced that the meeting had been published as required by the Sunshine Laws of the State of New Jersey.

Minutes of the Apr. 28, 2016 meeting were approved.

1282 Andrew & Marissa Bolson 199 Phelps Block 130 Lot 54

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25'	25.2'		
Side Yard Abutting/Lot	15'	17.1	12.9'	2.1'
Combined Side yards	35'	36'	30'	5'
Rear Yard Set Back	30'			
Max. Livable Fl.Area FAR	Variable 39%			
Lot Frontage	100'	80'		20'
Lot Depth	100'	120.63'		
Bldg Coverage %	20%	24.97%	22.79%	2.79%
Impervious Coverage	Variable 31.9%	32.09%	29.9%	
Height	28'	14'4"	14'4"	
Lot Area.	10,000 sq.ft	9,363		637 sq.ft
Driveway from Prop. line.	10'			

Note the above figures correspond to the testimony in the minutes, not to the Agenda.

The applicants would like to construct an addition.

Mr. Bolson introduced himself and his wife. He is an attorney and also the applicant.

Mr. Bolson and **Mr. Joseph Bruno of 29 Pascack Rd. Park Ridge NJ , architect**, were sworn in.

Mr. Bolson said that he is requesting a variance in order to enlarge our garage. To park in the garage and also to access the house from the garage. They want to widen the garage, currently it is very tight and difficult to park a car in there. Currently its being used for storage. They want to use the garage to park a car and also for storage, because they will be removing a shed. We are looking to do this. We have a 2 1/2 year old son, and we want to park and not have to deal with snow and ice.

Mr. Bruno gave his qualifications.

Mr. Bruno presented 3 photographs (A-1) to the board.

Mr. Bruno said the 1st photograph in the set is the south elevation view, the front view of the subject property. The garage is to the right. The proposed addition would essentially be beneath that rather large roof over hang that you see to the right. The 2nd photograph in the set is the view looking north in the area of the proposed addition with the subject property to the left and the neighboring property to the right. The 3rd photograph in the set is the view looking North on the West side with the subject property to the right.

Mr. Bruno reviewed the requested variances.

Lot Area is a pre-existing non-conforming condition.

Lot Frontage is a pre-existing non-conforming condition.

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1282 Andrew & Marissa Bolson (cont.) 199 Phelps Block 130 Lot 54

Building Coverage permitted is 20%, at present we are 24.97% (before the addition), but this project proposes to remove the existing shed and the existing deck so even with the addition, we are reducing the building coverage from 24.97% to 22.79%.

Impervious Coverage permitted 31.9%, we are at present 32.09%. With the reduction by removal of the shed and the deck, we are also removing walkways. So we are actually reducing the Impervious Coverage to 29.9%. So at present we have a pre-existing non-conforming in terms of the Impervious Coverage, with this project we would be in conformance.

A Board Member asked where is the shed you are removing ?

Mr. Bruno said the shed cannot be seen in the photograph its behind to the left of the Alberta Spruce tree.

Mr. Bruno said Front Yard Set Back we are required 25' we are at 25.2'. That will not change because we propose to extend the front wall of the garage eastward towards the neighbor to the right. The Combined Side Yard Set Back is really the main thrust of the variance request. The individual side yard set back is a minimum of 15' with an aggregate of 35'. At present we have a minimum of 17.1' with a 36' aggregate. We are proposing 12.9' with an aggregate of 30'.

The drawing that was submitted. The note that says remove existing wood deck, should point to where the deck is, it pointed to the periphery. That was an error and I apologize. The note that said new wood stair platform should be right at the rear wall, not at the deck.

If you look at the site plan that I prepared using the survey prepared by Mr. Dunn. We are proposing for the main part of the garage expansion to be 14.9' off the property line; and the area of the addition which is to be the mud room- if you turn to sheet #2 of 2 you will see that we are at 12.9'. We widened it slightly to get some room for passage and some storage. If you look on the lower right hand corner of sheet #2, you will see the east elevation, we have the addition tucked up under the existing large over-hang and then we have a low slung roof over the area that I pointed to on the drawing now which is where the proposed mud room is. Getting back to the plan, we sought to create as tight of an expansion as possible to accommodate easy access in and out of the vehicle as well as to provide some storage and a staircase because the garage is about 4 rises lower than the house. Mrs. Bolson can come into the garage and safely exit the vehicle and go right into the house.

The Hardship is that we have an undersized lot with respect to width- we are required to be 100', we are at 80'. In terms of the aggregate we are 6' deficient for the total aggregate and we are 2.1' deficient in the individual side yard set back on the easterly side of the house.

Mr. Corona asked are you 5' deficient or 6' deficient on the combined?

Mr. Bruno said on the combined we are 5', and 2.1' on the individual one.

Ms. Furio said on the Building Coverage you state 22.79%. The original paperwork it came up as 23.92%. Did something change ? or which number is not correct.

Mr. Bruno said there maybe a typographical error on the paperwork.

Ms. Furio said so the number is 22.79.

Mr. Bruno said the number is 22.79.

Mr. Bruno said if you look at the 2nd photograph, you will see the neighboring property to the East is at a higher elevation. So I would respectfully say to the board that the fact that we are only proposing a one story addition, and in the fact we are lower than the neighboring property would mitigate the affect of the 2.1' insufficient side yard set back there.

Mr. McCord asked you are only extending the garage 4' ?

Mr. Bruno said that's correct.

Mr. McCord asked are you adding another garage door ?

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1282 Andrew & Marissa Bolson (cont.) 199 Phelps Block 130 Lot 54

Mr. Bruno said we are going to center the garage door and make it wider. We are going to have a 9' wide door.

Mr. Kassis said on the eastern elevation, your floor plan shows 2 different things. One shows an exit door and one doesn't.

Mr. Bruno said there was another plan and I had just transposed the wrong east elevation. It will have an exit door on the East; but that does not bring us closer to the property line. There won't be a stair that comes out.

Mr. Kassis asked no window. Is there a window facing the back or the south ?

Mr. Bruno said we'll probably do a corner window there. So there will be 2.

Ms. Furio asked if anyone in the audience had any questions or like to make a comment ?

Mr. Kassis said that on the side yards they have storage area issues bumping out another 2'. Have you considered building without the additional storage, so that you would not encroach into the side yards another 2' ?

Mr. Bruno said we are removing the shed, so the items that are stored in the shed will be moved into the house. That's why we are increasing the storage in the garage.

Mr. Bolson said that the house does not even have an adequate cloak closet. So the mud room area is being used to provide for that. The kitchen is a very small space. The mud room is really a glorified corridor with some storage along one side.

Mr. Van Horne asked what is the distance of the neighbor's house to the property line ?

Mr. Bruno said the one next door is 17.6' off the property line. The distance between the 2 houses, if this mud room were built, would be 32.5'.

Mr. Corona said 30'5'

Mr. Bruno said you are right.

Mr. Kassis asked when the kitchen renovated ?

Mr. Bolson said he did not know. Maybe 7 to 10 years ago.

Ms. Furio said would anyone like to make a motion to approve or deny the application as presented.

Mr. McCord made the motion to approve the application.

Ms. Westerfeld seconded.

Mr. Kassis voted no.

The Application was granted.

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1283 John Finetto 159 Magnolia Block 32 Lots 363-364

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25'		(8 th St.) 14' (Magnolia) 15'	11' 10'
Side Yard Abutting/Lot	15'		10'	5'
Combined Side yards	35'		25'	10'
Rear Yard Set Back	30'		24'	6'
Max. Livable Fl.Area FAR	Variable 39%		49.1%	10.10%
Lot Frontage	100'	50'		50'
Lot Depth	100'			
Bldg Coverage %	20%		27.15%	7.15%
Impervious Coverage	Variable 35%		39.21%	4.21%
Height	28'			
Lot Area.	10,000 sq.ft	5,000sq.ft		5,000sq.ft
Driveway from Prop. line.	10'			

The applicant would like to construct a new family home. He is requesting an FAR Variance.

The architect of the project said that the applicants had not arrived.

Ms. Furio said to wait until the end of the hearing for the applicants to arrive.

1284 Green & Potkulski 53 Engle St Block 92 Lots 14 - 15

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25'		21.5'	3.5'
Side Yard Abutting/Lot	15'		7.5'	7.5'
Combined Side yards	35'		14.5'	20.5'
Rear Yard Set Back	30'			
Max. Livable Fl.Area FAR	Variable 30%			
Lot Frontage	100'	51.53'		48.47'
Lot Depth	100'			
Bldg Coverage %	20%			
Impervious Coverage	Variable 34.8%	46.58%	48.79%	13.99%
Height	28'			
Lot Area.	10,000 sq.ft	7224 sq.ft		2776 sq.ft
Driveway from Prop. line.	10'			

Note the above figures correspond to the testimony in the minutes, not to the Agenda.

The applicants would like to construct a 2nd floor and front porch addition.

The applicants Ms. Green & Mr. Potkulski were sworn in

The architect Mr. Richard Bouchard was sworn in.

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1284 Green & Potkulski (cont.) 53 Engle St Block 92 Lots 14 - 15

Mr. Potkulski testified that they wanted to put a whole 2nd story addition onto their house. With a front porch that would provide access from our driveway to our front door. Currently our garage is in the back of our house, its not really accessible for our car conveniently. We have a 2 year old daughter. We were hoping to have that covered porch to be able to get from our driveway to our car.

Mr. Bouchard said this is a one family residence in the R-10 zone. The required area is 10,000 sq.ft. , we have 7224 sq.ft. Lot width, required is 100' and we are at 51.53'. The general idea is a 2nd story on a Cape Code style house, would be the view from the front. The view from the north side shows porch coming out from the front and the full 2nd story and the attic above.

The floor plan. The first floor is not changing in size but we are taking the interior walls down and adding the porch across the front. The 2nd floor will cover the entire main house. The cantilever porch is above an existing deck and cantilever a portion forward above our open porch. We will end up with 3 bedrooms upstairs, 2 baths, a master bedroom with a bath and study. As far as the variances

We have existing side yards, required a minimum of 15'. We have 7' on the south side and 7.5' on the north side. Because the 2nd story comes straight up, we will continue that condition. The other variance that we need is the combined side yard, where we are supposed to have 35' and we are going to end up with 14.5' . The 3rd variance we need is Impervious Coverage. This occurred because of the width of this lot. The ordinance is for 34.8%, the existing is 46.58% and the proposed which is being added to because of the front porch is 48.79%. We are taking the existing shed, which is in this area (which is within the 125' used in this calculation) and moving it further back on the lot out of this area.

Basically, the side yard variances we are asking for are all existing conditions and a hardship because of the width of the lot. The same thing with the Impervious Coverage. Now, the front porch, what we are proposing is adding a 6' porch to the front of the house and it does not go all the way across. It starts on the driveway side and extends all the way to the front door. The idea is that people parking on driveway next to the house, and again this is another problem with the property, you can park next to the house and enter but then there is a steep drop down to the back yard, where the garage is. You have to make a 3 point turn to get into the garage down to the basement level. Also, that hurts the coverage issue because you have to have such a large driveway black-top area. So nobody really does that, they park closer to the street, and they try to put the porch on so that they can leave the car and get under the cover to get into the house. This requires a front yard variance. There is 26' to the corner of the house and the minimum is 25'. Parallel to the street line which skews off, and about half of the porch needs some sort of Front Yard variance. But from that 21.5' dimension, it becomes less and less of a variance until half way thru the porch, there is no variance required. Only just this corner is giving the front yard problem. If you look down the street, all of that angle of the street and all the properties are not parallel to the street, they are staggered all the way down. Some have stairs and vestibules and little porticoes so there is no real straight line that we are violating by putting a porch at the front. There won't be a visual distraction.

Mr. Potkulski said the porch will basically be at ground level. The neighbor to the left is set back a little, but the porch does not protrude on his side because its more on my neighbor on the right side whose house is set in front of mine.

Ms. Furio asked the porch is 6' wide ?

Mr. Bouchard said yes, 6'.

Mr. McCord said the current ranch style home is 19' high ? You are adding an attic and a whole other floor, and its only going to be 8' higher.

Mr. Potkulski said we are measuring from the front 2 corners and our property goes down in the back.

Mr. Kassis said you are not adding any berms or anything else to the property ?

Mr. Potkulski said no.

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1284 Green & Potkulski (cont.) 53 Engle St Block 92 Lots 14 - 15

Mr. Kassis said the left side, because there is a grade change, you are showing 28' thru the slope grade on the left corner of the house..

Mr. Bouchard said its an average and that they will make it 28'.

Mr. Corona asked are you keeping the tree at the front of the house ?

Mr. Potkulski said it belongs to the neighbor.

Mr. Bouchard said we have no plan on taking it down.

Ms Furio said its (*the porch*) is not enclosed it has columns.

Mr. Bouchard said yes.

Mr. Kassis asked the over-hang of the 2nd floor is no way encroaching to the Front Yard set-back ?

Mr. Bouchard said no.

Mr. Bouchard explained the calculations regarding the over-hang.

Ms. Furio asked have you considered anything less than 6'.

Mr. Bouchard said no, because the columns kind of kill the first foot of space anyway. So you really have only 5'. If you put in a chair its even less.

Mr. Corona said personally, I am not interested whether you can put in a chair on the front porch or not. Because you do have a patio and deck in the back.

Mr. Corona said the Floor Area Ratio is bothering me. I understand that the lot size restriction. You are already above the FAR. You are adding a full other house. Did you include the garage and the basement in the calculations of the FAR?

Mr. Bouchard said no, it was deducted 440 sq.ft.

Ms. Furio asked how long is the porch ?

Mr. Bouchard said 23'.

Ms. Furio asked at which point did you say it starts to fade out ?

Mr. Bouchard said about half way.

Mr. Bouchard explained using the plan, the design of the porch.

Mr. Kassis asked the driveway as it is shown here is not within the 10' requirement. Is there a plan to do anything with the driveway whether to replace or modify in any way shape or form ?

Mr. Bouchard said there is really no place else to put it.

Mr. Potklski said I'm pretty sure that all the driveways on that block are over-lapping.

Ms. Furio said since you don't actually use the garage to drive around into and park. It looks like a ton of macramé back there- is there a plan to take some of that out ?

Ms. Green indicated no.

Mr. McCord asked are you moving the shed ?

Mr. Bouchard said it will be moved behind the 125' line for the Building Coverage calculation.

Ms. Furio said right now the existing Impervious Coverage is 46.58 %

Mr. Bouchard said yes, and we will increase it because of the porch.

Ms. Furio said the 2% is from the porch.

Mr. McCord asked is there any surface where you could change the material so that it counts as pervious ?

Mr. Bouchard said that's the one thing we haven't yet.

Ms. Furio said the other paver from the driveway to the new step on the porch. Are you going to take out the other walk ?

There was a discussion among the applicants about removing the walk.

Ms. Furio said by removing that it brings it to the 46.58%.

Mr. Bouchard said no it won't.

Ms. Furio asked are you amending to take out that front walk ? The long one that's there now, as opposed to the proposed one that comes from the driveway.

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1284 Green & Potkulski (cont.) 53 Engle St Block 92 Lots 14 - 15

There was a discussion among the applicants about removing the walk.

Ms. Green said that the walk was needed for parking on the street or for visitors. Is that a break or make ? Am I understanding correctly ?

Ms. Furio explained that the Impervious Coverage is a big number, that we are trying to hopefully alleviate.

Mr. Van Horne asked the applicants if they wanted to confer privately.

Mr. McCord asked if one of the columns of the porch just where the walk comes up ? The walkway comes right into a pole.

Mr. Bouchard said you'll got between 2 columns.

There was a discussion among the applicants concerning the walk.

Mrs. Green said that when it is snowing and she is with her daughter, she likes the walkway to her front door.

Mr. Corona asked is it in good condition ?

Mrs. Green said yes, and its flat, and easy to shovel.

Ms. Furio asked is there anyone in the audience for or against this application ?

Mr. Kassis made the motion to approve the application.

Ms. Westerfeld seconded.

The Application was granted.

1285 Maayan Gottesman 40 Mountain View Rd Block 1.03 Lots 11

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25'			
Side Yard Abutting/Lot	15'	9.7'	10'	5'
Combined Side yards	35'	22.78'	23'	12'
Rear Yard Set Back	30'			
Max. Livable Fl.Area FAR	Variable 30%	9.92%	37.45%	7.45%
Lot Frontage	100'	78.24'		21.76'
Lot Depth	100'			
Bldg Coverage %	20%	16.43%	23.49%	3.49%
Impervious Coverage	Variable 32.5%	23.96%	34.40%	1.8%
Height	28'			
Lot Area.	10,000 sq.ft	9694 sq.ft		306sq.ft
Driveway from Prop. line.	10'			

The applicant would like to construct a two story addition to the existing one story house.

Ms. Maayan Gottesman requested to postpone the hearing for the next meeting of the ZBOA'

Mr. Van Horne said it would be carried to the 4th Thursday in June.

Mr. Van Horne asked is there anyone in the audience for or against this application ?

Mr. Van Horne said you will not have to re-notify.

The application was carried.

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1286 Reavis	36 Magnolia Ave		Block 92 Lots 1	
Description	Required	Existing	Proposed	Variance
Front Yard Set Back Magnolia	25'	25.2'	24.7'	0.30'
Front Yard Set Back 3rd St	25'	24.7'	24.7	0.30'
Side Yard Abutting/Lot	15'	29'		
Combined Side yards	35'			
Rear Yard Set Back	30'		19.53'	10.47'
Max. Livable Fl.Area FAR	Variable 30%	15%	30%	
Lot Frontage	100'			
Lot Depth	100'			
Bldg Coverage %	20%	23.31%	25.52%	5.52%
Impervious Coverage	Variable 32.5%	39.36%	39.36%	6.86%
Height	28'		27.5'	
Lot Area.	10,000 sq.ft			
Driveway from Prop. line.	10'			

Note the above figures correspond to the testimony in the minutes, not to the Agenda.
The applicants would like to construct an addition.

Michael Reavis, applicant, and Chris Blake, architect, were sworn in.

Mr. Reavis testified that he, his wife and 2 small kids had moved to Cresskill in 2013. They live on Magnolia. They like the house and love the neighborhood and town. The house feels a little smaller than when they bought it, the kids are a little older. There is no place he can go in the home after 9 pm and talk on the phone without waking the kids. They want to expand it, to make the house a little more comfortable. The house is a rectangle, there was an addition made in the early sixties. They added on to the back of the house. When they did that, there is a little bit of a corner that is not completed on the house. On that corner there is a 'bilko' exit to the basement. If we could square that off, it allows us to have a much more comfortable kitchen. We are on a corner lot, so we have some additional restrictions.

Mr. Blake said what we are proposing is adding a small 6' X 14' corner. Increasing the kitchen area and adding a 2nd floor to the existing ranch house. We have an existing deck in the rear. All 4 set-backs are staying exactly the same. The property is on the corner of Magnolia and 3rd St and is 100' X 100' and is in the R-10 district. The existing house has Building Coverage of 23.31% which is over the allowed 20%. The Front Yard Set-back on Magnolia is currently 25.2'. There is 8' 8" wide by 3' deep covered porch / portico. The front yard facing 3rd St., we currently have a 24.7' and we are going straight up. We are asking for a variance on 3rd St. for the existing non-conformity. The Side Yard Set-Back is 29'. The Rear Yard, the building itself is more than 35', including the deck is only 19.53'. The FAR is currently about 15% , with the 2nd floor about 30%. The height with the 2nd floor will be 27.5'. The Impervious Coverage stays the same at 39.36%. We are adding that corner of the house which is on pavement anyway and a couple of little sidewalks are being changed so the Impervious Coverage stays the same. Problem with the Impervious is the driving issue with the detached garage at the rear. We have a 460 sq.ft 2 car garage at the rear of the property and therefore a long driveway. The addition is a standard procedure.

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Memorializations

1279 Ramirez-Moreno/Gomez-Osorio 155 Jefferson Block 33 Lot 316

Applicants were granted an existing height variance in order to obtain a Certificate of Occupancy.

	Required	Existing	Proposed	Variance Req'd
Height	28 ft	30.76 ft	30.76 ft	2.76 ft
Side Yard Abutting/Lot	15 ft.	12.24 ft.		Granted 2/27/14
Combined Side Yards	35 ft.	22.24 ft.		Granted 2/27/14
Max. Livable Fl. Area FAR	Variable 38.82%	44.92%		Granted 2/27/14
Lot Frontage	100 ft.	50 ft.		
Lot Depth	100 ft.	144 ft.		
Bldg Coverage %	20%	22.21%		Granted 2/27/14
Impervious Coverage	Variable 34.90%	47.73%		Granted 2/27/14
Lot Area	10,000 sq.ft.	7365.78 sq. ft.		

The other variances were granted on 2/27/14 Docket # 1236.

1268 Care One at Dunroven 221 County Rd Block 71 Lot 13-14

The applicants were granted a one-year extension for :

Resolution 1200 approval from the June 30, 2016 expiration date to Sept. 24, 2017, and

Resolution 1268 approval from Sept. 24, 2016 to Sept. 24, 2017.

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1280 Yu Zhou Chen Zhang 35 Lexington Ave Block 108 Lot 25

The applicant was granted the following variances to construct a 2-story addition and deck to the rear of the above referenced home.

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25ft			
Side Yard Abutting/Lot	15 ft		10'	5'
Combined Side yards	35 ft		18' 8"	16' 2"
Rear Yard Set Back	30 ft			
Max. Livable Fl.Area FAR (variable)	37%			
Lot Frontage	100 ft	60 '		40' tech
Lot Depth	100 ft			
Bldg Coverage %	20%		29.59%	9.59%
Impervious Coverage (variable)	33.9%		33.6%	
Height	28 ft			
Lot Area.	10,000 sq.ft		6,007 sq.ft	tech

1281 Andrija & Margita Batistic 140 Phelps Ave Block 151 Lots 19-22

The applicants were granted the following variances to construct a 1-story addition and add-a-level to the above referenced home.

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25ft			
Side Yard Abutting/Lot	15 ft	11.25'	11.25'	3.75'
Combined Side yards	35 ft	28.25'	28.25'	6.75'
Rear Yard Set Back	30 ft	53.4'	53.4'	
Max. Livable Fl.Area FAR (variable)	33.42%	23.4%	32.62%	
Lot Frontage	100 ft	80 '	80'	20'
Lot Depth	100 ft	125'	125'	
Bldg Coverage %	20%	19.94%	21.19%	1.19%
Impervious Coverage (variable)	31.9%	34.05%	34.05%	2.15%
Height	28 ft	24'	28'	
Lot Area.	10,000 sq.ft			
Driveway from Prop. line.	10'			