

**Borough of Cresskill
Zoning Board of Adjustment
Public Meeting
Minutes Aug. 23, 2018**

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

The meeting was called to order at 8:00 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 July 26, 2018 meeting were approved. (Mr. Kassis, Ms. Westerfeld)

Applications

1330 Paul E. Carlson 36 Lexington Ave B 117 L 6

Description	Required	Existing	Proposed	Variance
Distance from curb (front yard)	10 ‘	7’	7.5’	2.5’
Distance from curb (2 nd front yard)	10 ‘	6’	6’	4’
Distance from Corner	25’		6’ (Short Pl.) 7.5’ (Lexington Ave.)	19’ (Short Pl.) 17.5’ (Lexington Ave.)

The applicant proposes to reconstruct his existing fence in the front yards (corner lot)

Mr. Paul E. Carlson was sworn in.

Mr. Carlson testified I am replacing the existing fence on my property, on 2 sides of the property- on the corner of Lexington Ave and Short Place. I was in the process of having it done by my contractor , Cresskill Gardens, and Bob came by and said “hey, you need to get a permit” Meanwhile , half the new fence has been installed because its just replacing the old one. Take a post out, put a post in, it’s a two rail fence.

Mr. Carlson presented the board photos from Google showing the existing fence as it was. The photo was marked A-1.

Mr. Carlson said that shows the nature of the fence.. It’s a two line split rail fence. It was first installed sometime in the early seventies, so its been there for forty something years. The particular version you see there is probably the second or third one. Time has taken its toll, so I replaced it. Bob stopped me and I applied for a permit. Bob says its not in compliance with 10’ from the curb. Ten feet from the curb in both directions, And you can’t see 25’ from the corner across diagonally, but you never could see that point because of the nature of the terrain. I wasn’t aware that I needed a permit to change the existing fence. He told me that if I had changed just a couple of rails and a couple of the posts, every now and then, I wouldn’t even have to have a permit. I didn’t know. So I said OK, I’ll try to see if I could comply to the 10’ from the curb. But if you look at the photograph, you see that its impossible because of all the shrubs and the trees that are growing there. So what I’m asking for is to be allowed to install the fence just as it is. Now I have a picture of what happened so far, because its half installed as it is.

Ms. Furio asked currently what part is newly installed ?

Mr. Carlson indicated on, his phone, a photo showing the new part.

Ms. Furio said it looks like the whole front is done and the whole side is done.

Mr. Carlson said it needs another 80’ feet of rails down the side of Short Place.

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1330 Paul E. Carlson 36 Lexington Ave B 117 L 6 Cont.

Ms. Furio confirmed that the address was 36 Lexington, not 39 Lexington. The agenda was in error.

Mr. Carlson and Ms. Furio discussed the photo of the fence.

Mr. Van Horne asked if there were any board members that wished to see the picture that Mr. Carlson had showing the current state of the property.

Mr. Carlson showed and explained the photo to the other board members.

Mr. Carlson said I have a pile of uninstalled fence in my yard.

Ms Furio said the Lexington side and some of Short all seems to be completed already.

Mr. Carlson confirmed by indicating on the photo what remained to be installed.

Mr. Van Horne asked the posts have all gone into the existing post holes that were there ?

Mr. Carlson said right. Nothing has moved dimensionally from what it was.

Mr. Van Horne asked not at all? How do you know ?

Mr. Carlson said I was born there. I'm 70 years old and its been the family house since 1946.

Ms. Furio asked so that fence has always been in that location ?

Mr. Carlson said the other lot behind the present lot was part of the property. When that property got sold, the lot behind us, my dad put the fence in. That was before Short Place was paved. When they put the sewers in, he made a deal with the new property owner to pay the taxes on the sewers. Then he put the fence. The fence was there originally to keep the children from walking across the property to go to school. Now its become a feature of the house.

Ms. Furio said the issue is that its not 10' from the property line, but it was put in the same place it was before.

Mr. Carlson said exactly. Every post hole is the same.

Mr. Kassis asked about the height of the fence..

Mr. Carlson said its 2'9".

Ms. Furio asked is that to the top of the post.

Mr. Carlson said to the top of the post its maybe 3'. Its not very tall. The deer don't think its tall, they walk right over. 2'9" to the top of the rail. Maybe its 3'3" to the top of the post.

Ms. Furio asked any one on the board have any questions or comments ?

Mr. Kassis asked if approved this would not set a precedent..

Mr. Van Horne said it is a continuation of a non-conformity, it is not an expansion.

Ms. Furio asked does anyone else on the board have any questions ?

Ms. Furio asked if there was anyone in the audience for or against ?

Ms. Furio asked would someone on the board like to make a motion to approve or deny the application ?

Mr. Corona made the motion to grant the application as presented.

Mr. McCord seconded.

The Application was Granted.

Mr. Carlson was advised that the application must be memorialized before he could obtain a permit.

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1331 Ido Solomon

259 Jefferson Ave

B 14 L 32

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25 ft	32.6'	25.1'	
Side Yard Abutting/Lot	15 ft	9.9'	9.9'	5.1'
Other Side Yard	20 ft	12'	12'	8'
Combined Side Yards	35 ft	21.9'	21.9'	13.1'
Rear Yard Set Back	30 ft	51.32'	51.32'	
Max. Livable Fl. Area (FAR)	35.94%	25.18%	25.96%	
Lot Frontage	100'	66'	66'	
Lot Depth	100'	124.92'	124.92'	
Bldg. Coverage	20%	18.35%	19.43%	
Impervious Coverage	33.3%	48.4%	49.21%	15.91%
Height of Bldg	28'	29.33'	29.33'	1.33'
Lot Area	10,000 sq.ft	8178 sq.ft	8178 sq.ft	Tech.

The applicant proposes to construct a one story addition.

Mr. Chris Blake, architect, was sworn in.

Mr. Ido Solomon, applicant, was sworn in

Mr. Solomon testified that he had purchased the house in Dec. 2016. I did no improvements so far because there was no need. The reason why I would like to extend the entrance to the house is because its very, very narrow. It maybe even unsecure but I am unfamiliar with the fire code .My plan is to stay in this house. I have 3 kids. They are all in the Cresskill schools. The oldest one is in 7th grade, the youngest is in kindergarten. I would like to remain in this house and that's why I want to make it better and to extend it. Two houses next to me, they did the same thing with an extension going a little bit out of the house....*described extension..*

Ms. Furio requested that *Mr. Blake* testify.

Mr. Blake testified that the application is for a single story addition to the front of the house. Right now when you walk in the front door you have 4' 4" till you hit the stairs. The stairs are actually backwards, coming up from the back of the house. Which, when you walk into the house, is a landing about 4' tall. The foyer is about 4' tall and the railing above that, when you walk thru the front door is 4' 11" which you can touch- the landing with a railing on it.. There is a living-room on the right and a dining-room to the left . The issue is that the 4' 4" when you walk in the front door is tight. What we are proposing to do is push the foyer out 6'6", and create a foyer, 6'6" by 10' wide. We'll put a couple of closets in there- *described new layout.* We're not encroaching on Cresskill's front yard set backs. The property is 124' deep. The addition is causing more Impervious Coverage. We are talking about a 6'6" by less than 10' addition- a 64 sq.ft addition- to this house. We are putting an 3' by 8' front porch. We are actually adding 64 sq.ft and 24 sq.ft- we are adding 88 sq.ft of coverage to this house. The 88 sq.ft is not a problem to the Building Coverage or the Front Yard Set Back, but the problem is the Impervious Coverage. We are replacing existing landing and stairs. The resultant of all this will be 67 sq.ft increase with the Impervious Coverage. A 67 sq.ft increase over a 8178 sq.ft

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property, is less than 1%- about 0.81 %. Unfortunately why we are here is that the existing house has a lot of Impervious Coverage. 33.3 % is required, we are proposing 49.21%, the existing is 48.4 %. The reason we're here is for an incremental less than 1% increase but the existing house has an abundance of Impervious Coverage. We have a big patio in the back, a rear deck in the back, a shed in the back. There is a driveway to the left hand side and the house itself, and some of the coverage like the driveway is pavers. We're including that as Impervious Coverage, but it does allow some water to seep thru. The reason we're here is the less than 1% increase of the Impervious Coverage for the addition of the foyer, covered porch, and for a more aesthetic improvement to the front of the house. We are not increasing the Front Yard Set Back. The increase in Impervious Coverage is 67 sq.ft which is less than a table is really not a big hindrance to the issues that Impervious Coverage has. It is an improvement to the house, its an improvement for safety, its an improvement for the visibility, its an improvement for the aesthetics. The detriment to the neighbors in terms of light, air is too minimal to be a worthy cause.

Ms. Furio asked how long has that patio been in the back ?

Mr. Solomon said its been there since he bought it.

Mr. Blake said that the deck was in good condition.

Ms. Furio said right now the addition for the inside and the outside is open ? Its just a covered roof, it will never be closed in ?

Mr. Blake said right. The idea was to have a larger foyer on the inside, will never need more space. To cover the front porch was a good idea to keep rain off the front door, to keep visitors and residents comfortable. The whole addition is just one story.

Mr. Corona asked you are re-doing the stairs ?

Mr. Blake said yes. Taking the stairs down and making new stairs, three feet closer to the front yard.

Mr. McCord asked if the walkway from the driveway to the front door made of concrete ? What are you planning on putting there ?

Mr. Blake said imagine we could put in pavers to match the driveway.

Mr. McCord asked is that calculated into the Impervious.

Mr. Blake said its all calculated as Impervious Coverage.

Ms. Westerfeld asked could you put flagstones or stepping stones on the walkway ?

Mr. Blake said we could. Its only about 25' to 30', not a lot of square footage.

Mr. Solomon agreed.

Mr. Blake asked if he could show some photos on his Ephone to the board. Ms. Furio and Mr. Van Horne decided that the photos could not be accepted as evidence.

Mr. Solomon described the inconvenience of the existing entry and foyer.

Ms. Furio said you are not changing anything at all on the inside You are just moving the foyer...

Mr. Blake said the foyer will be more open to the living and dining room.

Mr. Solomon said that the outside of the house will look like the corner house- it will not be something different.

Mr. Blake said like he said, keeping up the neighborhood, there are a couple of other one story additions. The house will have a compatible physical look.

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Ms. Furio said everything remains the same , nothing is changing. You've got the Side Yards, because you haven't moved anything, the height is pre-existing. Now its just the Impervious that you are going after. Is there anything that can be removed or changed ? I noticed that it exists, but there is so much.

Mr. Solomon consulted with Mr. Blake.

Ms. Furio asked for an explanation of certain features of the drawing.

Mr. Solomon indicated, on the drawing, where he might be able to make changes that would reduce the Impervious Coverage.

Ms. Furio said reduce some of the Impervious because there is just too much, its all paved.

Mr. Solomon agreed.

Ms. Batistic said it seems that this concrete walkway from the driveway is about 7' wide, based on the survey. I think 3' to 4' is more than enough. If you reduce that by 2' to 3', I think that its about 15' long, so you have almost 30 sq.ft less. You will still need a variance...

Ms. Furio asked are you willing to reduce that ?

Mr. Van Horne asked Mr. Blake: would you state exactly what you are willing to do there .

Mr. Blake said we're going to reduce the existing concrete walkway on the south side of the structure leading from the driveway to the rear patio. It seems possible to reduce it by somewhere around 35 sq.ft. Thus making out previous coverage request for 32 sq.ft which is probably about 5%

Ms. Furio said its going to be one for one almost. You are going to be where you were.

Mr. Blake said very close.

Mr. McCord said if you eliminated or made the new walkway something that is pervious, you may not even need that 60 odd sq.ft.

Mr. Blake said that's true.

Ms. Westerfeld said or you could just get rid of the whole concrete thing, and then put the stepping stones there, instead of the one that you are going to make narrower. Just get rid of it and just make that stepping stones- you are not going to use it that frequently.

Mr. Solomon said either use it and do that or...

Ms. Westerfeld said then you could leave the paver by your front door to match your driveway, but you won't notice the paver on the side there, if you just got rid of it all and just put some stepping stones.

Ms Furio said everything would have been the way it was or you would be making it better.

Mr. Blake said we can reduce that concrete by at least 35 sq.ft.

Mr. Corona asked what is the purpose of the concrete patio on the north side of the house ?

Mr. Solomon, Mr. Corona, Ms. Furio and Mr. Kassis discussed the possibility of removing the patio.

Mr. Kassis said where you take it off is not an issue for us, its reducing Impervious . The Goal is to staying where you are at and not make it worse.

Mr. Solomon agreed- shave a little bit here, shave a little bit from there.

Ms. Batistic said 35 sq.ft would bring it to 48.8%.

Mr. Blake said we'll shave enough to make it 48.4%. We'll take off 67 sq.ft from the sides and the rear to compensate for the 67 sq.ft we are adding to the front.

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Ms. Furio said if everything remains the same, then its all just pre-existing so it doesn't really have to be

Mr. Van Horne said you will have to re-do the plan and re-submit it.

Mr. Kassis said do we want to carry it just in case, to make sure... Carry the application. Re-submit to the town and if it passes the Building Dept then you don't have to come here. If you go there and show what you are going to do and reduce the square footage, you leave the application open.

Mr. Blake said right. That's fine.

Mr. Van Horne said we will carry the application. Please notify the secretary of the board if the application is granted by the Building Dept.

Memorializations

NONE