

**ZONING BOARD OF ADJUSTMENT
Minutes of the Meeting**

March 26, 2019

Conference Meeting Agenda:

At 7:01 PM, Chairman Hochberg announced that proper notice had been given and Board Secretary Fass called the Roll:

Present: James Hochberg, Chairman
Tony Nardone, Vice Chair
Jared Resnick
Ed Bier
Lauren Tabak-Fass
Kalpesh Kenia (arrived 7:03 PM)
Pearl Hwang (arrived 7:03 PM)
Richard Vallario, Board Attorney
Catherine Maddrey, Planning Assistant

Absent: Vineeta Khanna

Minutes: The minutes of February 26, 2019 were accepted as presented.

Old Business: Amend Resolution for 13 Forest Street; Application No. 2018-71-V - Members who had participated in the decision, having acknowledged that they had read the amended Resolution, had no questions or comments, and felt that the amended Resolution was ready for a vote and unanimously adopted the Resolution.

The Board went into Executive Session at 7:05 PM and ended at 7:14 PM.

Regular Meeting Agenda

At 7:17 PM., it was announced that proper notice had been given and the Roll was called: The Regular Meeting continued with the same attendees.

The following Resolutions were memorialized:

- 1) Danial Dubinett – 24 West Lawn Road - Application No. 2018-82-V
- 2) Rose Bickel – 89 North Ashby Road - Application No. 2019-3-V
- 3) Marcelino Lopez – 108 East Cedar Street - Application No. 2019-5-V
- 4) Sue Goldberg – 6 Huntington Road - Application No. 2019-6-V
- 5) Gabrielle Altstadter - 18 Falcon Road - Application No. 2019-7-V
- 6) Xinyu Chen - 29 Park Drive - Application No. 2019-4-V
- 7) Robert & Lori Gelman - 14 Devonshire Road - Application No. 2019-2-V

Variance (*Adjourned to May 28, 2019*)

Block 2100; Lot 38
50 Force Hill Road
Application No. 2019-10-V
Baruch Shliechkorn

Applicant proposes to construct a new single family home.

Chairman Hochberg announced that the application for 50 Force Hill Road was being adjourned to May 28, 2019 and that new notices would be required.

Variance (*Continued from November 27, 2018*)

Block 3202; Lot 36
41 Brookside Avenue
Application No. 2018-56-V
Purnima Chakraborty

Applicant proposes an addition on the first and second floors in violation of the following sections:
170-99C2 Front Yard Setback – 40’ required; 30’ proposed; 10’ variance requested.
170-99C3 Left Side Yard Setback – 10’ required; 5.6’ proposed; 4.4’ variance requested.
170-87CC44 Habitable Floor Ratio – 30% required; 31.65% proposed; 1.65% variance requested.

Purnima Chakraborty (Applicant) and Hayk Ekshian (Architect) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardships were reconfirmed (undersized and narrow lot) and upon motion made by Mr. Nardone and second by Mr. Bier. The members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance

Block 4400; Lot 19
23 Amherst Place
Application No. 2019-8-V
Danny & Sarah Birnbaum

Applicant proposes to add a deck violation in of the following section:
170-99C4 Rear Yard Setback – 35’ required; 28’ proposed; 7’ variance requested.

Danny & Sarah Birnbaum (Applicants) appeared and were sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardships were reconfirmed (narrow, shallow and undersized lot) upon motion made by Mr. Nardone and second by Mr. Resnick. The members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 5601; Lot 45
5 Langtree Drive
Application No. 2019-9-V
Craig & Susette Lerman

Applicant proposes to add a front corner porch and front façade in violation of the following section:
170-87L(1)(C) – 40’ required; 31.3’ proposed; 8.7’ variance requested.

Craig Lerman (Applicant) and Matthew Smetana (Architect) appeared and were sworn in and to offer testimony. No members of the public appeared in support of or in objection to the application. The hardships were reconfirmed (existing and non-conforming) upon motion made by Mr. Bier and second by Ms. Tabak Fass. The members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution.

Variance
Block 401; Lot 90
21 Morningside Drive
Application No. 2019-14-V
Susan & Michael Berliner

Applicant proposes to expand current deck in violation of the following section:
170-87E(1)(B) Accessory Structures – 10’ required; 4’ proposed; 6’ variance requested.

Susan Berliner (Applicant) appeared and was sworn in to offer testimony. No members of the public appeared in support of or in objection to the application. The hardships were reconfirmed (existing conditions) upon motion made by Mr. Resnick and second by Mr. Bier. The members of the Board present and eligible voted in favor of the motion, subject to a memorializing resolution with the condition that the applicant install a series of planters along the rear railing that faces the in-ground pool, or raise the height of the railing to 48 inches along said side. If the proposed planters are used they shall be permanently affixed to the deck and shall be installed to be no more than 12 inches apart.

Adjournment

With no further business, the meeting adjourned at 8:07 PM.

Sincerely,

Catherine Maddrey, Planning Assistant