Borough of Cresskill
Zoning Board of Adjustment
Public Meeting 7:30 pm
Minutes Sept. 26, 2024

Present in Person:, Mr. Kassis, Ms. Wehle, Mr. Sutera , Ms. Westerfeld, Mr. Cleary, Mr. Bancroft
Mr. Van Horne Esq.(Board Attorney), Ms. Bauer (recording secretary)
Absent: Mr. McCord

Mr. Kassis used tape to mend the 'stem' of one of the microphones on the court table that was broken.. The microphone appeared to be otherwise functional.

At 7:32 pm

Mr. Kassis said Good Evening, we are calling the Sept. 26, 2024 Zoning Meeting to order at 7:32 pm. The first order of business is Roll Call

The Roll Call was taken.

Mr. Kassis said The minutes of last month's meeting were provided to the Board in advance. Do we have a motion to approve them ?
Mr. Cleary approved the Aug, 22, 2024 minutes..
Mr. Kassis said any changes required ? None heard. There is a consensus for approval.
Mr. Kassis said first application.
Mr. Kassis said we are trying to accommodate a couple of the applications tonight. Is an *application* here represented by an attorney ?
Someone answered 'yes, I am'
Mr. Kassis said that being the case, the attorney has other business after. So we are going to do the Application #1433 first, at 45 Morning side. Step forward please. (1.33)

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Application 1433

1433 Nir Ashkenazi 45 Morningside Ave Block 160 Lot 50

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25’	27’	27’	
Side Yard Abutting Lot	15’	8’	8’	ENC
Combined Side Yard	35’	43.5’	35.46’	
Rear Yard Set Back	30’	34.8’	30.32’	
Max Floor Area Ratio (FAR) Sliding Scale	32.40%	20.20%	35.61%	3.21%
Lot Frontage	100’	75’	75’	ENC
Lot Depth	100’	100’	100’	
Bldg. Coverage	20%	15.76%	20.65%	0.65%
Impervious Coverage	32.40%	22.31%	32.07%	
Height of Building	30’	23.78’	32.55’	2.55’
Lot Area	10,000 sf	7,500 sf	7,500 sf	ENC

The applicant, Nir Ashkenazi, seeks to construct an addition and patio.

Matthew G. Capizzi Esq. introduced himself as attorney representing the applicant.
Mr. Capizzi ESQ. said this is an application for a renovation and expansion of this existing single-family dwelling at 45 Morningside, of note, this lot in the R-10 zone. It is 75 by 100 square feet area, where 10,000 sq.ft is required. With frontage of 75’, where 100’ is required. I bring in these two issues, because they are relevant and trigger a variance before the Board this evening.
The existing dwelling is non- forming with the right side-yard set-back .....The application (2.34) for a two story addition in the back right rear of the dwelling. There is an existing deck there now, which will be replaced with a two story addition, along with a two story addition along the west side of the lot. The property is also in the flood hazard area. So as a result of the renovation....., the finished first floor is actually set a little higher than it normally would be because of the flood area regulations and Mr. Hubschman will speak to that. Because of the undecided nature of the lawn, the non-conforming condition of the right side lawn set-back, and the flood hazard area design .....the variance as to height, two feet only ..... in an isolated area .....which Mr. Hubschman will speak to.....The right side-yard set-back is not getting any worse.....we are continuing

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that same right side-yard set-back.....We also have a Building Coverage variance and (3.47) a FAR variance. Both of which are caused *by the size and nature of the lot.....by a few hundred square feet.* The new variances, FAR, Building Coverage, and height. The right side set-back is an existing condition .....That's a summary of the application.
Mr. Hubschman is a Civil Engineer. Stephanie Pantale is a registered architect, located in Montvale NJ.

Mr. Michael Hubschman was sworn in, and gave his credentials. (4:40)
Mr. Hubschman described the Site Plan (4190-1) for the property displayed on the easel. Existing one and half story Cape Cod, dormer. There is an existing deck in the rear.....side-yard on the right which is the East side.....side-yard is 5', rear-yard is 34'. The one-story addition.....We are in the flood hazard area..... Going back now to the proposal, ... There are two two-story additions: one is the existing deck, and then to the westside, that's when the architect will do that.
It's a one and half story dwelling, sorry, two story.....proposed patio in the rear. We are in a flood hazard zone, so the flood line, is 40.2 at a 100 Year Flood Elevation, and is 43.2 at the Flood Hazard Elevation.
So it's 3' above that elevation
Our neighbor's property is about 44. Our house is..... about 42. So we are in the Flood Hazard Area. So we are regulated by the *DEP rules.*
Mr. Hubschman *described in detail how the plan will protect the property from flooding as per Site Plan 4190-2,* Soil Erosion & Sediment Control Plan . *(9:57)*
Mr. Hubschman said the variances, Building Height 32.5', where 30 is permitted. We're slightly higher because of the rule.....Stephanie will testify to that.....*Building Coverage, we're 49 sq,ft over, we're at 1549 sq,ft where 1500 is required, the variance is 0.65%. The FAR is 97 sq.ft over, required is 2574 sq.ft, we're at 2671 sq.ft.* *(11:11)*
Mr. Capizzi ESQ. *asked about distance between applicant's house and the neighbor's house.*
Mr. Hubschman said 48' between the houses.
Mr. Kassis said in regard to the flood requirements and the existing structure, you testified that the main structure, as it currently exists, is within the guidelines of the new flood use laws .
Mr. Hubschman said yes
Mr. Kassis said so the Height variance tonight being sought for something besides the flood. It has to do with aesthetics and design which will, I'm sure, Stephanie will attest to.
Mr. Capizzi ESQ. it has to do with the design. With the attic getting a little bigger. They really had no basement. So it gives them a little more area up in the attic
Mr. Kassis said so that was a 'yes', okay. Any other questions for the planner ? Okay, None heard.
Ms. Stephanie Pantale, architect, was sworn in. and gave her credentials.
Ms. Pantale described the proposed interior of the house
Mr. Kassis said could you move the microphone closer to you..... (14:29)
Ms. Pantale described the proposed interior: very modest basement.....
4 upstairs bedrooms, master suite, kids bedroom.....laundry area.....attic playroom (15:32)
The recording of Ms. Pantale testimony, except for some words, was not intelligible.
Defective microphone ?
Mr. Capizzi ESQ. said .....varied roof-line (18:20)
Mr. Kassis said on the design perspective the height variance wasn't to be granted. You would be able to accommodate the first floor and the second floor, and would have a just an unusable attic

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Mr. Kassis said it would be like most of the other applications that you designed many of them
Ms. Pantale.....
Discussion between Mr. Hubschman and Mr. Capizzi ESQ.
Mr. Kassis said yes, that's understood. We've heard testimony before, the current floor level is within guidelines of the DEPA requirements. And the ground floor structure is not changing. So the current structure, I'm assuming is at 8' ceiling on the ground floor ?
Ms. Pantale said currently, yes.
Mr. Kassis said so we are raising that. We are looking at a voluminous room which is going to give us a foot for the first floor and then the extra. So I have the ground floor an 8', and the standard attic.....that will give us the additional 2' height variance . (20:16)
Ms. Pantale said.....we are asking for 2', but if we had just followed the 1st floor to 8, I'd still be asking for a foot and a half variance.
Mr. Kassis said because of the current design at the top.
Ms. Pantale said yes, if you have .....
Mr. Kassis said what is the pitch of the roof being proposed ?
Ms. Pantale said the pitch is 3 ½ by 12 in the back
Mr. Kassis said the main roof let's say the front.
Ms. Pantale said the front back.....
Mr. Kassis said the front exposure.
Ms. Pantale said.....
Mr. Capizzi ESQ.said what is the height to the border..
Ms. Pantale said its set at 6.8.....
Mr. Capizzi ESQ.said .....
Ms. Pantale said if I understand, the underside of the ridge I have about nine.....the ceiling height is set at 7' 8. And then it slops down to 6' 8 in the back
Mr. Kassis said we have over a 9' ceiling height in the attic
Ms. Pantale said no, we have a bottom of the ridge. At the tippy, tippy point of the ridge.....
Mr. Kassis said so the bottom of the ridge is 9' to the floor.
Ms. Pantale said yes
Mr. Kassis said okay, and from that how much further to the roof line ? So inside it's 9' when you are standing
Ms. Pantale said yes
Mr. Kassis said plus the lumber that is being used, above that. (22.41)
Ms. Pantale said yes
Mr. Kassis said Okay. I mean we've had a lot of applications over the 25-27 years I've been on the Board. We don't *have* height variances in the neighborhood. Looking at homes in the area. I personally have concerns for that, and other Board members have comments of concern as well. But, I must say, it's a good thing that the house is so far. The neighboring house has 30' plus space. The rear addition probably would have been a little too close for some of the Board members. But fortunately, there is a decent space between those structures . (23:30)
Pantale said.....so both adjacent houses have property a little higher.....for the flood zone.
Mr. Capizzi ESQ.said Mr.Chairman .....we will take a recess to see how we want to proceed..... (24:07)
Mr. Kassis said before we go to that, there was just one more question .Could you just step forward for a just one more.....question that I wanted to ask about this
Mr. Capizzi ESQ.said are you familiar with Morningside? As the architect pointed out

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it's Morningside, the hill.. I'm less concerned with lot 51 and with more up the hill.
Mr. Sutera said can you just, for the lay person here, tell me how 49. Lot 49, would that increase FAR..... on the left side, if the addition on the right might not impact them ? The neighboring property to the left.
Mr. Hubschman gave explanation
Mr. Sutera said it's really just *an unborn fact.* A month ago, I was in Englewood and I watched the East Palisades , the tremendous flush of water. Usually the house down, you look at the worst of it. So I'm just curious. I understand you have taken consideration the flood from the brook. Possibly an over-flowage . So could you maybe for the lay person just tell me how that doesn't in any way take up more coverage on that lot. Doesn't impede or impact lot 49. (25:37)
Mr. Hubschman said Right. We are proposing a seepage pit.....with water-off on the side.....and the only fill outside won't ruin the foundation at all because ..... are open underneath.....
Mr. Sutera said once again, I'm lay person, just slow....coming down. Anything that lands on the side that doesn't go right to gutters, is that not just private space of the neighboring family ?
Mr. Hubschman said that's existing. The lawn is relatively flat. (26:12)
Mr. Hubschman described how the proposed enhancements in the application would protect against flooding.
Mr. Sutera said I'm asking respectfully. Only the reality of what happens in the last two years with flooding in general in that neighborhood . Is it inadequateness, current standards. Are you bringing significantly, with the seepage pits and the additional gutter enhancement. (27:12)
Mr. Hubschman said yes, it's an enhancement. From nothing to the *flood safety requirements .*
Continued Discussion between ***Mr. Hubschman,*** **Mr. Sutera** *and* ***Ms. Pantale*** ***(29:07)***
Mr. Kassis said the Ridge line is at full height straight across the building and although its broken up.....it's very obvious from the street.
Ms. Pantale said.....
Mr. Kassis said alright (30:28)
Ms. Wehle said even though.....
Ms. Pantale said.....
Mr. Kassis said alright. Is there any other question for the Engineer or the architect ? There are a lot of homes in Cresskill. And in most towns basements are 7' tall. My own house has a 7' high basement. And most Capes don't have 8' ceilings, and yet, for 50 plus years, people live in the same home with kids and grand-kids . And the idea of having a nine-foot peak, and creating a state, you know, we're giving the concept of the 9' first floor, plus the 9' attic, volume space room, that's 2' back.....The rest of the application, cantilever exists, space between the houses.....I think the design is very nice with windows on all the walls . A lot of boxes were checked: the height, is fine for me.
Ms. Pantale said.....
Member of the audience indicated he wished to be heard.
Mr. Edward Steynbach was sworn in.
Mr. Steynbach said he lived at 37 Morningside, next door to 45 Morningside, on lot 49.
Mr. Hubschman said house to the left.
Mr. Steynbach said correct.
Mr.Van Horne ESQ asked how long have you been living there ?
Mr. Steynbach said 1984
Mr.Van Horne ESQ asked are you staying there, or would you like to ask question.....

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Mr. Steynbach said Basically, I have seen the request for. I was more concerned about the side pulled out. I think it's 80'. It's not a problem for us.
Mr. Hubschman said and you would know firsthand, you are right next to a brook. So the plumbing and all has been pretty stubborn the last few years
Mr. Steynbach said yes it has.
Mr. Hubschman said way back it wasn't like this.
Mr. Steynbach agreed**.**
Mr. Hubschman said supposedly the army or engineers were working for a while there
Mr. Steynbach said we were told by the Fire Dept. that despite the monies put in for a study, the Town of Cresskill still not warrants the work that would need to be done. It was too small of a town. That's what I was told. So, nothing could be done.
Mr. Hubschman said I've been here not as long as you but close. I thought they were supposed to dredge the Tenakill .
Mr. Steynbach said also they need P.A for that .They don't want to touch the ground. Contamination, bacteria.
Mr. Hubschman said yeah
Mr. Steynbach said.....with the flooding you mentioned, we're on the bottom of the slop of the hill; but the water is coming from the brook itself.....We've had heavy rains two, three days in a row. With over—flows and street flood. Do you have older houses ?
Mr. Hubschman said I do not know. The lot is 80 by 100, but I do not know *higher.*
Mr. Kassis said how would you characterize your position on the application ?
Mr. Steynbach said I have no problem with it. Again, square-footage- I haven't seen the plans, but I don't know if anyone is buying that house it's a real eye-sore. Anything is better than what is now. So I'm sure they have conservatively drawn what ever they need to do. And I'm sure it will be a beautiful home. What is there now is really in very bad condition. (36:36)
The inside is worse than the outside. Somewhere the house is for sale. My wife and I walked in. .I was amazed in what bad condition it was inside. Terrible. How people live that way, its amazing to me.
Mr. Kassis said Thank-you for your time. It's been very useful.....
Ms. Bigei was sworn in (37:20)
Ms. Bigei testified we live on Morningside which is just across the street.....the house is in terrible condition.....*she is very happy with the neighbors on the street. She is happy with the planned renovation.*
Mr. Capizzi ESQ announced *they would take a short break, to discuss the application with the client. (39:30)*
Mr. Capizzi ESQ, Mr. Hubschman, Ms. Pantale, and Mr. Ashkenazi (client ?) returned from break. (40:45)
Mr. Capizzi ESQ said the application requested a height variance. **Ms. Pantale** will rework the plans as necessary to curtail the overall application.....overall the application will remain as is.
Mr. Kassis *paraphrased the plan to limit the height variance*..
Mr. Capizzi ESQ said correct.
Mr. Kassis said is there anybody on the Board that will make the motion for or against the application as amended ?

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Mr. Bancroft said I'll make the motion for as amended.
Mr. Kassis said do we have a second ?
Ms. Wehle seconded.
Roll Call was taken. All Board members present voted yes **.**
Mr. Kassis said thank-you for the motion..... (42:38)
Mr. Kassis said next on the agenda is application 1431 . It's on 297 Brookside Ave

Application 1431

1431 Etal Rosenthal 297 Brookside Ave Block 192 Lot 10

Description	Required	Existing	Proposed	Variance
Minimum Lot Area	**10,000 sq.ft**	**7,741 sq.ft**		**ENC**
Max. Bldg Coverage	**20%**		**21.4%**	**1.4%**
Min Lot Frontage	**100'**	**80.87'**		**ENC**
Min Lot Depth	**100'**	**96.2'**		**ENC**
Min Front Yard	**25'**		**27.9'**	
Min One Side Yard	**15'**	**12.92'**	**12.92'**	**ENC 2.08'**
Min Other Side Yard	**20'**	**13.02**	**13.02**	**ENC 6.98'**
Total Combined Side Yards	**35'**	**25,94'**	**25.94'**	**ENC 9.06'**
Minimum Rear Yard	**30'**		**36.25'**	
Maximum Height	**31'**		**30.5'**	
Max Floor Area Ratio (FAR) –Sliding Scale	**33.42%**		**35%**	**1.58%**
Impervious Coverage Sliding Scale	**31.90 %**		**28.4%**	

The applicant, Etal Rosenthal, would like to build a new home.
The application included the following plans: **A1** Site Plan + Zoning, Cellar Plan, **A2** Proposed Floor Plans , **A3** Elevations .
Mr. Rosenthal was sworn in (43:23)
Mr. Chris Blake, architect, was sworn in .
Mr. Kassis said off the record, Mr. Blake has been in front of the Board many times.....
Mr. Blake testified **(the following is based on plans, A1, A2, A3 submitted with the application)***the lot area is 7741 sq.ft., the required is 10,000 sq.ft.*
The existing house is a bungalow. The plan is to add a 2nd floor. Keep the foundation and build above it. Keep the existing Side-yard set-back.

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The one-car garage is sinking. It is a basement garage higher than the curb. A new reinforced concrete slab will be built 1' below existing floor. A new 2 ½ addition will be built over the garage.
A concrete driveway, with new low retaining walls, will replace the existing driveway.
A new masonry covered front porch will be added in front of the front door
The upstairs will have 4 bedrooms, and 3 bathrooms.
The downstairs has a main area, to the right of the main entrance, containing the Dining room, Family room, Kitchen and Powder room. There is a separate Living room, to the left of the main entrance.
Description of proposed Front elevation, Rear elevation, Left side, and Right side yard elevations.
Mr.Kassis said Okay. Will you tell us about the application. **(45:21)**
Mr. Blake said we have a 7741 sq.ft property, where 10,000 sq.ft is required. We have a one and a half existing Cape Cod building on the property. We are seeking to expand the single family residence , add a 2nd floor, if you will, and kind of working with the garage. There is an existing rectangular, 24' by 36' *above* the house,.....it's not enclosed, it's completely open to the air. It has a covered porch that connects the garage to it, about four, five feet wide. It's a one car garage. What it is right now, the property, it's a little bit raised from the street. There is actually a retaining wall towards the front, if you will. Concrete side-walks. So there is a couple of three feet lifted from the street itself on both sides. So what we are proposing to do eventually, is keep the foundation, and keep the house where it was. And kind of build above it, if you will *brand new.* ***(47:08)***
We are proposing to keep the existing side-yards set-backs. We are proposing, I think its two feet in the front over-hang, and altogether about 3' in the back over-hang. The front yard and rear yard are combined currently and we are suggesting keep them compliant.. We are here for the variances on the side-yard set-backs. One is 13.02, again it's existing and we're just talking about continuing an non-conformity. And the other side is 12.92. Again, it's existing and we're just continuing a non-conformity. These are obviously causing a combined.....set-back as well.....But they are all two feet and change. The other thing we are here for is the Floor Area Ratio. Required is 33.42%, we are proposing 35%. So its really just about 123 sq.ft over what's allowed. It's just a project, I'll tell you how and where it's occurring. One of the things we are doing with this property, like I said, essentially keeping the foundation and kind of working above that. We are also kind of keeping the existing garage..... but we are *slinking* the garage, if you will, by a foot and a foot and a half. Kind of created as a basement garage. The thing about this property , because the property is raised, the basement garage will be higher than the street. Higher than the curb, rather. **(48:55)**
So we are still creating *a power for the flow.* The driveway we're really not creating such a basement garage. It's just not.....a little bit outdated. So the garage will be partially under-ground. So therefore we can build two stories above the garage. Again, it's a one car garage. Parking a 15' by 20' foot-print .....The other thing we are doing is raising the existing *film* base Right now there is a 7' ceiling in the basement. We are raising the *film base* not by a couple of blocks, **(49:37**) which will obviously give us a little more usable basement space. It also raises the first floor ramp. That, along with lowering the garage, also gives us that extra space. That extra usable space above the garage. All this is entirely not really cut to the variances. Again, what we are here for is to continue the existing non conformities for the side-yard set-backs and the Floor Area Ratio.
What we were doing in designing the house' The 24'deep house, the 24'depth is challenging . If you are on the 2nd floor and have a 3' hallway down the middle ,you can barely have 10' rooms on each side.....they are small bedrooms for these days. So we've worked on making them work with a *quarter-two* over-hang towards the back of the house and the front of the house. Kind of give ourselves 29' foot-print. Again, so that.....almost 12' wide bedrooms .....of that nature.....all

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together more sizable rooms.....Impediment for doing so, again we are working with the existing foot-print, with these complex foot over-hangs here and there, it has increased **(51:06)**| the.....it is over 120 sq.ft. We are proposing a 35%. Again I think there is definitely, or partially, the result of an under-sized property. Or if we did have a correct sized property, the Far would be dramatically under the allowable. And I think it's just a subtle bit over, its really caused by the under-sized property. We are compliant with the Impervious Coverage, the Building Coverage, the Front-yard, the Rear-yard, Building Height. And again all we are really asking for is the Floor Area Ratio, 35%, and the Side-Yard set-backs. Continuing with what they are now 13.02 and 12.92. I imagine our neighbors, I don't have exact numbers, but I imagine our neighbors are similar in that, where they have close to 15' as well. But I do think the house will fit in the neighborhood, as it does not feel tighter squished in there. And for what its worth, I feel I'd like to vote now. Existing condition. It's about all that I have. (**52:21**)

Mr. Kassis said .....question, the.....to show on the doted line, allow for the set-back, and it creates a block that's.....and you show 15 on each side, and one is supposed to be 20. What would ideally the 15. And what would be, in your opinion.....

Mr. Blake said that's kind of a dilemma, I didn't have all the time, so that's why I did not show it that way. I like to show the clients what picks could push one way or the other .....The flexibility you get when you say 15 of one and 20 of the other. You get to choose. The 20' I would probably be most likely or comfortable on the branch side. And I think that the fact was it was only a single car garage. On one point made it, you know,..... show a little distance with respect to the set-back.

Mr. Kassis said Okay. Could you shift to page *(loud paper rattle*)..... **(53:33)**

Mr. Blake said Okay.

Mr. Kassis said.....part of the Floor plan.....the area which is.....

Mr.Blake said yes, unless there was a mistake on my behalf. I am apologizing for it ahead of time. The intention would be to have some kind of windows down there. Most likely, we would definitely even have some on the second floor, as you see, it's the master-bedroom. Probably have one on each side of the bed. So this plan was a little rushed to get in front of you. It's still being developed, and it is something that we will adjust . (**54:26**)

Mr. Kassis said.....Air and light is an important aspect.....The other concern that I have is the fact of the 20' side-yard. Looking at the sides of the master-bedroom, 14 by 19 , is there any.....*Loud sound of pouring/ rushing water ?*.....

Mr.Blake said obviously the.....is yes. Something can be done. Whether look, peculiar or not, having a second floor on top of the first floor. Or having a little roof there or something like that..... design challenge.

Mr. Kassis said you continue..... *Loud sound of pouring/rushing water ?*....the roof and when you bring that along the sides.....

Mr. Blake said it's true.

Mr. Kassis said do you know the distance between this house and the house to the left ?

Mr. Blake said I don't know the actual dimension.....

Mr. Kassis said do you know the right side ? Same answer ?

Mr. Blake said the same answer, but again it's the old similar calculation .

Mr. Kassis said .....*Loud sound of pouring/rushing water ?*..... The 2nd floor is an issue **(56:35)**

right now ..... with 24 on the left.....

Mr. Blake said if you push it toward the right, that would give me 6' wide bedroom.

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Mr. Rosenthal *spoke without a mike.* **(57:34)**

Mr. Rosenthal said 10 by 19

Mr. Blake said would 15' be acceptable ?

Mr. Rosenthal said 20'is the number.....

Mr. Rosenthal showed Photo of the neighbor's property.

Mr. Rosenthal commented on Photo of the neighbor's property.

Mr. Blake said the photo was helpful **(1:00:04)**

Mr. Blake said I think it does reinforce me saying which is that we probably have 13'or so, and it looks like they have 12'or 13' on either side. It appears by scale about 25' between the 2 buildings.

Mr. Kassis said .....is here now ?

Mr. Blake said I also think the blank word. The side-yard set-back, which I understand is its own category by itself. The house is 2700 sq.ft. Although that doesn't sound that small . Its composed of 4 bedrooms upstairs. Which again, is not necessarily small, but they are 13 by 12, 14 by 10, there are some modest sized rooms in this house . It's not really over-sized. If you want to consider the Master-bedroom, a little over-sized. I'm not saying that there is no room to take something out, its not grandiose by any means.

Mr. Rosenthal commented. **(1:02:47**)

Mr. Blake said I'd like to proceed with the Side-yard set-backs with variances of 13.02' and 12.92' that are extremely worthless. Enlarging of existing non-conformities .I would like to propose a 35% of FAR variance where 33.42 is required. That is 123 sq.ft over the allowable. And we base our conditions on the fact that we do have an undersized lot. We have a bare lot, we have an existing condition. We have an existing house that we are trying to maintain. We are not widening a foot path. We are not dumbing you. Everything known all over again. We're kind of trying to work with what we have.

Board Member asked by what amount is Building Coverage over ?

Mr. Blake said Building Coverage is not over. If you are referring to an old Letter of Denial, that has since been corrected. It was a typo and we have never been over.

Board Member asked about Lot Coverage.

Mr. Blake said there is no variance for Lot coverage. **(1:04:00**)

Board Member asked about Building Coverage.

Mr. Blake said we are at 19.4% where 20% is required.

Mr. Kassis asked any other questions **?** Anybody in the audience wishes to be heard on this application?

There was no response.

Mr. Kassis said alright. Could we have a motion to approve or deny the application.

Mr. Cleary made a motion to approve.

Mr. Kassis said could we have a second ?

Mr.Sutera seconded.

Mr. Kassis said Okay, could we have a roll call.

All Board members, present voted yes.

Mr. Kassis said the application will be memorialized at the next meeting. You will be able to pick up the Resolution, soon after it's processed, from the Building Department.

Mr. Blake said Thank-you very much. **(1:05:40**)

Mr. Kassis said the next application is #1432 119 5th St. Thank-you for being patient.

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Application 1432

1432 Patricia Angelotti 119 5th St Block 48 Lots 653, 654

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25’	14.3’	25’	
Side Yard Abutting Lot	15’	2.2’ and 31.4’	10’ and 10’	5’ and 5’
Combined Side Yard	35’	33.6’	20’	15’
Rear Yard Set Back	30’	50.3’	30’	
Max Floor Area Ratio (FAR) Sliding Scale	39%		27%	
Lot Frontage	100’	50’	50’	ENC
Lot Depth	100’	100’	100’	
Bldg. Coverage	20%	12.9%	27%	7%
Impervious Coverage	35%	33.1%	39.1%	4.1%
Height of Building	30’	19’	20.2’	
Lot Area	10,000 sf	5,000 sf	5,000 sf	ENC

The applicant, Patricia Angelotti, seeks to build a single-family home.

Ms. Patricia Angelotti was sworn in. **(1:07:07)**

Ms. Patricia Angelotti testified that the present house belonged to her parents . She wants to take the old house down and put a new house in.

Ms. Patricia Angelotti said right now, I live in a two story family house in Rockland county, and my parent’s house is a two story . I have arthritis, and I need to have one level, and when my Mom passed away in January and my husband passed away in May, it was like get that property and put something down-sized on it.

Mr. Kassis said you are going to demolish the.....and build a brand-new structure .

Ms. Patricia Angelotti said yes .

Mr. Kassis said .....often times, for the application process, we approve one portion of it..... **(1:08:15)**

Mr. Van Horne Esq . said .....

Recording very poor, incomprehensible.

Borough of Cresskill
Zoning Board of Adjustment
Public Meeting 7:30 pm
Minutes Sept. 26, 2024

1432 Patricia Angelotti (cont.) 119 5th St Block 48 Lots 653, 654

Mr. Kassis said alright. So this application should have gone directly to the Planning Board. That doesn't mean that we can't hear it, but it would have to get site plan approval from the Planning Board.....It's your right, if you wanted to, withdraw your application from the Zoning Board and bring it.....Seeing that you are here.....

Ms. Patricia Angelotti said Okay, we might as well continue

Mr. Kevin Martin was sworn in.

Mr. Kevin Martin testified that he was a licensed architect in the state of New Jersey.

Mr. Kevin Martin answered questions by Mr. Van Horne Esq . regarding his credentials**.**

Mr. Martin said As Ms. Angelotti said, the current home has not been up-dated for her to live in it now. It's a raised house, a two-story home. There are six or so stairs into the front, she could enter from the side, but there are 2 or 3 stairs and again another 4 to 6 inches to the house. With all these issues she's decided to tear the house down, and build a one-story ranch that would be more accessible to her. Currently we explored keeping the house. But the house has a pretty strong foundation which.....just new. The lot is an undersized lot it is 50' wide. The two major hardships that we have are the Side-yard set-backs and the Combined Side-yard set-backs. These are *thrifts**, basically a king lot 40' print, for a three-story home which is very small.* ***(1:11:36)***

So, we are seeking to center the house. We have a ten-foot-wide set-back on each side. These are photos from Google maps and also photos from what I took . I can hand them out. .....

The photos were passed out to the Board.

shows that pretty much every house on that block, three to the left of her and three to the right of her , all the properties have that *leak* on their Side-yard if not Side-yard and Combined Side-yard . And also the one other Ranch, you're looking for was the driveways Set-back. Most of the drive ways on this block are right up to the property line. or one or two feet close.

Mr. Kassis said..... (**1:12:15**)

Mr. Martin said Yes, I did see some Google map photos of aerial photos and then Google map period would not take dimensions, so Congress took those dimensions, so they may not be exact. But.....they are all right within 20 feet or so.

Mr. Kassis said.....

Chatter among Board members

Mr. Martin said it turns out that the house is the smallest, narrowest house on the block. It does have a good sizable side-yard to the right. .....We'd be increasing the Side-yard set-back, from convoluted 2.2 ' .....to the right. The reason the over-hang, the window over-hang, which brings us to only zero on the left side, and currently on the right side from the house, where the property line is 31.4 and we have a Side-yard set-back on the right side of 10'. Most of the house is narrow. .....The largest difference between two houses is (between 119 and 123) which is 35' **.** And now we are on the same line with all the other houses. Which are about 14' on that side of the street, in between the houses . (**1:14:33**)

Mr. Kassis said in the property survey that's been provided shows the .....described the survey.....

Mr. Martin said we have an existing survey from 1946

1432 Patricia Angelotti (cont.) 119 5th St Block 48 Lots 653, 654

Mr. Kassis said .....the pictures are important. It does show.....what we are dealing with.....*described content of photos*..... **Recording very poor.**
Mr. Kassis said does anyone on the Board have a question ?
Member of the Board asked about the Macadam Driveway. **(1:16:48)**
Mr. Martin said the Macadam is right up to the property line. There is a small roof line. The 2.2 is to the house. The window pumps out, so that brings us to just under 4 inches from the property line
Member of the Board asked *what is the width of the existing house*
Mr. Martin said the existing house is 20'
Mr. Kassis said okay. Are there any questions for the applicant ?
Mr. Kassis *said is there any one in the audience here for or against this application* **.**
That being said, there are no changes or modifications, what's being permitted is what's being proposed. You are coming to the Board at this moment.
Mr. Martin said Yes, as long as the front end.....Yes.
Mr. Kassis said motion for or against this application .
Mr. Sutera made the motion.
Mr. Kassis said second.
Mr. Cleary seconded. (**1:18:04**)
Mr. Kassis said Roll Call please.
Mr. Kassis said yes, subject to the Site Planning Board approval
Mr. Martin said is that another Board meeting ? All I got was this Denial letter, with only Zoning
Mr. Van Horne Esq said *normally you are sent here when there is an issue with Variances from zoning ordinances In the case of new construction, the application must also be approved by Site Planning /Building Dept.*
All Board members, present voted yes.
Mr. Kassis informed the applicant *that the application will be memorialized at the next meeting. You will be able to pick up the Resolution, soon after it's processed, from the Building Department*
Mr. Kassis said the next item is Memorialization:

Please see next page

Borough of Cresskill
Zoning Board of Adjustment
Public Meeting 7:30 pm
Minutes Sept. 26, 2024

Memorialization # 1430

This Application will be heard if the revised application is received before 09/ 26/24. Please see note following Zoning table.

1430 Meng Xie and Guofang Teng (c/o Matthew G. Capizzi Esq.)
46 Heather Hill Rd. Block 1.04 Lot 5

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25’	28.4’	28.4’	
Side Yard Right	15’	10.1’	10.1	ENC
Side Yard Left	25’	12.7’	12.7’	ENC
Combined Side Yards	35’	22.8’	22.8’	**ENC**
Rear Yard Set Back	30’	39.33’	39.33	
FAR Max.Livable Floor Area	34.32%	N/A		
Height of Building	30.0’	N/A		
Lot Frontage	100’	75’	75’	
Lot Depth	100‘	100’	100’	
Bldg. Coverage %	**20%**	**20%**	**23.9%**	**3.9%**
Impervious Coverage	**32.40%**	**29.6%**	**42%**	**9.60%**
Lot Area	10,000 sf	7,500 sf		

The applicants, Meng Xie and Guofang Teng, were granted the above variances to install, a patio, pergola and stepping- stones.
This application was heard on 8/22/2024. The applicant agreed to revise the application.
The revised application will be heard at the next Zoning Board meeting, following the receipt of the revised application .

The revised application was received.
Mr. Van Horne Esq. Mr. Van Horne officiated the memorialization
Ms. Bauer took the Roll Call: the Memorialization was approved

Mr. Kassis made the motion to adjourn the meeting at 9:00 PM