

**Borough of Cresskill
Zoning Board of Adjustment
Public Meeting 7:30 pm
Minutes July 22, 2021**

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1382 Sokoi Lumaj (cont.) 110 6th St B 48 L 688-690

Mr. Ruffela asked and you are aware why we are here tonight. Would you give us a brief description of the project,

Mr. Mederos said we are proposing a new construction of a custom single family home on an under-sized lot. This is a 75 by 100 piece of property, in the R10 district, where 10,000 sq.ft is required. Due to the fact that this lot is below the required frontage of 100' in the R10 zone, and we have 75', we have a little bit of a disadvantage in terms of the side-yards, particularly the combined side-yards of 15' + 20' or 35' total on a 75' line lot'

Mr. Ruffela said you were able to comply with the side-yards individually ?

Mr. Mederos said that's right.

Mr. Ruffela said is there any necessity or hardship that you are facing..., that requires us to be before the Board ?

Mr. Mederos said only advantage is that it's a relatively flat lot, so the disadvantage or hardship would be that its an undersized lot, narrow lot.

Mr. Ruffela said did you make an attempt to try to comply with the zoning requirements ?

Mr. Mederos said yes. Typically with a new home we will first try to prepare it as a center hall. That's an impossibility here with the nature of the narrowness of the lot. And in Cresskill its very expensive in a new home to have a 2 car garage. So, a 2 car garage has a certain dimension it needs to be . A functional 2 car garage has a 20' by 20' on the interior. So with that starting point it has a relatively narrow entry way. 8' wide with a full staircase inside the foyer and then a 13' by 12' living room, and then directly behind it a 13' by 15.6' dining room. We are creating large openings so that the dining room can extend. Again, there are certain expectations in a new house, and we are trying to fit all that in as best we could here.

Mr. Ruffela said what about the kitchen did you make an exception to the kitchen ?

Mr. Mederos said similarly, again, there are certain expectations in a new home for a kitchen and in particular its an island, and there are certain particular dimensions we have to keep- our cabinets are all 24" deep, we have to provide a certain space between the islands, the island itself has to be a certain size, and again the space between the island and the rear of the wall, and the 24" appliances, and the counter is there- And so with all of that, its similar to a garage, it wants to be a certain size.

Mr. Ruffela said looking at the home its going to be 2 garages. What is to the right of that ?

Mr. Mederos said there is the 2 car garage. Of course in the center here, we have the entrance way and the 8' wide foyer that goes thru with the staircase and the living room we are proposing with 13' by 12' dimensions.

Mr. Ruffela said what about the 2nd floor, could we talk about that as well.

Mr. Mederos said sure. Again, the project has a certain expectation. A 4 bedroom is by far the most common regardless the size of the house. So we are accommodating that here with a master suite, 3 kids' rooms, one of which is the suite, the other 2, there is a Jack and Jill, which I referred to.

Mr. Ruffela said in terms of design itself is there some design features that you did to the 2nd floor that takes away from that can you describe that for us.

Mr. Mederos said yes, we are trying to avoid having....we're here reviewing the plans to determine how bulky the house is in terms of loading requirements. We've made every attempt here to soften the front by setting back the second floor . So over the...we have a small corner

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Mr. Mederos gave a technical description of the design of the 2nd floor set-back.

Mr. Mederos said the 2nd floor conforms to the combined side-yard requirements.

Mr. Ruffela asked about other projects that Imagen Architecture had completed for Mr. Lumaj in the area.

Mr. Mederos said a project was finalized, apparently, at the end of 2017 for a property on 38 Willis, which has pretty much the exact same Zoning parameters as we are looking at here. Same exact lot size, same exact variances being sought.

Mr. Ruffela said OK. Did you take the plans from 38 Willis and make them into what are here .

Mr. Mederos said yes.

Mr. Ruffela said the structure inside maybe different, but the outside is very much the same.

Mr. Mederos said yes. Right now as designed, the outside is the same. (*showed image*) This is a mirror image of the home.

Mr. Ruffela said did you bring any pictures of that home ?

Mr. Mederos said yes I did.

Mr. Ruffela said I'm not saying that's a precedent, but pictures of 38 Willis just so we can look and see what we are looking at on the street here.....if that's acceptable.

Mr. Kassis said that's really not relevant to this exact application. We are talking about this application on this street and lots of pictures of this street. As the testimony we just heard that this is not an exact duplicate of that house, so it would be difficult for the Board to extrapolate from the picture, whether that's going to be a genuine comparison.

Mr. Ruffela said OK I understand. Do you feel in your architectural opinion that this home would be out of place in this neighborhood ?

Mr. Mederos said first thing that comes to mind when you as me that is that the house immediately next door on the corner property is a full 2 story much wider corner property home. I don't know the plans, but its very clear to me that its much larger than what we are proposing, and immediately next to our property.

Mr. Ruffela said what you proposed in your plan is in accordance with what you do as an architect. Correct ?

Mr. Mederos said yes. We are solving puzzles, trying to solve challenges, trying to accommodate an unexpected*loud rustling of paper*.....

Mr. Ruffela said in your professional career you've done everything.....*movement of chairs on the podium*.....*within guidelines of Cresskill*

Mr. Ruffela said as best we could for this particular lotand house.

Mr. Ruffela said I have no further questions of the expert. Does the Board have any questions ?

Mr. Kassis asked does anyone on the Board like to ask a question of the applicant ?

Ms. Schultz-Rummel said I have a question for Jack. Are we only moving on a 'D' variance for the FAR, or are we also approving the other 'C' variances ?

Mr. Van Horne said we have an exclusive jurisdiction over the FAR application. I would say also Building Coverage which is addend to the issue . With regard to the other variances, I think that since we have jurisdiction over the main portion of the application, we should hear the otheras well.

Ms. Schultz-Rummel said Thank-you.

Mr. Van Horne said you are submitting all 4 variance applications to this court at this time.

Mr. Ruffela said yes

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Mr. Lumaj was sworn in.

Mr. Lumaj said I just want to add, before I came here I was before the Planning Board. I presented this to the Planning Board and they said I must come here first for the Zoning. And rather than to stay on as required in this project, they said the Zoning Board cannot really deny, so that's why we are asking for whatever you haveafter this we have to go back to the Planning Board just for this.....

Mr Kassis asked any questions from the Board regarding this application ?

Ms. Schultz-Rummel said you said that there were 4 bedrooms but I see there is a 5th bedroom in the basement.

Mr. Mederos said I'm sorry, I was speaking about the 2nd floor only. There are only 4 bedrooms on the 2nd floor. That's what I meant.

Mr. Kassis said the proposed elevation, that you provide from the front of the building, on the right hand side, considering the 19-8, what is the 19.4' side yard, what is the idea about having such a large over-hang on that side there ?

Mr. Mederos said you mean this over-hang ?

Mr. Kassis said yes.

Mr. Mederos said those are the permitted projections in Cresskill, 2' over-hang for the roof. Makes for more dimension, more depth. More 3 dimensionality of a house , as opposed to it being bland and less dynamic.

Mr. Kassis asked so what is that dimension ?

Mr. Mederos said 2'. The over-hang on this design is 2' per the permitted projection in Cresskill.

Mr Kassis said and as for conforming properties that have full side-yards without variances, a 2' over-hang would not be an issue at all, but considering that this application is looking for relief from that side-yard, and yet a standard over-hang, as you characterize, is being posed here, without considering the fact that there is a variance being requested. It seems to be an unnecessary amount of that is projecting over, I understand, over construction, that doesn't need to be 2'. Considering that 19.4' ?

Mr. Mederos said I think that that's the existing set-back, I don't see that in the proposed.

Mr. Kassis said I'm sorry. I meant 19.4' going to 16.7', so we're tightening that up quite a bit, and you are still proposing a 2' over-hang ?

Mr. Mederos said yes. We can reduce that over-hang. I feel again, I know that it seems against what the Board would be trying to do, but I feel like the roof over-hang helps, again, to soften the house and not make it feel so tall and over-whelming . It makes it kind of blend with the site.....we'd be willing to snap it down now, and make it to a foot if that works better.

Mr. Kassis said could you sustain on the same elevation , the over-hang on the left side ?

Mr. Mederos said they're consistent 2'. The house has a consistent theme. We would adjust. If its one roof, and one theme, we would adjust the most..... *loud rustling of paper*

Mr. Kassis asked are there any other questions for the application ?

Mr. McCord said if you did reduce the eaves on the roof to a foot each side, would that now make the variance you are requesting not 3.3' but instead like barely a foot ? But it doesn't change the side-yard.

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Mr. Mederos said technically it doesn't change thepermitted projections , so we'll be adjusting the roof as an added gesture to help with the width. But the dimensions are technically taken to be wrong..... *rustling of paper*.

Mr. Kassis asked any other questions ?

Mr. Mederos asked permission to continue.

Mr. Mederos said similarly, as I was saying before, about something that would maybe, like with the roof , if it would seem that larger over-hangs would make it more oppressive. I think with the larger foot-print, and the Building Coverage number that we are seeking, that allows us again to kind of build up the 2nd floor and soften the house. If we were, say, to reduce the Building Coverage and make it smaller on the 1st floor, that area within kind of a transfer over to the 2nd floor and become a heavier 2 story house. And again, although the numbers might seem a certain way, I think the intent is to create less apparent bulk on the neighborhood. And so with the allocation of the area, we've done here, I think it does have where it softens the house on the street.

Mr. Kassis said if there is no other questions I'd like to open it up to anybody here for or against this application.

.....*no response from public*.....

.....*loud rustling of paper*.....

Mr. Kassis said before we move forward with a motion, are you proposing that you would reduce the over-hang from 2 feet to 12 inches ?

Mr. Mederos said I would just like to testify that where the roof , where the rafters they come down. That happens where its already set in, and conforming on the 2nd floor. If we could keep those at 2 feet, but everywhere you have a gable room, like here, when you are looking on the side here. If we could make these gable lengths one foot, but where the rafters come down, keep the 2 foot there. Would that be something...

Mr. Kassis said my concern is the side-yard, the plane of the side-yard, could the air and light would be affected on the side-yards ? While I don't disagree with having over-hangs on larger property- it would probably be more appropriate- but on a property of this size where adjustments are being made to the Zoning, some adjustments maybe in order on that over-hang. Its my single personal opinion on that. If you want to go forward with that change, before we vote, that would be up to you.

Ms. Batistic said I just have a question. The 2nd floor, is how much set in ? What is the distance?

Mr. Mederos said it varies

Ms. Batistic said right above the garage, like let me look at it from the street.

Mr. Mederos said (*pointing to the plan*) this form here is aligned with the garage....this part here is set back one foot and the part at the foyer is set back three feet..

Ms Batistic said I mean on the side-yard

Mr. Mederos said two feet

Ms. Batistic said so you are 18.7 on the 2nd floor.

Mr. Mederos said 18.7', correct.

Ms. Batistic said 18.7- you are not 16.7. So you are two feet in.

Mr. Mederos agreed.

Ms. Batistic said Thank-you.

Mr. Mederos said Thank-you for pointing that out.

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Mr. Kassis said would you like us to move forward with that application with that single modification ?

Mr. Mederos said yes

Mr. Kassis said any other questions regarding this application ? If not, I would like a motion from the Board with the suggested change.

Mr. McCord said I'll approve it .

Mr. Kassis said is there a second ?

Ms. Batistic said second .

The application was granted.

Mr. Kassis said as you know, next month the resolution will be memorialized and thereafter you will be able to obtain the necessary permits....*paper rustle*.....required by the town.

Mr. Kassis said next on the agenda is application #1383.

Application

1383 Richard & Susan Gonci 424 Knickerbocker Rd B 101 L 16

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25'			
Side Yard Abutting/Lot	15'			
Other Side Yard	20'			
Combined Side Yards	35'			
Min. Rear Yard	30'		19.6	10.4'
FAR	34.32%			
Height of Building	28'			
Lot Frontage	100'	60'		
Lot Depth	100'	104'		
Bldg. Coverage %	20%			
Impervious Coverage variable	32.4%			
Lot Area	10,000 sq.ft			

The applicants propose to construct a 12' by 16' deck.

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Ms. Susan Gonci was sworn in.

Ms. Gonci testified that they were applying for a 12' by 16' deck off the back of the house. I don't have enough room between the deck and the parking lot. So that's where the variance is put.

Mr. Van Horne asked is there a deck there now ?

Ms. Gonci said no.

Mr. Van Horne asked is there a patio there now ?

Ms. Gonci said kind of. Yeah, actually there is a table there.

Mr. Kassis asked is this the application you submitted for the deck ?

Ms. Gonci said yes. Bob did the drawing. Bob, the building guy.

The table is very confusing, I have to tell you that.

Mr. Kassis said so the existing addition was ?

Ms. Gonci said 1985. 14 by 27

Mr. Kassis said there are some details missing. The height of this deck on the furthest part of the rear of the deck. How high off the floor would that be ?

Ms. Gonci said I think maybe 4'. I have the drawing, if you want me to get.

Mr. Kassis said sure that might be helpful. Bring that up here please.

Mr. Kassis asked do you have another copy of this ? or is this the only copy ?

Ms. Gonci said that's my last copy. The Building dept. has another set.

Mr. Kassis said I'll mark this A-1 and put today's date. I'm going to pass this around to the Board, it shows the elevation, and the number of steps that would be for the back of this deck.

Just to be sure the steps that are shown here on the deck appear to be going – to the back or to the side ?

Ms. Gonci said they are going to the side. Off of the left side.

Mr. Kassis said I'm going to send this around, and take a few minutes to look at it.

Ms. Gonci said sure, then I'll sit.

Ms. Batistic asked the sliding doors, are they currently there ?

Ms. Gonci said no, there is currently a 6' window where the door will go. So there is no structural. So the window will come out and the door will go in.

Mr. Van Horne said could you tell us what is behind your property. Is there another residence ?

Ms. Gonci said yes there is the residence on 12th Street

Mr. Van Horne asked approximately how far is the house from the rear of that property ?

Ms. Gonci said 75'. If you go from the back of my room to the back of her house.

Mr. Van Horne said no, no I meant...

Ms. Gonci asked to the property line ?

Mr. Van Horne said from the back of her house to the property line.

Ms. Gonci said I have no idea, maybe 50'.

Mr. Kassis said the depth of your property appears....

Ms. Gonci said 128 and 4.

Mr. Kassis asked have any alternatives been considered regarding either patio versus.....would that not be high enough off the ground ?

Ms. Gonci said no. I could make it- we could bring it back 2' and make it 10' by 16'.

Mr. Kassis said that would not be useful....

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Ms Gonci said OK . Well I mean that would give an extra 2' onto the variance that we were asking for.

Ms. Schultz-Rummel suggested adding chairs to the table on the patio.

Ms Gonci said I wanted something house level so I don't have to go up and down the stairs. Only because we are getting older and navigating stairs is becoming difficult for me.

Ms. Batistic asked does the property go up, or is it level ?

Ms Gonci said no its pretty level.

Mr. Kassis asked are there any questions or comments regarding this application ? Appears to be a very modest sized deck.

Ms Westerfeld asked what's the size of the rear yard now ?

Ms Gonci said I think its 30'. When I put that room on my house, they built it to the point where I wouldn't have to go for a variance, So I'm at the end of whatever that distance would be and I think it was 30'.

Ms. Batistic said I think 26'....

Mr. Kassis agreed

Ms. Batistic said you are now 19.6 at the 2nd wall.

Mr. Kassis said anymore questions for the applicant ?

Mr. Kassis said let the record show that there is no one here for or against the application.

Mr. Kassis said so, I would entertain a motion from the Board at this point.

Mr. McCord made a motion to grant.

Ms Westerfeld seconded.

The application was granted.

Mr. Kassis said that the memorialization will occur next month. You will have to adhere to whatever engineering requirements pertain to this application. Bob Rusch will go thru that with you.

Ms Gonci said so I can't get the permit until next month ?

Mr. Kassis said that's correct. Ther shouldn't be any obstacles.

Ms Gonci said so its the day after ?

Mr. Kassis said the day after the meeting.

Ms Gonci asked for copies of her plans.

Mr. Kassis said that they would be copied, and that she could pick them up at the Borough Hall office following day.

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Memorialization

1379 Michael Brusco

106 Morningside Ave

B 164 L 601

Description	Required	Existing	Proposed May 27	Variance May 27	Proposed June 24	Variance June 24
Front Yard Set Back	25 ft	22'	22'	ENC		
Side Yard Abutting/Lot	15 ft	12.25'	10.5'	4.5'	12.25'	2.75'
Other Side Yard	20 ft	12.25	12.25	ENC		
Combined Side Yards	35 ft	24.5'		ENC		
Rear Yard Set Back	30'	30'	16.1'	13.9'	18'	12'
Max. Livable Fl. Area (FAR)	35.94%					
Lot Frontage	100 ft	62.5'				
Lot Depth	100 ft	100'				
Bldg. Coverage %	20%	25.23%	29.82%	9.82%		
Impervious Coverage variable	33.70%	33.6%	36.11%	2.41%	37.54%	3.84%
Height of Bldg	28'					
Lot Area	10,000 sq.ft	6250 sq.ft				
Min.Driveway side-yard	10'					

The applicant was granted the above variances to construct a patio 12' by 20.5'

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Memorialization

1381 Antonio Manfredonia

15 East Madison Ave

B 80 L 9.01

Description	Required	Existing	Proposed	Variance
Min. Lot Area	10,000 sq.ft	10,750 sq.ft		conforms
Min. Lot Frontage	100 ft	64.33'		ENC
Lot Depth	100 ft	102'		conforms
Front Setback w/ Parking in Front	40 ft	71.3'	No change	conforms
Rear Yard Setback	30'	2.17'	No change	ENC
Side Yard Setback	0.0'	4.5'	No change	conforms
Total Both Side Yards	30 ft	59.24'	No change	conforms
Max. Building Coverage	50% (5,365sq.ft)	14.17% (1523sq.ft)	No change	conforms
Max. FAR – 1 st floor of 2 Story Bldg	13.95% (1500 sq.ft)	9.9% (1068 sq ft)	No change	conforms
Min FAR for Business	3.72% Min (400 sq.ft)	14.17% (1523 sq.ft)	No change	conforms
Min Room Width for Businesses	12'	TBD	No change	conforms
Off-Street Parking Spaces	1 per 5 seats	10	No change	conforms
Building Height	2 story/ 31'	22.02	No change	conforms

The applicant proposes to build a Pergola in front of the Farmhouse Café.

The Zoning Board granted the application with the provision that the application be reviewed by the Planning Board, and that the applicant complies with any and all requirements and modifications designated by the Planning Board .

Ms. Schultz-Rummel motioned to close the meeting at 8:14 pm