

**Borough of Cresskill
Zoning Board of Adjustment
Public Meeting 7:30 pm
Minutes Mar.25, 2021**

Present in Person:, Mr. Kassis, Ms. Batistic, Mr. Cleary,. Mr. McCord, Ms. Schultz-Rummel, Ms. Bauer (recording secretary)

Present by ZOOM: Ms. Westerfeld, Mr. Corona, Mr. Jack Van Horne (Board Attorney),

Mr. Kassis hosted / directed the ZOOM.

Mr. Kassis chaired the meeting on ZOOM..

The meeting was called to order at 7:46 pm. to accommodate adjustments required by ZOOM

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

The February minutes were approved by Ms Batistic and seconded by Ms. Westerfeld.

NOTE: Because of the feed-back echo from ZOOM, the recording was difficult to understand. Italics are used to indicate that an interpretation was used instead of the exact words.

Applications

There was no one present for Application 1375.

Mr. Kassis said that in the event that the applicants for #1375 were late, the hearing for Application #1375 would be heard last.

1376 Anecia Manaiza & Everton Blair 3 Meadow St B 68 L 1

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	40 ft	35.2	42.5	
Side Yard Abutting/Lot	15 ft	22.7'	18.58'	
Other Side Yard	20 ft		20.08'	
Combined Side Yards	35 ft	60.1'	38.66'	
Rear Yard Set Back	50 ft	112.75'	35'	15'
Max. Livable Fl. Area (FAR)	25%	9.75%	21.27%	
Lot Frontage	100 ft	115'	115'	
Lot Depth	150 ft	100'	100'	ENC
Bldg. Coverage %	16.67%	10.14%	13.45%	
Impervious Coverage variable	30%	19.93%	22.28%	
Height of Bldg	28'	15.5'	27.58'	
Lot Area	15,000 sq.ft	21,003 sq.ft		
Min.Driveway side-yard				

The applicant proposes to construct a two story addition with a garage on an irregular lot.

Mr. Van Horne asked Mathew Capizzi (attorney for the applicant) to be seated so that he could see him on ZOOM

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1376 Anecia Manaiza & Everton Blair (cont.) 3 Meadow St B 68 L 1

Mr. Capizzi said I'm working off of my hot spot on my phone here. Please forgive me its going take a second to populate as we scroll through the plan a little bit.

Mr. Capizzi said this is an application for 3 Meadow St.

(Problems with Zoom- required adjustments to equipment)

Mr. Capizzi said what we are trying to do here this evening is renovate the existing Ranch home. Add a level, add a two story addition on the right side of the house, for a garage with living space above. You can see here from the lot was developed as a result of 3 half lots, that were consolidated some time ago. As a result the Lot 15 slightly askew from Lot 1. This lot consists of Lots 6, 7, 8, and 1. We end up with a jagged property line which is reflected on.....The lot itself is about 200' in depth. When you get about 100' down the lot on the eastern side, the lot line jogs in about 18'.....*description of lot layout.....since we are treating that lot line as the rear lot line, we don't comply with the rear-yard set-back..... Presented argument that what is identified as the rear-yard lot line is an error, and that the Rear Yard Set Back is in compliance.....*

Mr. Capizzi introduced the architect

(Problems with Zoom- required adjustments to equipment)

Mr Kenneth P. Mihalik (architect) was sworn in, and gave his qualifications.

Mr. Capizzi said Ken please tell us the lot that is at issue this evening. Give us the dimensions of the lot.

Mr. Mihalik said the lot is an irregular lot. Its approximately 100' by 200'. About 100' to the east, with that 18' offset. We are proposing to do here is add a level. Basically, we are adding a 2nd floor to the existing one story ranch house. We are also adding on a garage addition on the east, which will be 2 levels as well, and then we are also looking to fill in the north west corner of the existing one story house with a 2 story piece, which right now is a deck basically. So we are really maximizing the existing foot-print of the building, as well as adding on for the 2 car garage. I also want to note that we are also eliminating the enclosed front entry way, which protrudes into the Front-Yard set-back, and making that into a covered portico, so we are essentially reducing the impact on the front yard by reducing the amount of enclosed space at the front. In order to accomplish our 2 car garage, as Mr. Capizzi indicated, we are encroaching a little bit on the Rear Set-back, that 18' offset. That's really a very de minimis condition, but nonetheless it is encroaching on the 50' minimum required Rear-yard Set-back. In terms of the size dimensions, the existing building is roughly 1800 sq.ft and we are adding approximately 2500 ft of living space plus another 400 sq.ft of garage, and in the end this has become a 2 story house with a new front portico, and a completely new look from the outside- new appearance, new siding, new windows, new roof. So it will look like a brand new house when we are all said and done. With the exception of that Rear-yard Set-back variance,*all other requirements are in compliance.....*

Mr. Capizzi asked as far as improvements that are to the north of the proposed addition, any thing that could potentially be impacted by the non-conforming Rear-yard Set-back ?

Mr. Mihalik said no. Right now its all open yard, trees and grass. So you're not impacting any existing buildings.

Mr. Capizzi said and that yard actually backs-up to the continued rear-yard of the property directly to the east of us. Correct ?

Mr. Mihalik said that's correct.

Mr. Capizzi said I don't have anything further.

Mr. Kassis asked are there any questions from the Board ?

No one replied

Mr. Kassis asked if there was anyone in the audience with questions or comments about the application ?

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No one replied

Mr. Van Horne asked: Mr. Capizzi are you agreeing with the Building Official that took the position that the jog is the rear lot line of the property ?

Mr. Capizzi said correct. We are not appealing that.

Mr. Van Horne said you're not. Okay. As opposed to the expanse across what looks like 7/8 th of the width of the property.

Mr. Capizzi said the lot itself has approximately 115' of frontage along Meadow. Only 18' of it has that jog 100' in . So I would submit that a substantial portion of the rear line is 200' from Meadow. In other words, the Zoning Officer called it as the Rear lot line, and we didn't take issue with that. *That's why we have the variance.*

Mr. Van Horne said and if he did not consider that the Rear lot line then there would be no variance needed ?.

Mr. Capizzi said that's correct.

Mr. Kassis asked are there any more questions ?

Mr. Kassis asked would *someone like to make a motion to grant or deny the application as presented ?*

Ms. Batistic made the motion to approve,

Mr. Cleary seconded.

The application was granted.

(Problems with Zoom- required adjustments to equipment)

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Application

1377 Anirudh Modi

194 8th St.

B33 L 357

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25 ft	25.17'		
Side Yard Abutting/Lot (deck)	15 ft	10.66' + 11.11'exist / 13.33' New	13.33'	1.63'
Other Side Yard	20 ft			
Combined Side Yards	35 ft	21.77'exist	38.9'	
Rear Yard Set Back (deck)	30 ft	18.08'	18.08'	11.92'
Max. Livable Fl. Area (FAR)	39%	50.04%	50.04%	ENC
Lot Frontage	100 ft	50'		ENC
Lot Depth	100 ft	100'		
Bldg. Coverage %	20%	28.52%	31.52%	11.52%
Impervious Coverage variable	35%	41.86%	41.86%	ENC
Height of Bldg	28'	27'	27'	
Lot Area	10,000 sq.ft	5,000 sq.ft		ENC
Min.Driveway side-yard				

Mr. Modi proposed to construct a deck.

Mr. Modi was sworn in

Mr. Modi said that this was their first time doing this, please bear with me.

Mr. Modi said that my lot is 50' by 100' which is situated on a slop. I have an existing deck in the east side of the rear of the property, which is a 14' by 12' deck. The plan of the proposal is to extend that existing deck by 12' into 12' further along to the east of the property within the confines of the existing building. This requires 3 variances. One is a Rear Set-back, proposed is 18', 30' is required. On the Side-Yard, the proposal is to have a variance to 13.3'. The third one is the Building Coverage which is existing at 28.5%, going up by 3% to 31.52%. The primary reason we are applying for these variances, is because of better use of the rear yard. Currently its because of the flow in the property, my rear yard use is very limited. I have an existing deck, so this is more about an extension to the existing deck so we can utilize our rear yard more fully.

Mr. Modi held up the plan to the camera for ZOOM.

Mr. Kassis said to mark the plan A-1.

Mr. Van Horne asked the deck is not going any further into the rear yard than it presently is. Is that correct ?

Mr. Modi said that is correct.

Mr. Van Horne said Okay. And its actually coming off of the Side Yard by a couple of feet ?

Mr. Modi said by a couple of feet, that is correct, yes. And it will be within the confines of the existing building. It will not extend beyond the building.

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1377 Anirudh Modi (cont.)

194 8th St.

B33 L 357

Mr. Kassis asked if there was a variance granted for the existing deck .

Mr. Modi said a variance for the deck was granted in 1997 to the previous owner .

Mr. Kassis asked does anyone on the Board have a question ?

No one replied

Mr. Kassis asked if there was anyone in the audience with questions or comments about the application ?

No one replied

Mr. Kassis asked would someone like to make a motion to grant or deny the application as presented ?

Mr. McCord made a motion to approve.

Mr. Corona seconded.

The application was granted

Mr. Kassis explained to the applicant that the resolution to grant the application will be memorialized at the May Zoning meeting, after which the Construction Official will issue the Building permit.

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Application

1378 Brian Glantz

488 12th Street

B 102 L 52

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25'	25.7'		
Side Yard Abutting/Lot (pool)	15'		5.2	9.8'
Other Side Yard				
Combined Side Yards				
Min. Rear Yard (pool)	5'		3.2'	1.8'
Min. Rear Yard (covered patio)	30'		12'	18'
Min. Rear Yard (stair system)	30'		19.4'	10.6'
Max. Livable Fl. Area (FAR)				
Lot Frontage	100'	120'		
Lot Depth	100'	104'		
Bldg. Coverage %	20%	19.34%	22.62%	2.62%
Impervious Coverage variable	30%	38.05%	43.77%	13.77%
Height of Bldg	28'			
Lot Area	<u>10,000 sq.ft</u>	12,480		
Min.Driveway side-yard				

Mr. Glantz proposed to construct an in-ground pool, spa, covered structure, fire pit, patio, and outdoor BBQ.

Mr. Kassis introduced application #1378.

Mr. Kassis assigned **Mr. Capizzi** as host of the Zoom meeting to facilitate presentation of plans with Zoom.

Mr. Capizzi apologized for the delay due to Zoom adjustments.

Mr. Capizzi (11 Hillside Ave., Tenafly) introduced himself as attorney for the applicants (Mr. and Mrs. Glantz).

Mr. Capizzi said my clients purchased this property in 2003 and since that period of time have undertaken essentially substantial renovations of the existing home that we see today. Forwards in the existing foot print but certainly modifying and improving the façade and other components of the home. At this stage they are seeking to improve the rear yard just to provide an area for themselves and the grand-children to come and have some recreational space. Which is why we are proposing the pool and patio before the Board this evening. There are variances as to improve coverage and set-backs at the pool features.....*multi echoes from Zoom....*

They (*the applicants*) are seeking to make this additional investment for the use and enjoyment of their family. Mr. Skrable is the only expert that we have this evening he is our site engineer. He has laid out the proposed pool and patios on his site plan. Once he's sworn in, we can have him take us through his plans.

Mr. Tom Skrable was sworn in and gave his qualifications.

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Mr. Capizzi said so Tom, on the tree on the easel we have. That is your site plan which we follow with the application. Is that is correct ?

Mr. Skrable said yes.

Mr. Capizzi said can you take us through the property ...the lot itself, what exists today and how we are proposing to further develop it.

Mr. Skrable said it's a single family dwelling,garage, small walkway in the front, small patio in the rear. We are proposing to build a pool, patio, portion of the patio is being covered, requiring a few variances, several variances for coverage and set-backs.

Mr. Capizzi said As far as the pool itself, can you take us through the dimensions of the pool, please.

Mr. Skrable said the pool is fairly modest. The water area which includes the pool and the spa is 745 sq.ft. So it's a fairly modest pool. This drawing is 10 scale, most of you are probably used to seeing plans at 20 scale, so everything looks a little bigger, because its blown up. But the lot is conforming as far as size, and we are proposing, what I would consider, a modest pool and spa and then associated patio areas . But, the resulting Coverages are over the allowable.

Mr. Capizzi said and you have some stair-well additions occurring in the basement in the right rear corner of the house. Could you tell us what that is about.

Mr. Skrable said that's in order to get to the basement, so that the pool / patio equipment, chairs whatever could be brought down into the basement. Also that people don't have to run through the house after using the pool, or immediately after using the pool. So its just providing another means of access and storage for the equipment.

Mr. Capizzi said the covered patio area, do you know what the ridge height will be?

Mr. Skrable said its 12', approximately. We don't have formal architectural of that but it's sole use is for the showers to flow through....

Mr. Capizzi said its basically to cover the area for patio cable etc.

Mr. Skrable said yes. Shade, cover from weather.

Mr. Capizzi said as far as the off-set, the pool itself is not conforming as to the Side-yard set-back and Rear-yard set-back is that correct ?

Mr. Skrable said yes.

Mr. Capizzi said can you take us though those dimensions, please.

Mr. Skrable said the required side is 15', and we're at 5.2'; the required Rear is 5' and we're at 3.2'.

Mr. Capizzi said as far as the Side-yard set-back is concerned, if we push that really further into the interior of the lot, then we really disrupt the utilities from the area, to try and create...

Mr. Skrable said the patio is actually kind of narrow, just because of the layout of the lot and where the house was existing, you have to orient the pool left to right or right to left as you look at the drawing. You couldn't rotate it 90 degrees, it would just be extremely small. It's a slide away from the property line, you then get into patio areas that are already not that large. The basement entry is critical to the property owners. They don't want people running directly into the house with wet feet. It's a safety issue, it's a household issue, its all kinds of issues. But they really want to keep that basement entry, and just in order to get a grade down to the basement you need that many steps- so that takes up a chunk of coverage as well.

Mr. Capizzi said and the Rear-yard set-back to the pool that's necessary to keep the pool as far away from the house as possible.

Mr. Skrable said yes, we're proposing 8.8' and required is 15'. I'm not sure whether that is an actual variance or that's just a Building Dept. issue, but we've did notice for what it really was.

Mr. Capizzi said but as far as the Rear-yard set-back for the pool itself, we are at 3.2' where 5' is required. Correct ?

Mr. Skrable said correct, yes.

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Mr. Capizzi said so we are 2' shy there just to keep the increased separation between the house and the pool. Correct ?

Mr. Skrable said correct.

Mr. Capizzi said as far as the drainage enhancements, can you tell us how you are taking up the additional Impervious Variance property.

Mr. Skrable said we are proposing a series of inlets to collect all the water from the roof and patio areas . Discharge it to a colpeck system, that's underground, seepage pit type system. So a 2" rainfall over all the new impervious areas will be collected, So there won't be any negative impact from the drainage perspective on any surrounding properties.

Mr. Capizzi said no increase in run-off on surrounding properties .

Mr. Skrable said right.

Mr. Capizzi said as far as landscaping, I know that some landscaping exists out in the field today. Can you describe that for us.

Mr. Skrable said there are a lot of large columnar evergreens. I'm not sure whether they are Arborvitae or Cedars . We intend to keep that same look. And I'll flip this around so that the Board can see.

Displayed photo of evergreens

This was taken within the last couple of days, so you can see the evergreens lined up side by side. They're on all 3 sides, the rear and both side-yards. Where we get real close to the rear yard they will probably be removed temporarily, but they will go back. We intend to keep that screen all around 3 sides of the property.

Mr. Capizzi said so that screen that exists there, that would be an adequate visual buffer from the improvements as proposed in the range of the surrounding properties ?

Mr. Skrable said yes, I'm guessing they average now maybe 7' - 11' tall. They will continue to grow.

Anything that we have to transplant, because we lost one of the trees that we had to remove, would be put back at the same height.

Mr. Capizzi said the pool, the patios arethe covered patios that we touched upon will be no higher than 12'

Mr. Skrable said correct

Mr. Capizzi said any concerns of visual impact from the proposed improvements onto neighboring properties ?

Mr. Skrable said no, and the one house closest to where the pool is going- you can see it in the most left picture. This house is kind of catty-cornered . I think they are on the corner of 12th and Grant. They're facing away from us. The house is on the far side of the property from where we are situated. So they are not going to be impacted. Its not as if we are putting the pool right up against their 10' or 12' or 15' side-yard. They're probably 40' or 50' away or something like that..

Mr. Capizzi said thank-you Mr. Skrable. I don't have anything further to say.

Mr. Kassis asked any fences on the back property or just screening of the plants ?

Mr. Skrable said we have to have a pool fence, a pool code fence, *already incorporated*. Its because we're so close. In order to dig the pool, all of those trees along the back, we're intending to temporarily stock pile them on site, and then they will be trans-planted back, and any that don't make it will be replaced.

Mr. Kassis asked about the location of the silt fence on the drawing.

Mr. Skrable indicated the silt fence shown by a fine grey line with circles on the drawing. There might be some minor modification to the gate to make it fully fool proof. There is a fence. The fencing itself needs to meet fool proof requirements now.

Mr. Kassis asked is it that fine grey line that is appearing ?

Mr. Skrable said yes the fine grey line with the circles in it.

Mr. Kassis asked about the format of the drawing.

Mr. Skrable said anything that's existing is that lighter tone, anything that's proposed is heavier.

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Mr. Kassis asked what is the distance of the existing fence, or the final fence going to be off the back property line ?

Mr. Skrable said its just over a foot.

Mr. Kassis said the code for a fence is 12". Right?

Mr. Skrable saidfrom one foot down to a little bit less....something like that. I don't have an exact dimension on it.

Mr. Kassis asked will the fence be in conformity with the requirement of 12" , or is it going to remain in the current position its in ?.

Mr. Capizzi said we were intending on re-purposing that fence, but certainly if it's the Board's pleasure to have that conforming, we can certainly visit that.

Mr. Kassis said the follow up question is that fence issue.....the fence line and the edge of the pool doesn't seem to be enough space to be able to plant the *Arborvitae of the size you have now*.

Mr. Skrable said that all exists now, and the trunks of the trees that are there are from 1 ½ to 2' off. So we understand that they're going to be right up against the coping of the pool. They are actually over-hang slightly the edge of the pool. But the intent of the owners is to keep that string, just so the neighbors- they don't want to be able to look right into neighbor's yard either. So we realized that it was a real tight spot. That's why we are assuming that we are going to have to transplant all those trees, save them on site temporarily, and put them back. But they do fit in that spot, but we agree its very tight.

Ms. Schultz-Rummel asked could you tell me what the dimensions of the pool are ?

Mr. Skrable said the poll is, and it's a little bit..The longest dimension is 40' and the widest is 18'. There is a spa bent into the pool. So the total water area for the pool is probably just under 700 sq.ft.

Mr. Kassis said it is my understanding that a pool needs to be, an in-ground pool needs to be 10' from the structure.

Mr. Skrable said your code is actually 15'.

Mr. Kassis said the reason for the code. Whats your understanding of it ?

Mr. Skrable said the Building code, the normal Building code, I believe, is 5'. So someone couldn't literally jump out of a window or jump off a roof into the pool. I'm not sure why the Borough chose to increase that. 15' is a pretty significant increase in that requirement. I'm not sure where that came from.

Mr. Kassis said so its safe to say that the distance is really designed for safety.

Mr. Skrable said yes, we're above. We're at 8.8' and the normal Building code requirement, I believe, is 5'.

Mr. Kassis said we are talking about Cresskill.

Mr. Skrable said according to your code we are deficient, absolutely.

Mr. Kassis said in the code that was put in place for safety reasons. I've been told in the past, when applications were in front of us, it was for the ability to fight fires. So the concern then is with the safety and the necessary space between the building that was established by the town to protect *from fire or other safety*

Mr. Kassis said would you like to comment ?

Mr. Capizzi asked to consult with the applicant.

Mr. Capizzi said I just wanted to get some input on what's occurring in the structure that 9', 8' mark it's the home owner's office, and then above that is a guest bedroom window. So the concern of somebody jumping out of that 2nd floor window and being able to jump 9' to make the pool water, would be quite a task.

Mr Kassis *described the difficulty the Fire Department would have, in the event of a fire, to bring in the required equipment with a distance of only 8.8' from the pool to the house. Especially if a rescue is required.*

Mr. Kassis *expressed his concern that the issue of proximity of the pool to the house was one of safety reasons. Yet, you are proposing without any hardship, a lesser number for space.*

Mr. Capizzi said certainly we respect the need for the Borough's requirement for 15', but applying that to this property would essentially eliminate the ability to do a pool. Given the offset where the rear of the building sits

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in comparison to the rear of lot line. To have a 15' off-set would result, really more or less, in a lap pool.

Mr. Skrable said the only thing I would add isevery house is unique. There are places here. If you look at this plan it has a massive 'has been built', we've got these covered brown.....you could put a ladder against them but then you're not really having a ladder up against the main house. There are all kinds of strategic issues when you are fighting a fire. Is it my opinion that you could put up a ladder in an 8.8' wide area ? Absolutely. Is it already unique ? I agree it is. But every single house is going to have unique issues like that, when you are going to fight a fire. Because you can't put a ladder in certain places and you can't put a ladder in other places, for a million different reasons. But again, I respect their opinion and I agree that safety is paramount, but I think you could be a little flexible only because its going to change in every single situation.

Mr. Cleary asked what about an in-door pool ?

Mr. Capizzi said we could cover the pool with some kind of roofing apparatus but that would increase the Building Coverage of the property.

Mr. Cleary said I mean in the basement.

Laughter

Mr. Cleary said you think it can't be done, I think it can be done.

Mr. Capizzi said that it was impractical.

Mr. Cleary said you can scale it down and pay for it.

Mr. Capizzi said Mr. Chairman, my suggestion is to speak to the Fire Official about the proposed plan and whether he has any concerns and whether certain adjustments need to be made to the plan in order to address any concerns the Fire Dept. may have. If that would something that would satisfy the Board's concerns, would considering a variance request relative to that offset.

Mr. Kassis *questioned the necessity of the jog in the spa, which decreased the distance between the pool and the house.*

Mr. Skrable said the jog is just a design element. Its 2' 4" and that's just the width to break up the lines of the pool. Make it not look so rectangular. There's no engineering reason for it, put it that way.

Mr. Capizzi asked if we fold the star into the pool, how does it impact the offset ?

Mr. Skrable said we gain about 2.4 feet on scaling.

Mr. Capizzi said so we'd be a little over 10' ?

Mr. Skrable said we'd be over 11'.

Mr. Kassis asked if that is something you would consider ?

Mr. Capizzi said we could certainly make that adjustment.

Mr. Kassis said lets move on to the reason for the encroachment on the back side of the pool. Trying to figure out a way that we can.....making you comfortable and having the neighbors comfortable as well. I see collaboration here in reaching my goal. The 5' number is there also for safety reasons, and the concern about extending that...into the back-yard more than is absolutely necessary should be fine proposing 3.2 as 1.8 difference and having conforming side-yards is not obtainable.

Mr. Capizza said I would take that into consideration Mr. Chairman.

Mr. Kassis said in addition to the spa.

Mr. Capizza said yes. I appreciate the opportunity to hear the Board's concerns and if we can take a moment so I can speak to my clients how we could potentially address those concerns.

Mr. Skrable said could I just add a little bit. The pool is 18' wide. Can it be narrower. Yes. It can always be narrower. At some point there was a concern if it gets too narrow you could actually jump off from one side and impact the slope leading up to the wall on the other side. So it does become a safety issue for the users of the pool at some point, but absolutely we can look at narrowing down a little bit.

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Mr. Kassis said before we move on can the other portions of the application. Are there any other pool issues that any of the Board members.....Before we move away from the pool, is there any pool questions or concerns, that the Board would like to hear first before we go on

Ms. Batistic asked is there an addition to the existing house ?

Mr. Skrable said no that's just a covered patio area.

Mr. Skrable and **Ms. Batistic** *discussed the Patio area via Zoom.*

Mr. Skrable *described the Patio area using the plan.*

Mr. Kassis asked *are there any other issues ?*

Mr. Kassis said *the Imperious Coverage would be reduced if the foot-print of the pool were moved back 5'*

Mr. Skrable *calculated the reduced Impervious Coverage*

Mr. Skrable said its 0.6%.

Mr. Kassis said *I do have concerns about the Impervious Coverage. There is a lot going on back in that rear yard with construction.Is there any possibility of further shrinkage of Impervious Coverage ?*

Mr. Capizzi said we'll certainly take a look at that Mr. Chairman.

Mr. Kassis asked *is there any other question from the Board in regard to this application ?*

No one replied

Mr. Kassis asked *if there was anyone in the audience with questions or comments about the application ?*

No one replied

Mr. Capizzi said could we just have 3 minutes, Mr. Chairman, just to take a step outside to talk about some of the comments.

Mr. Kassis *agreed.*

The applicants left the courtroom.

Mr. Capizzi said Thank-you.

Mr. De Parto asked Mr. Morgan, on Zoom, to mute himself when moving papers.

The applicants returned to the courtroom after 3 minutes.

Mr. Capizzi said Tom, why don't you tell us how we can modify the plans, please.

Mr. Skrable said OK, I apologize. I'll do the numbers quickly. We can narrow the pool, we'll get to the 5' setback. That won't really change our Impervious Coverage number, because the pool water does not count. We only gain a little bit on the coping, its nominal. We can decrease the width of the pool to get to the 5'. We can sag a staff into the pool to increase that 8.8 dimension to the house, for safety reasons. We will eliminate and delay a patio, which, as you look at the drawing, is kind of on the right side there where the fire pit is. I don't know exactly what the number is but we will try to shave the walkways to get another square footage out of it.

Mr. Capizzi said we talked about taking a foot out of those walkways.

Mr. Skrable said yes.

Mr. Van Horne said Matte, do you want to carry this and then re-do the numbers ? and then resubmit this or have Mr. Skrable testify about the exact numbers that he is going to get to.

Mr. Capizzi said Mr. Skrable can calculate them now, and the Board is comfortable with voting on the plan, verbally revised, that's fine. If you want me to come back, I'll defer to the Board about that. I'd certainly like to see if we could get it done tonight, but its whatever the Board's preference is. Tom, could you take a moment, could you calculate what the reduction would be once we modify those forks and the fire to patio relations.

Mr. Skrable said yes. Could you give me a minute or so.

Mr. Kassis said *Jack, was there a question you wanted to ask ?*

Mr. Van Horne said with due respect to Mr. Skrable, he just threw out a lot of modifications to the plan that are hard to visualize, they are hard to

Mr. Skrable said.....

Mr. Kassis said continue Jack.

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1378 Brian Glantz (cont.)

488 12th Street

B 102 L 52

Mr. Van Horne said we've got to be exact with regard to the numbers. My suggestion is, if that can't be done in a very short amount of time, then the proper thing to do is to carry.

Mr. Skrable said we are going to eliminate the.... Variance to the pool.....

Mr. Van Horne said slow down, slow down. You are eliminating the Rear Yard Variance by making the pool more narrow.

Mr. Skrable said yes. So that set-back will be exactly 5.

Mr. Van Horne said OK.

Mr. Skrable saidwe will eliminate that.....patio

Mr. Van Horne said OK. On the right side ?

Mr. Skrable said right.....

Mr. Van Horne said take one foot off of what ?

Mr. Skrable said the walkway leading from the pool around the covered patio to the basement entry.

Mr. Van Horne said OK.

Mr. Skrable said...beside the spa area to increase the distance between the house and the edge of the pool. Instead of 8.8 its going to be 11.2. We can also increase that planter that's shown.... between the covered patio and the house. So our total reduction of Impervious Coverage will be 220 sq.ft.

Mr. Kassis said *A motion is required to either vote tonight on the updated evidence, as presented or to carry the application*

Mr. McCord made the motion.

Mr. Cleary seconded.

A roll call was taken and the motion to carry was unanimous

Mr. Kassis said *the application was carried to April 22..*

Mr. Kassis said *there was no need for re-notification.*

Mr. Kassis gave some further advice.

Mr. Kassis thanked the applicants for their cooperation.

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Application

1375 Seongsoon & Soohyon Kim 9 Crest Drive South B 92.05 L 27

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25 ft	28.3'	28.3'	
Side Yard Abutting/Lot	15 ft	19.33'	5.75'	9.25'
Other Side Yard	20 ft	14.5'	14.5'	5.5'
Combined Side Yards	35 ft	33.8'	20.25'	14.75'
Rear Yard Set Back	30'	48.7'	33.7'	
Max. Livable Fl. Area (FAR)	35.94%			
Lot Frontage	100 ft	50'		ENC
Lot Depth	100 ft	105'		
Bldg. Coverage %	20%			
Impervious Coverage variable	33.7%			
Height of Bldg	28'			
Lot Area	10,000 sq.ft	5,250 sq.ft		ENC
Min.Driveway side-yard	10'		1.4'	8.6'

Soohyon Kim proposed to construct an addition with a garage

Mr. Kassis introduced Application # 1375

Ms. Soohyon Kim was sworn in.

Ms. Kim testified my house was built in 1948. The Zoning was created after the house was built. The front-yard and the rear- yard is OK , but the side- yard has a problem. In order I need to do anything about any kind of alteration, I need to get a variance. Because the minimum new side yard was 15', and another side- yard, of course includes this, and together opposite this other side, this. But my house, the front.....is only 16'. One side-yard is 14.5' and the other side-yard is 18.6'.

Mr. Van Horne said Ms. Kim, that you just testified to do not match our summary of the application.

Ms. Kim said I was saying this condition. The survey has the same condition I was saying. We are trying to make addition to the garage, that's why we are asking for the variance. Also we are doing some roof work. Its 2nd floor work. So that's why we are asking for the variance. So now, I'm asking for: the one side stays the same at 14' and 6", but the other side, where I am attaching the garage, will be 5' 8", because of the 13' 8" extension.

Mr. Kassis said right now, *your plan says that the garage is going to be removed.*

Ms. Kim said I cannot have it because of the Building Code..... is 20% so I have to remove that and have a garage next to our house. Also, a lot of houses on our block have similar extensions. So I was thinking this could be possible...

Mr. Kassis said *5' is a very narrow side-yard. Are you aware of any houses on the street that have a side by side, side-yard ?*

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1375 Seongsoon & Soohyon Kim (cont.) 9 Crest Drive South B 92.05 L 27

Ms. Kim said yes, on Crest Drive South and Crest Drive North you can see on house # 18 , the one that I chose from the zone map, that house has almost the same sizes as our house, and also the house next to that house also has a garage that doesn't have much side-yard.

Mr. Kassis said *you don't have any dimensions for those properties.*

Ms. Kim said right, I cannot get those dimensions.

Mr. Kassis said a number of houses have garages in the back.

Ms. Kim said yes, thehouse has been renovated. The house has a detached garage. That's like the old style they used to have. #18 and, I didn't see a number there, the house next to it has a similar, and also even if my side-yard is going to be 5.75', we have next to us #13, its about 10' from the property line. So, I think we will give us sun-light and more space in between.

Mr. Kassis said *part of the concern for air, light for the neighbor's property. 5' is very close. Garage could be one story but not a 2 story building that close to the side-yard . We had an application where somebody build a one story garage next to their house, but not 2 story, that close to the side-yard. That far back, makes that side-wall very long.*

Ms. Kim said I understand your concern. If I propose only one story for the garage, would that foot-print be acceptable ?

Mr Kassis said *I myself would be more inclined to vote for a one story than a two story, but I cannot comment about the concern of the other Board members.*

Mr. Kassis said *are there an questions or comments for Application #1375 from the Board members.*

Ms. Batistic asked *the Rear-Yard set-back are you proposing it ?*

Ms. Kim said I'm proposing it and it doesn't go over the rear yard.

Ms. Batistic

Mr. Cleary said Glen, I have a question. So is the proposal that we just discuss the stat: a one floor garage with some sort of a room behind it, or is that whole structure the same foot-print just one floor; and that whole thing is one garage.

Mr. Kassis said.....*are you concerned about having a garage, a one story structure, that deep ?*

Mr. Cleary said that's the question, yes.

Mr. Kassis said *there isn't having a 5' the whole length back even at one story. You may be seeing a garage versus a room behind the garage.*

Ms. Kim said I'm proposing a garage and on the back of it, it will have a storage. Because I'm getting rid of all the chairs. There waschairs. I need a little bit of storage space and open a to the back-yard.....

Mr. Kassis said *38', you could put 2 cars on it. That is a very large garage even with the storage. That would be the deepest garage in Cresskill, I might be wrong. Would you consider making the garage no further than the house.....if you get your storage.*

Ms Kim said can you repeat, I'm sorry, did not understand.

Mr. Kassis said *the Board member was concerned that the depth of the structure exceeds the back of the house*

Ms. Kim said right. As I told you I needed that storage spaces but if the variance is too long and its going to cut off the air, light of the neighbor, we would shorten it, that's the best what we can.

Mr. Kassis said *before we move on is there any other questions regarding this application ?*

There were none.

Mr. Kassis said *there is a lot going on. Significant changes to your application- to the better.*

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1375 Seongsoon & Soohyon Kim (cont.) 9 Crest Drive South B 92.05 L 27

Mr. Kassis said Jack, *considering the size of the property and the side-yards if the applicant reduces to one story plus the length not longer than the rear of the house. I don't have the Impervious Coverage- am I missing anything ?*

Mr. Van Horne said no. My only concern is that the applicant should have an opportunity, unless she waives it, to consult with her architect. Perhaps someone else. She seems to be inexperienced with regard to these issues and I am concerned about the way she has agreed to modify the plans.

Mr. Kassis said OK, thanks.

Mr. Kassis said with that being said, it maybe a good idea to adjourn thisuntil next month.

Ms. Kim said my idea is. I understand what was said too but if I don't extend the ending of garages beyond the existing building wall which is a fit, we can't cut it off.....its just going to be 36" and one story and it doesn't increase the Building Coverage and it doesn't increase the FAR and it doesn't increase the Impervious Coverage. So, it doesn't do anything about Building Code.

Mr. Kassis said *here's the thing, I've expressed my opinion, but it isn't a guarantee that the application will pass. It was just my opinion and the way I see it and the impact it has on the properties near by. Somebody has prepared plans for you, that you submitted, with a rendering of the frontage, with the front inside of the back, and I think the Board before they vote on it, should see those changes. How that will effect their opinions.... so that they can vote appropriately . Without seeing those drawings, the vote may not be enough to pass the application.*

Ms. Kim said I see.

Mr. Kassis said *it is a major renovation. I'm sure you would want the best shot at getting it approved. Mr. Kassis advised Ms. Kim to get professional advice.*

Ms. Kim said I work for aarchitect . I'm the designer, and I prepared this, and my boss, the architect, he reviewed with it, and this was the maximum that we could have go. I understand your point, that cut back the horizon, major is the 1st floor. I understand that, and I am willing to do that too, because I'm the person owner too. But if you are willing to require for me to draw prescriptive plans, that I will do. But I don't think there is much distance from this point.

Mr. Kassis said let me leave this up to the Board via a vote. Is there a motion from the Board to carry this application to the next meeting. So that these changes can be made.

Mr. Van Horne said let me just add to my comments from earlier tonight. I do understand the modification. She is saying the garage would be one level and would not extend past the rear of the existing house. Correct ?

Ms. Kim said yes.

Mr. Van Horne said OK. So, does the Side-yards , as set forth on our summary, would remain as is. In other words, 5.75' , the other Side-yard would remain as 14.5'. Right ?

Ms. Kim said yes

Mr. Van Horne said the combined is 20.25'. I do understand that. So its up to the Board how they feel. If they feel that the applicant fully understands the modification and changes would be made to the plan and how impactful that might be and whether she is going forward knowingly. Clearly she is willing to go forward but is she going forward knowingly ? So that's the question, and the question that you have to answer is: Would you be able to make a decision on her modified application, and would that be a fair determination of what the applicant is requesting.

Mr. Kassis said *so the Board could either decide today, to make a motion to carry this forward, or make a motion to approve it based on the parameters laid out.*

The two options are available – Jack ?

Mr. Van Horne said yes.

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1375 Seongsoon & Soohyon Kim (cont.) 9 Crest Drive South B 92.05 L 27

Mr. Kassis said could I have a motion either way from the Board.

Mr. McCord said I'd like to make a motion to carry, only because I feel like the Board feels a little divorced from the specificity about some dimensions. For example, on your drive, the new construction has the door centered in the house, but, if you are going to build an addition of a garage, then you are going to be needing to move your doorway as well. In the pictures that you have drawn for us, I don't see how- it just doesn't look quite right. I can't envision it. I would like to see what you propose for the smaller version of the garage, and really take me into mind what other houses on the street have done. You don't want to be the one that's the biggest or sticks out. So I just would be curious to see what you have. So I make a motion to carry to the next meeting .

Mr. Kassis said is there a second to that ?

Ms. Schultz-Rummel seconded.

A roll call was taken and the motion to carry was unanimous.

Mr. Kassis said *the motion carried.*

Please make the changes to the plans that have been proposed. The application is carried to next month. You don't have to re-notice.

Ms. Kim said OK. When I prepare the documents, do I need to print 14 copies of the documents ? or have just presentation board ?

Mr. Kassis said *we will take care of the copying.....*

Ms. Kim said Thank-you

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Memorialization

1374 Christine Yang

182 4th Street

B 38 L 100.1

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25 ft	22'	22'	
Side Yard Abutting/Lot	15 ft	12.25'	12.25'	ENC
Other Side Yard	15 ft	12.25'	12.25'	ENC
Combined Side Yards	35 ft	24.50'	24.50'	ENC
Rear Yard Set Back	30'	30'	30'	
Max. Livable Fl. Area (FAR)	35.94%			
Lot Frontage	100 ft	62.5'		ENC
Lot Depth	100 ft	100'		
Bldg. Coverage %	20%			
Impervious Coverage variable	33.7%		36.9%	3.2%
Height of Bldg	28'			
Lot Area	10,000 sq.ft	6,250 sq.ft		ENC
Min.Driveway side-yard	10'			

Christine Yang was granted the above variances to construct a Paver Patio.

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Memorialization

1373 Claudia Maduro-Coronado 80 Merritt Ave B 28.01 L 1

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25 ft	27.41''	27.41'	
Side Yard Abutting/Lot	15 ft	9.51'	9.51'	5.49'
Other Side Yard	15 ft	10.21'	10.21'	4.79'
Combined Side Yards	35 ft	19.72'	19.72'	15.28'
Rear Yard Set Back	30'	45.81'	45.81	
Max. Livable Fl. Area (FAR)	34.32%	14.6%	24.2%	
Lot Frontage	100 ft	75'	75'	ENC
Lot Depth	100 ft	101.13' & 101.27'		
Bldg. Coverage %	20%	18.9%	18.9%	
Impervious Coverage variable	32.4%	27.6%	28.9%	
Height of Bldg	28'	19'	28'	
Lot Area	10,000 sq.ft	7,590 sq.ft	7,590 sq.ft	ENC
Min.Driveway Side-Yard.	10'	9.51'	2.5'	

Claudia Maduro-Coronado was granted the above variances to construct a partial 2nd story addition.

Note: Widening the existing driveway is indicated on the Site Plan as shown on A-1 of the Plans submitted to the Zoning Board . Permission to widen the Driveway requires a separate application.

ZBOA meeting was adjourned at 9:27 pm