

**Borough of Cresskill  
Zoning Board of Adjustment  
Public Meeting 7:30 pm  
Minutes Oct. 27, 2022**

**Present in Person:** Mr. Kassis, Mr. Cleary, Mr McCord,  
Mr. Van Horne Esq.(Board Attorney), Ms. Bauer (recording secretary)  
**Absent :** Mr. Corona, Ms. Westerfeld, Ms. Batistic has resigned from the Zoning Board of Adjustments

**Mr. Kassis** called the meeting to order at 7:30 pm

**Ms. Bauer** did the roll-call

The Sept 22, 2022 minutes were approved by Mr. Cleary and seconded by Mr. Kassis.

**1396 Ridgetop Trust                      47 Delmar Ave                      B 158 L 55**

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25'	25'	21.05'	3.95'
Side Yard Abutting/Lot	15'	5.8'	5.8	9.2 ENC
Other Side Yard	20'		7.7'	12.3' ENC
Combined Side Yards	35'	13.5'	13.5'	21.5' ENC
Min. Rear Yard	30'	32.4'	29.06'	.94'
FAR	36.66%	22.22%	31.34%	
Height of Building	28'	15.6'	27.11'	
Lot Frontage	100'	62.5'	62.5'	ENC
Lot Depth	100'	100'	100'	
Bldg. Coverage %	20%	26.82%	29.31%	9.31%
Impervious Coverage variable	33.7%	34.97%	39.6%	5.9%
LotArea	10,000 sf	6250 sf	6250 sf	ENC

**A representative of Ridgetop Trust was before the ZBOA for approval to construct an addition.**

**Mr. Van Horne** announced that Bobbi Bauer (Recording Secretary) would act as alternate. **Mr. Van Horne** said we do have 4 members of the Board which comes to a quorum, and we can proceed.

**Mr. McCord** recused himself because he is friends with the attorney.

**Mr. Van Horne** said because Mr. McCord recessed himself, we do not have a quorum to hear this application. So it will be carried then to the next to next month's meeting. Dec. 1. You won't have to re-notice because we are now seeing here at the meeting tonight.

**The attorney for Ridgetop Trust** said understood. What is the date of the next meeting. It's not the end of November. Right ?

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**Mr. Kassis** said the first Thursday in December. December 01, 2022.

**The attorney for Ridgetop Trust** said alright, thank-you.

**Mr. Kassis** asked is there anybody here for this application tonight, that was planning on speaking ?

*Member of the audience indicated in the affirmative.*

**Mr. Kassis** said we had a last minute cancellation.

**Mr. Van Horne** said for medical problems.

**Mr. Kassis** said for medical issues. We just heard about it, a while ago.

**Mr. Kassis** said Alright the next application on the agenda tonight , is number 1397

**1397 Scott Bahng 2 Palisades Court B 92.07 L 46**

Description	Required	Existing	Proposed	Variance
Front Yard Set Back				
<b>Side Yard Abutting/Lot</b>				
<b>Other Side Yard</b>				
<b>Combined Side Yards</b>				
<b>Min. Rear Yard</b>	<b>30'</b>	<b>32.4</b>	<b>24'</b>	<b>6'</b>
<b>FAR</b>				
Height of Building				
Lot Frontage				
Lot Depth				
<b>Bldg. Coverage %</b>	<b>20%</b>		<b>20.16%</b>	<b>0.16%</b>
<b>Impervious Coverage variable</b>				
LotArea				

**Mr. Bahng has constructed a deck and is seeking the above variance.**

*Mr. Kassis explained to a member of the audience that you do not have to leave the room during a vote; and if you have any concerns about the application, you can express them as a citizen of the town.*

**Mr. Kassis** said the application for tonight is for a Minimum Rear Yard and Building Coverage of 0.16%. The application the way it's presented to us is 'think-free'. So see how that looks and see how yours looks. So our existing variances, or existing issues with variances, for variances needed for the property to be able to deal with issues, that should be lifted, We should know what the current Side-yards, the Front-yard, irrespective of what you are proposing is

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**1397 (cont.) Scott Bahng 2 Palisades Court B 92.07 L 46**

affecting those or not . It does give gravity to the rest of the application, if there are other building related concerns.

**Mr. Bahng** said for my tuition

**Mr. Kassis** said before we get started. So, that is issue number one. Issue number two is one of the members, just prior to the meeting, is ill and is not able to make the meeting, We also have one member who is within 200' of your property, so he has to recuss himself. So what that did now, is eliminated the quorum . So even had been completely filled out, we still would have a problem with the quorum. And even in reverse, if we had a quorum, and this was not completely filled out, it would be a problem for us to be able to present a clear *opinion* about this information. We can only go with what is on this paper.

**Mr. Bahng** said If I may, I spoke with Mr. Bob Rusch. I am the corp. owner of 2 Palisades Court. I own a house without a deck. I hired a company. My wife and I have been living here since 2005. I love this house. We've 2 kids, from kindergarten through high-school. They are all done. We needed to do something about the existing concrete patio...

**Mr. Kassis** said before you testify some more, I do appreciate your explanation, your residency here, but we really can't go into details on this application, because it would be improper for us to hear this without a quorum or without having the proper information. With that being said, you don't need to re-submit, or re-mail, or anything. But, we need to get this thing completed, its got to look like that (*displayed example*). Even though this person over there doesn't even ask you for these variances it's all completed. So you didn't need to complete this, and whoever told you....

*Short discussion between Mr. Kassis and Mr. Bahng*

**Mr. Bahng** said the reason I only did that was because of Bob Rusch, who took those 2 out. So I thought that that's what I need for changing but I understand the form must be completed .....we cannot do this today.

**Mr. Kassis** said right, we cannot do this today. I know it's a simple thing, but you know, he has to follow specific guidelines here, and make sure if he says yes, and then somebody comes back and says you don't have the authority to grant you the application, and now you have to take it off. You don't want to do that. So make plans to be at our December first meeting; and in advance, ten days before that meeting, get your paperwork to Mr. Rusch, and he can just verify it, and then give it to the members here to review it.

**Mr. Bahng** said I just wanted to mention this. Because the reason I'm here, because of the company I hired. They were supposed to have done everything, they charged me for the permit and all, and they didn't do anything. I found out in June. I was like shot. So Mr. Bob Rusch, this was all they submitted. I will explain this when I come here ?

**Mr. Kassis** said yes. We would love to hear the whole story and understand what occurred.

**Mr. Bahng** said all he did, he missed all my.....I wouldn't have known about it. They should have contact me, I found out in June. Allowing doing this as an owner, they contracted

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**1397 (cont.) Scott Bahng 2 Palisades Court B 92.07 L 46**

so many bills. As Mr. Rusch stated.... I want to fully explain to you in the next month's meeting.....

**Mr. Kassis** said.....We will hear you in December.

**Mr. Bahng** said I would love to explain to you everything.

*Short discussion between Mr. Kassis and Mr. Bahng about the testimony at the next meeting.*

**Mr. Bahng** said Thank-you so much

**Mr. Kassis** said Thank-you, and have a good holiday.

**Mr. Kassis** asked *the remaining member of the audience if she was here for the preceding application.*

*The audience member introduced herself as a prospective member of the Zoning Board.*

*Mayor Romeo had advised her to attend a ZBOA meeting to get familiar with the proceedings.*

*She said that she had not learned much.*

**Mr. Kassis** said you did learn some procedural things. Let's finish the meeting and then we can have a chat.

*The prospective member agreed.*

**Mr. Kassis** said thank-you for coming.

The next order of business is memorialization

Please see next page

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**Memorialization**

**1394 SokolLumaj 222 9<sup>th</sup> St B 32 L 392-394**

<b>Description</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Front Yard Set Back	25'	18.1'	25.2'	
<b>Side Yard Abutting/Lot</b>	15'	14.5'	15.3'	
<b>Other Side Yard</b>	<b>20'</b>	<b>32.7</b>	<b>16.7</b>	<b>3.3'</b>
<b>Combined Side Yards</b>	<b>35'</b>	<b>47.2</b>	<b>32'</b>	<b>3'</b>
Min. Rear Yard	30'	52.4'	30.1'	
<b>FAR</b>	<b>34.32%</b>		<b>36.1%</b>	<b>1.78%</b>
Height of Building	28'	21.1'	27.4'	
Lot Frontage	100'	<b>75'</b>	<b>75'</b>	<b>enc</b>
Lot Depth	100'	100'	100'	
<b>Bldg. Coverage %</b>	<b>20%</b>	<b>19.4%</b>	<b>24.1%</b>	<b>4.1%</b>
<b>Impervious Coverage variable</b>	<b>32.4%</b>	<b>30.9%</b>	<b>36.25%</b>	<b>3.85%</b>
LotArea	10,000Sq.ft	9,625	9,625	<b>enc</b>

**Mr. Lumaj wasdenied approval for an FAR variance to construct a new single family dwelling.**

**Memorialization continued on next page**

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**Memorialization**

**1395 DYC Holdings Corp    186 Magnolia Ave    B 43 L 835.01 - 838**

<b>Description</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Front Yard Set Back	25'		25.24'	
<b>Side Yard Abutting/Lot</b>	<b>15'</b>	<b>7.67'</b>	<b>5.84</b>	<b>9.16</b>
<b>Other Side Yard</b>	<b>20'</b>	<b>11.25'</b>	<b>11.25'</b>	<b>8.75</b>
<b>Combined Side Yards</b>	<b>35'</b>	<b>18.92'</b>	<b>17.09'</b>	<b>17.91'</b>
Min. Rear Yard	30'	50.25	49.25'	
<b>FAR</b>	37.07%	27.92	32.22%	
Height of Building	28'	24'	24'	
Lot Frontage	100'		<b>60'</b>	<b>enc</b>
Lot Depth	100'		100'	
<b>Bldg. Coverage %</b>	20%	16.42%	17.0%	
<b>Impervious Coverage variable</b>	33.9%	33.33%	33.88%	
LotArea	10,000Sq.ft		6000	<b>enc</b>

**A representative of DYC Holdings was granted approval to construct an addition.**