

**Borough of Cresskill
Zoning Board of Adjustment
Public Meeting 7:30 PM
Minutes July 27, 2023**

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Present in Person: Mr. Kassis, Ms. Wehle, Mr. Cleary, Mr. Sutera, Mr. Bancroft, Mr. McCord, Ms. Bauer (recording secretary)

Absent Mr. Corona, Ms. Westerfeld, Mr. Van Horne Esq. (Board Attorney),

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

Mr. Kassis said according to the Sunshine Law, the meeting was published in the Press Journal.

Ms. Bauer did the roll-call

The June 22, 2023 minutes were approved by Mr. Cleary and seconded by Ms. Wehl.

Application

1413 Sally Cummings & TJ Gnnndling 168 10th St. Block: 43 Lot: 841

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25'			
Side Yard Abutting/Lot	20'			
Other Side Yard	15'			
Combined Side Yards	35'			
Min. Rear Yard	30'		27.18'	2.82'
FAR				
Height of Building	28'			
Lot Frontage	100'	75'		ENC
Lot Depth	100'	75'		ENC
Bldg. Coverage %	20%		27.24%	7.24%
Impervious Coverage Within 125' lot line	33.9%			
Lot Area	10,000 sf	5625 sf		ENC

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Sally Cummings & T.J Gnnndling have applied to the ZBOA to construct a deck

Ms. Cummings & Ms. Gundling were sworn in by Mr. Kassis.

Mr. Kassis asked the applicants to identify themselves, if it was different to what we have just said out loud.

The applicants indicated that the names were correct.

Mr. Kassis asked you both are the owners of 168 10th St.

The applicants indicated that they were the owners.

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1413 (cont.) Sally Cummings & TJ Gnnndling 168 10th St. Block: 43 Lot: 841

Mr. Kassis said we have an application in front of us, but why don't we first hear from you on what you are proposing.

Ms. Gundling testified we are proposing to replace an existing deck with a slightly larger deck.

Mr. Kassis said Alright, so this diagram was submitted. Does it look familiar ?

Ms. Cummings *explained that the first diagram that was submitted was printed too small to be legible.*

At the request of the Zoning Board secretary, it was enlarged but was now not to scale.

Mr. Kassis said for the record the applicant says they identified the 2 plot plans that have been provided to the Board members in advance of the meeting that show the location of the deck; and in accordance with the application, it appears that there are some variances needed. For the minimum Side-yard at 2.82 feet, and for Building Coverage 7.24%.

Ms. Cummings said *the Rear-yard has the variance not the Side-yard.*

Mr. Kassis said yes, minimum Rear-yard (back-yard) variance of 2.82 feet.

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Alright, while we do have a top view of how the deck is going to look, and being you are encroaching into the rear yard. What is the approximate height on the furthest most part of the deck from the ground. We are just talking about the plank to the ground.

Ms. Cummings said according to the drawing its 9 feet

Mr. Kassis said OK. So your property goes down hill ?

Ms. Cummings said yes, the front to the back.

Mr. Kassis said alright, standard deck, nothing out of the ordinary. Normal colours. Any unusual aspect of the deck that could be objectionable to anybody in the neighborhood ?

Ms. Gundling said no

Mr. Kassis said alright, well its a very simple application. Are there any questions for the applicant from any of the Board members ?

Mr. McCord asked is this connecting to the existing patio ?

Ms. Gundling said no, the stairs are going to come down just next to the existing patio. The platform is there and the patio is just to the right. So we'll have a little landscaping to do.

Mr. McCord asked is that elevated too ? The patio ?

Ms. Gundling said there are pavers

Mr. Kassis said at this point there are no additional questions from any of the Board members. I see someone in the audience. Is there anyone here for or opposed to this application ? If so, could you please step forward and identify yourself.

The audience member (female) stood up to answer.

Mr. Kassis said before you make any testimony you just need to step forward, are you planning on speaking regarding the application ?

The audience member (female) said no..... I have been coming for 10 years.....

Mr. Kassis said Okay, let me just stop for a moment. If you could just slide that microphone over to and take a seat right there please.

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If you could identify yourself for the record: your address and your name

The audience member (female) said my name is Sharon. I live at 129 9th Street just in back of

Mr. Kassis asked and Sharon, what is your last name ?

Ms. Sharon said Ma.

Mr. Kassis said Ma.

Ms Sharon Ma was sworn in by Mr.Kassis.

Mr. Kassis said you identified yourself. If you have any questions, we can see if we can answer them for you..

Ms Sharon Ma said I don't have any questions. *I just want to learn about the procedures.....*

Mr. Kassis said if you want we do have an extra chair up here.

Ms Sharon Ma said *I am here with my daughter .*

Mr. Kassis said How old is your daughter ?

Ms Sharon Ma said 16.

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Mr. Kassis said so it would just be you then. So if you are really curious of how the Zoning Board works, you can see me after the meeting and we can get you a name tag and everything. I am trying to make this application as interesting as possible. This is probably the shortest meeting we ever had. Ordinarily, a person builds a deck, or an addition, or changes their house. In this particular case they are looking to change the back-yard. Instead of having 30 feet, they are going to have 27.18 feet. So the variance that they are asking for is very small. So if they were somehow able to shrink that amount, they wouldn't need to come in front of the Board. The problem they have in making the deck too small, you can't put a table and chairs, and the deck that's being proposed is still small, and they will be squeezing around the table and chairs to get around. But, we try to avoid going back too far and issuing variances not much more than that. So what is asked for is very minimal, so instead of having 30 feet, you are going to 27.18 feet, and the Building Coverage is a very small amount only 7.24% of the allowed. So the addition creates a slight variance on the Back-yard and the Building Coverage. So that's why they have to come here, and if they were planning on coming 2 feet of the top aid line, they would find themselves probably with the wrong kind of people, and it would also be more difficult to get passed. But due to the proximity and just the small overage, you probably won't even notice unless you get a ruler rod out to measure it.

Ms Sharon Ma said.....is 30' a requirement for every lot ?

Mr. Kassis said yes in the R10 zone.

Ms Sharon Ma said.....

Mr. McCord said well on the other side of..... where the mansions are, they have much bigger lots. So they have different requirements.

Mr. Kassis said our side of town is the R10 zone.

Mr. Kassis asked do you have any concerns about this obligation ?

Ms Sharon Ma said *that she just wanted to know.*

Mr. Kassis said Thank-you for coming tonight. Hopefully you have learned something.

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Ms Sharon Ma said that she had.

Mr. Kassis said let the record reflect that there were no other people here to hear the application. There are no additional questions for the applicant from any of the Board members. So, I would move for a motion from the Board to approve or deny the application as submitted without any changes.

Mr. Cleary made the Motion to Approve.

Ms. Wehle seconded .

Vote was taken. Motion passed

Mr. Kassis said so your application has been approved. I've gone thru this process in the past. Thirty days you have to wait until it gets memorialized at the next meeting. The days following that meeting, the Building Department will provide you with the necessary approvals and requirements beyond what was discussed tonight.

Ms. Cummings said so we can apply for a Building Permit ?

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Mr. Kassis said in thirty days. So if there is anything that has to be worked out. If there is any additional engineering, there is that 30 day period of time. There are more complicated applications, where additional information is needed. We have to make sure that it comes in but we can't circumvent that thirty day requirement. But it has been approved.

Ms. Cummings said Thank-you.

Mr. Kassis said Thank-you very much. We are going to move into the memorialization from the last application.

Memorialization

To memorialize the application, Mr. Kassis read the variances from the application Zoning Table, whereupon a vote was taken. If there was no objection from the Board, the application was deemed memorialized.

Please see next page

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Memorialization

1412 Amichai Levy 41 Crest Drive North Block 92.06 Lot 11

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25'	28.9'	25.4'	
Side Yard Abutting/Lot	20'	8.8'	9.2'	10.8'
Other Side Yard	15'			
Combined Side Yards	35'	24.9'	25.6'	9.4'
Min. Rear Yard	30'	33.9'	42.7'	
FAR	2362 sq.ft	1153 sq.ft	2015 sq.ft	
Height of Building	28'	N/A	23.75'	
Lot Frontage	100'	60'	60'	ENC
Lot Depth	100'	106.2'	106.2'	
Bldg. Coverage %	20%	17.2%	18.0%	
Impervious Coverage Within 125' lot line	33.9%	28.5%	32.3%	
Lot Area	10,000 sf	6,381 sf	6,381 sf	ENC

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Amichai Levy, owner of 41 Crest Drive North Block 92.06 Lot 11 was granted the above variances to construct an addition, with the provisions that :
a Hip roof will be used, and
that four windows will be added on the left side of the addition and three windows on the right side.

Mr. Kassis said there being no further business in front of the Board can I have a motion to adjourn.

Mr. Cleary made the motion to adjourn.

Ms. Wehle seconded

Meeting adjourned at 7:52 pm.