

**Borough of Cresskill  
Zoning Board of Adjustment  
Public Meeting 7:30 pm  
Minutes Dec. 3, 2020**

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

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

**Absent:** Ms. Schultz-Rummel

**Mr. Kassis** chaired the meeting.

The meeting was called to order at 7:31 pm.

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

The October minutes were approved by Mr Kassis and seconded by Mr. McCord.

**Applications**

*The disc recording was very difficult to understand because the court microphones were not synchronized with the PC used for Zoom, causing a time lapse and garbling of the recorded speech.*

At the request of the applicant application docket # 1369 was heard after application docket # 1370.

**1370 Kfir Sayag & Ginna P. Diaz**

**117 Park Ave**

**B 165 L 13-14**

Description	Required	Existing	Proposed		Variance
<b>Front Yard Set Back</b>	<b>25 ft</b>	<b>19.7 / 19.8</b>	<b>19.7 / 19.8</b>		<b>4.2' / 4.3'</b>
<b>Side Yard Abutting/Lot</b>	<b>15 ft</b>	<b>4.9'</b>	<b>4.9' / 19.8'</b>		
Other Side Yard	20 ft				
<b>Combined Side Yards</b>	<b>35 ft</b>	<b>24.41</b>	<b>24.41</b>		<b>ENC</b>
<b>Rear Yard Set Back</b>	<b>30 ft</b>	<b>35'</b>	<b>35'</b>		<b>ENC</b>
<b>Max. Livable Fl. Area (FAR)</b>					
Lot Frontage	100 ft	50'			<b>ENC</b>
Lot Depth	100 ft	100'			<b>ENC</b>
Bldg. Coverage %	20%	23%	26%		<b>6%</b>
Impervious Coverage variable	35%	33%	33%		<b>ENC</b>
Height of Bldg					
Lot Area	10,000 sq.ft	5,000 sq.ft	5,000		<b>ENC</b>
Min.Driveway side-yard	10'				

**Kfir Sayag & Ginna P. Diaz** are before the ZBOA, they propose to extend their roof over-hang.

**Mr. Kfir Sayag** was sworn in by **Mr. Van Horne (on Zoom)**.

*Mr. Van Horne requested that the microphone be placed closer to Mr. Sayag.*

**Mr. Van Horne** said to Mr. Saytag: please talk as loudly as you can into that mike. And also speak as slowly as you can.

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**Mr. Kassis** said the application will be memorialized at the next meeting. You will be able to pick up the permits after the memorialization.

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**B 1.05 L 18**

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25 ft	25.11'	25.11'	
Side Yard Abutting/Lot	15 ft	14.81'	14.81'	0.19'
Other Side Yard	20 ft	10.58'	10.58'	9.42'
Combined Side Yards	35 ft	25.39'	25.39'	9.61'
Rear Yard Set Back	30 ft	37.83'	35.99'	
Max. Livable Fl. Area (FAR)	32.88.%	30.89%	32.28%	
Lot Frontage	100 ft	83.37'		
Lot Depth	100 ft	94.19'		
Bldg. Coverage %	20%	21.82%	21.82%	1.82%
Impervious Coverage variable	31.6%	41.02%	40.8%	9.2%
Height of Bldg	28'	26.04'	26.04'	
Lot Area	10,000 sq.ft	8,231sq.ft		
Min.Driveway side-yard	10'			

**Mr. Carcish is before the ZBOA, he proposes to construct an addition**

**Note on the above table the proposed Impervious Coverage as calculated by the Cresskill Construction Official is 40.8%, according to the Site Plan it is 41.02 %.**

**Mr. Matthew Capizzi, esq.**, (11 Hillside Ave., Tenaflly NJ) attorney for the applicant, said he was in attendance on behalf of **Mr. Mark Madaio esq.** who was unable to attend.

*Several board members on Zoom said that they could not hear Mr. Capizzi. There was an adjustment of the Zoom PC position required.*

*The echo on the recording remained.*

**Mr. Capizzi** said this was a 2 1/2 story dwelling on Douglas Drive. The rear on the 2<sup>nd</sup> floor has a balcony on either side of the master bedroom. The doors lead to a small raised deck on either side of this single family dwelling. The applicant wants to enclose the balcony area to make them part of the formal living space on the 2<sup>nd</sup> floor. On the left side is a laundry area, and on the right side an existing bathroom and by virtue of enclosing the balcony area they will be able to enlarge the laundry and bathroom. The property was constructed about 10 years ago..... there were several variances granted. So the existing home is non-conforming- the side-yards, Building Coverage.....by virtue of the opposing balcony areas..... because the non-conforming side-yard setbacks are not exacerbated by the opposing balconies. However because of the building wall along the right side, Bob Rusch said that we are essentially exacerbating the combined side-yard set-back and right side-yard set-back..... We learned....., when we moved into the house 10 years ago, after being there more than a year when we built the patio in the rear-yard area, we got a building permit and the patio has been in existence for more than 9 years. ....

**Mr. Capizzi** introduced **John Bryjak, architect**, for the application.

**Mr. Kassis** commented that this testimony was not as clear as the previous application.

**Ms. Furio** said that it was choppy but that she got most of it

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**1369 (cont.)     Renzo Carcish                      24 Douglas Drive                      B 1.05 L 18**

*Adjustment of Zoom PC*

**John Bryjak, architect,** was sworn in and gave his credentials.

**Mr. Kassis** asked what is presented on the easel its mark is Z1.0 ?

**Mr. Bryjak** said correct.

**Mr. Kassis** asked so this is what's in our packet tonight ?

**Mr. Bryjak** said that is correct.

**Mr. Bryjak** used the plan presented on the easel to describe the house.

*Noise in the recording muffled the voice.*

.....Z1.0 is the site plan,. scales, .the existing building, existing Zoning, front cantilevers, 2nd floor porch,. 1<sup>st</sup> floor, at the rear, 2<sup>nd</sup> floor balcony, 15' set-back, 30' rear-yard set-back, 20' side-yard set-back, 25' front-yard set-back , patio, walkway, driveway....

**Mr. Capizzi** asked about the Bulk Standards

**Mr. Bryjak** said that the Bulk Requirement table were on the right side of plan marked Z1.0.

**Mr. Bryjak** read the Bulk Requirement table.

**Mr. Bryjak** described the Existing Building Coverage, Existing Impervious Lot Coverage, Existing Floor Area Ratio, and the Proposed Floor Area Ratio tables on plan Z1.0

**Mr. Capizza** asked Mr. Bryjak to describe the inside of the building.

**Mr. Bryjak** said the next sheet A1.1 has the elevation, the effective elevation, the rear facing elevation, the existing dormer , the existing gable, the existing section master bedroom.....to the right and left are the existing balconies which we would like to enclose.....the east elevation shows the sides of the home, we see the existing lines of the home, the existing balcony, here we will be enclosing it. The structure, here, the roof, part of the window. We're going to match the existing siding and then below the structure of the existing wood deck. The elevation to the right, the west elevation is similar to the elevation to the left.....

The next drawing A 2.1. the drawing to the left is the basement floor plan, for reference, no work is proposed for the basement. The first floor plan is here as well for reference. However we do see at the top of the..... the existing balcony and also the representative of the enclosure that we are proposing around the ...

The purpose of the addition is shown on the second floor plan.....the existing master bathroom, located here. Its very small. We'd like to extend it and increase it by going out to the wooden deck on the right hand side. Again in the middle we have the existing master bedroom. To the left of that we have an existing laundry room, also small. We'd like to extend it, increase the size of the laundry room. That completes my explanation of my drawings.

**Mr. Capizzi** said thank-you. Just a quick summary : coverage stays the same, setbacks stay the same, FAR is conforming, the Impervious Coverage stays the same, the roof shingles will match the existing.

**Mr. Bryjak** described the aesthetic improvement of the addition.

**Ms. Furio** said so currently those extending decks are wooden decks and are just on the 2<sup>nd</sup> floor with supporting struts from the 1<sup>st</sup> floor.

**Mr. Bryjak and Mr. Capizzi** said that's correct.

**Ms. Furio** said you are proposing to make that part of the home instead of an outside balcony, that's the only thing you're changing, those 2 spots.

**Mr. Bryjak and Mr. Capizzi** said correct.

**Ms. Furio** asked anybody on the board have any questions ?

**Mr. Kassis** said that Mr. McCord has a question.

*Problem with Zoom interference*

**Ms. Batistic** said I just want to make something clear. None of the improvements are creating new variances.

**Mr. Bryjak and Mr. Capizzi** said that's correct.

**Borough of Cresskill**

**1369 (cont.)      Renzo Carcish                      24 Douglas Drive                      B 1.05 L 18**

**Ms. Batistic** said and you are not exacerbating the existing with the proposed improvements

**Mr. Bryjak and Mr. Capizzi** said that's correct.

**Ms. Batistic** said all the variances are there already.

**Mr. Van Horne** said they are existing non-conforming so you have to .....

**Ms. Batistic** said so you have to come anyway'

*There was a discussion among Mr. Capizzi, Mr. Bryjak, Mr. Kassis and Mr. Van Horne regarding the set-backs and the extension of the building wall..*

**Ms. Batistic** said OK that is the exacerbation of the existing.

*Discussion between Mr. Kassis and Mr Bryjak regarding a broken .....*

**Ms. Furio** asked is there anyone else on the board with questions or comments.

**Mr. Kassis** said yes, Mr. McCord has a question.

**Mr. McCord** asked if the deck built 9 years ago was not permitted, how do we know if its safe ?

*A lot of noise with several persons talking at once.*

**Mr. Bryjak** said the deck was permitted, it was part of the original construction . The patio was built 9 years ago. If you look at the site plan here, these steps that are here were part of the construction.....

**Mr. McCord** said the patio is not supporting these steps ?

**Mr. Bryjak** said no.....

**Mr. Kassis** said regarding the deck, it says that you were, according to question 9, the applicant was not in front of the Zoning Board, if the deck was put there, and it was within the Side-Yard set-back, there would have been a variance granted for that.

**Mr. Capizzi** *explained what had happened but the recording, because of over-lapping and other noises, was incomprehensible.*

**Ms. Furio** asked any other member of the board have a question or comment ?

**Mr. Kassis** asked any other question ?

**Mr. Kassis** said none here.

**Ms. Furio** asked are there any audience members for this application ?

**Mr. Kassis** said there was no one here objecting.

**Ms. Furio** said last call for questions or comments.

Would someone like to make a motion to approve or deny the application as presented.

**Mr. Kassis** made a motion to approve.

**Mr. Kassis** said Mr. Cleary seconded.

**The application was granted**

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**Memorialization**

**1366 Yaniv Iluz**

**37 7<sup>th</sup> St.**

**B 60 L 6**

<b>Description</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
Front Yard Set Back	25 ft	25.2'	25.2'	
<b>Side Yard Abutting/Lot</b>	15 ft	18.4'	18.4'	
Other Side Yard	20 ft			
<b>Combined Side Yards</b>	35 ft	38.2'	38.2'	
<b>Rear Yard Set Back</b>	30 ft	36.5'	36.5'	
<b>Max. Livable Fl. Area (FAR)</b>	30.0%			
Lot Frontage	100 ft	80 ft		
Lot Depth	100 ft	105.54 ft		
<b>Bldg. Coverage %</b>	20%	20.0%		
<b>Impervious Coverage variable</b>	<b>31.9%</b>	<b>30.5%</b>	<b>40.4%</b>	<b>8.5%</b>
Height of Bldg	28'			
<b>Lot Area</b>	10,000 sq.ft	8,482 sq.ft		
Min.Driveway side-yard	10'			

**Mr. Iluz was granted the above variance to construct a pool. The motion to approve is on the condition that a seepage tank be installed, in accordance to the borough's construction officials.**

**Continued next page**

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**1367    Matthew Impagliazzo                      497 Piermont Ave                      B 68 L 19**

<b>Description</b>	<b>Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance</b>
<b>Front Yard Set Back</b>	<b>40 ft</b>		<b>21.1' (irregular)</b>	<b>18.9'</b>
<b>Side Yard Abutting/Lot</b>	<b>15 ft</b>		<b>15'</b>	
Other Side Yard	20 ft		23.5'	
<b>Combined Side Yards</b>	<b>35 ft</b>		<b>38.5'</b>	
<b>Rear Yard Set Back</b>	<b>50 ft</b>	<b>45'</b>	<b>180'</b>	
<b>Max. Livable Fl. Area (FAR)</b>	<b>25%</b>		<b>12.7%</b>	
Lot Frontage	100 ft	20.4'	20.4'	<b>ENC</b>
Lot Depth	150 ft		382.73'	
Bldg. Coverage %	15%		8.2%	
Impervious Coverage variable	30%		27.1%	
Height of Bldg	28'		27.75'	
Lot Area	15,000 sq.ft	53,900 sq.ft		
Min.Driveway side-yard	<b>10'</b>		<b>0</b>	<b>10'</b>

**Mr Impagliazzo was granted the above variances, to partially reconstruct and alter the home at the above address. Subject to approval by the Borough Engineer.**

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**B 91.09    L 5**

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	50 ft	54.83'	No change	
Side Yard Abutting/Lot	30 ft	34.75'	No change	
Other Side Yard		30'	No change	
Combined Side Yards	60 ft	64.75'	No change	
Rear Yard Set Back	75 ft	92'	No change	
Max. Livable Fl. Area (FAR)	20%	17.7%	No change	
Lot Frontage	150 ft	178.62'		
Lot Depth	200 ft	224.22'		
<b>Bldg. Coverage %</b>	<b>12.50%</b>	<b>15.26%</b>	<b>17.1%</b>	<b>4.6%</b>
<b>Impervious Coverage variable</b>	<b>35%</b>	<b>38.60%</b>	<b>40%</b>	<b>5%</b>
Height of Bldg	33'	27.75'	No change	
Lot Area	40,000 sq.ft	40,050 sq.ft		
Max. Accessory Structure Area	<b>600 sq.ft</b>	<b>62 sq.ft</b>	<b>720 sq.ft</b>	<b>120 sq.ft</b>
Height of Garage	15'		15'	

**Mr Morgan was granted the above variances to construct a detached 2 car with the condition that the shed in the back yard be removed.**

**Ms. Furio** made the motion to adjourn the meeting

**Mr. Kassis** seconded

Meeting adjourned at 8:16 pm