

**Borough of Cresskill
Zoning Board of Adjustment
Public Meeting 7:30 pm
Minutes Sept. 22, 2022**

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

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

Mr. Bruce R. Rosenberg, Counsellor at Law, introduced himself, he is representing the applicant DYC, Holdings Corp. and the Cho family.

Mr. Rosenberg said we are seeking approval for a 2nd story addition. I have with me this evening, my architect, Frank Hall . I believe everything has been submitted previously to the Board secretary. And with that, if I may, I would like to proceed with Mr. Hall.

Mr. Kassis directed Mr. Hall to stand near a microphone.

Mr. Frank Hall was sworn in.

Mr. Rosenberg said Mr. Hall you prepared this set of plans that were submitted with the application for the 2nd story addition, is that correct ?

Mr. Hall said that's correct

Mr. Rosenberg asked Mr. Van Horne do you want to mark those as a set A-1, or would you prefer to mark each drawing separately ?

Mr. Van Horne asked are you going to testify about each one ?

Mr. Hall said yes.

Mr. Van Horne said then mark them separately. It's less confusing.

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Mr. Hall said Thank-you.

Mr. Rosenberg asked Mr. Hall what's the first exhibit that you'd like to testify on ?

Mr. Hall said Sheet number T-001. Site Plan

Mr. Kassis said for the record, everything that you are presenting on your board is what we have in front of us.

Mr. Hall said it matches the submission exactly .

Mr. Kassis said OK..

Mr. Hall said as a little bit of background. My client came to me wanting to find some space in their home, create some space in their home for additional bedroom space. They have a baby. They are planning on having another child, and they needed more square footage. So the obvious place to put the square footage was over the garage. The second floor of the house is pretty much built out. In fact, probably I should start with the floor plans.

Mr. Van Horne asked Mr. Hall, you are a licensed architect in N.J. ?

Mr. Hall said yes I'm a licensed architect in the state of N.J, and my license is in the state.

Mr. Van Horne asked and you testified before other boards ?

Mr. Hall said plenty of other courts, including this one on previous occasions.

Mr. Hall said so the home in question is a cape, which previously received the addition of dormers in front and back of the house. Pretty much maxing out the square footage over the existing foot-print of the house. What was needed, was to create a master bedroom, or to move space around so that a master bedroom could resolve within the house. We looked at building the master bedroom over the garage. We looked at several schemes actually . My client and their contractor originally came to me with a scheme that would have connected the new space to the existing front left bedroom space . I did not think that was an appropriate scheme for a variety of reasons. Not the least of which is that the house is – I am going through my elevations now-

Mr. Rosenberg said exhibit A-3 ?

Mr. Hall said that's the wrong reference, I will ask Paul Murphy to correct it.

Mr. Hall said the existing house is a nice neat compact house. Perfectly symmetrical within the body of the main house, and I didn't want to do something architecturally, that was perhaps a little bit easier to defend here this evening. But, a bad architectural solution, bad for the visual, bad for the neighborhood, and perhaps not so good functionally construction-wise. So what we did was created a master bedroom addition over the garage- I'm coming back to my floor plans here- and that's exhibit A-2. So just let me keep referring to the exhibit for the record. We built the addition over the existing drive, and we have a little bit of a cantilever to the rear, 22" to the right side. And the reason for that is so we could have a functional room.

Mr. Hall used the exhibit to show how the additional 22" made the master bedroom functional.

Mr. Hall said we created the smallest most compact additional addition faced what we could.....and if I come back to A 2:01, looking at the elevations, you can see we have a little bit of a reverse gabled dollar shape at the front and a little bit of a cantilever space to the left. And that's just this area over here. A little gabled roof, 3 small windows over the head of the

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beds, so we don't have anybody looking down at the neighbors' house in respect to.....and some corresponding windows in the garage. Just so if my client is using the garage to work on a project or something he has to do. We wanted to do something that had some character to it, an actual design allocation for the size of the house, something that is architecturally appropriate, but again as restrained and carefully thought out as possible, taking only as many inches as we need for the additional space for it to function.

Mr. Rosenberg said would you go back to A-1, if you would, just for a moment.

Mr. Hall said I would go back to describing the lot.

Mr. Rosenberg said I want to make sure that the Board understands just the extent of the deviation. Again just referring to A-1, if you would. All of the issue on the 2nd story is really within the existing print except for, as you said, that's all cantilevered predates. Just for the record, using your zoning chart, if you would.

Mr. Hall said you have 35 sq.ft of cantilevered segment floor over here. We have an existing side yard, that side of the house, on the left of 7.67', that's the existing side yard, and just at the area that cantilever will be wind up on the side yard of 5.84'.

Mr. Rosenberg said and again its just the cantilever that extends beyond the foot-print of the garage. Correct ?

Mr. Hall said that's correct.

Mr. Rosenberg said the reason that we are here will be for the variance relief this evening is because we are in the R-10zone that compensates, according to the ordinance, a 100' wide lot, a 100' wide frontage per your ordinance, we only have a 60' width to the property. So obviously, the zoning was over-laid on an existing grid of streets and lots at some point in the past. So the buildable width on the lot is approximately equivalent to the width of the main existing house, and the way the house is posed on the property, it's roughly centered between the side of the garage and the right side of the house. So really anything we would build, anywhere on the property. You can't really add any script, whether its left or is right, without encroach into an existing side-yard. If we had an existing lot that complied with the size lot that is contemplated by the ordinance, we wouldn't be here.....I return for the record, resolving the left side-yard. The existing right side-yard, which we were advised to include on our zoning chart is requiring variance.

Mr. Hall said but there is no change to that.

Mr. Rosenberg said right, but the combined side-yards is also. So the three variances are the left side-yard, the existing right side-yard, and the combined side-yards. And again, just for the record, the amount of the additional encroachment into the side-yard is 35 sq.ft. Is that right ?

Mr. Hall said 22 inches out.....one foot ten into the side-yard by 13.6' wide, and only the 2nd floor. What I briefly accounted by doing this is something that remains architecturally appropriate to the rest of the house. Where the solution we had when we tried to stay within the width of the existing garage, would have been to come further forward for the necessaryl footage for a functional bedroom. That was the original concept that I was asked to turn into a design, and that would have the cantilever significantly to the front which would come.....foot. What I

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would like to do with the house, and an addition to the house, is to keep the main part of the house as visually prominent. Where the addition to the side should remain subordinate to the main volume of the house, with the emphasis on the entry to the house. And that is what we tried to do. Again, looking at the elevations, the main house, over here, has one symmetry, the windows and the prominent entries and the entries' portico and the entire garage with the existing.....garage and the additional space over the garage. We are remain about 4' back from the front of the main house. We want to keep that volume subordinate so that it does not look like an addition with a house on it.

Mr. Rosenberg said right.

Mr. Hall said we want to keep the volume appropriately proportioned and even with the existing garage, being 4' back. The portion of the cantilever side is two more feet back from the so it doesn't run to the front of the new addition, it doesn't run even close to the rear of the addition. Its just this small gable roof area over here with small windows. I think that by doing it this way helps to promote a positive visual environment.....

Mr. Rosenberg asked did you have occasion to look at some of the other homes in the community, in the neighborhood ?

Mr. Hall said yes. The cape style home, as built originally, is a common style in the neighborhood, and within this block in particular, there are six houses on the block, 3 on our side, 3 on the other side, 2 interior lots, 4 corner lots, and the spaces between the homes are roughly equivalent. In fact the side-yard directly opposite our side-yard in question, appears to be, from measurements that I was able to take with my laser, and looking at on-line views as well, aerial views, measuring, it seems to be about 16', which is about what we will wind up between the homes, after the addition. We have about 18' between the two dwellings now. That's equivalent roughly on both sides of our property. We have about 18' to the neighbor now, and just at the area of this additional approach, we would have a little more than 16', which seems to be equivalent to what the neighbors have across the street.

Mr. Rosenberg said and you say that this design aesthetically fits in also with the aesthetics of the homes in the neighborhood ?

Mr. Hall said I would say, it maintains a series of small cape homes,on the sides and on the rear. The choice of building these small high windows over the head of the bed is an appropriate place, for some daylight and not having just a blank looking addition on the 2nd floor. We have high up on the first floor, at the back of the garage, so we are adding a little bit of architectural interest.

Mr. Rosenberg said thank-you. Mr. Hall do you think that this addition is going to have any impact whatsoever in the bare white open space of the neighbors ?

Mr. Hall said no, no. It doesn't come back close to anybody, it's not that large.

Mr. Rosenberg said Okay. Mr.Chairman and members of the Board, I have nothing further for Mr. Hall at this time.

Mr. Kassis asked does anyone on the Board have any questions ?

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Ms. Batistic said I just want to clarify. There is approximately 18' between the back of the house and the house in the east now.

Mr. Hall said the house in the east, yes, directly

Ms. Batistic said so you will have about 2' closer.

Mr. Hall said that's correct.

Ms. Batistic said Thank-you.

Mr. Rosenberg said and again only measured at that 2nd level

Mr. Kassis asked any more questions ?

Mr. Corona asked the existing garage is going to remain a garage and used for automobiles and access from the house to the garage ?

Mr. Rosenberg said that's right.

Mr. Kassis said so the floor height compared to the 2nd floor of the existing house is going to be lower on the addition ?

Mr. Hall said that's correct. We're 2 steps down, we're 2 risers down from the main 2nd floor level from this area. Which necessitates this backward. We are trying to keep the roof simple.....We don't want this addition to be higher than the rest of the house. Which again would violate the principle of the addition being subordinate to the main body of the house . From a visual standpoint.

Mr. Kassis said right. So the dimensions of the bedroom. I know often times when applicants come in front of the board, looking to encroach on side-yards. The neighbors maybe here objecting to it. So, I guess, having the lower floor would make it difficult to have a useful size of the garage. What is the width of the bedroom?

Mr. Hall said the width of the garage itself is ten foot five and a half, and we are adding another one foot ten width just within that portion, minus about half a foot for the wall thickness. So we wind up with having an eleven and a half foot, almost twelve foot width to the bedroom. In the other dimension, the bedroom is about fourteen feet.

Mr. Rosenberg said it's not an unusually large bedroom.

Mr. Hall said I totally agree with that.

Mr. Rosenberg said I don't think its worth winding up with this addition encroachment because we are looking for a large bedroom, simply looking for a..... bedroom.

Mr. Kassis asked any thought given to going backwards and not encroaching along the side-yards ?

Mr. Hall said we did look to the rear and to the front. The problem is just there is a critical to the room, that we would not have without an encroachment to the side. You wind up without enough room for a bed, and room to maneuver around this bed on either side, and there would also not be a good place for the bathroom. We are trying to add a larger room build group in it, but from the house, tiny little bathroom in front of the house and in the rear..... By turning the bed the other way, you ultimately wind up with an *inappropriate* dimension.....

Mr. Kassis said alright, any other questions for the applicant ? Is there anyone here ? I see a person in the back, for this application.

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A person in the back said that he had nothing to say.

Mr. Kassis said so let the record show that there is no one here for or against this application in the audience. Any final thoughts before we entertain

Mr. Rosenberg said Mr. Chairman I have nothing further. I think the applicant is charged with making a simple aesthetic addition , one that is not overly aggressive, one that is in keeping aesthetically with the neighborhood. And, as you heard from the architect, try not to encroach on the front part of the house, that you all assume that the application can be approved.

Mr. Kassis said Okay no further comments nor questions. Could I have a motion from the Board to either approve or reject the application.

Ms. Batistic said I make the motion to approve the application as presented.

Mr. Corona said Second.

Ms. Bauer did the Roll Call of the Board to approve the application. All 4 members, present, approved.

Mr. Rosenberg thanked the Board.

Mr. Kassis said in thirty days we have the memorialization .

Mr. Kassis said let the record reflect that we are back on application #1394.

1394 Sokol Lumaj 222 9th St B 32 L 392-394

Description	Required	Existing	Proposed	Variance
Front Yard Set Back	25'	18.1'	25.2'	
Side Yard Abutting/Lot	15'	14.5'	15.3'	
Other Side Yard	20'	32.7	16.7	3.3'
Combined Side Yards	35'	47.2	32'	3'
Min. Rear Yard	30'	52.4'	30.1'	
FAR	34.32%		36.1%	1.78%
Height of Building	28'	21.1'	27.4'	
Lot Frontage	100'	75'	75'	enc
Lot Depth	100'	100'	100'	
Bldg. Coverage %	20%	19.4%	24.1%	4.1%
Impervious Coverage variable	32.4%	30.9%	36.25%	3.85%
Lot Area	10,000Sq.ft	7,500sq.ft	7,500sq.ft	enc

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Mr. Mark E. Ruffolo (attorney) said we have the architect, Raul Mederos, and the applicant (Sokol Lumaj).

Mr. Van Horne asked will they present the balance ?

Mr. Ruffolo said sure.

Mr. Kassis said could you just slide the mike down on the table on the other side.

Mr. Ruffolo said excellent, thank-you.

Mr. Ruffolo said Good evening. My name is Mark Ruffolo, I am here on behalf of the applicant, Sokol Lumaj. We are here this evening for an application with four variances. The property is located at 222 9th St. Cresskill NJ. We are here for a Combined Side-Yard, requirements are 35', proposed is 32', deviation 3'. The 2nd variance is for Impervious Coverage , requirement is 32.4% , we are proposing 36.25%, which is 3.85% deviation. The 3rd variance is for Building Coverage, requirement is 20%, we are proposing 24.1%, which is deviation of 4.1%. The final variance is for FAR, requirement is 34.32%, we are proposing 36.1%, which is a 1.78% deviation. The proposed dwelling consists of a single family home, with square footage of 2719 sq.ft. The existing lot Area is 7,500 sq.ft., where the requirement is 10,000. The existing frontage is 75', where the requirement is 100'. Obviously those conditions cannot be remedied today. There are two concurrent non-conformities that are being mitigated by my client. The first being the Front Yard, the existing is 18.1', requirement 21', proposed 25.2'. There was a Side-yard issue, existing is 14.5', requirement is 15' and we are proposing 15.3'. Tonight with the applicant , I have Raul Mederos, the architect, and Shawn McCloud, the engineer. For the Board approval I would like to call Raul Mederos, the architect, for testimony on the application.

Mr. Van Horne said so, you cannot go to the Planning Board for site plan approval. We have exclusive jurisdiction over the FAR application.

Mr. Ruffolo said okay.

Mr. Van Horne said and the way we handle this here, is that we will hear just that

Mr. Ruffolo said okay.

Mr. Van Horne said and then the Planning Board will resolve

Mr. Ruffolo said I think in the past we have been able to resolve all the issues in one hearing.

Mr. Van Horne said not Site plans.

Mr. Ruffolo said okay.

Mr. Kassis said just so we're clear, this is a new home being constructed. You are not maintaining any portion of the existing structure,

Mr. Ruffolo said okay, yes, fine.

Raul Mederos was sworn in.

Mr. Van Horne said we will accept you as an expert. You have appeared before this Board on many, many occasions.

Mr. Mederos said Good Evening everybody. To clarify now, so since Mark mentioned that in the past we've covered the total of all the variances. Of course not Site Plan approval here, but we've covered all the other variances, and just on Site Plan approval with the Planning Board

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following. If we're just doing FAR today, I guess I'll just focus on that. Just depends on how we are structuring.

Mr. Ruffolo said you've been with Project offices, right ? And you prepared plans ?

Mr. Mederos said yes.

Mr. Ruffolo said and you are familiar with the plans ?

Mr. Mederos said yes.

Mr. Ruffolo said can you describe the project, please.

Mr. Mederos said sure

Mr. Kassis said could you just move that mike a little bit closer.

Mr. Mederos said to answer Mark's question. This is a proposed new construction. A single family residence. First floor a very typical inclusion of rooms. This is a more open concept, let's say, but the relationships of the actual rooms as laid out, are very tried and true and based on tradition, and what's expected, in my experience, of the modern home these days. So, starting from the entrance, we come into a front door into a foyer. Immediately greeted by the stair. Along your right side, we've got a living-room, dining-room, family-room or living spaces, and then the rear left has the kitchen, mud-room- leads from the 2 car garage into the 1st floor.. There is also a powder-room included and a pantry to the kitchen. That is the first floor. On our 2nd floor we are proposing a total of 4 bedrooms, 3 kids' rooms, one master-suite. Two of the kids' rooms here are Jack & Jill on the left side of the garage. And one of them is a bedroom suite, specific for a house of this size with 2 walk-in closets, 5 piece master bath. Proportionate master bedroom to the size of this house. In terms of styling, nothing out of this world. Horizontal siding, a traditional element. In my experience it seems to be a popular term for our house to call it transitional, but these days it's just a very typical and common in Bergen County. I'd be happy to elaborate on anything.

Mr. Ruffolo said well this isn't the first project that you have done, with Mr. Lumaj , correct ?

Mr. Mederos j said that's correct, yes.

Mr. Ruffolo said how many other projects have you done ?

Mr. Mederos said its hard to say we have been working together for approximately a decade.

Mr. Ruffolo asked is this design different than anything else you have done before ?

Mr. Mederos said designs are based on the lot..... Based on this lot. You know there is plenty of lots in Cresskill, throughout Cresskill, between 75 by 100. I know, I can say, at least , we built at least 3 properties of this size. And this has been a typical solution for this size and proportion lot with the client.

Mr. Ruffolo said in your design of this home did you do everything you thought you could do in terms of reducing the amount of *living space*, FAR ?

Mr. Mederos said yeah, so that's mainly driven by the requirements of the first floor , 2 car garage, 20 by 20, anything less than that, the doors the doors don't really open fully, before you hit the steps that lead to the mud-room. The mud-room itself has a certain.....requirement to get into the house. And then the kitchen is another fixed kind of room that needs a magic

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number because of the cabinets, the spaces in the island, the island itself, the space between the island and the rear, and then the cabinets facing the rear. So once you tally those numbers up, the kitchen results with a depth of 15' 4". And that's predominately a drive for the size of house we are proposing.

Mr. Ruffolo said okay. Does this home, you do a lot of work in Cresskill, right ?

Mr. Mederos *indicated that he did*

Mr. Ruffolo asked is this out of place in Cresskill ?

Mr. Mederos said well, I would say, that given the very similar houses, at least three times or maybe more at this point, on these similar sized lots, they are similarly popular in common.

Mr. Ruffolo asked and the design that you have for this house, coincides with what people are looking for in the market.

Mr. Mederos said yes, that's what I mean. These rooms are based on what's expected of a house.

Mr. Ruffolo said what about the foyer ?.....In particular could you tell us about that.

Mr. Mederos said There is a step. The foyer, itself, you don't want to have to cross living-space, in this case a living-room, before you access a corridor . Yes, since it's an open floor plan, all the spaces borrow the ceiling of volume and size being next to each other. So, you walk in and there is the foyer, though the space feels very large due to the open concept.....

Mr. Ruffolo asked how high are the steps with the ceilings ?

Mr. Mederos said the ceilings on the first floor are proposed to be 9 feet. The ceilings on the second floor are: let me say, the roof plates are at 8 feet and then you are climbing up a tray ceiling at 9'.

Mr. Ruffolo said okay

Mr. Mederos said our building height conforms with about a less than a foot of buffer.

Mr. Ruffolo said okay, unless the Board has any further questions. My questioning of the architect is complete.

Mr. Kassis asked any questions for the architect ?

Ms. Westerfeld asked what would have you done differently to not need an FAR ? Couldn't you have just reduced a small percentage.

Mr. Mederos said yeah, well, I believe its 134 sq.ft between the first and second floor. The driving force is the kitchen. So, I can't compress that much more, can't compress the mud-room much more, again, the garage is 20' minimum. The reason it extends on the left aisle like that is because we needed the foot-print for the bedroom to work on the second floor. Otherwise, there would be an over-hang, and those bedrooms would just be tiny for whatever kid was in this home. So, again, a great driving force was the, let me call it, magic numbers for both the kitchen, the mushroom and the garage, and I carried over to living spaces on the right side, the family-room, the dining room and living room.

Ms. Batistic said I have a question in the same direction. If you were to a foot and a half push this back. The kitchen would not be functional ? The master bedroom and closets would not be functional ?

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that size, that would warrant the need to issue a FAR application. So the question I would previously ask, and I'll ask it again in a different way: Is there a modification that can be made to shrink the kitchen or the bedroom or something to get this house, so that, considering all the other houses on the block, to get this to a point where you would not need a FAR, insignificant FAR, in any amount.

Mr. Mederos said yes, well of course, but it will come at a sacrifice, and rooms which are already quite small, I would say, would get much smaller. Like, for example, the bedrooms upstairs, we've got twelve by eleven eight that's essentially a *12 foot pair for the kids*.....the other is thirteen by eleven, similar square footage. So the kids' rooms don't have much to give on the second floor app, and a lot of the justification for the size of the first floor is based on the dimensions that we spoke about earlier. So I think once we start cutting, I think it would be a disservice to the proportions that make sense to a house like this, you know. And four bedrooms on the second floor is totally for taste, you know. Any time we are building a new house it's at least four bedrooms on the second floor.

Mr. Kassis said if I might be so bold as to shorten your answer, you could produce a house, *creatively*, that would not require it absolutely necessary.

Mr. Mederos said not without sacrifice, but of course. It's just that the critical sizes of certain rooms, and critical clearances in certain rooms, that are going to take a hit, invariably.

Mr. Kassis said alright. Any other person from the Board members. I'll ask it, just to be sure, there is no-one here from the audience for this application or against it? For the record.

Before we put this to the vote, is there anything in conclusion, specifically relating to FAR that we would like to say at this point.

Mr. Ruffolo said just that we need to take into consideration the design expert, in terms of the sizing of the kitchen, of the entrance foyer, the garages. We're dealing with a property that is undersized to current standards, and buyers look for certain things. People look for certain things when they are moving into a house. You got an under-sized bedroom, you got an under-sized kitchen. You can't move, you don't have the space, you've got 3 kids, there is just not enough room. This was reviewed by a design professional to make the space work on a lot that's a little bit limited, because its 75' by 100'.

Mr. Van Horne said give me the dimensions of the bedrooms again

Mr. Mederos said 12' by 8', 12' by 11', bedroom 3 and bedroom 4, they share Jack and Jill bathroom, they are each 12' wide by 11'8" deep. Bedroom 2 now is a suite that has its own bathroom and closet and that bedroom is 13' by 11'2", which most likely comes out to about the same square-footage as the other 2 bedrooms, kids' rooms.

Mr. Van Horne said Mr. Ruffolo are there special reasons that you think this application should be granted which requires an FAR. What would you say?

Mr. Ruffolo said I would say because of the lot size, that we are dealing with.

Mr. Van Horne asked anything else?

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Mr. Ruffolo said the impact on the neighborhood, that what we are asking for would, at one point, *separate* deviation from the requirements. We are not asking for a significant deviation from the requirements. We have the testimony from the architect. Which is basically telling us, on our side at least, that the dimensions that are on this plan , and in the bedrooms and in the foyer and in the kitchen are necessary

Mr. Mederos said may I add. I just want to remind everyone, that the size of the 2nd floor is also a step in regard of- I know we are not talking about the, I know we are not inflating, lets say, the 2nd floor completely over the first floor.....We're making an attempt to make the 2nd floor as tight as we can. As well as the Side-yards.

Mr. Kassis said on that comment, if you were to shrink the upper floor, leaving the foot-print in the kitchen, which you described as being absolutely necessary, would that reduce the FAR ?

Mr. Mederos said so the bathrooms are also similar to the kitchen , that are minimum size now. So if we did compress the house in this direction on the 2nd floor, we can see bedroom 3 and bedroom 4 would be the ones affected. And so, instead of 12' by 11' 8" they might be something like 11' by 11'8", if we took a foot from the side here. And a foot, I would say, on the exterior of the house would be very noticeable , compared to the difference a foot would make to the kids' rooms inside.

Mr. Kassis said my question was 'would that reduce the FAR ?' .

Mr. Mederos said of course.

Mr. Kassis said and you have been in front of us with 75' by 100' lots without the need for FAR in the past.

Mr. Mederos said I don't know, I have to search thru. I know the previous one, maybe two, that we were in front of the Board with this plan. The same lot, the same house plan. Previously approved for all variances.

Mr. Kassis said do you have those addresses ?

Mr. Mederos said 8 Mountainview Rd

Mr. Ruffolo said do you recollect 110 6th St. ?

Mr. Mederos said yes, 110 6th St. was the one before that.

Mr. Ruffolo said can you say what the plans were ?

Mr. Mederos said but I can say for certain that 8 Mountainview Rd. was this house. 110 6th St. I can't recall the zoning parameters on that particular project. That was one project removed, and my memory isn't what it used to be.

Mr. Ruffolo said Thank-you.

Mr. Kassis said do we have a motion to either approve or deny this FAR variance with adjustments ?

Mr. Lumaj asked to testify .

Mr. Lumaj was sworn in.

Mr. Kassis asked what is your profession ?

Mr. Lumaj said I'm a builder actually. I've built a few hundred homes in Bergen County. Probably forty or fifty years in Cresskill. I live in the same *type of* house as 110 6th St., same

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1394 Sokol Lumaj (cont.)

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good line, same lot, same everything. I have 3 kids me and my wife . We really like the mud-room in the kitchen, which is the same as this, which was approved last year. I mean we still have that really tight.....for us. Also the 3 kids' bedrooms are alright, really alright , minimum size. There is a little house exactly the same, the same lot. I was here last year in front of the Board. We got the same variances. If we take out that 140 sq.ft ., the house becomes then really very, very small. But if you really do down-size, you never know like, you squeeze the house..... big cuts and big problems in using that space, but it would not make any change like you would never see by light if the house is 130 feet bigger or smaller. So we are asking for a very small thing, just same size, that's a really big help. That's the reason I am here because it makes such a big difference in the inside. And it would not make any difference on the outside. Because it's not like really you are asking that house you are squeezing.....you are not going to see anything like changing the outside, while inside those rooms are getting really, really tight. Like I said, I have built many homes here.....but now and then we got small lots, we kind of like.....you asking for a little thing, it makes such a big difference in the.....using of the house. If you pass that, you know I just don't come here just because I want to show off here....I want to make sure to build a house that has the space they need to use it. Otherwise I mean its easier for me to just build a house.....and not care.....there are probably 5 homes, same lot, same size, same space. I've been here many, many times. Like, when there is a small lot, that's what we are trying to do. To give the buyers the options to have what extra space they need .

Mr. Ruffolo said Thank-you.

Mr. Kassis said..... the same question for you,fifty in town. How many homes did you say ?

Mr. Lumaj said I mean I know like new, forty. But if I *count* also renovation, it's more like 60 homes without any problems.....

Mr. Kassis said out of those not everyone of them had a 17' by 13' master bedroom.

Mr. Lumaj said many of them had big lots.All these smaller lots.....when we get 75' by 100' lots.....very difficult to fit everything in.....you know like the first floor actually is the main thing, where everything, like I said, mud-room, everything gets really tight. The second floor.....bedrooms are really minimum size.....

Mr. Kassis said alright, Thank-you for your testimony. Back to the motion from the Board, either for or against this application. Can I have a motion.....

Mr. Corona said is there a motion to deny ?

Mr. Kassis said yes. There is a motion to deny this application, and there doesn't seem to be one for approval. The application itself is not being denied . Just the FAR portion of it would be denied. So this house could go in front of the Planning Board with some adjustments made and still be built. Just that it could not be built with an FAR without us granting it.

Ms. Batistic said I will make a motion to deny. We have a sliding scale for the FAR, for that reason, for the smaller lots can be used and built, not sized houses. I think there is a rule to reduce the square footage, total Floor Area of this house and still have a nice kitchen, a nice

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master bathroom, and maybe some of the closet area will have to be reduced, maybe the island will have to be six inches smaller and the pantry, and I think there is room to reduce the amount of the built area for this lot. So I make a motion to deny.

Mr. Kassis asked is there a second.

Mr. Corona said yes I will second. I really am on a path on this side. Centering the new path I think is great, and should have a lot of positive things to tell you.....the Board obviously reduce the FAR. What would be a lot more conclusive would be Impervious Coverage and Building Coverage variances.....

Mr. Kassis said Bobbi, Roll-call.

Mr. Van Horne explained that a vote of ‘Yes’ was to deny the application; a vote of ‘No’ was to grant the application.

Ms. Bauer did the Roll Call of the Board to deny the application. All 4 members, present, approved.

Mr. Kassis said next on the agenda is Memorialization.

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Memorialization

1392 Kathy Kim

14 Cedar St

B 54 L 6

Description	Required	Existing	Proposed 7/28/22	Variance 7/28/22	Proposed 8/25/22	Variance 8/25/22
Front Yard Set Back	25'	27.8'	27.8'			
Side Yard Abutting/Lot	15'	10.9'	10.9	4.1'		
Other Side Yard	20'	10.7'	10.7'	9.3'		
Combined Side Yards	35'	21.6'	21.6'	13.4'		
Min. Rear Yard	30'	55.3'	47.3'			
FAR	34.2%	24.3%	37.8%	3.6%	33.9%	
Height of Building	28'	25'	28'			
Lot Frontage	100'	75'	75'	enc		
Lot Depth	100'	128.4'	128.4'			
Bldg. Coverage %	20%	21.5%	26.1%	6.1%	23.3%	3.3%
Impervious Coverage variable	32.4%	30.5%	34.2%	1.8%	34.5%	2.1%
LotArea	10,000Sq.ft	9,625	9,625	enc		

The applicants were granted the above variances to construct an addition to their home.

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Memorialization

1393 Avi Bacalu	300 County Road			Block 72 Lot 1.02		
	Required	Existing	Proposed 7/28/22	Variance 7/28/22	Prop. 8/25/22	Var. 8/25/22
Front Yard Set Back	25 ft.	78.2 ft.	78.2 ft.			
Side Yard Abutting/ Lot	15 ft.	6.9 ft.	6.9 ft.	enc		
Other Side Yard	20 ft.	7.1 ft.	7.1 ft.	enc		
Combined Side Yards	35 ft.	14.0 ft.	14.0 ft.	enc		
Min. Rear Yard	30 ft.	157.6 ft.	157.6 ft.			
FAR						
Height of Building	28 ft.	25 ft.	25 ft.			
Lot Frontage	100 ft.	59.46 ft.	59.46 ft.	enc		
Lot Depth	100 ft.	283.14 ft.	283.14 ft.			
Bldg. Coverage %	20%	12.9%	12.9%	enc		
Impervious Coverage variable	34%	62.6% approved 03/24/2022	71.9%	9.3% over approved existing	65.1%	2.5% over approved existing
Lot Area	10,000 sq. ft.	16,927 sq. ft.	1627 sq. ft.			

Mr. Bacaluwas denied the above variances to extend the pool patio.
The Board had previously approved the Impervious Coverage of 62.6% for extension of the pool patio on March 24, 2022.

Ms. Batistic made a motion to adjourn the meeting.
Mr. Kassis adjourned the meeting at 8:32 pm