

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY JUNE 19, 2013 at 7:00P.M., MUNICIPAL BUILDING**

PRESENT: Chairman Petrocine, Vice Chairman Montana, Board Members Dowden, Kakaty, Nazzaro, Raia, Perrin, Laurite Alt. #1, Council Representative Toomey, Attorney David Rutherford

ABSENT: Board Member Rosato

SUNSHINE LAW: Chairman Petrocine stated: "I have been informed by the Clerk that adequate notice has been provided by mailing a notice to The Ridgewood News and The Record on December 20, 2012 and posting a notice in the Office of the Borough Clerk and on the Borough website."

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A motion was made to approve the May 15, 2013 minutes by Board Member Nazzaro
Seconded by Board Member Montana
Roll Call Vote: AYES: Unanimous

MEMORIALIZING RESOLUTION (S): There were none.

APPLICATIONS: **Blk. 1610 Lot 5**
 15 Burning Hollow Road
 James Carr
 Relocation of batting cage
 CARRIED

Blk. 1403 Lot 27
 48 Fox Hedge Road
 Cassallo-Cooley
 Construct new single family residence
 pool and patio
 CARRIED

At this time, Attorney Rutherford briefly explained why these applications were carried and stated that they will be heard at the July 17, 2013 meeting of the Zoning Board of Adjustment.

The application for St. Gabriel's Church will also be heard on July 17, 2013 and will require three Planning Board Members to participate in the hearing. Several Zoning Board members had to be recused as they are parishioners of this church. A motion to have Board Member Nazzaro chair this meeting was offered by Chairman Petrocine. Seconded by Board Member Laurite. Roll Call Vote: AYES, Unanimous.

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**Blk. 1901 Lot 31
6 Beechwood Drive
Gavin O'Connor
Construct a single family dwelling, pool,
cabana, new dwelling violates
required front yard setback, etc
CARRIED**

Attorney Bruce Whitaker, McDonnell Whitaker, LLC, Ramsey, NJ represented the applicant and gave an overview of the application. He explained that the property is a corner lot and, due to its configuration, variances were necessary. A front yard setback variance is being sought and this was explained in detail, with the objective being trying to create a greater distance between the subject property and the neighboring property. The application also contains the addition of four garages, two to be front loading and requiring the second variance. The proposed building coverages are 6.8% where 7% is the maximum permitted and final improved lot coverage is 19.8% where 20% maximum is permitted.

Robert Zampolin, AIA, Westwood, NJ was sworn in and qualified as an expert witness. The plot plan by Conklin Associates was marked Exhibit A-1. Sheet A-3 of the architectural plans was marked Exhibit A-2 and was explained in detail at this time. He addressed the location of the garages and motor court. Two garages are viewed from the south and the other two are viewed from the west. They will be heavily screened and will not be visible from the street.

Board Member Montana stated that there could be some re-configuration of the garage doors that face west and Mr. Zampolin explained how these garage doors influence the interior layout of the home in detail.

Chairman Petrocine stated that he would like to mitigate the issue of the front facing garage doors by making the necessary interior changes. Board Member Montana stated that it should be easy to meet the bulk requirements when you are starting with a cleared lot.

Mr. Zampolin stated that there are changes that could be implemented in order to reduce calculations.

Board Member Dowden asked if all four garage doors could face north by re-designing the home and Mr. Zampolin stated that was a possibility.

OPEN TO THE PUBLIC: (For questions to Mr. Zampolin only)

Warren Van Thunen, 16 Glenwood Drive stated that he lives across from the subject property and stated that he would be able to see two of the four proposed garage

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doors. He asked Mr. Zampolin why the garage doors could not be re-positioned in order to minimize their visibility. Mr. Zampolin explained that, with the change of topography, the garage doors will not be highly visible.

Mitch Kaufman, 7 Beechwood Dr. stated that he lives directly across the street and asked if the home could be oriented differently, moving it 14 feet to the south away from his home, and Mr. Zampolin explained this in detail at this time.

Board Member Kakaty asked what the turning radius would be if all four garage doors were facing in the same direction and Borough Engineer Spence addressed this issue.

John Mayo, licensed engineer, Conklin Engineering, Ramsey, NJ was sworn in and qualified as an expert witness. Mr. Mayo prepared the plot plan (previously marked Exhibit A-1) and discussed this plan, including a topographic survey. He reiterated that the lot is fully wooded and there are two existing driveways on the property. The septic feasibility study was marked Exhibit A-3 and was discussed. This report determined the optimum placement of the septic on the site and was outlined by Mr. Mayo. Ingress and egress and drainage were taken into consideration with this application as well as tree removal.

The landscape plan was marked as Exhibit A-4 and included both the front and rear of the property. 67 trees are proposed to be removed prior to the commencement of construction; the landscape plan is very comprehensive, with the intention being to screen both sets of garage doors and the rear yard as much as possible. Mr. Mayo explained proposed trees on the plan, stressing that the applicant wanted to maintain as many of the healthy existing trees as possible.

Borough Engineer Martin Spence and Borough Landscape Architect Scott Levy were sworn in.

Mr. Spence prepared a report dated June 18, 2013 and outlined this report at this time. He reiterated that two variances are being sought, one for front facing garage doors and one for a front yard setback. This applicant will also have to appear before the Planning Board on several matters.

Mr. Levy stated that the landscape plan presented is very comprehensive but he would like to see additional canopy trees in specific areas and addressed this at this time. Additionally, he stated that the garage doors would not be visible from Beechwood Road if this landscape plan was executed.

Chairman Petrocine asked Mr. Spence about the septic location and he stated that he feels that the site was picked and tested for functionality rather than testing the entire property for the most optimum location. Mr. Spence reviewed the engineering comments on his report, stressing that many of these points are specific to the soil relocation portion of this application but are included in his report for completeness.

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The depth or level of the rock on the property was not to be qualified as a hardship.

Board Member Montana asked about the engineering consequences to turning the westward facing garage doors to the south and make it a 90 degree turn, rather than a 30 degree angle. Mr. Spence stated that some other coverages may have to be reduced but it would not be an engineering problem.

Board Member Perrin stated that there are many unresolved issues with this application at this time. Board Member Raia suggested moving the garages to the north side of the property, in order to eliminate the garage variance. Several options were addressed and Mr. Mayo stated that several neighbors would be impacted if the garages were moved to the north side of the property.

Attorney Whitaker suggested that the applicant make necessary revisions based on testimony from this meeting and carry this application to a later date.

Attorney Rutherford stated that this is an appropriate suggestion as long as the public is giving ample opportunity at a future meeting.

OPEN TO THE PUBLIC:

Bill Kerbstat, 5 Beechwood Drive stated that Beechwood Drive has flooding problems and he is asking what precautions the applicant intends to take to insure that this problem is not acerbated. Mr. Mayo stated that he did not think the drainage would be impacted by this construction. Mr. Spence stated that the drainage will also be dealt with at the Planning Board level.

Mitch Kaufman, 7 Beechwood Drive stated that, if the proposed location of the house on the property was altered, it would be closer to his house and he would object to this. He further stated that the house can fit on this property without a variance and he would like to see the applicant attempt to make this work.

Attorney Whitaker stated that taking the two variances being sought and attempting to make them one, may not be the best alternative; the criteria is not numerical but what is best for the site. He further suggested that the applicant will draw up a series of modifications for presentation at the July 17, 2013 meeting of the Zoning Board of Adjustment.

Attorney Rutherford stated that there are several applications to be heard on July 17, 2013 and the Board may have to delegate a certain amount of time for each application.

Sharyl Hertz, 3 Beechwood Drive stated that it is very difficult to review this without Planning Board feedback and Attorney Rutherford stated that the variances must first be granted before this application would go before the Planning Board.

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WORK SESSION:

OLD BUSINESS:

NEW BUSINESS:

ADJOURNMENT:

As there was no further business to discuss, a motion was made to adjourn and seconded.

Respectfully submitted,

Marie Elena Macari
Borough Clerk