

MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT  
HELD: WEDNESDAY MARCH 21, 2012 at 7:00P.M., MUNICIPAL BUILDING

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**PRESENT:** Chairman Petrocine, Vice Chairman Montana, Board Members Cohen, Kakaty, Perrin, Raia, Nazzaro Alt. #1, Laurite Alt. #2, Council Representative Toomey, Attorney David Rutherford

**ABSENT:** Board Member Dowden

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**SUNSHINE LAW:** Board 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 23, 2011 and posting a notice in the Office of the Borough Clerk."

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

A motion was made to approve the February 15, 2012 minutes by Board Member Cohen. Second by Board Member Nazzaro  
Roll Call Vote: AYES: Unanimous

**MEMORIALIZING RESOLUTION (S):**

At this time, Attorney Rutherford gave an overview of this resolution to the Board.

**ZBA-06-12                      Blk. 2101 Lot 2  
   3 Glenwood Drive  
   Robert Pierz  
   Permission for as-built conditions of property  
   APPROVED**

A motion to **approve** the Pierz resolution was offered by Board Member Montana  
Second by Board Member Nazzaro  
Roll Call Vote: AYES, Unanimous

At this time, Attorney Rutherford gave an overview of this resolution to the Board.

**ZBA-07-12                      Blk 2003 Lot 47.21  
   19 Powder Hill  
   Frank Amen  
   Permission for as built conditions of property. (Note  
   some proposed remedies)  
   APPROVED**

A motion to approve the Amen resolution was offered by Board Member Perrin  
Second by Board Member Cohen  
Roll Call Vote: AYES, Unanimous

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**APPLICATIONS:**

**Blk. 1202 Lot 19  
7 Charlden Drive  
Allen Cohen  
Addition to dwelling for exercise room with  
indoor pool, outdoor pool with patio, trellis  
site plan 2/2/11 by McNally. Site plan indicates  
encroachments of gravel walks and rock walls in  
the non-disturbance zone. Proposed combined  
side yards do not comply with required 50% of lot  
width  
APPROVED**

Attorney Rutherford asked Mr. Honig to clarify which site plan would be referenced in testimony, as two different site plans were distributed. This was clarified at this time.

Attorney Steven Honig, Honig & Honig represented the applicant and gave an overview of the application.

At this time, Michael Callori, Callori Architects, Leonia, NJ and Matthew Grecco, PE, McNally Engineering were sworn in and were qualified as expert witnesses.

Attorney Honig asked Mr. Grecco to explain the lot and referenced the Site Plan submitted. He further explained that the existing pool and patio are proposed to be replaced as well as an addition to the existing dwelling which would include an indoor pool.

Attorney Honig asked Mr. Callori to explain the plan at this time; he illustrated photographs mounted on a board, including an aerial photo as well as photos of the property and dwelling.

He explained that the existing home is a Williamsburg Colonial and the property is significantly buffered. The new outdoor pool to be constructed and indoor pool house addition were addressed as well as the walkways included in the proposed plan. All existing trees will remain on the property as well as additional evergreen trees to be added on the north side of the property. Mr. Callori stated that if the design were shifted over, the entire element would be off axis with the stairway and terrace that currently exist.

Attorney Honig asked Mr. Callori about the property and the existing landscaping and Mr. Callori stated that it is heavily landscaped and extremely private. He further stated that the proposed addition would retain the existing façade currently on the rear of the home.

At this time, the photographs illustrated by Mr. Callori were marked Exhibit A-1, the Site Plan that was referenced was marked Exhibit A-2 and Mr. Grecco's plan was marked Exhibit A-3.

Borough Engineer Martin Spence prepared a report on this application dated March 21, 2012 and he reviewed this report at this time. The improved lot coverage is 19.61% and building coverage is 6.83%; both are compliant. He further stated that there are no engineering issues.

At this time, Borough Landscape Architect, Scott Levy was sworn in and addressed the property's landscaping. He further stated that, even though it is wooded, it is not completely private and he also expressed concerns about protecting existing trees during the construction phase of this project.

Mr. Callori addressed the driveway and stated that there is no plan for any changes at this time. He further stated that any additional landscaping would benefit the property, especially on the southern side of the property. The location of the pool was addressed again and he reiterated that he feels that this is the most efficient location.

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Board Member Cohen stated that she had a problem with the side yard setback and Board Member Montana asked about the indoor pool being reduced in size in order to minimize the calculations and these issues were addressed.

Board Member Raia asked for clarification regarding the landscaping plan and Mr. Callori explained the new plantings to be installed. The gravel walkway on the south side of the property was also addressed and it was decided that it would be more beneficial for it to remain.

Board Member Cohen cautioned that the coverage calculations are very close to the required and the applicant must be mindful of this.

Attorney Rutherford stated that this variance could be considered a C1-C based on the conditions that exist with the combined side yard setback.

Attorney Honig stated that his client was prepared to make some minor modifications in order to obtain a variance to provide for a proposed combined side yard setback of 100 feet instead of the proposed 97 feet. The north side setback would also be modified from 41.8 feet to 44.8 feet.

Attorney Rutherford stated that the applicant will be required to provide a formal landscaping plan for the approval of both Mr. Spence and Mr. Levy in order to supplement the ground level screening on both the north and south sides of the addition. A landscaping plan would be required for the portions of the lands adjacent to the driveway on the north side that encroach into the side yard setback. Mr. Honig stated that this would not be a problem and a revised plan will be submitted prior to the memorialization of the resolution.

**OPEN TO THE PUBLIC:** No one wished to be heard.

A motion to approve the Cohen application was offered by Board Member Nazzaro  
Second by Board Member Cohen  
Roll Call Vote: AYES, Unanimous

**WORK SESSION:**

**COMMUNICATIONS:**

**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