

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY May 15, 2013 at 7:00P.M., MUNICIPAL BUILDING**

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

ABSENT: Board Members Perrin & 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 April 17, 2013 minutes by Board Member Perrin
Seconded by Board Member Nazzaro.
Roll Call Vote: AYES: Unanimous

MEMORIALIZING RESOLUTION (S):

ZBA 10-13	Blk. 1802 Lot 14 59 West Saddle River Road Mark Pedin Construct in-ground pool/patio, detached garage/cabana, covered porch, etc. Proposed improvements encroach into the required front yard setback APPROVED
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At this time, Attorney Rutherford gave an overview of this resolution to the Board. The lot was extremely challenging and undersized and the applicant made significant changes to the original application in order to minimize the relief being sought.

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

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ZBA-11-13

**Blk. 1402 Lot 26.12
16 Alford Drive
Frank & Diane Alecci
Final as-built site plan conditions show
conflicting details whereas the structure
exceeds the maximum allowable bldg
area of 8%
APPROVED**

At this time, Attorney Rutherford gave an overview of this resolution to the Board, outlining specific conditions that were imposed as part of granting this resolution.

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

ZBA-12-13

**Blk. 1902 Lots 4 & 5
The Range at Saddle River, LLC
11 & 15 North Church Road
Merging lots 4 & 5, exceeding number
of garage doors and review of proposed use.
APPROVED**

At this time, Attorney Rutherford gave an overview of this resolution to the Board, and addressed the consolidation of two properties as well as the conditions imposed as part of granting this resolution.

A motion to **approve** the Range at Saddle River resolution was offered by Board Member Dowden
Seconded by Board Member Montana
Roll Call Vote: AYES, Unanimous

At this time, Chairman Petrocine asked Attorney Rutherford to address an upcoming application submitted by St. Gabriel's R.C. Church. Attorney Rutherford explained that all but two of the Zoning Board Members belong to this parish, disqualifying them from participating in the hearing. The Municipal Land Use Law states that, in this instance, Planning Board members are to hear the application. Three additional Planning Board Members along with Board Members Nazzaro and Rosato will hear this application at the regular meeting of the Zoning Board on June 19, 2013. Attorney Rutherford stated that the notice submitted was in need of a slight modification as well. It was decided that Board Member Nazzaro would Chair this meeting.

Council Representative Toomey asked why the Rule of Necessity did not apply in this instance and Attorney Rutherford explained that the first course of action is to utilize Planning Board Members.

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Council Member Toomey stated that the Zoning Ordinance Review Committee will be meeting on June 6, 2013 and asked Attorney Rutherford to email committee members a copy of the 2012 Zoning Board of Adjustment Annual Report.

OPEN TO THE PUBLIC:

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