

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT  
HELD: WEDNESDAY OCTOBER 16, 2013 at 7:00P.M., MUNICIPAL BUILDING**

---

**PRESENT:** Vice Chairman Montana, Board Members Dowden, Kakaty, Nazzaro Raia, Rosato; Council Representative Toomey, Attorney David Rutherford

**ABSENT:** Chairman Petrocine, Board Members Perrin, Laurite Alt. #1

**SUNSHINE LAW:** Vice Chairman Montana 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 September 18, 2013 minutes by Board Member Nazzaro. Seconded by Board Member Dowden. Roll Call Vote: AYES: Unanimous

**MEMORIALIZING RESOLUTION (S):**

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

**ZBA 15-13**

**Blk. 1201 Lot 14  
171 East Allendale Road  
Steven Greenberg  
Construct pergola which violates  
required front yard setback  
Install generator  
APPROVED**

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

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

**ZBA 16-13**

**Blk. 1701 Lot 32  
29 North Church Road  
Joseph Ingrassia  
Current site conditions for improvements  
encroach into the 40' side yard setback  
Proposed generator  
APPROVED**

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT  
HELD: WEDNESDAY OCTOBER 16, 2013 at 7:00P.M., MUNICIPAL BUILDING**

---

A motion to **approve** the Ingrassia resolution was offered by Board Member Nazzaro. Seconded by Board Member Dowden.

Roll Call Vote: AYES, Unanimous

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

**ZBA 17-13**

**Blk. 1501 Lot 7  
147 Chestnut Ridge Road  
Saddle River Day School  
Requesting to construct a guard house  
& dumpster within the required front yard  
Setback of 225 feet  
APPROVED**

A motion to **approve** the Saddle River Day School resolution, with a minor change in language, was offered by Board Member Nazzaro. Seconded by Board Member Dowden.

Roll Call Vote: AYES, Unanimous

**APPLICATIONS:**

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WITHDRAWN**

At this time, Attorney Rutherford stated that this application has been withdrawn

**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**

At this time, Attorney Rutherford stated that this application has been carried to the November 20, 2013 meeting, without further notice.

**Blk 1607 Lot 22.01  
123 E. Saddle River Road  
Edward Dunn  
Construct a horse stable; exceeds  
the maximum allowable area 1,000 sq. ft.  
and the maximum height of 17'  
CARRIED**

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT  
HELD: WEDNESDAY OCTOBER 16, 2013 at 7:00P.M., MUNICIPAL BUILDING**

---

Steven Honig, Esq. Honig & Honig, Waldwick, NJ represented the applicant and explained the application in detail. The applicant is seeking a variance in order to construct a horse barn which exceeds both size and height. He further stated that the property is 4.57 acres and is at 5% building coverage, including the proposed barn. The barn will be located 400 feet from the roadway and 17 feet below the roadway, as the property has a significant slope downward toward the Saddle River.

At this time Tibor Latincscics, PE, PP, Conklin Associates, Ramsey was accepted as an expert in the field of engineering. The Zoning Application Plan was marked Exhibit A-1, two renderings of barns superimposed onto the plan were marked Exhibit A-2 and A-3 and additional architectural work on the barn from the original filing was marked Exhibit A-4.

Mr. Latincscics explained the property in detail; two lots were combined to create this 4.57 acre property. The proposed horse barn is in excess of the maximum 1000 square feet for accessory structures. The horse barn is located at the rear of the property and is proposed to be a 1296 square foot structure with a 432 square foot canopy overhang totaling 1796 square feet. Additionally, the barn is proposed to have a 27 foot height, where 17 feet is permissible. The lot coverage is proposed to be 39,036 square feet (20%), where 20% is permissible.

The proposed barn is to include four stalls, a tack room, and an equine wash room, with the upper floor to be used as a hay loft. A gravel roadway down to the barn is included in the lot coverage calculation. There will be no permanent farm hands living on this property.

Mr. Latincscics further stated that there are no homes visible and it is an ideal location for this barn.

Martin Spence, Borough Engineer and Scott Levy, Borough Landscape Architect, were sworn in at this time. Attorney Rutherford stated that he is in receipt of a letter from Mr. Honig to Mr. Spence addressing the fact that he lives within 200 feet of the applicant; the applicant had no objection with Mr. Spence participating in this hearing.

Mr. Spence prepared a report dated October 15, 2013 regarding this application and reviewed this at this time. He stated that many of the site features were eliminated on the plan presented by Mr. Latincscics in order to focus on the structure and it must be revised to show a complete site plan. If approved, Mr. Spence will request approval from the Planning Board regarding any soil movement necessary.

Mr. Levy stated that the view from the roadway is minimal due to extensive screening.

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

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT  
HELD: WEDNESDAY OCTOBER 16, 2013 at 7:00P.M., MUNICIPAL BUILDING**

---

Board Member Nazzaro asked about the roof height of the barn and this was addressed in detail. She asked specific questions about the applicant's horses.

Lisa Dunn, home owner, was sworn in at this time. Mrs. Dunn explained that she currently has two horses, approximately 17 hands, and plans to purchase two more. The height of the side walls was addressed and, based on their size, and it was determined that 12 foot walls would be necessary.

Board Member Nazzaro asked if the height of the roof could be lessened to 21 feet while maintaining 12 foot walls, utilizing an alternative design. Mr. Latincscics stated that the barn would not have the same esthetic appeal if the roof height was reduced.

Board Member Dowden asked about the jumping elements within the adjacent arena and Mrs. Dunn stated that she would like to include this in addition to a turnout area for the horses. It was determined that any of the fences or props that would be added to the inside of the riding ring would not be included in the lot coverage calculations.

Board Member Rosato stated that the proposed barn is not visible from the road and the location is non-obtrusive. He further asked about restricting the use of this structure moving forward and Mr. Honig stated that the applicant had no problem with making this a condition of the resolution.

Board Member Kakaty stated that he had an issue with the size of the structure; Board Member Raia was in agreement and asked if a septic system was required. Mr. Spence stated that there will be seepage pits to address this issue.

Vice Chairman Montana stated that he feels the structure is too large and the roof is too high. He further stated that he feels that the neighbor would be able to see this structure from their property. He further asked about the canopy on the proposed barn and Mr. Honig stated that it was predominantly esthetic and could be removed if the Board so chose.

Mr. Honig stated that he understood that the Board had an issue with the roof height and the applicant was willing to reduce the height to 24 feet and remove the canopy.

Vice Chairman Montana stated that he feels this is not enough of a reduction and the Board was in agreement.

It was decided that this application would be carried to the meeting of November 20, 2013.

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT  
HELD: WEDNESDAY OCTOBER 16, 2013 at 7:00P.M., MUNICIPAL BUILDING**

---

**WORK SESSION:**

**OLD BUSINESS:**

**NEW BUSINESS:** Council Member Toomey gave an overview of the amended tree ordinance in detail at this time.

**ADJOURNMENT:**

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

Respectfully submitted,

Marie Elena Macari  
Borough Clerk