

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

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

ABSENT: Board Member Perrin

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 20, 2012 and posting a notice in the Office of the Borough Clerk and on the Borough website."

PLEDGE OF ALLEGIANCE

At this time Zoning Board Members John Rosato was sworn in by Attorney Rutherford as Alternate #2 with a term to expire on 12/31/14 and Patty Nazzaro was sworn in with a term to expire on 12/31/16.

Chairman Petrocine asked the Board if they were in agreement to eliminate the position as Board Secretary, in light of Mrs. Cohen's retirement and all were in agreement. Attorney Rutherford will amend the By Laws to reflect this change.

APPROVAL OF MINUTES

A motion was made to approve the December 19, 2012 minutes with corrections by Board Member Rosato. Seconded by Board Member Raia.
Roll Call Vote: AYES: Unanimous

REORGANIZATION:

Election of Officers:

David Petrocine: Chairman **Offered by Board Member Montana**
Seconded by Board Member Dowden

John Montana: Vice Chairman **Offered by Board Chairman Petrocine**
Seconded by Board Member Dowden

Appointment of Secretary: **Offered by Board President Petrocine**
Marie Elena Macari **Seconded by Board Member Montana**

Appointment of ZBA Attorney: **ZBA 01-13 Offered by Board Chairman Petrocine**
Rutherford, Esq. **Seconded by Board Member Montana**

Appointment & Retaining of
Borough Engineer: Martin Spence **ZBA 02-13 Offered by Chairman Petrocine**
Seconded by Board Member Montana

Appointment & Retaining of
Borough Landscape Architect: **ZBA 03-13 Offered by Chairman Petrocine**
Scott Levy **Seconded by Board Member Montana**

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Establishment of Mtg. Dates: **ZBA 04-13 Offered by Chairman Petrocine
Seconded by Board Member Montana**

Establishment of Zoning Fees: **ZBA 05-13 Offered by Chairman Petrocine
Seconded by Board Member Montana**

ROLL CALL VOTE: AYES, Unanimous

MEMORIALIZING RESOLUTION (S): There were none.

APPLICATIONS: (Carried) **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
CARRIED**

At this time, Attorney Rutherford explained that this applicant had requested to revise the original plans presented and they are not currently available. This application will be carried to the Zoning Board of Adjustment meeting scheduled for February 20, 2013. It is not necessary to re-notice this application.

**Blk. 1105 Lot 2
8 Meadow Lane
Kimberly & Robert Haisch
Construct multiple additions; violates
required 125 foot front yard setback
Proposed garage addition faces street, violation
of Borough code.
APPROVED**

Attorney Steven Honig, Honig & Honig, LLC represented the applicant and gave an overview of the application. He explained that the home is subject to pre-existing non-conformities as it relates to the front yard, making this property difficult to work with. The applicant wants to insure that the wooded nature of the neighborhood remains.

At this time, Michael Callori, AIA, Callori Architects, Leonia, NJ and Tibor Latincics, PE, Conklin Associates, Ramsey, NJ were sworn in and qualified as expert witnesses.

Mr. Latincics explained the existing property in detail and the plot plan was marked Exhibit A-1. An enlarged version of the plot plan was marked Exhibit A-2 and series of photographs of the Cape Cod style home currently on the property was marked Exhibit A-3.

He explained the details of the property, which is 2.7 acres and 540 deep. He further explained that the current home has a two car, side loading garage. The applicant wishes to add a garage and, based on the proposed positioning of this garage, the garage door must face the street, which is in violation of the Borough code.

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The applicant would like to insure the preservation of a large maple tree in the front of the property; a photograph of this tree was marked Exhibit A-4. The building coverage is being increased from 3.3% to 4.9%, with 7% permitted and the improved lot coverage is being increased from 8.0% to 9.3% with 20% permitted.

At this time, a photo board with three photos of the subject property was marked Exhibit 5 and the plans submitted by Mr. Callori were marked Exhibit A-6.

Attorney Rutherford stated that Mr. Laurite, Zoning Board of Adjustment Alternate # 1 has recused himself from this application, as he lives next door to the subject property.

Mr. Callori explained the history of the existing structure on the property, a Cape Cod style home built in 1950, with two subsequent additions. He further stated that he has developed a design which he feels would work both on the property and in the neighborhood. A sketch of the elevation plan was marked Exhibit A-7 and was outlined by Mr. Callori at this time.

Mr. Honig asked Mr. Callori to address the front loading garage addition and he do so in detail at this time. He stated that it has been proposed in the most practical location and has been set back almost 25 feet from the front façade of the home. Additionally, it will be heavily landscaped so that it will be barely visible from Meadow Lane.

Borough Engineer Martin Spence prepared a report regarding this application dated January 14, 2013 and reviewed in detail at this time. The three variances being sought were outlined as well as engineering comments.

Borough Landscape Architect Scott Levy stated that the hardships created on the property are partially due to preserving the integrity of existing landscaping. He further stated that he would like to work with the applicant to insure that the appropriate plantings are chosen for the streetscape to maximize the screening of the front loading garage door. The preservation of a large maple tree on the front of the property was also addressed and Mr. Levy stated that the proper measures must be in place to protect the root system from the construction.

Mr. Spence addressed a rock wall in the front of the property and stated that it would not affect any ingress or egress of emergency vehicles.

Council Member Dowden asked if the screening being proposed adjacent to the garage addition is the maximum size allowable and could it be configured to completely shield this garage.

Council Member Nazzaro also agreed that the screening must be adequate adjacent to the garage in order to minimize visibility.

Council Member Raia wanted to insure that all of the plantings are sufficient and further stated that he is in favor of removing some of the paved area on the property.

OPEN TO THE PUBLIC:

Mark Goldner, 5 Kenwood Road, Saddle River was sworn in and stated that the rear of his property is across the road from the subject property. He further stated that he is concerned about the increase in the size of the structure and how this will impact his privacy. He also asked about the parking construction vehicles during this project as Meadow Lane is

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very narrow. He also stated that the power lines on the subject property come down often during heavy storms and suggested the applicant explore any alternative measures that may include having them installed underground.

Borough Engineer Spence addressed the parking concerns, drainage and septic issues due to the expansion of the structure and explained that the power lines are under the jurisdiction of the utility company.

Chairman Petrocine asked Mr. Levy about the openness of the front of the property and he stated that canopy trees would be the most beneficial in this area.

Board Member Montana stated that he walked this property several times and he is strongly in favor of this application on a private lane; Board Members Dowden and Nazzaro were also in agreement.

Board Members Raia and Kakaty were in favor of the plan and stated that it would be an improvement to the neighborhood; Mr. Rosato was in agreement.

Attorney Rutherford stated that two of the variances being sought are C-2, with the third variance being a C-1C, due to a pre-existing encroachment. The landscape plan must be subject to Mr. Levy's approval.

The stone wall in the front of the property was addressed and Mr. Spence stated that it could not be closer than eight feet from the property line. It was decided that no additional landscaping, with the exception of the garage area, be made a condition of this application.

A motion to **approve** the Haisch application, with the conditions offered by Mr. Spence and Mrs. Levy, was offered by Board Member Montana.

Seconded by Board Member Nazzaro

Roll Call Vote: AYES, Unanimous

WORK SESSION:

OLD BUSINESS:

NEW BUSINESS: Council Toomey stated that the Mayor and Council will hold the third public hearing on the Municipal Building renovation project, which has attracted much attention amongst residents. He urged all Board Members to attend to lend their support.

ADJOURNMENT:

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

Respectfully submitted,

Marie Elena Macari
Borough Clerk