

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY APRIL 16, 2014 at 7:00P.M., MUNICIPAL BUILDING**

PRESENT: Chairman Montana, Board Members Dowden, Kakaty, Laurite, Nazzaro, Raia, Mastriano, Alt. #2, Attorney David Rutherford, Council Representative Toomey

ABSENT: Board Member Perrin, Rosato, Alt. #1

SUNSHINE LAW: 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 23, 2013 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 March 19, 2014 minutes by Board Member Nazzaro. Seconded by Board Member Kakaty. Roll Call Vote: AYES: Unanimous

MEMORIALIZING RESOLUTION (S): There were none.

APPLICATIONS:

**Blk. 1803 Lot 1
25 Overlook Road
Dustin & Pilar Pita
Construct new single family dwelling,
site plan must reflect all required
setbacks. Proposed structure violates
required front yard setback**

Attorney John Russo, the attorney for the applicant stated that he would be calling on two witnesses to testify to this application.

At this time, Kent Rigg, Engineer, Midland Park, NJ and John Giammarino, Architect Ramsey, NJ were sworn in and qualified as expert witnesses.

Mr. Giammarino prepared the architectural plan, dated January 15, 2014 and revised on April 1, 2014 and this was marked Exhibit A-1. Mr. Giammarino explained this plan in detail at this time. The lot is currently vacant and the applicant is seeking a front yard setback of 75 feet where 125 feet from the centerline of the roadway is required. The proposed total improved lot coverage is proposed at 7299 square feet.

The property is 2.13 acres and the lot generally slopes down from the road. There is a small stream on the property as well.

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Mr. Rigg addressed the site plan at this time, dated January 27, 2014 and revised on March 11, 2014 and April 2, 2014. This plan was marked Exhibit A-2.

The plan outlines the topography, and Mr. Rigg addressed the setback requirements. The property is located at the northeast corner of Overlook and Spruce Road. Overlook is a cul-de-sac/dead end at this location.

Borough Engineer Martin Spence and Borough Landscape Architect Scott Levy were sworn in at this time. Mr. Spence stated that he prepared a report regarding this application dated April 15, 2014 and explained this report in detail at this time. He explained that the NJDEP has revised requirements regarding the stream on the property which provides some relief if the applicant maintains pre-existing disturbances within the buffer areas.

Mr. Levy reviewed the landscape plan and suggested alternative plantings for several references due to their susceptibility to insects. He further stated that the landscape design submitted needs to be revised.

OPEN TO THE PUBLIC: No one wished to be heard

Board Member Nazzaro asked if the applicant is amenable to revising the landscape plan and Attorney Russo stated that they are. Board Member Dowden stated that he understands that the lot is challenging but feels that the structure could be moved further back on the property. Board Member Kakaty was in agreement with this. Board Chairman Montana stated that he does not have an issue with the setback as the line of site is minimal. He addressed the DEP issue and was in agreement that the house should be farther away from the stream.

A motion to **approve** the Pita application with a revised landscaping plan was offered by Board Member Nazzaro. Seconded by Board Member Raia
Roll Call Vote: AYES: Board Chairman Montana, Board Members Nazzaro, Raia, Laurite, Mastriano NAYS: Board Members Dowden, Kakaty

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