

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY JANUARY 20, 2016 at 7:00P.M., MUNICIPAL BUILDING**

PRESENT: Chairman Montana, Board Members Kakaty, Nazzaro, Raia, DeCrosta, Alt. #1, Trobiano, Alt. #2, Attorney David Rutherford, Council Representative Gray

ABSENT: Board Members Dowden, Laurite & Perrin

SUNSHINE LAW: Chairman Montana stated: "I have been informed by the Clerk that adequate notice has been provided by mailing a notice to The Herald News and The Record on December 16, 2015 and posting a notice in the Office of the Borough Clerk and on the Borough website."

PLEDGE OF ALLEGIANCE

ADMINISTER OATH OF OFFICE: At this time, Attorney Rutherford stated that Board Member Raia will be sworn in for a four year term, expiring in 12/31/19 and Jerry DeCrosta will be sworn in as Alternate #1 for a two year term, expiring in 12/31/17. Both were sworn in at this time.

ELECTION OF OFFICERS:

John Montana: Chairman

**Offered by Board Member Kakaty
Seconded by Board Member Nazzaro**

George Kakaty: Vice Chairman

**Offered by Chairman Montana
Seconded by Board Member Nazzaro**

**Appointment of Secretary:
Marie Elena Macari**

**Offered by Chairman Montana
Seconded by Board Member Kakaty**

**Appointment of ZBA Attorney:
Rutherford, Esq.**

**ZBA 01-16 Offered by Board Member Nazzaro
Seconded by Board Member Kakaty**

**Appointment/Retaining of
Borough Engineer: Martin Spence**

**ZBA 02-16 Offered by Board Member Nazzaro
Seconded by Board Member Raia**

**Appointment & Retaining of
Borough Landscape Architect:
Scott Levy**

**ZBA 03-16 Offered by Board Member Nazzaro
Seconded by Board Member Trobiano**

Establishment of Mtg. Dates:

**ZBA 04-16 Offered by Board Member Nazzaro
Seconded by Board Member Trobiano**

Establishment of Zoning Fees:

**ZBA 05-16 Offered by Board Member Nazzaro
Seconded by Board Member Kakaty**

Adoption of 2016 By-Laws

**Motion Offered by Board Member Kakaty
Seconded by Board Member Nazzaro**

ROLL CALL VOTE: AYES, Unanimous

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY JANUARY 20, 2016 at 7:00P.M., MUNICIPAL BUILDING**

APPROVAL OF MINUTES

A motion was made to approve the December 16, 2015 minutes by Board Member Nazzaro. Seconded by Board Member Kakaty
Roll Call Vote: AYES: Unanimous

MEMORIALIZING RESOLUTION (S):

**ZBA-06-16 Blk. 2001 Lot 1.03
33 Lower Cross Road
Joel Carriero
Proposed equine style fence encroaches into the
front yard setback of 10 feet from property line
DENIED**

Attorney Rutherford gave an overview of this resolution at this time. He further stated that only Board Member Kakaty was eligible to vote on this resolution but a vote in favor would adopt this resolution; this resolution was adopted.

APPLICATIONS:

**Blk. 1502 Lot 31
Pilar & Chealsea Pita
142 Chestnut Ridge Road,
Proposed expansion of 2nd floor encroaches into
the required front yard, side yard and the 25' non-
disturbance zone. Proposed reconstruction of
detached garage roof encroaches into the side yard
setback. Existing shed and garden encroach into the
non-disturbance zone**

At this time Borough Engineer Martin Spence and Borough Landscape Architect Scott Levy were sworn in.

Additionally, the following witnesses were sworn in: Kent Rig, Professional Engineer, Midland Park, NJ; Pilar Pita, Vincent Pita and Chealsea Pita, homeowner, 43 Chestnut Ridge Road, Saddle River, NJ; Jordan Rosenberg, Architect, Ridgewood, NJ; Andrew Dunn, Landscape Designer, Ringwood, NJ. All professional witnesses were qualified as expertness witnesses.

Kent Rig, engineer, stated that he prepared a property plan dated November 23, 2015 and he explained this plan in detail at this time. The lot is undersized at .80 acres, with a home in the front of the property which is fully located within the front yard setback. The height is being raised approximately four to five feet and will remain under the maximum allowable height.

Jordan Rosenberg, architect, identified the architectural plans as well as a computer generated rendering, which was marked Exhibit A-1, of the completed project. Photographs of the existing home were marked Exhibit A-2. He further stated that the current home is deficient for his client's needs and explained this in detail at this time. The interior will undergo an extensive renovation to include relocating all three bedrooms to the second floor. He explained the architectural renderings in detail.

The garage is located 37 feet from the north property (side yard) where a minimum of 40 feet is required, necessitating/continuing a three foot setback variance.

Andrew Dunn, landscape architect, explained the landscape plan, addressing existing trees which will remain as well as new plantings that will be installed.

Borough Engineer Spence stated that he prepared a report dated January 19, 2016 and he explained this

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY JANUARY 20, 2016 at 7:00P.M., MUNICIPAL BUILDING**

report in detail at this time.

Borough Landscape Architect Scott Levy stated that there is minimal disturbance of the existing landscaping, however the landscape plan presented locates the material to be installed but specific sizes have been left out. He further stated that an existing materials plan will be necessary as well as a plan showing materials slated to be removed. Tree protection was also addressed and Mr. Levy stated that these items should be a condition of the resolution.

Board Member Nazzaro complimented the architectural plan and asked about the seepage pits and dry wells and Martin Spence addressed this matter.

Board Member DeCrosta stated that the plan is well done and will greatly enhance the property; Board Member Trobiano was in agreement.

Board Member Raia asked if additional plantings should be installed between the house and the garage to provide greater privacy to the neighbor. He further stated that there are five foot stone columns on the landscape plan but they are not on the site plan. Scott Levy stated that they are proposed and not existing and it is actually more of a fence design.

Attorney Rutherford addressed this and stated that he would indicate in the resolution that there was an inconsistency in between the site plan and the landscape plan.

Board Member Kakaty stated that he is inclined to support this application but stated that he has some concerns about the location of the shed. He further stated that he would like to insure that the shed is sufficiently screened.

Chairman Montana stated that he has no problem with this application. He reiterated that the landscape plan must be revised, as previously stated.

Attorney Rutherford outlined the parameters of the resolution at this time to include compliance with all of the conditions in Mr. Spence's report as well as the revision of the landscape plan as previously discussed. The columns will not be granted relief.

A motion to **approve** the Pita application was offered by Board Member Nazzaro
Seconded by Board Member Trobiano
Roll Call Vote: AYES, Unanimous

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