

**MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY MARCH 16, 2016 at 7:00P.M., MUNICIPAL BUILDING**

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

ABSENT: Board Members Dowden: Kakaty, Laurite, Perrin, Council Representative
Gray

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

APPROVAL OF MINUTES

A motion was made to approve the February 17, 2016 minutes by Board Member Nazzaro. Seconded by Board Member Trobiano
Roll Call Vote: AYES: Unanimous

MEMORIALIZING RESOLUTION (S): There were none.

APPLICATIONS:

**Blk. 1105 Lot 38
236 East Saddle River Road
Elizabeth Berman Trust
New single family dwelling
Reconstruct and install additional
improvements in the non-disturbance zone on
the north side of the property
APPROVED**

Steven Honig Esq., Honig & Honig, Waldwick, NJ represented the applicant; he stated that the new home to be constructed will be conforming and will not require a variance. The existing driveway will remain with some additional improvements with the 25 foot non-disturbance zone.

At this time, William Boyce, AIA Biosphere, Saddle River, NJ Erik Boe, P.E., Lan Associates, Midland Park, NJ and Stephanie DeCarlo- Pantale, Montvale, NJ were sworn in and qualified as expert witnesses.

The engineering plan (SP11) entitled Existing Conditions and Demolition Plan was marked Exhibit A-1. Mr. Boe gave an overview of this plan in detail. The garage and two other accessories encroach into the 25 foot non-disturbance zone. The Plot Plan (SP21) was marked Exhibit A-2 and he also explained this plan in detail.

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The driveway is in the non-disturbance zone, located in an easement. The driveway is heavily screened and any other alternate options to relocate the driveway would not be efficient. Mr. Honig asked Mr. Boe to compare the existing dwelling and the proposed dwelling, which he did in detail at this time. There is a shed in the rear of the property, which will be removed.

Mr. Boyce, licensed landscape architect, reiterated that the current driveway location would be the least disruptive to the current landscaping on the property, which include some very old canopy trees. The Tree Inventory Plan was marked Exhibit A-3 at this time and was discussed in detail. The Landscape Plan was marked Exhibit A-4; Mr. Boyce detailed specific species to be installed and highlighted that the landscaping will provide additional screening between the two properties. Additional evergreen trees will also be planted in order to minimize the impact of the two adjacent driveways.

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

Mr. Spence prepared a report dated March 15, 2016 and he addressed this report at this time. He outlined the variances as follows: existing driveway and site improvements to remain, new curbing, new retaining wall and grading and new planting beds, all in the 25 foot non-disturbance zone.

Mr. Spence stated that, if the driveway is permitted to remain in its current location, a trench drain and seepage pit is recommended at the bottom of the driveway.

Mr. Spence asked the engineer if there would be any improvements to the driveway, should it stay in the existing location. Mr. Boe stated that there will be no changes to the existing driveway in the 25 foot non-disturbance zone.

Scott Levy addressed the installation of a proposed water line on the south side of the property and cautioned that there are large and significant trees in that location and care should be taken during this installation. Additional trees to be planted were addressed in detail at this time.

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

Board Member Trobiano stated that she had no problem with this application. Board Member Raia stated that, as long as there is sufficient buffering adjacent to the driveway, he would have no problem with this application. Board Member Nazzaro was in agreement but wanted to insure that the drainage was adequate at the base of the driveway. Board Member DeCrosta asked about the installation of a curtain drain at the bottom of the driveway. Mr. Spence stated that these matters will also be dealt with by the Planning Board.

Chairman Montana asked about the possibility of moving the driveway so that it conforms. Attorney Honig stated that the applicant's objective was to maintain as much of the existing landscaping as possible. Chairman Montana stated justification must be made for this to qualify as a C-2 variance. The trees that would have to be removed in

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order to relocate the driveway were addressed by Landscape Architect Levy at this time. He reiterated that there would be significant root disruption if the driveway was moved.

Attorney Honig reiterated that a shed and garage will be removed in order to conform to the extent possible.

Chairman Montana stated that if all were in agreement that there was sufficient landscaping, he was in agreement.

Attorney Rutherford framed the resolution at this time, emphasizing that this would be a C-2 variance. Conditions would include a trench drain leading to a seepage pit, a more accurate depiction of the trees to remain as well as to be removed and the enhancement of the landscape buffer adjacent to the driveway as well as by the neighbor's pool area.

A motion to **approve** the Elizabeth Berman Trust application was offered by Board Member Raia.
Seconded by Board Member Nazzaro
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,

Joy C. Convertini
Municipal Clerk