

MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY MARCH 16, 2011 at 7:00P.M., MUNICIPAL BUILDING

PRESENT: Chairman Petrocine, Vice Chairman Montana, Board Members Cohen, Dowden, Perrin, Raia, Nazzaro. Alt. #2, Council Representative Toomey, Attorney David Rutherford

ABSENT: Board Members Kakaty, Gatto, Alt. #1

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 27, 2010 and posting a notice in the Office of the Borough Clerk."

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

A motion was made to approve the February 16, 2011 minutes by Board Member Nazzaro. Seconded by Board Member Montana.

Roll Call Vote: AYES: Chairman Petrocine, Board Members Montana, Perrin, Nazzaro
ABSTAIN: Board Members Cohen, Raia, Dowden

MEMORIALIZING RESOLUTION (S):

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

ZBA 05-11

**Blk. 1608 Lot 4
5 Burning Hollow Road
Thomas O'Brien
Requests for variances for improved lot
and building coverages
APPROVED**

A motion to **APPROVE** the O'Brien resolution was offered by Board Member Montana Seconded by Board Member Nazzaro.

Roll Call Vote: AYES, Unanimous

APPLICATIONS: con't

**Blk. 1502 Lot 40
12 Denison Dr. East
Candace Pisto
Variance for driveway alteration
CARRIED**

Brian Rose, engineer and Scott Levy, Borough Landscape Architect were sworn in at this time.

Attorney Rutherford stated that this application was not noticed on a timely basis and therefore this application will be carried and need to be re-noticed for the April 20, 2011 meeting of the Zoning Board of Adjustment.

**Blk. 2101 Lot 33
57 Twin Brooks Road
Warren Boardman
Proposed porch, garage and one story
addition encroach into the required front yard
setback. Proposed additions would result in
a combined lot width which violates required 50%
combined side yards. Proposed garage addition
will result in an additional garage door which faces
the street in violation of the code. It is noted that
the pool and pool house are pre-existing non-
conforming as it relates to rear yard setback
APPROVED**

Attorney Bruce Whitaker, McDonnell Whitaker, Ramsey, NJ represented the applicant.

He explained the application to the Board in detail at this time. He further stated that lot coverage will not be an issue in this application.

The existing garage doors and the additional proposed are front loading, which is a violation of current code, requiring one of the variances. The second variance is for a front yard setback, as the home is skewed on the property and the addition proposed will cause an encroachment. The third variance is necessary due to a deficiency in lot width not meeting the 50% criteria.

He stated that the property is extremely narrow, with a stream in the rear, traversing it.

A revised plan was submitted to Borough Engineer Spence; a report was prepared addressing this plan.

At this time, David Hals, licensed engineer, Oakland, NJ was sworn in and was qualified as an expert witness. Attorney Whitaker asked Mr. Hals to outline the existing conditions as illustrated on the Plot Plan/Soil Erosion/Sediment Control Plan revised January 24, 2011, which was marked Exhibit A-1. He explained this plan to the Board in detail. Photographs of the existing structure taken on March 16, 2011, were marked Exhibit A-2 and discussed at this time.

Mr. Hals addressed the lot width and explained that the lot lines are skewed to the front street line and create a long distance of frontage; the lot width is 354.7 feet long. Additionally, he discussed the proposed additional third garage and the front loading garage doors which exist due to setback restrictions.

Attorney Whitaker asked Mr. Hals about the C-1 variance criteria and if the relief being sought with this application is applicable here; Mr. Hals was in agreement that it was.

At this time, Michael Callori, architect, Leonia, NJ was sworn in and qualified as an expert witness. Attorney Whitaker asked Mr. Callori to explain in detail what is being proposed in the application. This architectural rendering, dated March 7, 2011 was marked as Exhibit A-3. The photographs, previously introduced into testimony, were further discussed by Mr. Callori and the elevation plan was marked as Exhibit A-4.

MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY MARCH 16, 2011 at 7:00P.M., MUNICIPAL BUILDING

The overall height of the building is 22'8" and the façade is being replaced on all four sides of the building.

At this time, Mr. Rose discussed a report prepared by Martin Spence, Borough Engineer dated March 14, 2011 regarding this application. Topographic features, the house location on the property, and additional drainage considerations were addressed.

Borough Landscape Architect gave an overview of this application, discussing the topography as well as ways to mitigate the impact of the proposed front loading garage by planting canopy trees on the front yard. He also stressed tree protection for trees already located on the property.

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

Board Member Montana asked Mr. Hals about the possibility of moving the garage doors to the side of the house and he explained that the driveway is not able to be accommodated accordingly.

Mr. Whitaker stated that his client would be willing to make the planting of canopy trees as a condition of the resolution.

Attorney Rutherford stated that the placement of canopy trees on the front of the property would be a condition of the resolution.

A motion to **approve** the Boardman application was offered by Board Member Montana. Seconded by Board Member Raia.

Roll Call Vote: AYES: Chairman Petrocine, Board Members Cohen, Perrin, Raia Nazzaro. Alt. #2 ABSTAIN: Board Member Dowden ABSENT: Board Members Gatto, Kakaty

COMMUNICATIONS:

OLD BUSINESS:

NEW BUSINESS:

OPEN TO THE PUBLIC:

ADJOURNMENT:

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

Respectfully submitted,

Marie Elena Macari
Borough Clerk

MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY MARCH 16, 2011 at 7:00P.M., MUNICIPAL BUILDING

f/nwwp/zoning/minMARCH11