

MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT
HELD: WEDNESDAY OCTOBER 19, 2011 at 7:00P.M., MUNICIPAL BUILDING

PRESENT: Chairman Petrocine, Board Members Cohen, Montana, Perrin, Raia, Gatto, Alt. #1, Nazzaro. Alt. #2, Council Representative Toomey, Attorney David Rutherford

ABSENT: Board Members Kakaty, Dowden

SUNSHINE LAW: 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 September 21, 2011 minutes with corrections by Board Member Cohen. Seconded by Board Member Montana
Roll Call Vote: AYES: Unanimous

MEMORIALIZING RESOLUTION (S):

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

**ZBA 13-11 Blk. 2002 Lot 1
12 West Saddle River Road
Villa Marie Claire
Variance for proposed canopy within front
yard setback
APPROVED**

A motion to **approve** the Villa Marie Claire resolution was offered by Board Member Nazzaro
Seconded by Board Member Cohen
Roll Call Vote: AYES, Unanimous

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

**ZBA 14-11 Blk. 1603 Lot 5
155 West Saddle River Road
Alan Greico
Requesting variance for a proposed 80 sq. ft.
shed at the northwest corner of property
DENIED**

A motion to **approve** the Greico resolution was offered by Board Member Perrin
Seconded by Board Member Nazzaro
Roll Call Vote: AYES, Unanimous

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

**ZBA 15-11 Blk. 1403 Lot 28
56 Fox Hedge Rd.
Robert J. Principe
Construct new single family home
With in-ground pool does not provide
50% open side yards, etc.
APPROVED**

A motion to **approve** the Principe resolution was offered by Board Member Gatto
Seconded by Board Member Montana
Roll Call Vote: AYES: Unanimous

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

**ZBA 16-11 Blk. 1201 Lot 25
20 Warewoods Road
Richard Cowlan
Requesting a variance for a final as built site plan
for an existing in ground pool encroachment, etc.
APPROVED**

Borough Landscape Architect Scott Levy stated that he has subsequently been to the property and the applicant has complied with landscaping conditions required in the resolution.

A motion to **approve** the Cowlan resolution was offered by Board Member Montana
Seconded by Board Member Nazzaro
Roll Call Vote: AYES, Unanimous

APPLICATIONS:

**Blk. 1303 Lot 26
3 Eckert Farm Road
Anaka Prakash
Construct rear yard addition for elevator
Exceeds existing lot coverage
APPROVED**

Steven Honig, Esq., Honig & Honig, Waldwick, NJ represented the applicant and gave an overview of the application at this time.

The applicant is seeking to add a rear addition to the existing structure to house an elevator for medical reasons at the residence.

The existing building coverage is 9.08% and it is being requested to increase to 9.11%; the lot coverage is currently 24.65% and is being requested to increase to 24.66%.

At this time, Stephanie Pantale, Architect, Montvale, NJ and Douglas Doolittle, Professional Engineer and Planner, Mahwah, NJ were sworn in and qualified as expert witnesses.

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At this time, the site plan, dated July 5, 2011 was marked Exhibit A-1. Mr. Doolittle described the property and stated that the proposed addition in the rear is to accommodate an elevator and the area is heavily landscaped. The property is located in the High Ridge area of the Borough and was grandfathered at a lot coverage of 30% when built. It is a de minimus addition of 23 square feet, primarily as a result of overhangs. Mr. Doolittle further stated that construction access is favorable utilizing the existing driveway, and minimizing any disruption to landscaping on the property; Borough Landscape Architect Scott Levy concurred.

At this time, the architectural renderings were marked Exhibit A-2. Stephanie Pantale, architect explained this plan, which consisted of a ground floor plan, an upper floor plan and a proposed east elevation. She explained why the elevator could not be located in the garage area, stating that it was not easily accessible and would block a stairway into the home. The elevator, which is standard size, is accessible from the garage so that the home owner does not have to climb any stairs. She further stated that it will be well screened and situated in an unobtrusive location.

Ms. Pantale illustrated and explained photos of the existing property which were marked Exhibit A-3. The dimensions of the addition are 8'6" and 7'6". Board Member Perrin asked what elevator manufacturer they intended to utilize and this has not yet been finalized. Chairman Petrocine stated that the actual dimensions and the manufacturer would be pertinent information needed to be included in a resolution, should the application be approved.

Borough Engineer Martin Spence prepared a report regarding this application dated October 19, 2011 and explained this to the Board at this time. Chairman Petrocine asked about the potential for any leaking fluids from this elevator if it is hydraulic and asked about engineering the pit accordingly. Mechanical information was reviewed and discussed but because a manufacturer had not yet been determined, Mr. Spence suggested making this criteria a condition of the resolution. The property does not have a generator and there are no plans to install one.

Chairman Petrocine stated that he feels that this is C-2 variance and he feels that there is a medical need for this elevator. Board Member Nazzaro stated that she would want to insure that there would not be leakage of any fluids from the elevator but added that it appears to have been addressed. Vice Chairman Montana stated that he feels the benefits certainly outweighed the detriments, especially in light of the medical need issue. Board Member Cohen asked about the inspection of the elevator moving forward and Ms. Pantale stated that there is no requirement for residential elevator inspections.

Board Member Perrin reiterated that the manufacturer of the elevator must be determined but saw no issues with the application; the remaining Board members were in agreement.

Attorney Rutherford stated that the applicant will be required to address any concerns regarding leakage should they opt to purchase a hydraulic elevator.

OPEN TO THE PUBLIC: No one from the public wished to be heard

A motion to **approve** the Prakash application was offered by Vice Chairman Montana
Seconded by Board Member Cohen
Roll Call Vote: AYES, Unanimous

COMMUNICATIONS:

OLD BUSINESS: Council Member Toomey reviewed the fence ordinance, currently being amended and reviewed by the Mayor and Council and he addressed this at this time. The new Fence Ordinances reflects changes in fence distances from property lines, lighting on fences and stanchions. Driveways and paving in flag lots has also been amended in this ordinance as well as air conditioning pads, generator pads, cupolas, and fountains. The permissible stanchion height as well as entry gates, HVAC unit placement and fountains were discussed at this time. These items will be codified for introduction at the November 14, 2011 meeting of the Mayor and Council.

Another ordinance being amended deals with the Saddle River Crossings and the Historic District and he discussed this in detail. The tree ordinance, also in the process of being amended, will be worked on with the intention of introducing and adopting this ordinance in 2012.

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