

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

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

ABSENT: Dowden, Kakaty

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

REORGANIZATION:

Election of Officers:

David Petrocine: Chairman
John Montana: Vice Chairman
Phyllis Cohen: 2nd Vice Chairman

Offered by Board Member Montana
Seconded by Board Member Raia
Roll Call Vote: AYES, Unanimous

Appointment of Secretary:
Marie Elena Macari

Offered by Board President Petrocine
Seconded by Board Member Perrin
Roll Call Vote: AYES, Unanimous

Appointment of ZBA Attorney:
David Rutherford, Esq.

Offered by Board Member Montana
Seconded by Board Member Nazzaro
Roll Call Vote: AYES, Unanimous

Establishment of Mtg. Dates:

Resolution # ZBA 01-11 Offered by
Board Member Nazzaro
Seconded by Board Member Cohen
Roll Call Vote: AYES, Unanimous

Establishment of Zoning Fees:

Resolution #ZBA 02-11 Offered by Board Member
Nazzaro
Seconded by Board Member Gatto
Roll Call Vote: AYES, Unanimous

Adoption of By Laws:

Offered by Board Member Perrin
Seconded by Board Member Cohen

APPROVAL OF MINUTES

A motion was made to approve the December 15, 2010 minutes by Board Member Montana. Seconded by Board Member Nazzaro.

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Roll Call Vote: AYES: Unanimous

MEMORIALIZING RESOLUTION (S):

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

ZBA 03-11

**Blk 1103 Lot 17
7 Ackerman Road
Lynn Librot
Construct a side entry platform and stairs
APPROVED**

A motion to **APPROVE** the Librot resolution was offered by Board Member Nazzaro
Seconded by Board Member Cohen.
Roll Call Vote: AYES, Unanimous

At this time, it was decided to address another issue while waiting for the applicant to arrive.

COMMUNICATIONS: Attorney Rutherford addressed a letter received from Honig and Honig regarding a variance extension for Carlo Russo's and both the Building Inspector John Scialla and Borough Attorney Russell Huntington were in agreement that this extension was admissible.

APPLICATIONS:

**Blk 1801 Lot 22
7 Lower Cross Road,
Rose Marie Arnold
Seeking variance for garage
addition where doors would face the street
APPROVED**

At this time, John Mayo, professional engineer, Ramsey, NJ and Stephen Carrozza, architect, River Dale, NJ were sworn in and qualified as expert witnesses.

Attorney Rutherford stated that this applicant was granted a variance on January 19, 2005. The plans were outlined in detail at this time by Mr. Mayo. The previous plan had a much larger second floor, and the garage was altered slightly in dimension. The total new building area added is 1464 square feet. The variance being sought for front loading garage doors, as it was in 2005.

Borough Engineer Spence gave an overview of this application in detail to the Board at this time. He outlined some DEP issues involving a flood relief system that currently exists on the property.

Borough Landscape Architect Scott Levy discussed the proposed landscape plan in detail at this time.

Chairman Petrocine asked about the flood relief system and if the garage will be elevated on stilts. Mr. Mayo explained this in detail. He further stated that, due to the potential of flooding on the property, the front loading garage doors could be justified.

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Board Member Montana stated that he did not feel that this application posed any problems. Board Member Nazzaro stated that, in light of the flooding issues and the improved fence that was installed, this application was acceptable to her as well.

Chairman Petrocine stated that he would like landscape architect to approve the final landscape plan prior to any installation of plants.

OPEN TO THE PUBLIC:

Rose Marie Arnold, 7 Lower Cross Road, home owner, stated that the landscaping plan has already been submitted with no revisions and is in compliance from the original variance in 2005. Mr. Levy stated that he did not have a copy of this and ask that one be provided for his review.

Attorney Rutherford stated that the a motion should be made to ratify and affirm variance relief previously granted, acknowledging that the applicant did not proceed due to delays in receiving the required approvals that were a condition of the relief granted by the Board. There are no significant changes to the property, the zoning ordinance or the neighborhood since the original variance was granted. The Board will grant new variances and the landscaping plan must be approved as a further condition.

A motion to **approve** the Arnold application was offered by Board Member Raia.

Seconded by Board Member Cohen

Roll Call Vote: AYES, Unanimous

WORK SESSION:

OLD BUSINESS:

NEW BUSINESS: Council Representative Toomey stated that the Mayor and Council has requested that the Zoning Board of Adjustment begin enacting the necessary ordinances in order to embark on the downtown Crossing project.

ADJOURNMENT:

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

Respectfully submitted,

Marie Elena Macari
Borough Clerk