

MINUTES OF THE SADDLE RIVER ZONING BOARD OF ADJUSTMENT  
HELD: WEDNESDAY DECEMBER 15, 2010 at 7:30P.M., MUNICIPAL BUILDING

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**PRESENT:** Chairman Petrocine, Vice Chairman Montana, Board Members Cohen, Dowden, Kakaty, Perrin, Raia, Gatto, Alt. #1 Nazzaro. Alt. #2, Attorney David Rutherford

**ABSENT:**

**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 26, 2009 and posting a notice in the Office of the Borough Clerk."

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES**

A motion was made to approve the minutes of the Regular Meeting of the Zoning Board of Adjustment of November 17, 2010 by Board Member Montana. Second by Board Member Nazzaro. Roll Call Vote: AYES: Unanimous

**MEMORIALIZING RESOLUTION(S):**

**ZBA-22-10**

**Blk 1201 Lot 26  
Nicholas Botta  
28 Warewoods Road  
Constructed driveway  
encroaches into the 25' non disturbance  
zone seeking variance to allow  
DENIED**

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

A motion to adopt the Botta resolution was offered by Board Member Raia  
Seconded by Board Member Gatto  
Roll Call Vote: AYES, Unanimous (those eligible to vote)

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**ZBA-23-10**

**Blk 1902 Lot 16  
63 Chestnut Ridge Road  
Michael Murphy  
Construct front and rear additions  
to the existing dwelling in accordance  
with the plans filed  
APPROVED**

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

A motion to adopt the Murphy resolution was offered by Board Member Cohen  
Seconded by Board Member Montana  
Roll Call Vote: AYES, Unanimous (those eligible to vote)

**APPLICATIONS:**

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

At this time, Lynn Librot, 7 Ackerman Rd, Ben Acaster, 5 Old Acres Road and Tibor Latincics, Professional Engineer, Conklin Associates, Ramsey, NJ, and Martin Spence, Borough Engineer were sworn in.

Mr. Latincics stated that this applicant was before this Board in August 2009 and was granted a variance in September of 2009. The construction is in the final stages of completion and there was an omission on the original plot plan of a side entry platform and stairs, which encroach into the side yard setback. He used the previously approved plot plan to illustrate where the platform and stairs will be constructed. This plot plan was marked Exhibit A-1 and a series of photographs were marked Exhibit A-2, dated June 17, 2009. The record plan for this application dated June 16, 2009 and revised November 24, 2010 was marked Exhibit A-3 and the blow up of Exhibit A-3 was marked Exhibit A-4.

At this time Borough Engineer Spence stated that he has prepared a report dated December 15, 2010 regarding this application and outlined his report in detail. He further stated that the building coverage has been reduced due to the change of the building code and that the steps are a code requirement.

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

The Board Members were in agreement that this was application was minimal in nature.

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

**COMMUNICATIONS:** Attorney Rutherford stated that he will be distributing the Zoning

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Board of Adjustment 2010 Annual Report at the January 2011 meeting. In addition, he stated that he is reviewing the By Laws, with one change being the meeting start time to 7:00pm.

Board Member Cohen stated that she would like to limit the number of applications heard at a meeting to three, giving the third applicant the option to be heard. Borough Engineer Spence stated that the Planning Board limits the agenda to two applications.

Chairman Petrocine suggested that, after Borough Engineer Spence preliminarily reviews each application in order to deem it complete, he advises the Board of its level of complexity. This could aid in the determination of how many applications to include in the meeting agendas.

**WORK SESSION:**

**NEW BUSINESS:**

**ADJOURNMENT:**

As there was no further business to discuss, a motion was made to adjourn the Closed Session and return to the regular meeting of the Zoning Board of Adjustment.

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

Respectfully submitted,

Marie Elena Macari  
Borough Clerk