

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD

MEETING MINUTES – THURSDAY, APRIL 23, 2015

Mr. Virgona called the meeting to order at 7:30 p.m. The following statement was read: Pursuant to The Open Public Meetings Act P.L. 1975, Chapter 231, proper notice of this meeting has been provided by E-Mail and Regular Mail to The Record and The Ridgewood News on December 23, 2014 at which time the date, time, place and purpose of the meeting was set forth and notice was posted on the official bulletin board in the Borough Hall.

PLEDGE OF ALLEGIANCE

Present: Mr. Virgona, Mr. Polizzi, Councilman DeBerardine, Councilman Durante, Mr. Richardi, Mr. Stutman, Mr. Wortmann, Mr. Jacobs, Mr. Donato

Absent: Mr. Preusch, Mr. Bakal, Ms. Rosenthal

Also Present: Mark Madaio, Esq., Planning Board Attorney
Eileen Boland, P.E., Boswell Engineering, Planning Board Engineer

APPROVAL OF MINUTES: A motion by Councilman DeBerardine to adopt the minutes of the April 8, 2015 meeting seconded by Councilman Durante was unanimously approved by all Members present.

RESOLUTION (*Memorialization*)

1. Application of **Martin Wojcik** ***APPROVED***
409 East Saddle River Road – Block 810 – Lot 6
(Preliminary Major Subdivision w Variances & Major Soil Movement/
4 Single Family Lots/Installation of Road & Cul-de-Sac)

Mr. Madaio reviewed the Resolution. A motion to adopt the Resolution as presented by Councilman Durante seconded by Mr. Richardi.

Roll Call

Ayes: **8** Councilman Durante, Mr. Richardi, Councilman DeBerardine, Mr. Wortmann, Mr. Stutman, Mr. Jacobs, Mr. Polizzi, Mr. Virgona

PUBLIC HEARING

1. Application of **Wojciech Bobrowski**
72 Skyline Drive – Block 1109 – Lot 6.02
(Roof Height Variance/*New Construction/Single Family Dwelling*)

Spencer Rothwell, Esq., representing the applicant advised the application concerns the development of the second dwelling that was previously approved by this Board for soil movement, tree removal

and landscaping under the application of Bergey LLC, 154 Lake Street – Block 1109 – Lots 6.01 and 6.02. The following exhibits were submitted and identified: **A-1:** *PB Resolution 2007/Sweeney Subdivision*; **A-2:** *PB Resolution dated October 8, 2014 /Bergey/ 154 Lake Street – Block 1109 – Lots 6.01 & 6.02*); **A-3:** *Sweeney Minor Subdivision Plan (1) Sheet prepared by Conklin Associates last revised November 20, 2007*; **A-4:** *Plot Plan of 6.02, Soil Erosion Control Plan of Block 1109 – Lot 6.02 (1) Sheet, dated March 20, 2015 prepared by Conklin Associates*; **A-5:** *Architectural Plans for Bobrowski, prepared by Harry Goldstein Design & Development, (1) Sheet, dated April 1, 2015*; **PB-1:** *Bowell Engineering Soil Moving Permit Review Letter dated March 30, 2015*.

Mr. Rothwell stated the applicant is requesting variance approval to permit the construction of a single family dwelling having a building height of 38.4 ft. vs. 35 ft. permitted; and soil moving approval to permit the import of an additional 360 c.y. of soil to the site.

Tibor Latinsics, P.E. duly sworn by Mr. Madaio, testified the proposed home is located on an irregular shaped conforming downhill lot. Soil moving and tree removal were approved under the Bergey application as it was impossible to develop Lot 6.01 without disturbing Lot 6.02. At that time the plans depicted a conceptual footprint on Lot 6.02. Mr. Latinsics testified the setbacks measured to the foundation and overhangs as well as the proposed building and improvement coverages are all conforming. Mr. Latinsics testified the roof height variance is due to the significant slope of the lot to the east, with a 7 ft. foot elevation difference from the garage to the rear of the home. The roof height measured from natural grade is 38.4 ft. and 31.5 ft. measured from proposed grade. A similar height variance was granted for the Bergey application.

In response to comments from the Board, Mr. Latinsics reiterated the development of Lot 6.02 is exactly as proposed: the footprint of the dwelling is conforming, and the driveway out to Lake Street will be abandoned. The extensive seepage pits were approved during the prior application as well as the landscaping plan and remain consistent with this application.

In response to comments from the Board, Mr. Latinsics testified the proposed roof is a hip roof, not gabled. The dwelling when viewed from the street will appear lower. The height when measured from the proposed grade does not exceed the height requirement at any point. Due to the seven (7) ft. drop in elevation across the property, a flat roof would result if the roof height were to be lowered by 3.4 ft. in order to conform to the 35 ft. height requirement.

In response to comments from the Board concerning the ability to construct an inground swimming pool in the future without requiring variances, Mr. Latinsics testified a pool is not proposed at this time, however, the plans will be revised to show a footprint for a pool without variances.

In response to comments from the Board concerning the 65 ft. depth and 66 ft. width of the proposed dwelling, Mr. Latinsics testified the width of the house is compressed due to the triangular shape of the Lot; if it were a different shape the home could be made more shallow and wider.

In response to comments from the Board concerning grading, Mr. Latinsics testified existing grading on the left and right side of the proposed home is the same.

Mr. Latinsics reviewed floor elevations in relation to Skyline Drive, testifying the first floor is eight (8) ft. lower than Skyline Drive.

In response to comments from the Board, Mr. Latinsics testified the driveway has received County approval; the trees depicted on the plan have been approved under the prior application of Bergey. Post grading, the roof height will be 31.4 ft. at the front of the home and 35 ft. in the rear of the home.

A motion by Mr. Virgona seconded by Mr. Stutman to open the Hearing to Members of the public regarding testimony provided by Mr. Latincsics. Upon no one appearing to provide comment, Mr. Virgona closed that portion of the meeting.

Ms. Boland requested revised architectural plans be submitted.

A motion to open the Hearing to Members of the public regarding the application. Upon no one appearing to provide comment, Mr. Virgona closed the Hearing.

Mr. Rothwell stated granting the requested C-1 variance is justified due to the hardship incurred by the sloping topographic conditions of the property.

A motion by Mr. Polizzi to approve the application as submitted seconded by Councilman Durante.

Roll Call

Ayes: 9 Mr. Polizzi, Councilman Durante, Councilman DeBerardine, Mr. Wortmann, Mr. Stutman, Mr. Richardi, Mr. Jacobs, Mr. Donato, Mr. Virgona

PUBLIC COMMENT

A motion to open the Meeting to Members of the public by Mr. Polizzi seconded by Councilman Durante. Upon no one appearing to provide comment, Mr. Virgona closed the Meeting.

ADJOURNMENT

A motion to adjourn by Councilman Durante seconded by Councilman DeBerardine was unanimously approved by all Members present. Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Linda Marmora
Clerk