

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD MEETING MINUTES

THURSDAY, APRIL 28, 2016

Mr. Polizzi called the meeting to order at 7:32 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 fax and mail to The Record and The Ridgewood news on December 23, 2015 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. Polizzi, Mr. Virgona, Mayor Minichetti, Councilman DeBerardine, Mr. Preusch, Mr. Bakal, Mr. Jacobs, Mr. Donato, Ms. Miller, Mr. Bonjuklian

Absent: Mr. Richardi

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

APPROVAL OF MINUTES: A motion to adopt the minutes of the April 13, 2016 meeting by Councilman DeBerardine seconded by Mr. Polizzi was unanimously approved by all Members present.

PUBLIC HEARING

1. Variance Application of **Ellis & Helen Dumont**
75 Weiss Road – Block 306 – Lot 1
(Front Yard Setbacks/Additions; Improvements/Generator Location)

Antimo Del Vecchio Esq., representing the applicant, summarized the application proposing to construct a new (1) story garage addition; a new (2) story addition adjacent to the new garage; new rear yard deck; expansion of the driveway; new relocated fencing, pillars along the driveway, new walkways and seepage pit for the roof drain and driveway trench drain tie in. The proposed improvements require several front yard setback variances due to the property being located on a corner lot fronting on (3) streets. Mr. Del Vecchio requested the record reflect the applicant has withdrawn the variance request regarding the proposed generator depicted on the plans.

The following exhibits and plans were submitted and identified: **A-1:** *Affidavit of Public Notice*; **A-2:** *Architectural Plans, prepared by A. Martorano, AIA, dated April 7, 2016*; **A-3:** *Plot Plan, prepared by David A Hals, P.E., Schwanewede /Hals Engineering, dated January 28, 2016*; **A-4:** *Series of Photos of Property and Surrounding Area*; **B-1:** *Boswell Engineering Review Letter, dated February 22, 2016.*

Mr. Hals and Mr. Martorano were duly sworn by Mr. Madaio.

Mr. Martorano testified to having prepared the plans and being familiar with the Borough's zoning regulations. Mr. Martorano provided testimony regarding the existing conditions of the home that was constructed in 1959 featuring a (2) car garage with low ceilings. Mr. Martorano reviewed the proposed changes as depicted in *A-2*, testifying the main objective is to obtain an extra bay to accommodate (3) cars and the addition of a master bedroom suite above the garage areas.

Mr. Hals, P.E, testified to preparing the Plot Plan (*A-3*), visiting the property and his familiarity with the Borough's zoning regulations. Mr. Hals testified the property is located in both the R-1 and R-1 Residential Zone with the zone line bisecting the property within the foot print of the existing home that was constructed as per the R-1 Zone requirements. Mr. Hals summarized the variances associated with the proposed improvements: 35 ft. front yard setback from Brownstone Way vs. 50 ft. required; 6 ft. fence in front of the dwelling as measured from Brownstone Way vs. in line with a rear building line as required by Code; and an existing non-conforming fence located 15 ft. setback from Cottage Lane and 5 ft. from Brownstone Way.

Mr. Hals reviewed the photographs depicted in *A-4* featuring the existing mature landscaping, trees and physical features of the subject property. Mr. Hals reviewed *Aerial Photographs* depicting the subject property and surrounding properties demonstrating the proposed addition is similar in character with the street scape along Weiss Road with no negative impact on the zone plan.

Mr. Del Vecchio advised the new 6ft.solid white PVC fencing is proposed along Cottage Lane, continuing along Brownstone Way and returning to encompass the entire property for consistency.

A motion to open the Hearing to Members of the public regarding testimony provided by Messrs. Hals and Martorano by Councilman DeBerardine seconded by Mr. Polizzi. No one appeared to provide comment.

Discussion followed.

Board Members expressed concern regarding the proposed 6ft. sold white PVC fencing.

Helen Dumont, applicant, duly sworn by Mr. Madaio, testified a 6ft. scalloped wood fence existed when the home was purchased in 1993 and over the years had been replaced with PVC fencing. Further discussion ensued.

Mr. Del Vecchio advised the applicant has requested to revise the application to permit a conforming 4ft. black aluminum fence to run from Brownstone Way along the driveway and connect to the existing fence located on the northerly property line.

A motion to open the Hearing to Members of the public by Councilman DeBerardine seconded by Ms. Miller. Upon no one appearing to provide comment, Mr. Virgona closed that portion of the Hearing.

A motion to approve the application as presented conditioned upon the construction of a conforming 4 ft. black aluminum fence by Councilman De Berardine seconded by Ms. Miller.

Roll Call

Ayes: 9 Councilman DeBerardine, Ms. Miller, Mayor Minichetti, Mr. Preusch, Mr. Bakal, Mr. Jacobs, Mr. Donato, Mr. Polizzi, Mr. Virgona

2. Application of **Timothy and Vanessa Ford**
11 Sparrowbush Road – Block 102 – Lot 9

(Front Yard Setbacks; Right Side Yard Setback/*Addition/Re-location HVAC Units*)

Jason Ritte, Esq., representing the applicant, provided a brief overview of the proposed improvements that include raising the roof line of the existing (2) story portion of the home, expand the existing garage and construct a second story addition atop the expanded garage, remove pavers adjacent to the existing garage; construct new walkway to the rear of the garage, relocate an existing HVAC unit; and expand the existing driveway to access the modified garage requiring (3) variances.

The following Plans and Exhibits were submitted and identified: **A-1:** *Architectural Plans prepared by Fax Architectural and Design, dated December 24, 2015;* **A-2:** *Survey, prepared by Lakeland Surveying, dated February 2013;* **A-3 – A-5:** *Colorized Photo Board of Architectural Plans;* **A-6:** *Photo Display of Property/Surrounding Area;* **B-1:** *Boswell Review Letter dated March 9, 2016.*

Mr. Ritte reviewed the requested variances explaining the long and narrow property located on a corner lot fronting on (2) streets and; (2) pre-existing non-conforming conditions create a hardship.

Kenneth Fox, AIA, and Vanessa Ford were duly sworn by Mr. Madaio. Ms. Ford testified to the family's long history tied to the home and Upper Saddle River. Ms. Ford testified they are proposing to construct a small addition to the modest dwelling in order to provide additional space for their growing young family.

Mr. Fox testified to the proposed addition and required variances: 40.6 ft. front yard setback vs. 50 ft. required; 27.8 ft. existing non-conforming right side yard setback vs. 35 ft. required; 41.8 ft. front yard setback vs. 50 ft. required ; existing 24 ft. and 25 ft. right side yard setbacks vs. 35 ft. Mr. Fox testified the proposed small addition would add 5 ft. to the width of the home having a setback of 14.4 ft. vs. the 35 ft. required. Mr. Fox further testified to an existing abundance of trees, shrubs and plantings providing an extensive buffer in the right-of-way.

In response to comments from the Board, Mr. Fox testified the Plan proposes to raise the height of the walls to be conforming to a standard colonial look. No trees are proposed to be removed with the exception of (1) tree in front of the home that is pushing up the driveway, but not related to the application. The applicant has received verbal approval from the Board of Health and will comply with final comments from Boswell Engineering.

A motion by Mr. Preusch seconded by Councilman DeBerardine to open the Hearing to Members of the public. Upon no one appearing to provide comment, Mr. Virgona closed the Hearing.

A motion to approve the application as presented by Mr. Preusch seconded by Ms. Miller.

Roll Call

Ayes: 9 Councilman DeBerardine, Mr. Presuch, Mayor Minichetti, Mr. Bakal, Mr. Jacobs, Mr. Donato, Ms. Miller, Mr. Polizzi, Mr. Virgona

PUBLIC COMMENT

A motion to open the Meeting to Members of the public by Mr. Polizzi seconded by Mr. Preusch. No one appeared to provide comment.

ADJOURNMENT

A motion to adjourn by Councilman DeBerardine seconded by Mr. Preusch was unanimously approved by all Members present. Meeting adjourned at 9:07 p.m.

Respectfully submitted,

Linda Marmora, Clerk