

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD MEETING MINUTES

WEDNESDAY, DECEMBER 13, 2017

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 fax and mail to The Record and The Ridgewood News on December 16, 2016 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, Mayor Minichetti, Councilman DeBerardine, Mr. Preusch, Mr. Bakal, Mr. Donato, Mr. Jacobs, Mr. Richardi, Ms. Miller, Mr. Bonjuklian, Ms. Schaum

Also Present: Mark Madaio Esq, Planning Board Attorney
Marisa Tiberi PE, Boswell Engineering/Borough/Board Engineer
Joseph Burgis PP, Burgis Associates/Borough Planner

APPROVAL OF MINUTES: A motion by Mr. Polizzi to adopt the minutes of the November 8, 2017 meeting seconded by Mr. Bonjuklian was unanimously approved by all Members present.

CORRESPONDENCE

After reviewing correspondence dated November 22, 2017 from Holly Schepisi Esq., Mr. Virgona announced the application of the **Housing Development Corp. of Bergen County – Block 1002 – Lot 4.02** is carried to the Wednesday, January 10, 2018 meeting at 7:30 p.m. without further noticing required.

PUBLIC HEARING

1. **Ordinance 13-17 “Tree Houses”**
(Referred by Mayor and Council)

Mr. Burgis reviewed the proposed amendment restricting tree houses. After a brief discussion, Board Members agreed to carry the matter to the January 10, 2018 meeting at which time recommendations will be directed to the Governing Body.

2. Variance Application of **David Mattiace** *(Cont’d from February 8, 2017)*
368 Lake Street – Block 1205 – Lot 8
(Left Side Yard Setback/New Detached (2) Car Garage /Seepage Pit)

Daniel Steinhagen Esq., representing the applicant, advised the Plans have been revised reflecting the Boards’ request to reduce the size of the garage and move it away from the side yard property lines. The revised Plan was submitted and identified as **A-4**.

David Mattiace, applicant and William Brown, Architect were duly sworn by Mr. Madaio.

Mr. Mattiace testified the Plans have been revised orienting the 2 car, 24 s.f. garage to the front yard resulting in the western side yard setback of 13.8 ft. vs. 35 ft. required and the eastern side yard setback of 30.0 ft. vs. 35 ft. required.

In response to comments from the Board, Mr. Mattiace testified the garage has been oriented allowing for light to come into the house. Mr. Mattiace testified the property line contains a large row of evergreens and 20-30 ft. blue spruce trees providing screening to the neighboring property.

Referencing comment number 6 of the Boswell Engineering review letter dated December 13, 2017 identified as **B-2**, Mr. Mattiace testified the Silverado vehicle to be parked in the garage along with his personal vehicle, is offered by his employer strictly for purposes of providing transportation to and from his work site; the vehicle does not have commercial plates. Mr. Mattiace further testified he is not a general contractor and does not perform "side work"; he performs bridge work for a company under contract with the City.

In response to comments from the Board, Mr. Mattiace testified he requested a larger garage depicted in the first Plan to store play equipment, bicycles and lawn furniture, but the Board requested he present a Plan for a smaller garage. Mr. Mattiace testified the garage can't be built in the rear of the house due to the location of the septic system. Discussion followed regarding rotating the garage in line with the home.

Mr. Brown testified to the size of the lot and the proposed (2) car garage with a portico and small walkway to go from the garage to the front door. Further discussion ensued regarding the increase of the western side yard setback and maintaining a 50 ft. front yard setback.

Mr. Steinhagen submitted a survey prepared by Lakeland Survey, identified as **A-5**, illustrating the garage attached by a small portico remains compliant with the 35ft. height requirement.

Board Members discussed making the garage as small as possible, perpendicular with the house, keeping the foundation within the setback line to provide more space between the house and the garage, and giving the neighbor much greater light and space.

A motion by Mr. Polizzi seconded by Councilman DeBerardine to open the Hearing to Members of the Public. No one appeared to provide comment.

Mr. Steinhagen advised the Plan will be revised and requested the application be carried to the Thursday, January 25, 2018 meeting without further noticing required.

3. Application of **George Otras** *(cont'd from November 8, 2017)*
63 & 69 Eagle Rim Road – Block 705- Lots 2 & 3
(Minor Subdivision & Soil Moving Permit/Land Sway/Rear Yard Improvements)

Harold Cook Esq, representing the applicant, advised he will be offering (2) expert witnesses regarding the permitted use of the cabana with an inground pool. Discussion ensued related to whether the proposed use is permitted.

The Board recessed at 8:38 p.m. and reconvened at 8:45 p.m.

Mr. Cook referencing Borough Code – Chapter 150, advised the applicant will not file a request for a “d” variance.

Mr. Cook advised he will return with a certified stenographer to begin the application hearing anew, requesting those Members who have predetermined an outcome recuse themselves.

Mr. Virgona announced the application is carried to the Wednesday, February 14, 2018 meeting at 7:30 p.m.

A motion to open the Meeting to Members of the Public. No one appeared to provide comment.

ADJOURNMENT

A motion to adjourn by Mr. Polizzi seconded by Councilman DeBerardine was unanimously approved by all Members present. Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Linda Marmora
Clerk