

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD MEETING MINUTES

THURSDAY, APRIL 26, 2018

Mr. Polizzi called the meeting to order at 7:40 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 13, 2017 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, Mr. Bakal, Mr. Jacobs, Mr. Bonjuklian

Absent: Mayor Minichetti, Mr. Preusch, Mr. Donato, Mr. Richardi, Ms. Schaum

Also Present: Mark Madaio Esq, Planning Board Attorney
Marisa Tiberi PE, Boswell Engineering/Borough Engineer

APPROVAL OF MINUTES: A motion to adopt the minutes of the April 11, 2018 meeting by Councilman DeBerardine seconded by Mr. Bonjuklian was unanimously approved by all Members present.

RESOLUTION (*Memorialization*)

1. Application of **George Otras** ***APPROVED***
63 & 69 Eagle Rim Road – Block 705 – Lots 2 & 3
(Minor Subdivision; Soil Moving Permit; Land Swap/Addition)

Mr. Madaio advised as per the Resolution of Approval, the Board had not received the required documentation consenting to the application from the Krells, 69 Eagle Rim Road.

A motion to carry memorialization of the Resolution of Approval to the May 9, 2018 meeting by Councilman DeBerardine seconded by Mr. Bakal.

Roll Call

Ayes: 6 Councilman DeBerardine, Mr. Bakal, Mr. Jacobs, Mr. Bonjuklian, Mr. Polizzi, Mr. Virgona.

PUBLIC HEARING

1. Variance Application of **Svetor & Beata Savreski**
24 Ware Road – Block 1012 – Lot 11
(Side Yard Setbacks; Front Yard Setback; Height; Number of Piers; Lot Coverage/
HVAC Units/Piers/Rear Retaining Wall/Propose Stairwell)

Richard Savino Esq. representing the applicant advised the applicant had purchased an unfinished project for the construction of a new home and improvements after it had sat for a few years.

Robert Weissman, PE and Mr. Savreski were duly sworn by Mr. Madaio. The following exhibits were submitted and identified: **A-1:** *Variance Plan prepared by Robert Weiss man, PE dated October 10, 2017 last revised January 2, 2018;* **B-1:** *Boswell Engineering review letter dated January 18, 2018.*

Mr. Weissman testified he was involved in preparing the Plans for the original owner dating back to 2005, testifying the house was constructed close to the original Plan. The AC units and fence on the western side of the property were not shown on the Plan at that time. Present day, the height of most of the retaining wall located in the rear yard is less than 3 ft. with a small portion in the middle being 4ft. due to the 4 ft. of fill brought in for the septic system.

Mr. Weissman reviewed the requested variances: existing 4ft. wall in rear yard vs. 3 ft. required; proposed AC units located in the side yard at 32.8 ft. vs. 35 ft. required; existing fence installed forward of the rear building line; (2) existing 6 ft. piers vs. 4 ft. max. required; (2) proposed AC units to be re-located in the 32.6 ft. setback vs. 35 ft. required in the eastern side yard; proposed stairwell in the side yard having a setback of 33.6 ft. vs. 35 ft. required; (9) proposed driveway piers located with a 1 ft. front yard setback vs. 2 ft. required; proposed 30.23% lot coverage vs. 30% required; and 38.1 ft. ridge height of proposed stairwell vs. 35 ft. required.

In response to comments from the Board, Mr. Zavreski testified the keystone wall located in the rear yard was constructed in 2016 built on top of a boulder discovered during excavating for the new septic system. The highest part of the wall is to the south of the pool. Discussion followed. Ms. Tiberi suggested modifying the grade to conform to the required 3 ft. wall height. Mr. Savino advised the applicant will comply and withdraws the request for the wall height variance.

Mr. Weissman testified the second variance request for the AC units encroaching into the side yard setback is related to the stairwell.

In response to comments the Board, Mr. Savreski testified the fence was installed in 2016 forward of the rear building line with a buffer planted forward of the fence. The Board suggested moving it back 20 ft. from its current location in order to avoid purchasing a new fence. Mr. Savreski testified it is a pool fence for safety.

Board Members provided further comments regarding the (2) existing piers located on either side of the driveway that were depicted on the approved plan as 3ft x 3 ft. but were constructed too tall and too deep. Mr. Savreski testified he built them based upon the piers located at the property across the street. Board Members agreed the location is acceptable but the height of the piers has to be reduced conforming to the Ordinance.

Mr. Savino advised the applicant will comply with the Ordinance and withdraws the request for the variance regarding the front piers located on either side of the driveway.

Mr. Weissman testified the original house was designed with (1) stairwell, however the configuration proves difficult to move any furniture into the house and; the applicant would like another egress for safety. The proposed stairwell projects into the side yard setback and generates a variance of 38.1 ft. vs. 35 ft. required.

Board Members reviewed a photo depicting the location of the proposed stairwell on the right side of the house. (Submitted and identified as **A-2.**) Discussion followed.

Mr. Savino advised there is a safety factor having only one egress from the basement via the staircase located in the entry foyer. Board Members suggested installing an egress window in the basement.

Mr. Madaio advised the egress window would require a flexible c variance.

Board Members suggested Mr. Savreski review the Ordinances to evaluate other options as to the (9) new 4 ft. high concrete piers proposed in the front yard setback and the rear yard retaining wall.

Mr. Savino advised revised Plans will be submitted.

Mr. Virgona announced the application is carried to the Thursday, May 24, 2018 meeting without further noticing required.

PUBLIC COMMENT

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

ADJOURNMENT

A motion to adjourn by Councilman DeBerardine seconded by Mr. Bakal was unanimously approved by all Members present. Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Linda Marmora, Clerk