

**BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD ZOOM MEETING MINUTES**

**WEDNESDAY, MARCH 10, 2021**

Mr. Polizzi called the meeting to order at 7:13 pm. 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 to The Record and The Ridgewood News on December 19, 2020 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 and on the Borough Website.

**PLEDGE OF ALLEGIANCE**

**Present:** Ms. DeFuccio, Mr. Preusch, Mr. Bakal, Mr. Donato, Mr. Jacobs, Mr. Bonjuklian, Ms. Schaum, Mr. Polizzi

**Absent:** Mayor Minichetti, Mr. Richardi, Mr. Virgona

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

**APPROVAL OF MINUTES:**

A motion by Mr. Bonjuklian to adopt the minutes of the February 10, 2021 meeting seconded by Mr. Bakal.

**Roll Call**

**Ayes:** 5 Mr. Bonjuklian, Mr. Bakal, Mr. Preusch, Mr Donato, Mr. Polizzi

**RESOLUTION** (*Memorialization*)

1. Application of **PSI Atlantic USR NJ LLC (Premier Self-Storage)** ***APPROVED***  
(Major Preliminary & Final Site Plan w Use Variance and Bulk Variances:  
Side Yard Buffer, Building Height, Building Coverage, Retaining Wall Height,  
Front Yard Setback, Traffic Aisle Location/3 Story Self-Storage Facility/Sales Office)

Mr. Madaio reviewed the Resolution. A motion by Mr. Preusch to adopt the Resolution as presented seconded by Mr. Donato.

**Roll Call**

**Ayes:** 5 Mr. Preusch, Mr. Donato, Mr. Bakal, Mr. Bonjuklian, Mr. Polizzi

**PUBLIC HEARING**

1. Variance Application of **Estate of William J. Cosgrove, c/o Ellen Cosgrove, Executor**  
(Front Yard Setbacks; Previously Constructed Improvements/*Roof Overhang, Front Steps*)

Luke Pontier Esq., representing the applicant, advised the subject property had received approvals

to construct an addition with improvements in 2003. The improvements included an addition with a roof overhang and a portico over the front steps. The property has recently been sold, however the Certificate of Occupancy cannot be issued because the front yard setback is not conforming to the Ordinance.

The following exhibits were submitted and identified: **A-1**: *As-Built Survey, prepared by McNally Engineering dated February 23, 2021*; **B-1**: *Boswell Engineering Review Letter dated March 2, 2021*.

Doug Doolittle PE, LS, duly sworn by Mr. Madaio, testified to having prepared the As-Built Survey dated through February 23, 2021, describing the existing home as being built in the 1960's – 70's and located on an irregular lot at the corner of Cider Hill and Buttonwood Place not meeting at a 90-degree angle and having two front yards.

The front steps have a front yard setback of 48.7 ft vs. 50 ft. required. However, the steps were constructed in 1970 when the house was built predating the Ordinance, therefore are grandfathered, and allowed to remain.

The small portion of the eve constructed in 2003 encroaching 1.3 ft into the front yard setback for approximately 4 ft. closest to Cider Hill is a result of the house not being located squarely on the irregular lot. Mr. Doolittle testified the encroachment is not visible to the eye and there is substantial landscaping buffering between the overhang, property line and the adjoining properties.

A motion by Mr. Donato to open the Hearing to Members of the public regarding the testimony provided by Mr. Doolittle seconded by Ms. DeFuccio.

Tony Santarelli, 38 Cider Hill, confirmed the variance requested was a formality in connection for the sale of the home.

Mr. Pontier advised the variance request is retroactive for the improvements constructed in 2003.

Ms. Tiberi advised the seepage pit as noted in the Boswell Memo dated February 4, 2021 has been installed and is required to be added to the As-Built Survey.

With no further questions from the Board or Public, Mr. Polizzi closed that portion of the meeting.

Mr. Pontier stated there was no negative impact to the granting of the requested variance, it is consistent with the intent and purposes of the Borough's zoning ordinance and will not impact the adjoining property owners.

A motion to approve the application by Mr. Donato seconded by Mr. Preusch.

### **Roll Call**

**Ayes:** 7 Mr. Donato, Mr. Preusch, Ms. DeFuccio, Mr. Bakal, Mr. Bonjuklian, Ms. Schaum, Mr. Polizzi

2. Variance Application of **Rosario Zito**  
**563 West Saddle River Road – Block 104 – Lot 19**  
(Right Side Yard Setback, Rear Yard Setback/*Location/Proposed Shed*)

Zito Rosario, applicant, Steven Koestner PE, LS, and Vassilios Cocoros, LA were all duly sworn by Mr. Madaio.

The following exhibits were submitted and identified: **A-1**: *Partial Topographical Survey prepared by Koestner Engineering dated October 1, 2020*; **A-2**: *Shed Plan prepared by VCR Architects dated January 18, 2021*; **B-1**: *Boswell Engineering Review Letter dated March 1, 2021*.

Mr. Koestner testified to preparing the Partial Topographical Survey dated October 1, 2020 ***Exhibit A-1***.

Mr. Koestner testified the property is located at the corner of West Saddle River Road and Sparrowbush Road. Mr. Koestner described the topography of the lot as being severely sloped, having several tiers in the rear yard reaching an elevation of 20 ft. The house is setback a distance from the road leaving only 40% of the rear yard relatively flat and suitable for recreational use. For those reasons the proposed and only feasible location for the shed is in the north west corner of the property 11.42 ft. from the side yard setback vs. the 35 ft. requirement and 29 ft. from the rear yard setback vs. the 35 ft. required.

In response to comments from the Board, Mr. Zito testified if the shed were to be located as per the Ordinance, it would eliminate the play area for his children. The loft area of the shed will be used for the storage of tile, siding, etc. Electric service will run from the north end of the house to the shed in order to install a light fixture. Mr. Zito testified screening to the adjacent property in the rear is provided by (50) trees of varying sizes and also provided by natural buffers on each property.

In response to Ms. Tiberi, Mr. Zito testified the three retaining walls crossing the property in a north to south direction creating a backyard were pre-existing when he purchased the home in 2015.

A motion to open the Hearing to Members of the public by Mr. Bakal seconded by Mr. Bonjuklian.

No one appeared to provide testimony.

With no further comments from the Board, Mr. Polizzi closed that portion of the Hearing.

A motion by Mr. Preusch to approve the application as submitted seconded by Mr. Donato.

### **Roll Call**

**Ayes**: Mr. Preusch, Mr. Donato, Ms. DeFuccio, Mr. Bakal, Mr. Bonjuklian, Ms. Schaum, Mr. Polizzi

Note: *Mr. Jacobs jointed the meeting at 7:50 pm.*

### **3. ORDINANCE #04-21 (Mayor & Council Referral)**

Mr. Madaio advised the Mayor & Council have referred the proposed Ordinance to be reviewed by the Planning Board to determine if it is consistent with the Master Plan.

Mr. Madaio reviewed the proposed “*Ordinance to Amend Chapter 150 of the Borough Code to Provide that Electric Vehicle Charging Stations are a Permitted Accessory Use and Permitted Accessory Structure in all Zoning Districts in the Borough.*”

Discussion followed regarding the number of parking spaces required for electric vehicles in multi-family dwellings, elimination of parking spaces and financial model.

A motion by Mr. Jacobs to adopt the Resolution determining Ordinance #04-21 is consistent with the Municipal Master Plan seconded by Mr. Bonjuklian

**Roll Call**

**Ayes: 8** Mr. Jacobs, Mr. Bonjuklian, Ms. DeFuccio, Mr. Preusch, Mr. Bakal, Mr. Donato, Ms. Schaum  
Mr. Polizzi

**PUBLIC COMMENT**

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

**ADJOURNMENT**

A motion to adjourn by Mr. Donato seconded by Mr. Jacobs was unanimously approved  
by all Members present. Meeting adjourned at 8:27 p.m.

Respectfully submitted,

Linda Marmora, Clerk

