

**APPLICATION TO  
BOROUGH OF UPPER SADDLE RIVER  
PLANNING BOARD**

**SECTION I.**

PLEASE PROVIDE THE FOLLOWING INFORMATION:

1. Name of Applicant(s): Lori Kramer  
Telephone #: 516-319-3716 Fax#: \_\_\_\_\_ E-Mail lori@ihkdesign.com
2. Address of Applicant(s) 92 Dimmig Road, Upper Saddle River, New Jersey 07458
3. Applicant is a: Corporation \_\_\_\_\_ Partnership \_\_\_\_\_ LLC \_\_\_\_\_ Individual X

**DISCLOSURE STATEMENT**

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership applicant must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% or more interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% or more ownership criterion have been disclosed. (Attach pages as necessary to fully comply).

Name: \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_  
Name: \_\_\_\_\_ Address \_\_\_\_\_ Interest \_\_\_\_\_

4. Name, Address and Telephone/Fax Number of Applicant's Attorney: Bruce E. Whitaker, Esq. 245 East Main Street, PO Box 379, Ramsey, NJ 07446  
Tel: 201-934-0110, Email: mcwhitlaw@optonline.net
5. Name, Address & Telephone/Fax Number of Applicant's Engineer: Robert J. Weissman, PE & LS  
686 Godwin Avenue, Midland Park, NJ 07423 Tel: 201-445-2799  
Email: info@weissmanengineeringpc.com
6. Name and Address of Owner of Premises: Same as above  
(If other than applicant, consent of owner must be obtained and Sec 27, must be completed.)
7. Relationship of Applicant to Owner of Premises: same

8. The property which is the subject of this application is known as  
Block # 915 Lot # 25  
Address: 70 Rolling Ridge Road  
Upper Saddle River, New Jersey

9. The size of lot .93 acres.

10. Restrictions, covenants, easements, association by-laws, existing or proposed on the property:  
Yes (attach copies) \_\_\_\_\_ No x Proposed \_\_\_\_\_

11. Present use of the premises: Single Family Home

12. Description of proposed change: No change

13. The Zoning District in which the property is located: R-1 Residential Zone

14. Date of Acquisition of Property (owner): July 15, 2020

15. Description of present structure: Single Family Home

16. Size of present structure(s) footprint \_\_\_\_\_ S.F.

17. Size of proposed addition footprint: See Plans - No change to existing structure

(dimensions) \_\_\_\_\_ S.F. (height) \_\_\_\_\_ (no.of stories) \_\_\_\_\_

18.	Current Structure	Proposed Structure	Requirements per Zoning Ordinance
Left Side Yard Setback	_____	_____	_____
Right Side Yard Setback	_____	_____	_____
Front Yard Setbacks	_____	_____	_____
Rear Yard Setbacks	_____	_____	_____
% of Building Coverage	_____	_____	_____
% of Improvement Coverage	_____	_____	_____
Height	_____	_____	_____

**19. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:**

**SUBDIVISION:**

- \_\_\_\_\_ Minor Subdivision Approval
- \_\_\_\_\_ Subdivision Approval (Preliminary)
- \_\_\_\_\_ Subdivision Approval (Final)

Number of lots to be created \_\_\_\_\_ Number of proposed dwelling units \_\_\_\_\_  
(including remainder lot) (if applicable)

**SITE PLAN:**

- \_\_\_\_\_ Minor Site Plan Approval
- \_\_\_\_\_ Preliminary Site Plan Approval (Phases (if applicable) \_\_\_\_\_)

Final Site Plan Approval (Phases (if applicable) )  
Request for Waiver From Site Plan Review and Approval

Reason for request:

- Appeal decision of an Administrative Officer (N.J.S. 40:55D-70a)
- Map or Ordinance Interpretation of Special Question (N.J.S.40:55D-70b)
- Variance Relief (hardship) (N.J.S. 40:55D-70c(1))
- Variance Relief (substantial benefit) (N.J.S. 40:55D-70c(2))
- Variance Relief (use) (N.J.S. 40:55D-70d)
- Conditional Use Approval (N.J.S. 40:55D-67)
- Total Number of Variances Requested

20. Section(s) of Borough Ordinance from which a variance is requested: 137-8 Required buffer area 10 feet

21. Waivers Requested of Development Standards and/or Submission Requirements: (attach additional pages as needed) N/A

**SECTION II.**

22. Does the current owner or the applicant now own or have any interest in any other property which adjoins the property which is the subject of this application?

Yes \_\_\_\_\_ No

If yes, describe the property by Block \_\_\_\_\_ and Lot \_\_\_\_\_

23. Has the property which is the subject of this application been the subject of any previous appeal, request, or application to this or any other Borough Boards or the Constructional Official?

Yes  No \_\_\_\_\_

If yes, state the nature, date and the disposition of said matter and attach any prior resolutions.  
**Construction of a single family home**

**SECTION III.**

24. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises. **See Addendum attached**

25. Set forth any exceptional conditions of the property preventing the applicant from complying with the zoning ordinance. **See Addendum attached**

26. Supply a statement of facts showing why relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance.

27. I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

(If the applicant is a corporation this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this  
12<sup>th</sup> day of January, 2022

Cheryl B. Piccoli  
NOTARY PUBLIC

CHERYL B. PICCOLI  
A Notary Public of New Jersey  
My Commission Expires August 15, 2023

Lori Kramer  
PRINTED NAME OF APPLICANT

Lori Kr  
SIGNATURE OF APPLICANT

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

(If the owner is a corporation this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.)

Sworn to and subscribed before me this  
12<sup>th</sup> day of January 2022

Cheryl B. Piccoli  
NOTARY PUBLIC

CHERYL B. PICCOLI  
A Notary Public of New Jersey  
My Commission Expires August 15, 2023

Lori Kramer  
PRINTED NAME OF APPLICANT

Lori Kr  
SIGNATURE OF APPLICANT

## ADDENDUM

Lori Kramer (hereinafter referred to as the “Applicant”) is the Owner of 70 Rolling Ridge Road, Upper Saddle River, New Jersey and shown on the Tax Map of the Borough of Upper Saddle River as Block 915, Lot 25. The property is located in the R-1 Zone. There is a single family home on the property with a side loading garage.

The Applicant seeks variance relief to permit the driveway and wall to infringe into the 10 foot buffer.

The Applicant seeks variance relief under N.J.S.A. 40:55D-70 (C)(1). The property is unusual by way of shape in that it is not a squared lot, but rather has a side lot line on the westerly side that is skewed. The Applicant seeks approval to permit the driveway to have an adequate width so that when a car backs out of the garage, it will have the ability to turnaround and drive out forward onto Rolling Ridge Road. Based upon the topographic conditions that exist, the Applicant seeks to install a wall within the buffer zone at the end of the proposed driveway.

The driveway infringement is 40 feet, along a property line that is 251.69 feet. The Applicant is proposing to install a series of arborvitae within the buffer area to buffer this property from the adjoining lot, and to provide arborvitae on the curb of the driveway so that from the streetscape standpoint, this driveway infringement will not be seen.

For the neighboring property owner, George and Melissa Gasparis of 66 Rolling Ridge Road, has consented to extend the driveway into the 10 foot buffer zone and have entered into an agreement all of which is attached in an Affidavit dated 1/3/22 that is attached to this Application. It is the Applicant's position that this minor infringement into the buffer zone will not have an adverse impact from a zoning perspective based upon the fact that the Applicant will provide for appropriate landscaping and buffering in the area that remains in the 10 foot buffer and will provide a quality landscape buffer within the area including wrapping it around the driveway in such a manner that the driveway itself will not be seen from Rolling Ridge Road. Furthermore, the driveway permits the Owner to have safer access to Rolling Ridge Road by permitting an appropriate turnaround for a motor vehicle.

The Applicant respectfully requests variance relief to permit the driveway and wall to extend into the 10 foot buffer as shown on the Plans that are submitted with this Application.

**AFFIDAVIT**

I, Lori Kramer, of 70 Rolling Ridge Road, Upper Saddle River, NJ, 07458 MAKE OATH and SAY THAT:

At the request of my neighbors, George and Melissa Gasparis (residing at 66 Rolling Ridge Road Upper Saddle River), I am providing this affidavit to acknowledge that there are historical differences between the current boundary of their property and my property. The current boundary line between the properties, as determined by GPS, has been marked with stakes and we both accept the current boundary. Currently the far-left corner of their driveway crosses the boundary line by a few inches (a small triangle section of about 4 inches in width).

I have been told by George and Melissa Gasparis that the survey of their property when they bought their house in 2003 shows that their driveway lies entirely on their property by about two feet. George and Melissa acknowledge the current boundary line that has been marked with stakes and that a small rectangle about 4 inches wide in the far-left corner of their driveway crosses over the boundary line on my property.

I, Lori Kramer, agree that my neighbors, George and Melissa, can have their driveway repaved in the current dimensions outlined by pavers and that repaving their driveway does not change the current boundary of our property lines. All parties agree that the current and correct boundary lines shall be used for any future determinations of code compliance and setbacks for any structures, improvements, fencing, and/or other additions on Lori Kramer's property.



9.8.21

Lori Kramer

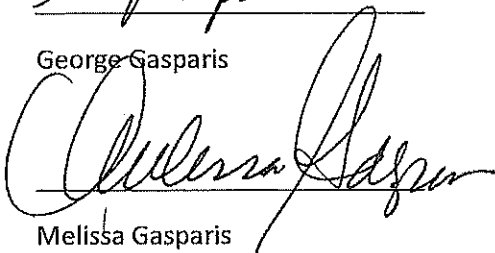
Date



9/8/21

George Gasparis

Date



9/8/21

Melissa Gasparis

Date

AFFIDAVIT

We, George and Melissa Gasparis, of 66 Rolling Ridge Road, Upper Saddle River, NJ, 07458 MAKE OATH and SAY THAT:

At the request of our neighbor, Lori Kramer (who will be residing at 70 Rolling Ridge Road, Upper Saddle River upon construction completion), we are providing this affidavit to acknowledge that we have reviewed the proposed driveway design, consent to the same, and seek to help support her efforts to have a variance approved.

The current boundary line between the properties, as determined by GPS, has been marked with stakes and we both accept the boundary. We understand that the recently built boulder rock wall for your driveway at the 10' buffer line of the property has been determined that it doesn't give enough clearance to safely maneuver a vehicle into the garage, and thus, the proposed driveway layout will encroach into the 10' buffer zone as necessary to allow for the safe operation and parking of a vehicle. We have reviewed the proposed plans and the string lines that were placed in ground to show us the 31' from the house to the edge of the 70 Rolling Ridge driveway curb and the 34' from the house to the edge of the retaining wall, and upon consideration of the same, have accepted these locations for the new block retaining wall and Belgian block curb of the driveway and the acknowledgement that Lori Kramer will be planting privacy trees in front of our side of the retaining wall and at the upper part of the retaining wall between the wall and the Belgian block curb.

We, George and Melissa Gasparis, agree that our neighbor, Lori Kramer, has our consent to extend the driveway into her property's 10' buffer zone along our property side as submitted to the town with the understanding that, pending approval of this application by the town, Lori Kramer will remove the current trees that line our shared border along the driveway of 66 Rolling Ridge Road and will replace them with mutually agreed-upon trees that will provide visual cover along the proposed retaining wall at the 66 Rolling Ridge Road property side. All parties agree that the current and correct boundary lines shall be used for any future determinations of code compliance and setbacks for any structures, improvements, fencing, and/or other additions on both of our properties.

Lori Kramer

1/3/2022

Lori Kramer

Date

George Gasparis

1/3/2022

George Gasparis

Date

Melissa Gasparis

1/3/2022

Melissa Gasparis

Date