

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD

MEETING MINUTES – THURSDAY, MAY 29, 2014

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 23, 2013 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. Preusch, Mr. Friedman
Mr. Prober, Mr. Wortmann, Mr. Richardi

Absent: Councilman Durante, Mr. Stutman, Ms. Rosenthal, Mr. Bakal

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

CORRESPONDENCE:

1. After reviewing correspondence received from Bruce Whitaker, Esq., Mr. Virgona announced the application of **Michael & Giuseppina Nirchio – 16 Oak Drive – Block 1210 – Lot 3** is carried to the Thursday, June 26, 2014 Public Hearing at 7:30 p.m. without further noticing required.

APPROVAL OF MINUTES: *Wednesday, May 14, 2014*

A motion by Mr. Polizzi seconded by Mr. Wortmann to adopt the minutes of the Wednesday, May 14, 2014 meeting was unanimously approved by all Members present.

PUBLIC HEARING

1. Application of **33 Hidden Glen, LLC**
33 Hidden Glen Road – Block 913 – Lot 29
(Major Soil Moving/*New Home Construction*)

John Zucker, Esq., representing the owner of the property, 33 Hidden Glen LLC, advised the applicant is requesting a soil moving permit related to the construction of a new home.

Gerald Gardner, P.E. Houser Engineering LLC, duly sworn by Mr. Madaio, testified the total quantity of soil to be moved is 2,003 cubic yards entailing site grading and the installation of a new septic system.

The applicant has filed an application for an individual permit with the DEP due to the construction within a riparian zone. Mr. Gardner testified it appears the limit of disturbance will be reduced, thereby reducing the quantity of soil being moved and allowing for preservation of additional trees.

In response to comments from the Board, Mr. Gardner testified the proposed retaining walls are 3ft. in height or less. Discussion ensued regarding the height of the proposed window well. After reviewing the applicant's options, Mr. Gardner advised the window well will be kept to a height of 3 ft. in order to conform and not require a variance.

Mr. Gardner testified the new septic system design has been approved by the Health Department; and the applicant is amenable to all comments provided in the Boswell Engineering review letter dated April 28, 2014.

A motion by Mr. Wortmann seconded by Mr. Polizzi to open the Hearing to Members of the public regarding Mr. Gardner's testimony. No one appeared to provide comment.

Ms. Boland, Board Engineer, advised the architectural plans must be revised to agree with the engineering plan.

Mr. Preusch advised the route provided to transport the soil must be recalculated as the Garden State Parkway is not viable.

Mr. Virgona advised Matt Koski, Shade Tree Commission Vice Chairman requested that a revised re-landscaping plan be submitted for approval before any trees are removed from the property.

A motion by Mr. Polizzi seconded by Mr. Friedman to open the Hearing to Members of the public regarding the application. No one appeared to provide comment. A motion by Mr. Friedman seconded by Mr. Polizzi to close that portion of the meeting.

A motion by Mr. Wortmann seconded by Mr. Polizzi approve the application as presented with the stipulation as to height of the window well and approval of the revised re-landscaping plan by the Shade Tree Commission.

Roll Call

Ayes: 8 Mr. Wortmann, Mr. Polizzi, Councilman DeBerardine, Mr. Preusch, Mr. Friedman
Mr. Prober, Mr. Richardi, Mr. Virgona

2. Application of **Vincent LaBarbiera** **2 Patriots Lane – Block 213 – Lot 8.01** (Major Soil Moving/*New Home Construction*)

Tibor Latincscis, P.E., and Vincent LaBarbiera, applicant were duly sworn by Mr. Madaio. Mr. Latincscis submitted and reviewed an Exhibit List, advising prior approvals are in place. Mr. Latincscis testified the subject property located at the corner of Patriots Lane and Old Stone Church Road was subdivided in 1983 and remained vacant for thirty years. The applicant is proposing to construct a fully conforming four (4) bedroom home on a fully conforming lot. The roof height is 35 ft. measured to the natural grade, fully conforming to Code. Mr. Latincscis testified the total quantity of soil to be moved is 3,103 cubic yards – 622 c.y of fill with a net export of 2,481 c.y.

In terms of drainage improvements, Mr. Latincscis testified because the property has been vacant, eight (8) dry well seepage pits are proposed as well as a trench drain at the end of the driveway.

The applicant is requesting to connect the footing drain to the catch basin at the corner of the roadway, requiring a hold harmless agreement from the Borough.

Mr. Latincics testified to meeting at the site with Matt Koski, Shade Tree Commission Vice Chairman to review the proposed revised tree removal and re-planting plan. Thirty- one (31) 2.5 inch caliper native hardwood deciduous shade trees have been approved for planting in the following locations: twenty – two (22) in the rear and side buffers; nine (9) in the front right-of-way. Additional landscaping will be provided.

Mr. Latincics addressed comments #14 and #23 provided in the Boswell Engineering review letter dated May 29, 2014. The applicant acknowledges that Mayor and Council approval is required to connect the footing drain; the retaining wall shows a 3 ft. maximum height; however the retaining wall is only 2 ft. along the property line.

In response to comments from the Board, Mr. LaBarbiera testified to the proposed truck route transporting the soil. Mr. Madaio advised the Upper Saddle River Police Department will stipulate the route.

Ms. Boland advised all items have been addressed.

In response to comments from the Board, Mr. Latincics testified a total of seventy-seven (77) trees have been approved for removal by Mr. Koski due to their poor condition.

A motion by Mr. Polizzi seconded by Mr. Friedman to open the Hearing to Members of the public regarding this application. No one appeared to provide comment. Mr. Virgona closed that portion of the meeting.

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

Roll Call

Ayes: 8 Mr. Polizzi, Mr. Preusch, Councilman DeBerardine, Mr. Wortmann, Mr. Prober, Mr. Friedman, Mr. Richardi, Mr. Virgona

PUBLIC COMMENT

Mr. Virgona opened the Meeting to Members of the public. No one appeared to provide comment.

ADJOURNMENT

A motion to adjourn by Mr. Polizzi seconded by Mr. Preusch was unanimously approved by all Members present. Meeting adjourned at 8:15 p.m.

Respectfully submitted,

Linda Marmora
Clerk

