

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

**WEDNESDAY, FEBRUARY 8, 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. Bakal, Mr. Jacobs, Mr. Richardi, Mr. Bonjuklian, Mr. Koski, Mr. LaBarbiera

**Absent:** Mr. Preusch, Mr. Donato, Ms. Miller

**Also Present:** Mark Madaio, Esq., Planning Board Attorney  
Nicole Ogrosso, P.E., for Eileen Boland, P.E, Boswell Engineering/Board/Borough Engineer

**OATH OF ALLEGIANCE**

Mr. Madaio administered the Oath of Allegiance to Board appointees Matt Koski, Alternate III; and Vincent LaBarbiera, Alternate IV, both to serve a (1) year term ending December 31, 2017.

**APPROVAL OF MINUTES:** January 26, 2017

A motion by Councilman DeBerardine to adopt the minutes of the January 26, 2017 meeting seconded by Mr. Bonjuklian was unanimously approved by all Members present.

**RESOLUTIONS** (*Memorialization*)

1. **Variance Application of Carl & Risa Calarco** ***APPROVED***  
**59 Dimmig Road – Block 1224 – Lot 10**  
(Side & Front Yard Setbacks/*New Window Well*)

Mr. Madaio reviewed the Resolution. A motion to adopt the Resolution as presented by Councilman DeBerardine seconded by Mr. Polizzi.

**Roll Call**

**Ayes:** 5 Councilman DeBerardine, Mr. Polizzi, Mr. Jacobs, Mr. Bonjuklian, Mr. Virgona

2. Application of Stoneledge Realty LLC  
49 Stone Ledge Road – Block 513 – Lot 28  
(Building Height/As Built)

**APPROVED**

Mr. Madaio reviewed the Resolution. A motion to adopt the Resolution as presented by Mr. Jacobs.

### **Roll Call**

**Ayes:** 5 Councilman DeBerardine, Mr. Jacobs, Mr. Bonjuklian, Mr. Polizzi, Mr. Virgona

### **PUBLIC HEARING**

1. Variance Application of Michael Park  
19 Echo Ridge Road – Block 917 – Lot 5  
(Front Yard Setback/New Front Covered Porch/Steps/Portico)

Elaine Park, applicant, duly sworn by Mr. Madaio, explained the home has been in her family for the past 31 years and is now undergoing renovations preparing for occupancy by her, husband and children.

The following Exhibits were submitted and identified: **A-1:** *Plot Plan prepared by Schwanewede/Hals Engineering, dated March 18, 2016 last revised November 8, 2016*; **A-2:** *Architectural Plan prepared by Z+ Architects*; **B-1:** *Boswell Engineering Review Letter dated December 21, 2016.*

Joseph Vince, P.E. Schwanewede/Hals Engineering, duly sworn by Mr. Madaio, reviewed the existing conditions and testified to the variances required for the proposed new front covered porch with covered steps. The existing dwelling has an existing front yard setback of 45.9ft. vs. the 50 ft. required. The front yard setback measured to the proposed new covered porch and steps is 44.5 ft. vs. the 50 ft. required.

In response to comments from the Board, Mr. Vince testified at the time the home was constructed in the late 1950's, the front steps were allowed to encroach into the front yard setback. The applicant is proposing a new front porch and portico addition over the front steps. The variance is only for the porch roof overhang; the steps are proposed in the same existing location, but will be narrower.

Mr. Vince testified the C-1 variance is warranted by reason of extraordinary hardship due to the location of the existing structure which although lawfully exists, but cannot be renovated without encroaching into the front yard setback. The small variance provides no detriment to the adjoining properties and relief can be granted without substantial detriment to the Zoning Ordinance or Zone Plan.

A motion to open the Hearing to Members of the public for questions regarding the testimony provided by Mr. Vince. No one appeared to provide comment.

Michael Scro, Architect, duly sworn by Mr. Madaio, testified that he concurred with the technical and design standpoints provided by Mr. Vince.

In response to comments from the Board, Mr. Scro testified the proposed roofline will sit in line flush with the edge of the stairs. The existing windows will be replaced with exactly the same size and style

windows. The proposed porch and portico provides an architectural and safety benefit by breaking up the front façade and protecting the steps from harsh elements.

A motion by Mr. Polizzi seconded by Mr. Jacobs to open the Hearing to Members of the public regarding the testimony provided by Mr. Scro. No one appeared to provide comment.

Discussion followed regarding an existing metal shed located too close to the property line.

In response, Ms. Park testified they are amenable to moving the shed to a conforming location.

With no further comments from the Board or Public, Mr. Virgona closed that portion of the Hearing.

A motion by Councilman DeBerardine seconded by Mr. Polizzi to approve the application as submitted subject to the applicant moving the shed to a conforming location.

### **Roll Call**

**Ayes:** 9 Councilman DeBerardine, Mr. Polizzi, Mayor Minichetti, Mr. Bakal, Mr. Jacobs, Mr. Richardi, Mr. Bonjuklian, Mr. Koski, Mr. Virgona

2. Variance Application of **David Mattiace**  
**368 Lake Street – Block 1205 – Lot 8**  
(Eastern Side Yard Setback/*New Detached (2) Car Garage/Seepage Pit*)

Daniel Steinhagen, Esq., representing the applicant, advised a new (2) car garage with a seepage pit is proposed by Mr. Mattiace on the undersized lot located in the R-1 Zone containing 22,698 s.f. vs. 37, 500 s.f. required. Mr. Steinhagen advised the existing nonconforming left and right side yard setbacks are to remain. The following exhibits were submitted, identified and reviewed:

**A-1:** Site and Garage Plan dated July 19, 2016 prepared by William G. Brown, AIA; **A-2:** Photographs of Existing Conditions; **A-3:** Aerial Map of Surrounding Properties; **B-1:** Boswell Engineering Review Letter dated November 1, 2016.

David Mattiace, applicant, duly sworn by Mr. Madaio, testified to the existing conditions and the improvements made since purchasing the home (4) years ago. Mr. Mattiace testified the architecture of the surrounding homes was followed while adding a second level, but the foot print of the house was not increased. Mr. Mattiace described the proposed location of the garage that has been setback in the rear of the house so as not to project out or appear obtrusive at the end of the driveway.

In response to comments from the Board, Mr. Mattiace testified to the physical characteristics of the property as being substantially less than required in the R-1 Zone. The lot width measures 81 ft. vs. the required minimum of 150 ft. The proposed garage is setback 10 ft. off the eastern property line, vs. the minimum requirement of 35 ft. In order to provide a compliant side yard setback, the garage would only measure 11 ft. in width.

In response to comments from the Board, Mr. Mattiace testified he did explore the possibility of locating the garage in the front; however, this was not possible due to the location of the septic system.

A member discussed the proposed garage having a width of 25 ft. and being given the lot's width,

is not in conformance with the bulk requirements for either the R-1 or R-2 Residential Zone District. Further discussion ensued regarding reducing the size of the garage to be more in conformance with the required setbacks.

In response to comments from the Board regarding an area of the re-paved driveway encroaching onto his neighbor's property, Mr. Mattiace advised a permit was issued with his neighbor's consent.

A motion by Councilman DeBerardine seconded by Mr. Polizzi to open the Hearing to Members of the public regarding the testimony provided by Mr. Mattiace. Upon no one appearing to provide comment, Mr. Virgona closed that portion of the meeting.

Mr. Steinhagen advised his client will take the Board's comments under advisement and submit revised plans with additional information. Mr. Steinhagen requested the application be carried to the March 23, 2017 meeting without further noticing required and also extended the time within which the Board renders a decision.

### **ADJOURNMENT**

A motion to adjourn by Councilman DeBerardine seconded by Mr. Polizzi was unanimously approved by all Members present. Meeting adjourned at 8:26 p.m.

Respectfully submitted,

Linda Marmora,  
Clerk