

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

**THURSDAY, JANUARY 23, 2020**

Mr. Polizzi called the meeting to order at 7:05 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 19, 2019 at which time the date, time place and purpose of the meeting was set forth and notice posted on the official bulletin board in the Borough Hall.

**PLEDGE OF ALLEGIANCE**

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

**Absent:** Mayor Minichetti, Councilman DeBerardine, Councilman Rotella, Mr. Bakal Mr. Richardi, Mr. Bonjuklian

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

**OATH OF ALLEGIANCE**

Mr. Madaio administered the oath of allegiance to the following Board Members:  
Mr. Preusch, Mr. Virgona, Ms. Schaum

**APPROVAL OF MINUTES:** January 8, 2020

A motion by Mr. Polizzi seconded by Mr. Donato to approve the minutes of the January 8, 2020 Meeting was unanimously approved by all Members present with the exception of Mr. Preusch, who abstained.

**ANNOUNCEMENT:**

Mr. Virgona announced the application of **Jack Daniels Motors – Porsche, 120 Pleasant Avenue – Block 1301 – Lots 1.02 & 3** is carried to the Thursday, February 27, 2020 meeting at 7:00 p.m. Re-noticing required.

**PUBLIC HEARING**

1. Application of **Presentation Church**  
**271 West Saddle River Road – Block 114 – Lot 4**  
(Amended Site Plan – Phase 2; Preliminary & Final Site Plan with Variances & Soil Moving/Addition/New Vehicle Access Drive; New Concrete Walkways; Drainage Improvements & Lighting Improvements)

William Strasser Esq, representing the applicant, stated in 2016 the Board had approved the application for Site Plan, Soil Movement and Tree Removal with variances and design waivers in order to construct various improvements to the existing Church related to Phase I. Mr. Strasser advised the As-Built Survey of the completed Phase I construction contain (2) variances.

Mr. Strasser advised the applicant has now filed for additional approvals and Amended Site Plan Approval with variances and design waivers in order to construct Phase 2 of the renovations which include an addition to the north side of the existing building, a gravel access driveway, concrete walkways, drainage improvements, lawn inlet and lighting improvements.

Mr. Strasser briefly reviewed the requested variances: 130.8 ft. front yard setback vs. 150 ft. permitted exceeding the previously approved 135 ft. setback for Phase 1; Light pole height of 26 ft. vs. 25 ft. permitted constructed exceeding Phase I approval; 118 ft. side yard setback vs. 150 ft. permitted exceeding 122 ft. previously approved for Phase I.

The following Exhibits were submitted and identified: **A-1:** Site Plan prepared by Lapatka Associates, dated November 21, 2019; **A-2:** Colorized Version of Site Plan; **A-3:** Architectural Plans prepared by John Montoro AIA dated December 30, 2019 revised thru January 13, 2020; **B-1:** M. Tiberi PE, Boswell Engineering review letter dated January 8, 2020.

Daniel Lamothe PE, Lapatka Associates duly sworn by Mr. Madaio, testified to preparing Exhibits A-1 and A-2. Mr. Lamothe referencing Exhibit A-2 testified the applicant has reduced the size of the meeting rooms from 7,629 sf to 4,658 sf resulting in an increased side yard setback of 118 ft. vs. the previously approved setback of 112 ft. vs. 150 ft. permitted requiring a variance.

In response to comments from the Board, Mr. Lamothe testified Phase 2 proposes a new vehicle access drive, drainage, lawn inlet and lighting improvements; the remaining improvements were approved in 2016 and have been completed during Phase I.

Mr. Lamothe testified the 26 ft. light pole constructed during Phase I requires a variance being 1 ft. over the 25 ft. permitted. Mr. Lamothe testified the difference is not visually perceptible due to its location and does not interfere with the neighbors or the intent of the Zoning Code.

Mr. Lamothe testified the front canopy was to have a setback of 135 ft. from West Saddle River Road, vs. 150 ft. permitted, however the As-Built Survey depicts it was constructed at 130.2 ft. Mr. Lamothe testified the small portion of the canopy requires a variance for approximately 4.5 ft.

In response to comments from the Board, Mr. Lamothe testified only the front corner of the canopy encroaches into the setback and could be removed without impact to the function of the building.

Mr. Lamothe testified the drainage Plan for the meeting rooms has been designed to retain the entire roof runoff with no impact from the addition and will not affect adjacent property owners.

A motion by Mr. Donato to open the Hearing to Members of the public regarding the testimony provided by Mr. Lamothe seconded by Mr. Preusch. No one appeared to provide testimony.

John Montoro AIA, duly sworn by Mr. Madaio, testified to preparing the Architectural Plans

(A-3). Mr. Montoro testified the meeting room addition has been redesigned to be narrower and smaller while still being connected to the main structure, providing adequate air, light and open space. Mr. Montoro testified the addition has been reduced by 2,900 sf. for a new total size of 4,658 sf. Mr. Montoro testified the attic of the addition would be used only for storage.

Mr. Montoro testified the existing brick will be matched and the roof will be asphalt with a maximum height of 28 ft.

In response to comments from the Board, Mr. Montoro testified the attic would have a total height of 28.4 ft. and 22.8 ft. to the roof ridge.

Discussion followed regarding the perception of height pertaining to the outside wall. Board Members suggested lowering the knee wall and extending the overhang to reduce the appearance of height.

After continued discussion, Mr. Montoro testified the wall height would be reduced to 12 ft. or less and the setback would be 188 ft. measured to the building.

Mr. Strasser advised the applicant will comply with the comments contained in the Boswell Engineering review letter dated January 8, 2020 (B-3).

A motion by Mr. Preusch to open the Hearing to Members of the public regarding the testimony provided by Mr. Montoro and for general comment regarding the application. No one appeared to provide testimony or comment.

A motion by Mr. Preusch to approve the application as submitted and with the revisions as discussed.

A Board Member provided comment regarding the additional variances being requested for the setbacks. Mr. Virgona advised granting the variances outweigh any detriments; any negative impact is de minimus and, the approvals promote purpose "a" of the NJ Municipal Land Use Law.

With no further comment from the Board, the motion to approve by Mr. Preusch was seconded by Mr. Polizzi.

### **Roll Call**

**Ayes: 6** Mr. Preusch, Mr. Polizzi, Mr. Donato, Mr. Jacobs, Ms. DeFuccio, Mr. Virgona

**Nays: 1** Ms. Schaum

### **PUBLIC COMMENT**

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

**ADJOURNMENT**

A motion to adjourn by Mr. Polizzi seconded by Mr. Donato was unanimously approved by all Members present. Meeting adjourned at 7:59 p.m.

Respectfully submitted,

Linda Marmora, Clerk