

BOROUGH OF UPPER SADDLE RIVER PLANNING BOARD MEETING MINUTES

THURSDAY, FEBRUARY 27, 2020

Mr. Virgona called the meeting to order at 7:04 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: Mayor Minichetti, Mr Virgona, Mr. Polizzi, Mr. Preusch, Mr. Donato, Mr. Jacobs, Mr. Richardi, Mr. Bonjuklian, Ms. DeFuccio, Ms. Schaum

Absent: Mr. DeBerardine, Councilman Rotella, Mr. Bakal

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

APPROVAL OF MINUTES: January 23, 2020

A motion by Mr. Polizzi seconded by Mr. Donato to approve the minutes of the January 23, 2020 meeting was unanimously approved by all Members present.

RESOLUTION (*Memorialization*)

1. Application of **Presentation Church**
271 West Saddle River Road – Block 1114 – 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)

Mr. Madaio reviewed the Resolution. Discussion followed. Mr. Virgona requested “*second floor for storage only*” be added to the last section of the Resolution making it a specific condition.

A motion by Mr. Preusch seconded by Mr. Polizzi to adopt the Resolution as presented with the added condition as discussed.

Roll Call

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

PUBLIC HEARING

(Clarification December 11, 2019 Public Hearing)

- 1. Application of **Jack Daniels Motors – Porsche**
120 Pleasant Avenue – Block 1301 – Lot 1.02 & 2)
 (Amended Site Plan w Variances/Service Bays; Vehicle Storage; Interior & Exterior Parking Spaces)

James Jaworski Esq, representing the applicant, advised he was appearing to clarify for the record an issue regarding truck traffic to the site. Mr. Jaworski stated tractor trailers will be transporting vehicles to the site, but will leave as soon as the vehicles have ben unloaded.

Jack Daniels, Applicant, duly sworn by Mr. Madaio, testified to the protocol employed at the dealership receiving vehicles. The carrier comes in, unloads the vehicles that are put in the staging area for immediate prep and then are transported to the off-site storage facility located in Park Ridge. Vehicles are not unloaded in the street or on the highway.

In response o comments from the Board, Mr. Daniels testified once prepped, the vehicles are individually driven to Park Ridge by the transportation team. This system has been in practice for the past (10) years.

In response to Mr. Madaio, Mr. Daniels testified this activity does not conflict with the service bay use the Board has already approved. The cars are removed quickly from the site by the dealership drive team and taken to the off-site storage facility.

In response to the Board, Mr. Daniels testified to there being sufficient parking.

A motion by Mr. Polizzi to open the Hearing to Members of the public seconded by Mr. Preusch. No one appeared to provide comment.

A motion by Mr. Polizzi to accept the testimony provided by Mr. Daniels clarifying the vehicles are delivered to the site by tractor trailers, off loaded and then relayed to the off-site facility seconded by Mr. Donato.

Roll Call:

Ayes: 7 Mr. Polizzi, Mr. Donato, Mr. Richardi, Mr. Bonjuklian, Ms. DeFuccio, Ms. Schuam, Mr. Virgona

- 2. Application of **Christopher & Fiona Sherman**
29 Pleasant Avenue – Block 1101 – Lot 12
 (Side & Rear Yard Setbacks/*New Patio*)

Christopher Sherman, applicant, Kevin Kretz, LawnPro Landscapes and Kent Rigg, PE were duly sworn by Mr. Madaio.

Mr. Sherman testified he is proposing a new rear yard patio with a fire pit and a retaining wall requiring variances for the left side yard setback and the rear yard setback.

The following Exhibits were submitted and identified: **A-1:** *Survey & Site Plan prepared by Kent Rigg PE dated January 27, 2019*; **A-2:** *Landscape Plan prepared by LawnPro Landscapes*; **A-3:** *Various Site Photographs*.

Mr. Rigg testified the house is located in the south westerly corner of the property having an existing 31 ft. rear yard setback and a 32 ft. left side yard setback. Due to the sloping grade of the property and the locations of the septic and well in the front yard, all useable space is in the rear left corner. Mr. Rigg testified the northwest corner of the property is 11 ft. higher than the front yard setback. The existing rear yard patio at 27 ft. and 21 ft. is non-conforming to the 35 ft. setback requirements. An existing wall in the rear yard may exceed the 3 ft. maximum height requirement. The proposed new patio requires variances to permit the construction of the new patio having a 12 ft. left side setback and a 15.2 ft. rear yard setback vs. the 35 ft. permitted.

Mr. Rigg reviewed the drainage calculations in support of the new cultec system design. Ms. Tiberi advised these calculations are acceptable as submitted.

Mr. Kretz reviewed the design of the patio and the landscaping surrounding the patio and testified to the hardship incurred due to the irregular shape and grading of the property, and the location of the dwelling on the site.

In response to comments from the Board, Mr. Kretz testified the patio will be constructed in blue stone and extensive arborvitae will be planted for privacy. No trees will be removed in the buffer area, all large trees will remain and the inner area will be filled in with green giant arborvitae.

A motion to open the Hearing to Members of the public by Mr. Jacobs seconded by Mr. Polizzi.

Joanne Burns, 36 Elizabeth Terrace expressed concern regarding noise potential. In response, Mr. Kretz reviewed the proposed landscaping providing an extensive buffer to mitigate noise.

In response to additional comments from the Board, Mr. Rigg testified to the proposed dimensions of the patio being under 200 sf.

With no further comments from the public Mr. Virgona closed that portion of the Hearing.

Discussion followed.

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

Roll Call

Ayes: 9 Mr. Preusch, Mr. Donato, Mayor Minichetti, Mr. Jacobs, Mr. Richardi, Mr. Bonjuklian, Ms. DeFuccio, Ms. Schaum, Mr. Virgona

PUBLIC COMMENT

A motion by Mr. Polizzi to open the Meeting to Members of the public seconded by Mr. Bonjuklian.

No one appeared to provide comment.

ADJOURNMENT

A motion to adjourn by Mr. Polizzi seconded by Mr. Bonjuklian was unanimously approved by all Members present. Meeting adjourned at 8:00 pm.

Respectfully submitted,

Linda Marmora, Clerk