

## **TOWNSHIP OF SADDLE BROOK ZONING BOARD OF ADJUSTMENT**

Following are the minutes of the Saddle Brook Zoning Board of Adjustment's regular session, held on Monday, September 14, 2015.

1. At 7:30 p.m., Chairman Ratajczak called the meeting to order.

2. **Salute to the Flag.**

3. **Roll Call:** Mr. Mazzer, Ms. Murray, Mr. Gatto, Mr. Ratajczak, Mr. Schilp, Mr. Browne, Mr. Tokosh and Mr. Esposito (left at 8:30 p.m.) - PRESENT      Mr. Rofofsky and Mr. Galbo – ABSENT

Also present was Joseph Rotolo, Board attorney, Rick Brown, Board engineer and Gary Paparozzi, Board planner.

4. **APPLICANT #1 – Christopher & Diane Cantarella**

586 Hickory Avenue, Block 1806, Lot 24

Christopher and Diane Cantarella were sworn in.

Ms. Cantarella – We would like to do an add-a-level on our 1 ½ story cape style house and we would like to add a garage on the left side.

Mr. Ratajczak listed the requested variances.

Mr. Ratajczak – What is the total number of bedrooms?

Ms. Cantarella – Three.

Mr. Ratajczak – The proposed side yard is 2.8 feet.

Mr. Gatto – The side yard must be a minimum of 5 feet for fire protection. Also, if you need to do work on that side of the house, there's no room. It needs to be five feet.

Ms. Cantarella – Okay that can be done.

Mr. Gatto – How close is the shed? And what are you going to do with the shrubs on the left?

Ms. Cantarella – We will remove the shed and the shrubs, if approved.

Mr. Schilp – The air conditioning is only two feet from the property line on the other side.

Firemen have to be able to get around the house.

Mr. Gatto made a motion to open the meeting to the public. Ms. Murray seconded the motion.

All in Favor – YES

No public participation.

Mr. Gatto made a motion to close the meeting to the public. Ms. Murray seconded the motion.

All in Favor – YES

Mr. Gatto made a motion to approve the application with the conditions that the garage is made smaller to allow for a five foot side yard setback and the shed and shrubs are removed. Ms.

Murray seconded the motion.

VOTE: Mr. Mazzer, Ms. Murray, Mr. Gatto, Mr. Ratajczak, Mr. Schilp, Mr. Browne and Mr. Tokosh – YES

**APPLICATION APPROVED**

**5. APPLICANT #2 – Freddy & Melinda Santiago**

279 Madison Avenue, Block 413, Lot 21

Mr. Mazzer recused himself. Mr. Esposito sat in for Mr. Mazzer.

Freddy Santiago was sworn in.

Mr. Ratajczak – The three variances requested are existing. One is an expansion of a pre-existing nonconformity.

Mr. Santiago – We want to build an add-a-level to change the house to a four bedroom two bathroom home.

Mr. Ratajczak – Will the garage stay?

Mr. Santiago – Yes.

Mr. Rotolo – This will be the same footprint with a two foot cantilever?

Mr. Santiago – Yes.

Mr. Gatto made a motion to open the meeting to the public. Mr. Schilp seconded the motion. All in Favor – YES

No public participation.

Mr. Schilp made a motion to close the meeting to the public. Ms. Murray seconded the motion.

All in Favor – YES

Mr. Schilp made a motion to approve the application. Mr. Gatto seconded the motion.

VOTE: Ms. Murray, Mr. Gatto, Mr. Ratajczak, Mr. Schilp, Mr. Browne, Mr. Tokosh and Mr. Esposito – YES

**APPLICATION APPROVED**

**6. APPLICANT #3 – Anthony & Christine Russo**

30 Jamros Terrace, Block 1301, Lot 13

Anthony Russo was sworn in.

Mr. Russo – We are looking to add a garage and extend sixteen feet out the back, single level.

Ms. Murray - The elevation for the garage looks like two stories.

Mr. Russo – It is currently a split level house with no storage/attic area. That high roof will give us storage space. It will not be living space.

Ms. Russo – We need a garage to pull the cars in because we are close to the school and the Korean Church.

Mr. Gatto made a motion to open the meeting to the public. Mr. Schilp seconded the motion. All in Favor – YES

Dennis Dzugay, 34 Jamros Terrace, was sworn in.

Mr. Dzugay – We're okay with everything here. We live on the other side of the fence.

Mr. Ratajczak made a motion to close the meeting to the public. Mr. Mazzer seconded the motion. All in Favor – YES

Mr. Gatto made a motion to approve the application. Mr. Tokosh seconded the motion.

VOTE: Mr. Mazzer, Ms. Murray, Mr. Gatto, Mr. Ratajczak, Mr. Schilp, Mr. Browne and Mr. Tokosh – YES

**APPLICATION APPROVED**

**7. APPLICANT #4 – Betty Ferreiras**

353 First Street, Block 109, Lot 13

Ms. Ferreira was sworn in.

Ms. Ferreira – I would like to replace the existing four foot fence with a six foot privacy fence. I have pictures (handed to the Board) showing it doesn't obstruct the view.

Mr. Ratajczak – We don't allow a six foot fence in the front yard. You have to be able to see. It's a safety issue.

Ms. Ferreira – Across the street from that side yard, there is a request to put in a car wash. There's a house at 353 Sixth Street with a six foot fence in the front yard.

Mr. Ratajczak – You could put a six foot fence in back, but you'd have to scale it down in the front. It's an intersection of a busy road.

Ms. Ferreira – When the cars come to the stop sign, they're past the fence.

Mr. Gatto – I would go along with a five foot fence.

Ms. Ferreira – I'd like to put up a six foot fence like the house at 353 Sixth St. has.

Mr. Ratajczak asked Ms. Kapner to find any paperwork the township has for the fence at 353 Sixth St.

Mr. Ratajczak made a motion to carry the application with no further notice to the October 5<sup>th</sup> meeting. Mr. Gatto seconded the motion. All in Favor – YES

**APPLICATION CARRIED**

**8. APPLICANT #5 – Gina Giordano**

9 Lydon Place, Block 1403, Lot 5

Mr. Schilp recused himself. Mr. Esposito sat in for Mr. Schilp.

Gina Giordano and Timothy Sroka (399 Passaic St., Hackensack) were sworn in.

Ms. Giordano – We would like to construct a two story addition to add another bedroom and bathroom and a driveway addition and a deck.

Ms. Murray – The old resolution shows your lot coverage at 55%?

Mr. Sroka – That resolution was for a previous owner and the proposed work was never done.

Ms. Giordano – The scope of our project is smaller.

Mr. Gatto – How many bedrooms will you have?

Mr. Sroka – Five

Mr. Gatto – What about parking?

Mr. Sroka – We will widen the driveway.

Mr. Gatto – The old resolution says that if your mom moves out of this mother/daughter style home, the kitchen must be removed. Will we need to restate this, if this application is approved?

Mr. Rotolo – The condition carries, but I can restate it in this resolution.

Mr. Ratajczak made a motion to open the meeting to the public. All in Favor – YES

No public participation.

Mr. Gatto made a motion to close the meeting to the public. Ms. Murray seconded the motion. All in Favor – YES

Mr. Gatto made a motion to approve the application. Mr. Esposito seconded the motion.

VOTE: Mr. Mazzer, Ms. Murray, Mr. Gatto, Mr. Ratajczak, Mr. Browne, Mr. Tokosh and Mr. Esposito – YES

**APPLICATION APPROVED**

**9. APPLICANT #6 – 176 Evans Place LLC**

176 Evans Place, Block 171, Lot 28

Francis Ciambrone, attorney for the applicant came forward.

Jeffrey Gradzki, sole member of the LLC, was sworn in.

Tsampicos Perides, architect for the applicant, was sworn in.

Mr. Ciambrone – We are seeking permission to put an addition over the existing footprint with a small attached garage on the side on this undersized lot.

Mr. Perides – I prepared plans (1 page), dated 08/26/15 (marked Exhibit A-1). We have a 2 bedroom, 1 bathroom cape. We will do a 759 square foot addition with an add-a-level, creating a 4 bedroom, 2 ½ bathroom home. The lot is 50 feet wide, where 65 feet is required. If we made a 12' x 22' detached garage, we would go over the 44% permitted coverage because the asphalt would have to be extended. That would also cut off 1/3 of the back yard. Also, attached garages are more desirable. There is a little over 6 feet on the left side of the house. The right side is tight. I would provide a 2 hour fire rating on the garage for safety. One or two other houses in the neighborhood have similar setbacks. The air conditioning will be in the rear yard. The garage addition will be a single story. I don't think there will be any negative impact to the surrounding neighborhood.

Mr. Ratajczak – The lot is 121 feet deep, which is more than the average 50' x 100' lot. You have the depth to work with. A 2 foot side yard doesn't cut it.

Mr. Gatto – Firemen need to be able to get around that side too. You don't know which side the fire will be on.

Mr. Schilp – The houses on that street with attached garages have wider property, with at least 8 foot side yards. Also, you have a chimney and the cantilever for the stairs on that side.

Mr. Perides – We can bring the chimney and the stairs in.

Mr. GATo – Would you consider putting the garage in the back?

Mr. Perides – We can make the garage 10 feet wide, which gives 3 feet on that side.

Mr. Ciambrone to Mr. Perides – Has the Board given any previous approvals for less than 5 feet?

Mr. Ratajczak – We haven't approved any. Any that has less than 5 feet have been done illegally. We want the house to fit on the lot.

Mr. Perides – Are pavers 75% or 100% coverage?

Mr. Gatto – 75%

Mr. Brown – I suggest paving to the back corner of the driveway and then using grass pavers to the garage.

Mr. Rotolo – If your revised plans don't have any variances, you don't have to come back.

Mr. Ratajczak – I'd rather you come back.

Mr. Ciambrone – We'd like to carry the application and then withdraw it if we don't need any variances.

Mr. Ratajczak – How will the residents know?

Mr. Rotolo – They can call the Board secretary.

Mr. Gatto made a motion to open the meeting to the public. Mr. Schilp seconded the motion. All in Favor – YES

Charles Hunter, 172 Evans Place, was sworn in.

Mr. Hunter – My survey shows that there will be 5.7 feet, not 6.25 feet on the side of the house.

Mr. Rotolo – That side is not affected by this application.

Mr. Perides (looking at the neighbor's survey) – That is an unofficial measurement, not shown on his survey.

Roxanne Carroll, 180 Evans Place, was sworn in.

Ms. Carroll- Two feet isn't going to cut it.

Mr. Gatto made a motion to close the meeting to the public. Ms. Murray seconded the motion.

All in Favor - YES

The application was carried to the October 5, 2015 meeting with no further notice.

Mr. Paparozzi – My survey is 4 inches different than the neighbor's survey, which is very old. If the applicant comes back, I will recalculate the side yard.

## **9. RESOLUTIONS**

Ms. Murray made a motion to memorialize the resolution of approval for Ferdinand Ramirez, Block 1809, Lot 9. Mr. Ratajczak seconded the motion. VOTE: Ms. Murray, Mr. Gatto, Mr. Ratajczak, Mr. Browne and Mr. Tokosh - YES

Mr. Gatto made a motion to memorialize the resolution of approval for Robert & Diane Omerza, Block 1509, Lot 17. Mr. Ratajczak seconded the motion. VOTE: Ms. Murray, Mr. Gatto, Mr. Ratajczak and Mr. Browne – YES

Mr. Gatto made a motion to memorialize the following resolutions:

Approval for Ryongdan & Takashi Nakajima, Block 116, Lot 17

Approval for Jeff Berardo, Block 1405, Lot 23

Approval for Riverside Pediatric Group, Block 501, Lot 5

Mr. Ratajczak seconded the motion. VOTE: Ms. Murray, Mr. Gatto, Mr. Ratajczak, Mr. Schilp and Mr. Browne - YES

## **10. MINUTES**

Mr. Gatto made a motion to approve the minutes of the meeting of August 3, 2015. Ms. Murray seconded the motion. All in Favor – YES

## **11. VOUCHERS**

Mr. Gatto made a motion to pay the following vouchers, provided funds are available:

Carroll Engineering, 09/04/15, Riverside Pediatric Group, \$402

Carroll Engineering, 08/10/15, JAT LLC, \$569.50

Joseph J. Rotolo, 09/10/15, Riverside Pediatric Group, LLC, \$750

Mr. Ratajczak seconded the motion. VOTE: Mr. Mazzer, Ms. Murray, Mr. Gatto, Mr. Ratajczak, Mr. Schilp, Mr. Browne and Mr. Tokosh – YES

Mr. Ratajczak – I would like a letter sent to Pete Lo Dico and Council to find out the decision on the Costa Engineering vouchers.

## **12. MISCELLANEOUS**

Ms. Murray – I learned about Air BNB's at a convention I recently attended. Online, it shows that they have 3 locations in Saddle Brook. I brought it up at the Council meeting. Boarding houses are illegal in Saddle Brook. Council should update the ordinance to address this.

## **13. OPEN AND CLOSE TO THE PUBLIC**

Ms. Murray made a motion to open the meeting to the public. Mr. Schilp seconded the motion. All in Favor – YES

No public participation.

Mr. Gatto made a motion to close the meeting to the public. Mr. Schilp seconded the motion. All in Favor – YES

**13. ADJOURN**

Mr. Gatto made a motion to adjourn the meeting. Mr. Schilp seconded the motion. All in Favor – YES

Meeting Adjourned 9:00 p.m.

Respectfully Submitted,

Jayne Kapner, Secretary