

**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, June 4, 2018.

1. At 7:30 p.m., Chairwoman Murray called the meeting to order.

2. **Salute to the Flag.**

3. **Roll Call:** Mr. Gatto, Mr. Schilp, Mr. Ratajczak, Mr. Esposito, Mr. Tokosh, Mr. Duffy and Ms. Murray - PRESENT Mr. Mazzer, Mr. Sibani and Mr. Manzo - ABSENT

Also present were Stephen Pellino, Board attorney, Robert Costa, Board engineer and Gary Paparozzi, Board planner.

4. **APPLICANT #1 – Domenico Galluzzo (carried from the May 7, 2018 meeting)**

576 Spruce Avenue, Block 1705, Lot 12

Mr. Pellino reminded Messrs. Galluzzo that they are still under oath.

Ms. Murray – We received revised drawings and a Google Earth photo.

Mr. Galluzzo – Yes, the addition should end three feet before the end of the garage.

Mr. Pellino – We also received your letter, dated 05/15/18, regarding fire rating.

Mr. Duffy – Are the exterior walls going to have a one-hour fire rating?

Mr. Galluzzo – Yes.

Mr. Gatto – Will the porch remain?

Mr. Galluzzo – The porch will go half way across the front of the house, as it is now. We're asking for a variance for it to go all the way across the front in case my daughter-in-law changes her mind.

Mr. Gatto made a motion; seconded by Mr. Schilp to open the meeting to the public.

No public participation

Mr. Gatto made a motion; seconded by Mr. Schilp to close the meeting to the public.

Mr. Pellino – This application for a rear addition and front porch requires two new variances: building coverage - 26.52% and distance to accessory building - 7 feet. The existing nonconformities are lot size, lot frontage, accessory coverage and maximum lot coverage.

Mr. Ratajczak made a motion; seconded by Mr. Esposito to approve the application with the conditions that there is a one-hour fire rating on the addition and an as built survey is submitted.

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

APPLICATION APPROVED

5. **APPLICANT #2 – Kevin & Juliann Kooistra**

224 South Street, Block 518, Lot 8

Mr. Gatto recused himself. He is a fireman, who works in the same firehouse as the applicant.

Kevin & Juliann Kooistra were sworn in.

Mr. Kooistra – We are proposing to put an addition on our house to move in my mother-in-law. She requires care. The addition will have a handicap accessible bathroom, a bedroom and a sitting room.
Mr. Costa – Because of the additional coverage, we're asking for some drainage on the property.

Mr. Tokosh made a motion; seconded by Mr. Schilp to open the meeting to the public. All in Favor - YES
No public participation.

Mr. Schilp made a motion; seconded by Mr. Tokosh to close the meeting to the public. All in Favor – YES
Mr. Pellino stated that the nonconforming lot size, front yard setback and accessory coverage are existing conditions. The new variances requested are for Building coverage – 33.8%, total lot coverage – 54.3% and distance to an accessory structure – 9 feet.

Mr. Schilp made a motion; seconded by Mr. Tokosh to approve the application with the condition that the applicant provide the drainage, as specified in the Costa Engineering letter, dated May 15, 2018.
VOTE: Mr. Schilp, Mr. Ratajczak, Mr. Esposito, Mr. Tokosh, Mr. Duffy and Ms. Murray – YES

APPLICATION APPROVED

6. APPLICANT #3 – Carlos Lopez

43 Cambridge Avenue, Block 1512, Lot 30

Carlos Lopez was sworn in.

Mr. Lopez – I want to put a 14' x 28' inground pool in my back yard.

John Gorman of Olympic Pools was sworn in.

Mr. Tokosh – Will there be a 6-foot fence in back?

Mr. Lopez – Yes.

Mr. Tokosh – Where will the backwash go?

Mr. Gorman – This filter gets hosed down. The backwash will be hosed to the driveway, which will go to the street.

Mr. Costa – We recommend a seepage pit onsite. It can't go into the sanitary line.

Mr. Gorman – It adds thousands of dollars to this project.

Mr. Costa – We don't want to impact the neighbors.

Mr. Gorman – I can put a DE separation tank on this.

Mr. Costa – That doesn't address the water.

Mr. Gorman – We could dig, put stone, etc. there and put the water there.

Mr. Schilp made a motion; seconded by Mr. Gatto to open the meeting to the public.

James Trapp, 66 Oxford Ave., was sworn in.

Mr. Trapp – I am concerned about the surface runoff from the additional impervious coverage.

Mr. Ratajczak – The water will go into the pool.

Mr. Gatto made a motion; seconded by Mr. Schilp to close the meeting to the public.

Mr. Gorman – What do I need to do to show drainage?

Mr. Costa – When you get the permit, the Building Inspector will inspect it.

Mr. Pellino – This application for an inground pool requires variances for accessory coverage – 26.8%, total lot coverage – 50.9%. Lot size, lot frontage, front yard setback and side yard setbacks are pre-existing. The condition mentioned is drainage.

Mr. Costa – Because of the increase in impervious coverage, one pit is required, as stated in my May 18, 2018 letter. No regrading of the property will be done. You have to discharge to the street per Township Code section 183-8.

Mr. Schilp made a motion; seconded by Mr. Gatto to approve the application with the condition that they install the required drainage.

VOTE: Mr. Gatto, Mr. Schilp, Mr. Ratajczak, Mr. Esposito, Mr. Tokosh, Mr. Duffy and Ms. Murray - YES

APPLICATION APPROVED

7. RESOLUTIONS

Mr. Schilp made a motion; seconded by Mr. Ratajczak to memorialize the resolution of approval for Domenico Galluzzo, 576 Spruce Ave., Block 1705, Lot 12.

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

Mr. Schilp made a motion; seconded by Mr. Esposito to memorialize the resolution of approval for Jack Daniel's Motors, 405 North Midland Avenue, Block 1401, Lot 12.

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

8. MINUTES

Mr. Schilp made a motion; seconded by Mr. Gatto to approve the minutes of the May 7, 2018 meeting. All in Favor – YES

9. COMMUNICATIONS

Mr. Schilp made a motion to receive and file the communications.

10. VOUCHERS

Mr. Gatto made a motion; seconded by Mr. Schilp to approve payment of the following vouchers provided funds are available:

Gary Paporozzi, 05/11/18, Jack Daniels Motors, \$708.75

Basile Birchwale & Pellino, 06/01/18, Jack Daniels Motors, \$1,125

Basile Birchwale & Pellino, 06/01/18, Galluzzo, \$500

Costa Engineering Corp., 06/04/18, Jack Daniels Motors, \$1812.50

All in Favor – YES

11. OPEN AND CLOSE TO THE PUBLIC

Mr. Schilp made a motion; seconded by Mr. Duffy to open the meeting to the public.

Mr. Paparozzi – In the Galluzzo case, the survey was altered with Wite Out, which by law invalidates it. I am not trying to single them out. The Board has accepted altered surveys before. I suggest when you see that, it shouldn't be accepted by the Board.

Ms. Murray – That was brought up, but due to the hardship of the fire, it was waived. He was required to bring a survey afterward.

Mr. Paparozzi – When he gets the As Built survey, if it's off, then what?

Ms. Murray – I agree with you, but this was looked at as a hardship.

Mr. Gatto – It should be accurate. I agree. Due to the fire, we let it go.

Mr. Paparozzi – They're spending a lot of money on an addition, so spending \$700 on a survey isn't a big deal.

Mr. Ratajczak – When we approve an application and put conditions on them, how long does the owner have to complete the conditions of approval? Jason Mazzer hasn't done any of the requirements. He's been operating like this for years.

Mr. Schilp – He needs county approval.

Mr. Pellino – Applicants can't get a CO until they meet the conditions of approval.

Ms. Kapner – The application Larry referred to is an application to make the building a multi-use building by adding a residence to the second floor.

Mr. Pellino – I wasn't here for that application. If Jayne described it correctly, he got a variance to permit a mixed use; commercial downstairs, residential upstairs. The conditions, if I understand correctly are attached to that. If he hasn't put a residence upstairs, he's not in violation of the resolution.

Mr. Costa – Whatever was approved is in the resolution, which is the controlling document. The Building Inspector can issue violations, take him to court, etc., but this Board has no policing power.

Mr. Ratajczak – He's still operating his business there.

Mr. Schilp made a motion; seconded by Mr. Duffy to close the meeting to the public.

Mr. Gatto – I agree with Larry. There is no follow through. They should have to go to the county for approval. There's got to be something that can be done.

Mr. Tokosh – There should be follow up. We told an applicant that they had to take a structure down and it's still there. There should be a list of things to do in the Building Department.

Mr. Pellino – We don't have the authority to make anyone take a structure down. We only have the authority to say application denied.

12. ADJOURN

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

Meeting Adjourned at 9:00 p.m.

Respectfully Submitted,

Jayne Kapner, Secretary