

TOWNSHIP OF SADDLE BROOK
ZONING BOARD OF ADJUSTMENT MINUTES
January 9, 2023 Regular Meeting

The Saddle Brook Zoning Board of Adjustment will hold a regular meeting 7:00 p.m. on Monday January 9, 2023 at **(Saddle Brook Town Hall 93 Market Street)**

1. CALL THE MEETING TO ORDER

Mr. Duffy calls the meeting to order.

2. FLAG SALUTE

3. OPEN PUBLIC MEETING ACT: adequate notice of this meeting has been sent to all members of the Zoning Board and to all legal newspapers in Accordance with all the Provisions of the "Open Meetings Act", Chapter 231, P.L. 1975.

4. ROLL CALL

Ms. Murray, Mr. Mazzer, Mr. Schilp, Mr. Tokosh, Mr. Burbano, Mr. Champy and Mr. Duffy – Present, Mr. Marz is absent. Mr. Pellino the Board Attorney and Gary Paparozzi the Board Planner are also in attendance. Mr. Kurus the Board Engineer is not in attendance.

5. NEW BUSINESS

A.) Joseph Del Greco, 134 MacArthur Drive, Block 503, Lot 9

Applicant requests an 8' by 25' patio that does not conform to the zoning ordinance for the Township of Saddle Brook, as it exists today. **(Applicant was carried from the December 5th Meeting without notice due to the applicant sustaining an injury and was unable to appear).**

Mr. Pellino confirms the notice is in order for this application and that the announcement was made at the December 5th meeting that it would be carried without further notice.

Mr. Pellino swears in Joseph Del Greco of 134 MacArthur Drive.

Mr. Duffy – Would you explain to the Board what it is you would like to do.

Mr. Del Greco explains that he would like to put a concrete patio in the rear of his house roughly eight feet by twenty five feet.

Mr. Duffy – So you are seeking two variances one for maximum accessory coverage and the other is maximum lot coverage.

Mr. Paparozzi comments that the date of the survey that was used for the denial letter is older than the one that was provided to the Board which is a new survey.

There are no questions from the members of the Board.

Mr. Schilp makes a motion seconded by Ms. Murray to open to the public. All in favor – YES.

Mr. Duffy – Having seen none.

Ms. Murray makes a motion seconded by Mr. Schilp to close to the public. All in favor – YES.

Mr. Schilp makes a motion seconded by Mr. Tokosh to approve the application.

Roll call - Ms. Murray, Mr. Mazzer, Mr. Schilp, Mr. Tokosh, Mr. Burbano, Mr. Champy, Mr. Duffy – YES.

B.) Priscilla E. Rotondo, 722 Saddle River Road, Block 1602, Lot 7

Applicant requests a 25' x 9' gravel driveway that does not conform to the zoning ordinance for the Township of Saddle Brook, as it exists today.

Mr. Pellino confirms that the notice is in order for this application and that they may proceed.

Mr. Pellino swears in Priscilla Rotondo of 722 Saddle River Road.

Mr. Duffy – What is it you would like to do?

Ms. Rotondo – In our front yard we would like to level and cover an area 25 feet by 9 feet with four inches of crushed stone and four inches of pea stone in order to park a vehicle. We have five legal drivers living in the house and a four car driveway. We live on Saddle River Road and you can't park on the street and a lot of times we shuffle around and park on the side street which we can't do during the snow so that's why we would like to have this extra space for a vehicle.

Mr. Duffy – Has this already been done?

Ms. Rotondo – What happened is we started it because we had applied for the permit and we were denied. The letter of denial was for a driveway and we considered that to be a macadam driveway not stone so we did start doing the job and then we stopped and now here we go.

Mr. Duffy – So it's not complete.

Ms. Rotondo – No.

Mr. Duffy – Mr. Paparozzi do you have any questions?

Mr. Paparozzi – There were no engineering but there is a surveying issue Chairman. If you look at the proposal the proposed gravel parking spot is nine feet by twenty or eight by twenty five but twelve feet is on Township property. You can see the property line and Ms. Rotondo you have the gravel going up to the sidewalk. The Township owns twelve feet past the sidewalk that is the property line so actually you're twenty five feet should begin further back. Even though you have access to the street right now for example if the County widened the road ten feet you would only have an eight by six.

Ms. Rotondo – The County already did that. They took ten feet of our yard.

Mr. Paparozzi – Right now I'm using your survey twelve feet from the sidewalk is to the property line. Technically if you park there you'll be parking even though it's before the sidewalk that's still on Township property it's actually on Saddle River Road so you should start your gravel twelve feet past the sidewalk.

Ms. Rotondo – Twelve feet past the sidewalk?

Mr. Pellino – They can get approved through the County right this is part of the County right of way.

Ms. Rotondo – Our existing driveway is up against the sidewalk also.

Mr. Paparozzi – That's right you have access to the road any road you have access to but you have eighteen feet of asphalt driveway to put a car and that's what you need.

Mr. Mazzer – Yeah you're not supposed to park on Township property.

Mr. Pellino – Is it Township property or a County right of way?

Mr. Paparozzi – It's a county road.

Mr. Pellino – So it's a county right of way.

Ms. Rotondo – I don't understand I really don't. I didn't see anything on that survey that said we had to be twelve feet from the sidewalk.

Mr. Paparozzi – An easy way to do it is if you look at your back fence and you pull a hundred twenty five feet you'll see you're twelve feet from the sidewalk. You see how I highlighted it in red that's your property line.

Mr. Paparozzi shows Mr. and Mrs. Rotondo on the survey where their property line is and explains to them that they would need to extend the gravel driveway another twelve feet onto their property as they are allowed to access their property by way of the gravel driveway that they began to install but they are not permitted to park on the area that is the county right of way.

Ms. Rotondo – What you're saying is the gravel can go from the sidewalk.

Mr. Burbano – Yes all the way back but you have to add twelve feet because technically you need the size of the parking spot on your property. You're allowed to have the gravel driveway as the right of way to that parking spot.

Ms. Rotondo – So what we already did that gravel can stay.

Everyone – Yes.

Ms. Rotondo – We just have to make it longer.

Mr. Paparozzi – Yes.

There is some more discussion and explanation about the driveway and the applicant and Board members understand what needs to be done.

Ms. Rotondo tells the Board that she only wants to do gravel and has no intention of paving it.

Mr. Duffy – What I just want to be clear on is that the County doesn't need to be involved we're not inviting anything else in this. We can approve the extension on her property but we have nothing to do with her property to the road.

Mr. Pellino – What I understand what we're granting is permission to build a gravel driveway twelve foot back from her property line.

Mr. Mazzer – Curbs, aprons and sidewalks are all done by the homeowner so the Town doesn't do that.

Ms. Rotondo – That curb is shot so.

Mr. Pellino – Does that create any other variances Mr. Paparozzi?

Mr. Paparozzi – I have to assume that Mr. Ambrogio went eight by twenty five and used it on their property otherwise it would not be a space. I assume when he did the eight by twenty five he included it on their property or it would only be eight by eight.

Mr. Burbano – I just want to make sure it's on record and they understand that we're only approving the gravel on your property the gravel on between on the County property they come after you, you can't say I went in front of the Zoning Board that has nothing to do with us but we'll never enforce that either.

Mr. Paparozzi – The County allows you to go to the road.

Mr. Pellino – But again that's not for us to give permission.

Mr. Paparozzi – They have to allow you access to your property.

There are no other questions and Mr. Duffy asks for a motion to open to the public.

Ms. Murray makes a motion seconded by Mr. Schilp to open to the public. All in favor – YES.

Mr. Duffy – Having seen none.

Ms. Murray makes a motion seconded by Mr. Schilp to close to the public. All in favor – YES.

Mr. Schilp makes a motion seconded by Ms. Murray to approve the application with the stipulation that the nine by twenty five foot driveway starts from the property line.

Roll call - Ms. Murray, Mr. Mazzer, Mr. Schilp, Mr. Tokosh, Mr. Burbano, Mr. Champy, Mr. Duffy – YES.

6. RESOLUTIONS

A.) Approval for Monzer Khalil, 279 John Ochs Drive, Block 1403, Lot 35

Ms. Murray makes a motion seconded by Mr. Schilp to approve the resolution.

Roll call - Ms. Murray, Mr. Mazzer, Mr. Schilp, Mr. Burbano, Mr. Duffy – YES.

B.) Approval for Jackie Logerfo, 20 Miller Street, Block 517, Lot 11

Mr. Schilp makes a motion seconded by Ms. Murray to approve the resolution.

Roll call - Ms. Murray, Mr. Mazzer, Mr. Schilp, Mr. Tokosh, Mr. Duffy – YES.

7. MINUTES

Meeting of December 5, 2022 Regular Meeting

Ms. Murray makes a motion seconded by Mr. Schilp to read and file. All in favor – YES.

8. COMMUNICATIONS

Anthony Kurus to the Zoning Board, 12/09/22 (722 Saddle River Road)
Zoning Board of Adjustment Secretary to the Zoning Board Annual Report

Mr. Duffy asks if there are any recommendations in regard to the Secretaries annual report.

Ms. Murray – I think we should look at how much we always approve and see if there's a better number for some of the people that are one percent over it's expensive for what they're going to do. If we can move the accessory up and the building coverage up a little bit. We're approving everything at fifty percent and plus so I for some reason I think it's kind of odd to keep it at twenty six and eighteen.

Mr. Schilp – It's time to update some of the measurements.

Mr. Duffy – We can recommend to the Council so then what I would ask is we do not have to memorialize this this evening I'd like to do this in February and we can take the time to take a good look at it make recommendations and discuss it at our February meeting and then we'll make a recommendation to the Council if there's something that we see needs changing. After looking at a simple thing of Del Greco's if you went and look at the property what he's doing and he went through all of that for this eight by twenty concrete slab in essence is all he's doing so there are probably a few here we that we should take a good look at. I don't want to rush into it and I think we should get the Council to take a good look at a few things.

Mr. Burbano – So you're saying lot coverage and accessory coverage.

Ms. Murray – Building coverage and accessory coverage when you add them up total lot coverage is going to go up but I think there's a place where we could probably go up a couple of percents here and there where we're always approving. Some of them need a new survey then you have the advertisements the letters that have to go out you start to look at the cost involved.

Mr. Paparozzi – But some of the costs are as you know there's no planner's fee there's a set fee for the engineer some of the drawings are hand drawn they're no' even architectural drawings so I mean you go to another town it's going to cost them twenty thousand they come to Saddle Brook it costs them three hundred fifty dollars.

Mr. Barrale - Seven hundred.

Mr. Paparozzi – Seven hundred but still you're twenty thousand in Paterson to seven hundred in Saddle Brook.

Ms. Murray – We're constantly going over eighteen percent for accessory coverage.

Mr. Mazzer – So then you have to come to the Board. You start raising that up and you're going to end up like Garfield.

Ms. Murray – We don't turn it down we don't say no.

Mr. Mazzer – You have that option you might say no.

The Board discusses and debates the various issues regarding zoning such as the lot coverage percentage, parking requirements, updating the zoning map, the codification of the zoning code and all the costs associated with an application. There are comparisons made with what other towns have in their codes.

Mr. Duffy asks that the Board take the next few weeks to look at the report and finalize it at the next meeting. He is in favor of changing the requirement that the survey be no less than five years old to three years.

Mr. Duffy – So going on the communications then the first communication a motion to read and file.

Mr. Schilp makes a motion to read and file the report from Anthony Kurus the Engineer seconded by Ms. Murray. All in favor – YES.

Mr. Duffy – The annual report will be tabled until the February meeting at which point we'll decide if there's any recommendations we feel to go forward with to the Council.

9. VOUCHERS

Basile Birchwale & Pellino, 12/01/22, Budz Prime, 243-253 Route 46, Block 120, Lot 5 \$500
Basile Birchwale & Pellino, 12/01/22, Galluzzo, 576 Spruce Avenue, Block 1705, Lot 12 \$250
Neglia Engineering Assoc., 12/13/22, Budz Prime, 243-253 Route 46, Block 120, Lot 5 \$760
Paparozzi Associates Inc., 1/24/22, Hufscape II, 326 Rt. 46 & 331 10th St., Blk 118, Lots 2&3 \$502.50

Mr. Schilp makes a motion seconded by Ms. Murray to pay if the funds are available. All in favor – YES.

10. OPEN AND CLOSE MEETING TO THE PUBLIC

Ms. Murray makes a motion seconded by Mr. Schilp to open to the public. All in favor – YES.
Mr. Duffy – Hearing none.
Ms. Murray makes a motion seconded by Mr. Schilp to close to the public. All in favor – YES.

11. ADJOURN

Mr. Duffy – Mr. Burbano is now a full member of the Board and Mr. Champy is now first alternate I did go to the Council on two occasions to have other alternates chosen. I took it upon myself to ask somebody the Town Council gave me permission to go ahead they said if you’ve got somebody go ahead. I did talk to Karen Nobile and she has accepted so we are in the process now. She will not be able to be appointed until the February Council meeting. She wouldn’t be coming in until March and that will give us a second alternate. I did speak to Mr. Cimiluca he was at the Fireman’s Dinner the other night.

Mr. Schilp – They talked to a couple of guys there because they asked me what to do I told them what it is and what they have to do and it’s up them if they want to step up or not.

Mr. Duffy – That came out of a conversation because Joe Calvitti who was a long time fireman in town who sadly passed away and so we thought since it came through the Fire Department we would do it again that way. If anybody on the Board has a suggestion because the ordinance allows us to carry four alternates so if somebody has someone let’s put it up for discussion and we can share it with the Council and see what they’re going to do.

Mr. Duffy - Do we have a motion to adjourn?

Ms. Murray makes a motion seconded by Mr. Schilp to adjourn. All in favor – YES.

Meeting adjourned at 7:58 pm.

Respectfully submitted,

Frank Barrale
Zoning Board Secretary