

**BOROUGH OF PARK RIDGE
PLANNING BOARD
JULY 10, 2024 8:00PM
REGULAR MEETING MINUTES**

The Public Meeting of the Planning Board of the Borough of Park Ridge was held on the above date.

Chairman Mital stated that the meeting was being held in accordance with the Open Public Meetings Act, P.L. 1975, Chapter 231. He then asked everyone to stand and recite the Pledge of Allegiance.

Roll Call Board:

Chairman Ray Mital	Present
Vice Chairman Peter Von Bradsky	Present
Mayor Keith Misciagna	Absent
Councilman Greg Hoffman	Present
Ms. Jessica Mazzarella	Absent
Mr. Mark Bisanzo	Absent
Mr. Mark Cristaldi	Present
Mr. Donald Schwamb	Present
Mr. Marc Weinberg	Present

Also Present:

Mr. Robert Ferraro	Board Attorney
Mr. John Dunlea	Board Engineer – Neglia Engineering
Mr. Nicholas Dickerson	Board Planner – Colliers
Ms. Tonya Janeiro	Board Secretary

Open to the Public for Non-agenda Items

No questions / comments from any members of the public.

Approval of Minutes

The minutes of June 12, 2024 were approved on a motion from Mr. Weinberg, seconded by Vice Chairman Von Bradsky and carried by all members eligible to vote.

Continued Application

PB24-1
Yana Hanessian
146 Fremont Avenue
Block 901 / Lot 27
Minor Sub-Division

This hearing is a continuation of the May 29, 2024 special meeting and April 10, 2024 regular meeting.

Mr. Bisanzo has recused himself from this application.

Attorney, Mr. Matthew Capizzi from the law firm of Capizzi Law was present as the attorney for the applicant. The applicant is Ms. Yana Hanessian.

Previous / New Exhibits from the applicant were marked as follows:

- Exhibit A-1 1962 Tax map (previously marked on 4/10/24).
- Exhibit A-2 Planning Board application received May 17, 2024.
- Exhibit A-3 Four sheets of revised plans dated 5/7/24 from Costa Engineering Corporation - Title sheet / area map / property owners, preliminary and final minor sub division plans, boundary and topographic survey and construction details.
- Exhibit A-4 Seven sheets of plans dated 8/10/13 and revised 8/5/15 from Bella Studios and Mr. Bruno Cividini, PE pertaining to the 2015 construction at 146 Fremont Avenue.
- Exhibit A-5 Final plat of major subdivision dated 7/20/1990.
- Exhibit A-6 County of Bergen Department of Planning and Engineering approval dated April 10, 2024.
- Exhibit A-7 Planning Board resolution dated 8/12/15.
- Exhibit A-8 Colorized copy of site plan (Exhibit A-3 Sheet 2 of 4).
- Exhibit A-9 Zoning permit for 146 Fremont Avenue dated 8/24/2015 signed by Mr. Robert Ludwig.
- Exhibit A-10 Certificate of Occupancy for 146 Fremont Avenue dated 3/15/2023 signed by Mr. Keith Dalton.
- Exhibit A-11 Sight Distance Study dated 5/30/2024.
- Exhibit A-12 Resolution for the matter of Park Heights Homes Subdivision.

The subject property is located at 146 Fremont Avenue. The property has frontage on Fremont Avenue and Dibella Drive. A single-family home currently sits on the lot. The applicant is seeking to subdivide an existing lot into two lots. Proposed lots 27.01 and 27.02. Proposed lot 27.01 would contain the existing dwelling, while proposed lot 27.02 could contain a new single-family dwelling.

Mr. Robert L. Costa, the applicant's engineer from Costa Engineering Corporation in Hackensack, New Jersey, was previously sworn in by Mr. Ralph (Board Attorney) on April 10, 2024 to offer testimony.

Mr. Costa went over Exhibit A-11. He explained the definition of sight distance and how it's calculated. He spoke about the AASHTO standards and how they recommend a cul-de-sac be treated as an intersection.

The speed limit is not marked on DiBella Drive. Therefore, the speed is 25 mph.

Mr. Costa said his applicant meets the sight distance, according to AASHTO. He believes the location of this driveway will not affect any neighbors and will not pose any safety concerns.

Mr. Costa went over the sight triangle and read the definition from Chapter 87-4 in the Park Ridge Borough Code.

Mr. Costa said there are no reasons to modify any obstructions on any of the surrounding properties.

Mr. Dunlea asked Mr. Costa to confirm that there is adequate sight distance from the street trees located on the front of Lot 41. Mr. Costa said yes.

Mr. Costa spoke about the AASHTO sight distance right turn to stop being at 240 ft. He believes that 240 ft. is a conservative number. The grading of the road was considered for all measurements.

Vice Chairman Von Bradsky questioned the existing trees, the existing fence on the neighbor's property, and the sight triangle. Mr. Costa said the fence on the neighbor's property is behind the line of sight and would not apply.

Mr. Capizzi said that no improvements on any adjacent properties will need to come down. The requirements for the sight triangle are in the ordinance. The neighbor's fence is in the sight triangle, but it does not affect the sight distance.

Mr. Costa used previously marked Exhibit A-8 to answer Vice Chairman Von Bradsky's question.

Mr. Dunlea confirmed that the sight distance is correct, according to AASHTO.

There are no sidewalks in the development.

The Vice Chairman asked about who owned specific trees shown on the plans. Mr. Costa said those trees belong to the applicant.

It was asked if the neighbor tried to put up trees or a fence, would it affect the sight distance. Mr. Costa said no.

Public Questions to be Asked of Mr. Costa

Attorney Mr. Arthur Neiss from Beattie Padovano is the attorney representing Mr. and Mrs. Lizzi at 3 Dibella Drive.

Mr. Neiss spoke about Mr. Dunlea's review letter, mentioning the safety of backing out of the proposed driveway. Mr. Neiss asked if that was a condition of the resolution and how it could be enforced. Mr. Costa answered that they could be issued a summons.

Mr. Neiss asked if there were any parking restrictions. Mr. Costa said there are none.

A conversation took place regarding where cars could park on DiBella Drive and if it would hinder the line of sight in any way. Mr. Costa does not believe that parking anywhere on DiBella Drive would raise any unsafe conditions with the proposed driveway.

Mr. Neiss asked if you could even reach 25 mph on DiBella Drive. Mr. Costa said probably not.

A conversation took place by all members and professionals present regarding the sight triangle easements as mentioned in Park Ridge Borough Code §87-4. Mr. Capizzi said that they are asking for a waiver from the sight triangle. The code

mentions a sight triangle easement. Mr. Dunlea said he does not recall ever seeing a sight triangle easement on any property in the borough and that nowhere in the code does it say that there has to be a sight triangle on a residential property.

Mr. Neiss asked if a profile view was submitted according to code 87-43 C (4) (b) 1 to the borough engineer. Mr. Ferraro said that applies to a site plan review only and would not be required for this application.

Mr. Mike Pantoliano - 1 Dibella Drive

Mr. Pantoliano said there are street trees blocking the line of sight. Mr. Costa does not agree. Mr. Pantoliano asked if he thinks another survey should be required. Mr. Costa said no.

Mr. Andrew Lorenz - 6 Dibella Drive

Mr. Lorenz asked the difference between the town ordinance and AASHTO standards. Mr. Costa said he already testified to this, and 87-43C is not applicable in this case.

Mr. Dunlea explained the two different standards. Mr. Capizzi said that our site complies.

Mr. Capizzi said we are only before this board for a sub-division. We could put in a driveway today if we wished.

Mr. Will Fenwick – 3 Rock Court

Mr. Fenwick commented that he is an attorney but is at this hearing as a resident only.

Mr. Fenwick referenced NJSA 40:55D-40.2 and how it pertains to this application regarding public health and safety.

Mr. Fenwick said we have not heard from the Park Ridge Police Department or the Park Ridge Fire Department regarding reviews of the most recent submitted plans. Ms. Janeiro said we have received reviews, there were no issues raised.

Mr. Fenwick said he hasn't heard of any property in town that they are not permitted to back out of.

Mr. Fenwick spoke about flag lots and the Master Plan.

Chairman Mital asked Mr. Dunlea to speak about backing out of the proposed driveway. Mr. Dunlea said it was recommended that there be space provided in the driveway to turn around, so the resident is not backing out of the driveway. Mr. Capizzi said we met the AASHTO standard and exceeded the requirements.

Attorney Mr. Arthur Neiss from Beattie Padovano is the attorney representing Mr. and Mrs. Lizzi at 3 Dibella Drive. Mr. Neiss has a total of three witnesses. Mr. Lizzi, a planner and a fire expert.

Mr. Carmine Lizzi, owner of 3 Dibella Drive, was sworn in by Mr. Ferraro.

Mr. Neiss asked if a fence permit was obtained for the existing fence. Mr. Lizzi said yes.

Mr. Lizzi spoke about the following:

Owning the home for 26 years and why he and his wife purchased the home.

The Master Plan and Open Space Plan and how the proposed sub-division and new home do not fit in with either plan.

The proposed driveway will be outside his bedroom. He is concerned about the noise and lights from the new home.

The new proposed home, at 42,000 sq. ft., will be the largest home on the block.

The newly paved road.

The water table issues.

Flag lots and how the Master Plan prohibits them.

The water flow on the street and around his property.

Exhibit Lizzi-1 was marked. 17 photographs.

Mr. Lizzi described all photographs in Exhibit Lizzi-1.

Mr. Lizzi showed photographs from Nearmap showing the applicant's property from October 9, 2014, July 25, 2019 and March 21, 2023. The photographs show the progression of the tree removal on 146 Fremont Avenue. He submitted an OPRA for the tree removal permits, but none were on file.

Exhibit Lizzi-2 was marked. 7 photographs.

Exhibit Lizzi-3 was marked 4 photographs.

Mr. Lizzi said the Borough Code and the Master Plan are there for a reason. He said there has been no home on the property for 40 years, why does there need to be a home there now?

Vice Chairman Von Bradsky asked about Mr. Lizzi's side yard set-back.

Vice Chairman Von Bradsky asked if this home was to be built and if he would take down his 6 ft. fence. Mr. Lizzi said he doesn't believe he should have to. Mr. Neiss said he wouldn't have to. Vice Chairman Von Bradsky said it would be helpful due to the site distance.

Chairman Mital asked who told the Lizzi's they could not build any more homes on DiBella Drive. Mr. Lizzi said he can't say for sure, but he believes it was the builder of his home, Mr. Lou Chiellini.

Public Questions to be Asked of Mr. Lizzi

Mr. Capizzi – Attorney for the applicant.

Mr. Capizzi asked about the other neighbor's driveways.

Mr. Capizzi commented that before DiBella Drive was constructed, Mr. Lizzi's property had the same orientation as the applicant's lot. Some discussion took place regarding the size of Mr. Lizzi's lot and the applicants. Mr. Capizzi said the applicant's lot is larger than Mr. Lizzi's.

Mr. Mike Pantoliano, owner of 1 DiBella Drive, was sworn in by Mr. Ferraro.

Mr. Pantoliano said he purchased his home in 1998 from Ricky Saper. He was the excavator for Mr. Chiellini. Both of those men told him that another home could not be built on DiBella Drive.

Exhibit A-12 The resolution for the matter of Park Heights Homes Subdivision was marked.

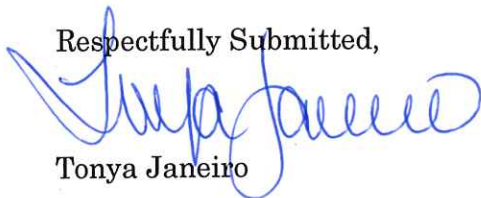
This application will be carried to the next Planning Board meeting on August 14, 2024 at 8:00 p.m. No additional notice will be required. Mr. Capizzi said he would send a letter to Ms. Janeiro consenting to the extension of time.

Board Discussion

No Board discussion took place.

The meeting was adjourned on a motion from Mr. Cristaldi, seconded by Councilman Hoffman, and carried by all.

Respectfully Submitted,



Tonya Janeiro