

**BOROUGH OF PARK RIDGE
ZONING BOARD
APRIL 20, 2021
VIRTUAL REGULAR MEETING MINUTES**

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

Chairman Pantaleo stated that the meeting was being held in accordance with the Open Public Meetings Act.

Chairman Pantaleo asked everyone to stand and recite the Pledge of Allegiance.

ROLL CALL BOARD:

Mr. Steve Clifford	Present
Mr. Mike Curran	Present
Ms. Jamie De Martino	Absent
Mr. Jake Flaherty	Present
Mr. Frank Pantaleo	Present
Dr. Gregory Perez	Present
Mr. Jeff Rutowski	Present
Mr. Michael Brickman	Present

Also Present:

Mr. Brian Giblin - Attorney	Present
Ms. Tonya Tardibuono - Secretary	Present

APPROVAL OF MINUTES

The amended minutes of March 16, 2021 were approved on a motion from Mr. Flaherty, seconded by Mr. Clifford, and carried by all members eligible to vote.

RESOLUTIONS

Resolution #2021-7

#ZB 21-03

John Peles

33 Second Street

Block 808 / Lot 22

Inground Pool

A motion was made by Mr. Curran to approve the memorializing resolution. The motion was seconded by Mr. Flaherty and carried by a roll call vote as follows:

Mr. Mike Curran	Yes
Mr. Jake Flaherty	Yes
Mr. Michael Brickman	Yes
Chairman Frank Pantaleo	Yes

Resolution #2021-8

#ZB 21-04

Michael Korik
231 Vittorio Court
Block 2502 / Lot 8
Front Porch

A motion was made by Mr. Curran to approve the memorializing resolution. The motion was seconded by Mr. Flaherty and carried by a roll call vote as follows:

Mr. Mike Curran	Yes
Mr. Jake Flaherty	Yes
Mr. Michael Brickman	Yes
Chairman Frank Pantaleo	Yes

NEW APPLICAITONS

New Application

#ZB 21-05

Kristen & Manoj Abraham
57 2nd Street
Block 808 / Lot 18
Addition

The following people were sworn in by Mr. Giblin to offer testimony:

Manoj Abraham
57 2nd Street
Park Ridge, NJ 07656

Kristen Abraham
57 2nd Street
Park Ridge, NJ 07656

Proof of service is in order.

Mr. Abraham spoke about his application and what they are proposing to build on the property.

The home is located in the R-15 Zone. Chairman Pantaleo explained how Leach Avenue ends right next to their property.

The applicant is seeking the following variances:

Front yard setback and 6-foot fence on a corner lot.

Mr. Abraham explained where the existing chain link fence is located on their property. He stated that the fence needs repair as the fence is bent and disconnected from the tubing that holds the fence in place. Mr. Abraham commented that a new fence would look better and offer them more privacy. No determination on the material of the fence has been made.

Chairman Pantaleo spoke about visiting the home and seeing the applicants who explained to him what additions and alterations they are proposing for their home. The Abrahams explained how the back door and basement door are too close together and cause a hazard due to the location of the basement stairs. The second-floor addition is staying over the existing footprint.

Mr. Abraham said the remodel is driven by the needs of their growing family and now working from home.

Mr. Flaherty commented that the home across the street has the same type of remodel.

Dr. Perez commented that the property slopes down. He believes this is a favorable application. Mr. Clifford agrees.

Chairman Pantaleo said that the height of the fence can receive a variance without the known material of the fence. Chairman Pantaleo commented that the property next door is owned by the town and if they decide to clear cut the property, the applicants may want to consider a privacy fence.

Mr. Flaherty asked if Leach Avenue once went all the way through. Ms. Abraham said she spoke with Director of Operations, William Beattie and he said it was once a dirt road.

Ms. Tardibuono said the town was willing to vacate the street, but there was time constraint and a large cost involved.

Mr. Rutowski and Chairman Pantaleo spoke about the hardships the applicant has due to the property being a corner lot, the shape of the property, the property terrain and the town owning the adjacent property.

Ms. Abraham commented that they have a hardship due to the property being a corner lot and the adjacent property being owned by the town.

Chairman Pantaleo asked if any of the public had questions. There were no questions or comments.

The hearing was closed and the Board will discuss the application.

A short discussion was had by all members present. Chairman Flaherty said this is a straightforward application and explained the reasons why. He said he feels this application allows enhancements only to the property, no property detriments.

Mr. Giblin will draft a resolution that will be voted on at the next Board of Adjustment meeting.

A motion was made by Mr. Clifford to grant the requested variances. The motion was seconded by Dr. Perez, and carried by a roll call vote as follows:

Mr. Steve Clifford	Yes
Mr. Mike Curran	Yes
Mr. Jake Flaherty	Yes
Dr. Gregory Perez	Yes

Mr. Jeff Rutowski	Yes
Mr. Michael Brickman	Yes
Mr. Frank Pantaleo	Yes

New Application

#ZB 21-06

Susan Fazio

23 Ruth Place

Block 702 / Lot 8

Covered Porch

The following people were sworn in by Mr. Giblin to offer testimony:

Susan Fazio
23 Ruth Place
Park Ridge, NJ 07656

Lou Chiellini
22 Ruth Place
Park Ridge, NJ 07656

Attorney, Mr. Bruce Dexter was present as the attorney for the applicant.

Proof of service is in order.

The applicant is seeking the following variances:

Front yard setback and maximum building coverage

Mr. Dexter spoke about the application and the addition of a new porch on a single-family home.

Ms. Fazio spoke about the home having a couple of additions many years ago. She commented that she would like to be able to sit on the front porch and relax. She said her current landscaping is overgrown and she will be updating the landscaping once the porch construction is completed.

Mr. Chiellini is both the neighbor and builder for this application. He described the proposed porch. He said the roof will completely cover the porch.

Dr. Perez asked how high off the ground the porch will be. Mr. Chiellini said three steps and a landing, 24 ft.

Chairman Pantaleo asked why the applicant didn't propose a larger porch. Mr. Chiellini said they are not changing the stairs and they did not want to have to go for a larger variance.

Mr. Rutowski commented that a 3.4% building coverage variance is minimus.

Chairman Pantaleo asked if any of the public had questions. There were no questions or comments.

Chairman Pantaleo believes this is a good application with the changes fitting in well with the neighborhood.

Mr. Rutowski asked questions about the roof line of the porch.

The hearing was closed and the Board will discuss the application.

A short discussion was had by all members present.

Mr. Giblin will draft a resolution that will be voted on at the next Board of Adjustment meeting.

A motion was made by Mr. Rutowski to grant the requested variances. The motion was seconded by Mr. Flaherty, and carried by a roll call vote as follows:

Mr. Steve Clifford	Yes
Mr. Mike Curran	Yes
Mr. Jake Flaherty	Yes
Dr. Gregory Perez	Yes
Mr. Jeff Rutowski	Yes
Mr. Michael Brickman	Yes
Mr. Frank Pantaleo	Yes

BOARD DISCUSSION

No Board discussion took place.

The meeting was adjourned on a motion from Mr. Flaherty, seconded by Mr. Rutowski, and carried by all.

Respectfully Submitted,



Tonya Tardibuono

Resolution # 2021-7
Application # ZB21-07
ZB 4-20-21

BOROUGH OF PARK RIDGE
ZONING BOARD OF
ADJUSTMENT RESOLUTION

WHEREAS, JOHN and VIOLA PELES (hereinafter referred to as "Applicant"), being the owner of premises known as 33 Second Street, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 22 in Block 808 on the Tax Assessment Map for the Borough of Park Ridge, applied to the ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE (hereinafter referred to as "BOARD"), seeking variances for impervious coverage and an insufficient rear yard setback to allow the construction of a deck and pool in the rear yard;

WHEREAS, the premises are located in the R-15 Residential Zoning District as same is defined by the Zoning Ordinance of the Borough of Park Ridge; and

WHEREAS, the BOARD has received the exhibits and documents with respect to this application as more particularly set forth on the list attached hereto and made part hereof; and

WHEREAS, the BOARD held a hearing in connection with the application, upon due notice as required by law, on March 16, 2021; and

WHEREAS, the BOARD has carefully considered the application and all evidence and testimony submitted in connection therewith; and

WHEREAS, the BOARD voted to approve the aforesaid application following the close of the public hearing thereon on March 16, 2021, and the within resolution is a memorialization of said approval pursuant to N.J.S.A. 40:55D-10g(2);

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE that the BOARD hereby makes the following findings of fact:

1. Applicant is the owner of premises located at 33 Second Street in the Borough of Park Ridge, also known and designated as Lot 22 in Block 808 on the Tax Map of the Borough of Park Ridge, a non-conforming lot containing 9,995 sq. ft. (15,000 square feet required) with a lot width of 100 feet (100 feet required) and a lot depth of 100 feet (150 feet required) and currently improved with an existing single family two story residential structure.
2. The Applicant proposes to replace a thirty year old deck and install an in-ground pool in the rear yard.
3. The Applicant testified that, while a standard pool size is sixteen (16') feet by thirty four (34') feet, they are proposing a pool which is ten (10') feet by twenty two (22') feet in order to mitigate the variance required.
4. Pursuant to its review of the application, the Board Engineer issued a letter dated February 12, 2021. According to the Board Engineer, the following variances are required for this application:

	<u>Required</u>	<u>Proposed</u>
Minimum Lot Area	15,000 square feet	9,995.00 square feet
Minimum Lot Depth	150 feet	100 feet
Minimum Rear Yard	45 feet	40.3 feet
Maximum Impervious Coverage	35%	39.1%
Maximum Floor Area Ratio	30%	37.60%
Maximum Accessory Structure Setback (pool)	20 feet	15 feet

5. The Board Engineer also detailed numerous other requirements for the Applicant to comply with, as follows:

- Any import or export of soil to/from the site will be subject to the submission of a Soil Movement Application. A soil movement application shall be submitted if this variance application is granted approval. The Applicant shall note that the soil movement application contains specific checklist items that require submittal for completeness and review. Therefore, additional engineering comments will be provided upon formal submittal of the Soil Movement Application.
- The plan shall include sufficient grading information to verify that positive drainage away from the pool is provided and to ensure that ponding along the pool areas will not occur. A grading plan shall be submitted for review.
- As per the engineering plans, the proposed improvement will result in a 970 square foot increase in site impervious coverage. These improvements do not classify the project as a "Major Development" as defined under the Stormwater Management Adopted New Rule: N.J.A.C.7:8 by disturbing less than an acre of land, and by not increasing the property's impervious coverage by more than a quarter acre. Therefore, as per standards established by the Borough of Park Ridge, the Applicant is required to accommodate the volume of stormwater runoff generated by two (2) inches of rainfall from the area associated with the net increase in impervious coverage. Based upon the submitted drainage calculations, the Applicant is proposing to construct a subsurface infiltration system which contains adequate capacity to comply with the above requirement. However, this item is subject to further review during the Building Department Application review process.
- At this time, the Applicant shall note that a percolation/permeability test shall be performed

in the vicinity of the proposed subsurface infiltration system prior to construction if granted all of the necessary approvals. The Applicant shall also locate the seasonal high ground water table to ensure a minimum depth of two feet below the bottom of the infiltration practice. The Board Engineer shall be notified a minimum forty-eight (48) hours in advance of this testing so that a representative of the Board Engineer's office may be present for this testing. The engineer-of-record, or a representative thereof, shall be present during percolation/permeability testing. In addition, the engineer-of-record shall submit a signed and sealed certification regarding the results of said testing. These tests may be performed after issuance of all required approvals, but prior to the installation of the infiltration system(s). However, the Board Engineer strongly recommends that the testing is performed as soon as possible to confirm the current design is feasible. Should on-site testing yield undesirable percolation/permeability rates, the Applicant may be required to provide an alternate design which does not rely on percolation (i.e. detention basin, closed chambers, etc.).

- Construction details of all proposed site related improvements shall be provided on the plans. This shall include sidewalls, driveways, curb, utility trench repaid, and ROW repair.
- The applicant shall protect any perimeter fencing, curbs, walkways, plantings, and walls on adjacent properties during construction. The Applicant shall be responsible for any damage to neighboring or public properties during the installation of proposed improvements. A note stating the same shall be provided.
- The Applicant shall illustrate the approximate locations for all existing and proposed water service, sanitary service, gas service, cable, electric and any other on-site utility lines.
- The location of all existing (6 inch in size or more at the base) and proposed trees shall be

noted on the plans. Any trees to be removed are subject to the review of the Shade Tree Commission.

- Any landscaping improvements must be depicted on the plans with a planting schedule indicating the species, quantity and planted size.

6. The applicant testified that the maximum depth of the pool will be five (5') feet and that the pool will be located so that the inner wall of the pool will be sixteen (16') feet from the rear property line and the pool coping will be fifteen (15') feet from the rear property line.

7. The applicant also testified that the proposed pool fencing shown on the plan will be a black aluminum picket fence. There will also be shrubs planted along the rear fence to buffer the rear yard from the adjacent property.

8. Upon questioning by the Board, it was determined that the location of the pool equipment (shown on plans as "pool unit") would require a variance since it would be visible from the street. The Board was not requested to consider that variance, and the Applicant must either screen the equipment from view or move it to another location where it will not be visible from the street.

9. The BOARD further finds that construction of the deck and installation of the pool as proposed will enhance the aesthetics of the appearance of the building and will promote a desirable visual environment. The BOARD finds and concludes that the benefits from the granting of variances for the proposed deck and pool outweigh any detriment pursuant to N.J.S.A. 40:55D-70 (c) (2).

By reason of the foregoing, the BOARD finds that a decision to grant the variances for the installation of the pool and deck, as set forth in the plans submitted with the application, will not result in any substantial detriment to the public good nor will same impair the intent and purpose of

the zone plan or Zoning Ordinance of the Borough of Park Ridge.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE, by virtue of the foregoing, and pursuant to the authority of N.J.S.A. 40:55D-70(c)(1) and (2), the BOARD does hereby grant the Applicant's requested variances so as to permit the construction of a deck and pool in the rear yard, as more particularly set forth in this resolution and as shown on the plans submitted to the BOARD.

Ayes: 4

Introduced by: Mike Curran

Nays: 0

Seconded by: Jake Flaherty

Dated: April 20, 2021

Approved: Frank Pantaleo

EXHIBIT LIST
BOROUGH OF PARK RIDGE ZONING BOARD

APPLICANT:
ADDRESS: 33 Second Street
BLOCK: 808 Lot 22
ZONE:

EXHIBIT:	ITEM NO.	DATE:
Application	1	1/21/2021
Denial of Application	2	12/18/2020
Survey (dated 8/31/2020)	3	1/21/2021
Series of three (3) photographs	4	1/21/2021
Conceptual Plan (dated 10/27/2020)	5	1/21/2021
Pool Site Plan (dated 11/12/2020)	6	1/21/2021
Neglia Review letter	7	2/12/2021

Resolution # 2021-8
Application # ZB21-04
ZB 4-20-21

BOROUGH OF PARK RIDGE

ZONING BOARD OF ADJUSTMENT RESOLUTION

WHEREAS, MICHAEL KORIK (hereinafter referred to as "Applicant"), being the owner of premises known as 231 Vittorio Court, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 8 in Block 2502 on the Tax Assessment Map for the Borough of Park Ridge, applied to the ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE (hereinafter referred to as "BOARD"), seeking a front yard variance to allow the construction of a covered front porch; and

WHEREAS, the premises are located in the R-15 Residential Zoning District as same is defined by the Zoning Ordinance of the Borough of Park Ridge; and

WHEREAS, the BOARD has received the exhibits and documents with respect to this application as more particularly set forth on the list attached hereto and made part hereof; and

WHEREAS, the BOARD held a hearing in connection with the application, upon due notice as required by law, on March 16, 2021; and

WHEREAS, the BOARD has carefully considered the application and all evidence and testimony submitted in connection therewith; and

WHEREAS, the BOARD voted approved the aforesaid application following the close of the public hearing thereon on March 16, 2021, and the within resolution is a memorialization of said approval pursuant to N.J.S.A. 40:55D-10g (2);

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE that the BOARD hereby makes the following findings of fact:

1. Applicant is the owner of premises located at 231 Vittorio Court in the Borough of Park Ridge, also known and designated as Lot 8 in Block 2502 on the Tax Map of the Borough of Park Ridge, a non-conforming lot containing 12,000 sq. ft. (15,000 square feet required) with a lot width of 120 feet (100 feet required) and a lot depth of 100 feet (150 feet required) and currently improved with an existing two story residential structure.

2. The existing house is set back 31.93 feet from the front lot line (30 feet required).

3. The Applicant proposes to build a covered front porch which will encroach 5 feet into the required front yard setback.

4. The Applicant testified that the house is located on a small cul-de-sac and there are many children from the neighborhood who play in the front yard.

5. The applicant further testified that there are other homes in the area that have similar porches.

6. Upon questioning by the Board, the applicant testified that the roof will not extend past the deck of the porch. In addition, the front steps are within the eight (8') foot depth of the porch and also will not project and further into the front yard setback.

4. The BOARD finds that by reason of the location of the existing house on the lot and the undersized lot area and depth, the strict application of the Zoning Ordinance to require a front yard setback of 30 feet would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the applicant pursuant to N.J.S.A. 40:55D-70(c) (1).

5. The BOARD further finds that construction of the covered front porch will enhance the aesthetics of the appearance of the building and will promote a desirable visual environment. The BOARD finds and concludes that the benefits from the granting of the front yard setback

variance for the proposed portico and new steps outweigh any detriment pursuant to N.J.S.A. 40:55D-70 (c) (2).

8. Moreover, the BOARD finds that:

- (a) the proposed covered front porch is open and does not impede the free passage of light and air,
- (b) that the house will be in keeping with the scale of the neighborhood, and
- (c) The proposed improvements are aesthetically pleasing and further the zoning purpose of maintaining the housing stock.

By reason of the foregoing, the BOARD finds that a decision to grant the variances from the required front yard setback will not result in any substantial detriment to the public good nor will same impair the intent and purpose of the zone plan or Zoning Ordinance of the Borough of Park Ridge.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE, by virtue of the foregoing, and pursuant to the authority of N.J.S.A. 40:55D-70(c)(1) and (2), the BOARD does hereby grant the Applicant's requested variance from the front yard setback requirements so as to permit the covered front porch, as more particularly set forth in this resolution and as shown on the plans submitted to the BOARD.

Ayes: 4

Nays: 0

Dated: 4-20-21

Introduced by: Mike Curran ^(D) Mike Curran

Seconded by: Jake Flaherty ^(D) Jake Flaherty

Approved Frank Pantaleo ^(D)
Frank Pantaleo

EXHIBIT LIST
BOROUGH OF PARK RIDGE ZONING BOARD

APPLICANT: ZB 21-04
ADDRESS: 231 Vittorio Court
BLOCK: 2502 LOT 8
ZONE: R-15

EXHIBIT:	ITEM NO.	DATE:
Application	1	1/29/2021
Denial of Application	2	11/24/2020
Survey (dated 7/13/15	3	12/20/2020
Plans (dated (11/19/2020)	4	12/20/2020