

**BOROUGH OF PARK RIDGE
ZONING BOARD
SEPTEMBER 21, 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 | Absent |
| Mr. Mike Curran | Present |
| Ms. Jamie De Martino | Present |
| Mr. Jake Flaherty | Present |
| Mr. Frank Pantaleo | Present |
| Dr. Gregory Perez | Present |
| Mr. Jeff Rutowski | Absent |
| Mr. Michael Brickman | Present |

Also Present:

| | |
|-----------------------------------|---------|
| Mr. Brian Giblin - Attorney | Present |
| Ms. Elena Rega – Secretary Backup | Present |
| Mr. John Dunlea – Engineer | Present |
| Mr. Nicholas Dickerson – Planner | Present |

APPROVAL OF MINUTES

The approved minutes of July 20, 2021 were approved on a motion from Dr. Perez, seconded by Ms. De Martino, and carried by all members eligible to vote.

RESOLUTIONS

RESOLUTION #2021-16

#ZB21-14

**Michael and Jacqueline Gardocki
2 Second Street
Block 607 / Lot 2
Detached Garage**

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

| | |
|-------------------------|-----|
| Mr. Michael Brickman | Yes |
| Mr. Mike Curran | Yes |
| Ms. Jamie DeMartino | Yes |
| Dr. Perez | Yes |
| Chairman Frank Pantaleo | Yes |

RESOLUTION#2021-17

#ZB21-11

Glen Shauer

74 S 5th Street

Block 1308 / Lot 3

Addition / Alteration

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

| | |
|-------------------------|-----|
| Mr. Michael Brickman | Yes |
| Mr. Mike Curran | Yes |
| Ms. Jamie DeMartino | Yes |
| Dr. Perez | Yes |
| Chairman Frank Pantaleo | Yes |

NEW APPLICATIONS

NEW APPLICATION

#ZB21-17

Steve Diani

72 Terrace Street

Block 1904 / Lot 6

Above Ground Pool

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

Steve Diani

72 Terrace Street

Park Ridge, NJ 07656

The applicants Steve Diani of 72 Terrace Street, Park Ridge, New Jersey was sworn in by Attorney Giblin.

Proof of service is in order.

The applicant is seeking the following variances:

Above Ground Pool from rear property set back footage. Does not meet 20 feet of property line.

Mr. Diani spoke about the proposed application and explained why he is seeking to install an above ground pool on his property and that it does not meet the 20 feet setback and is short 6 feet for the requirements. The property behind his yard is a gas station and a commercial property.

Chairman Pantaleo confirmed the requirements and current setbacks with the applicant. And asked the applicant about the rear yard elevations.

Mr. Diani spoke about the size of his lot which is 120 x 100. The rear yard is set back. He mentioned that his neighbor has a catch basin

NEW APPLICATION

#ZB21-16

Ellen Kramer

8 Frederick Court

Block 1203 / Lot 41

Addition / Alteration

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

Ellen Kramer

8 Frederick Court

Park Ridge, NJ 07656

Proof of service is in order.

The applicant is seeking the following variances:

Minimum rear yard set-back, maximum floor area ration, maximum gross floor area, decks, penc: maximum building height variances.

Mr. Giblin stated that the applicant is seeking a D Variance and would need 5 yes votes for the D Variance. Mr. Giblin mentioned to the applicant it would be beneficial to have all board members present. This evening there are only six members present.

Mrs. Kramer stated to Mr. Giblin she would like to proceed with only the six members.

Mrs. Kramer began by speaking to board that she would like to bump out the rear of her house by 5 feet and extend her deck. She would like to this to accommodate her children and grandchildren for holidays and events.

Chairman Pantaleo asked if Mrs. Kramer had any professionals available to speak on her behalf.

Mrs. Kramer said she reached out to her architect but he was away.

Mrs. Kramer spoke to the back of her property and the different elevation of the house and where the additional would be located would meet the farthest point of the existing house. The deck would also be extended.

Chairman Pantaleo asked if there was a plan to extend the basement.

Mrs. Kramer said no it would remain a crawlspace.

Mr. Dickerson asked how is landscape consistent with neighbors.

Mrs. Kramer said it was consistent with her neighbors.

Mr. Dickerson asked what is the extent of the renovation.

Mrs. Kramer said it was in the kitchen and dining room.

Mr. Dickerson asked if there is a landscape proposal?

Mrs. Kramer said no.

Mr. Dunlea mentioned that a soil moving review would be required and asked the applicant if there is a deed restriction.

Mr. Kramer said there is no deed restriction.

Mr. Dunlea asked if there is any fencing, curbs, walkways that would cause storm water runoff.

Mrs. Kramer said it is added to plans.

Mr. Dunlea said the proposal would increase site impervious coverage of 74 sq. feet and would not require any storage for water. Mr. Dunlea asked if any of the roof leaders and lighting to be moved.

Mrs. Kramer said just moving existing light.

Chairman Pantaleo asked if this D Variance poses positive or negative criteria. It is a Cul De Sac and why is this a necessity? Is this addition for the public good for the neighborhood?

Mrs. Kramer explains that her kitchen is too small compared to the rest of the house. If we redo the kitchen it would be existing size. Mrs. Kramer also said that her backyard is not usable. She would also like to enlarge dining room to have her family over for holidays. Mrs. Kramer said her house does not affect the neighborhood if she increases.

Chairman Pantaleo suggested that if applicant would consider an interior alteration to achieve a bigger kitchen and dining room.

Mrs. Kramer said it would not fit our needs and of our family, her four children and grandchildren.

Mr. Dickerson pointed out to page six of his review letter and to provide answers to his points.

Mrs. Kramer's answered each point by:

1. No impact
2. No effect on surrounding property
3. If necessary we can reduce size of deck
4. All houses on street are non-conforming and would not meet zoning regulations.

Chairman Pantaleo asked when was the zoning changed?

Mr. Curran said that if the zoning criteria changed that could be the hardship.

Mrs. DeMartino asked if this type of addition and criteria would meet the Borough master plan. Mrs. DeMartino is hesitant to approve if it goes against the master plan.

Chairman Pantaleo agrees with Mrs. DeMartino. Chairman Pantaleo mentioned it would serve the applicant to have had a professional testify on her behalf.

Mr. Giblin suggested maybe to carry this to next months meeting and have her architect present.

Mrs. Kramer agreed.

Chairman Pantaleo reminded applicant to please address all the questions and the why there would be a hardship and need of variance.

Dr. Perez asked the applicant if she would consider to do an interior alteration and reconstruction instead.

Mrs. Kramer said it would be difficult and cannot move supporting walls.

Mr. Flaherty said to applicant that it would be a minor fix to move supporting walls and have not negative impact.

Mrs. DeMartino spoke to the board and does not see evidence of hardship or positive and negative to support. Houses where built too large for properties and would over right the master plan.

Mr. Brickman stated the architect should be there.

Mr. Curran mentioned isn't the hardship created by change of zoning.

Mr. Giblin said not that would not be a hardship.

Chairman Pantaleo mentioned that the addition is not increasing a huge amount. But does not meet criteria for showing why it is needed based we would deny the application and the applicant would have to resubmit a different application.

Mrs. Kramer would prefer to reschedule.

Chairman Pantaleo said to applicant to make sure your testimony is why you have a hardship and this is beneficial and again mentioned to maybe change to an interior alteration instead.

It was agreed to move this application to next meeting and for applicant to have professional testify.

The meeting was open to the public for public comment and questions.

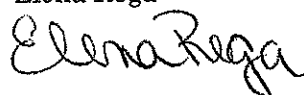
No one from public attended.

BOARD DISCUSSION

Chairman Pantaleo mentioned that Mr. Rutkowski might step back to do other commitments and to have Mr. Brickman step of from alternate. He also asked Mr. Flaherty if he wanted to continue as Vice Chairman. Chairman Pantaleo also wanted to continue with Virtual meetings to the end of the year.

The meeting was adjourned at 9:30 on a motion from Ms. DeMartino, Dr. Perez seconded by and carried by all.

Respectfully Submitted,
Elena Rega



Resolution #2021-16
Application #ZB-14
ZB 9-21-21

BOROUGH OF PARK RIDGE

ZONING BOARD OF ADJUSTMENT RESOLUTION

WHEREAS, MICHAEL and JACQUELINE GARDOCKI (hereinafter referred to as "Applicant"), being the owner of premises known as 2 Second Street, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 13 in Block 805 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 variance from the maximum detached garage size and height; and

WHEREAS, the premises are located in the R-20 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 July 20, 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 July 20, 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 2 Second Street in the Borough of Park Ridge, also known and designated as Lot 13 in Block 805 on the Tax Map of the Borough of Park Ridge, a non-conforming lot containing 29,070 sq. ft. (20,000 square feet required) with a lot width of 263 feet (110 feet required) and a lot depth of 153 feet (160 feet required) and currently improved with an existing single family residential structure.
2. The Applicant proposed to build a garage containing four hundred eighty four (484) square feet whereas only four hundred fifty (450) square feet is permitted. In addition, the initial proposal depicted a roof height of fifteen (15) feet whereas only twelve (12) feet in height is permitted.
3. The Applicant's witnesses testified that the property is oversized and already contains a two car garage which is proposed to remain.
4. The Applicant testified that the new garage will be used to house additional vehicles that the Applicant owns.
5. Upon questioning by the Board, the Applicant amended the proposal to reduce the size of the garage to 20' feet by 22.5', a total of four hundred fifty (450) square feet, which does not require a variance.
6. The Applicant also reduced the proposed height of the garage to thirteen (13') feet, or one (1') foot above the maximum permitted height. The Applicant's architect testified that the additional height was necessary to give the roof of the garage the proper pitch.
7. The BOARD finds that by reason of the oversized lot and the structures thereon, the strict application of the Zoning Ordinance to require a garage height of twelve (12') 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).

8. The BOARD further finds that construction of the garage, as modified during the hearing, 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 the variance outweighs any detriment pursuant to N.J.S.A. 40:55D-70 (c) (2).

9. Moreover, the BOARD finds that:

- (a) the proposed garage is in keeping with the nature of the lot which is oversized;
- (b) that the house and 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 maximum garage height 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 maximum garage height requirement so as to permit the thirteen (13') foot high garage, containing four hundred fifty (450) square feet, as more particularly set forth in this resolution and as shown on the plans submitted to the BOARD and as amended during the hearing.

Ayes: 5

Nays: 0

Dated: 9-21-21

Introduced by: Greg Perez (TT)
Seconded by: Mike Curran (TT)
Approved: Mike Curran
Frank Pantaleo (TT)
Frank Pantaleo 3

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APPLICANT: ZB 21-14
ADDRESS: 2 Second Street
BLOCK: 805 LOT 13
ZONE: R-20

| EXHIBIT: | ITEM NO. | DATE: |
|---|----------|-----------|
| Application | 1 | 6/08/2021 |
| Denial of Application | 2 | 5/06/2021 |
| Survey by Lantelme, Kurens & Associates, PC | 3 | 3/13/2020 |
| Elevations and Floor Plan by CD Drafting Concepts | 4 | 2/23/2021 |
| Site Plan by Albert Dattoli | 5 | 5/04/2021 |

Resolution #2021-17
Application #ZB-11
ZB 9-21-21

BOROUGH OF PARK RIDGE

ZONING BOARD OF ADJUSTMENT RESOLUTION

WHEREAS, GLEN SCHAUER AND LISA EVERSON (hereinafter referred to as "Applicant"), being the owner of premises known as 74 South Fifth Street, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 3 in Block 1308 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 front and rear yard setback yard variances to allow the construction of a two story addition and 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 July 20, 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 July 20, 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 74 South Fifth Street in the Borough of Park Ridge, also known and designated as Lot 3 in Block 1308 on the Tax Map of the Borough of Park Ridge, a non-conforming lot containing 8,793 sq. ft. (15,000 square feet required) with a lot width of 68.6 feet (100 feet required) and a lot depth of 128.03 feet (150 feet required) and currently improved with an existing single family residential structure.
2. The property is a corner lot and therefore has two (2) front yards.
3. The existing house is set back 20.8 feet from the Fernald Road front lot line (30 feet required).
4. The Applicant proposes to build a two story addition and porch to the east of the existing building (towards South Fifth Street) while maintaining the front yard setback of 20.8 feet along the Fernald Road frontage. The front yard setback from South Fifth Street will remain conforming.
5. The proposal also results in a rear yard setback of 14.1 feet whereas 45 feet is required. The Board notes that the existing rear yard setback is nonconforming at 23.1 feet.
6. The Applicant's witness also testified that the proposal will also add a garage which is a desirable feature for single family homes.
7. The BOARD finds that by reason of the location of the existing house on the lot and the non-conforming size of the lot, that the strict application of the Zoning Ordinance to require a front yard setback of thirty (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).

8. The BOARD further finds that construction of the addition 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 addition and porch outweigh any detriment pursuant to N.J.S.A. 40:55D-70 (c) (2).

9. Moreover, the BOARD finds that:

- (a) the proposed addition does not encroach any further than the existing house into the Fernald Road front yard setback;
- (b) the proposed improvements are aesthetically pleasing and further the zoning purpose of maintaining the housing stock.
- (c) the rear yard setback variance is not substantial and can be granted under N.J.S.A. 40A:55D-70(c)(2).

By reason of the foregoing, the BOARD finds that a decision to grant the a variance 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 requirement so as to permit the addition, as more particularly set forth in this resolution and as shown on the plans submitted to the BOARD.

Ayes: 5

Nays: 0

Dated: 9-21-21

Introduced by:

Greg Perry (H)
GREG PEREZ

Seconded by:

Jamie DeMartino (H)
JAMIE DeMartino

Approved

Frank Pantaleo (H)
FRANK Pantaleo 3

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| <p style="text-align: center;">EXHIBIT LIST</p> <p style="text-align: center;">BOROUGH OF PARK RIDGE ZONING BOARD</p> |
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APPLICANT: ZB 21-11
ADDRESS: 74 South Fifth Street
BLOCK: 1308 LOT 3
ZONE: R-15

| EXHIBIT: | ITEM NO. | DATE: |
|---|----------|------------|
| Application | 1 | 4/12/2021 |
| Denial of Application | 2 | 4/06/2021 |
| Plans by Joseph Bruno | 3 | 12/30/2020 |
| Survey by Lantelme, Kurens & Associates, P.A. | 4 | 12/28/2006 |