

**BOROUGH OF PARK RIDGE  
PLANNING BOARD  
NOVEMBER 13, 2019  
8:00PM  
REGULAR MEETING MINUTES**

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

Chairman Von Bradsky stated that the meeting was being held in accordance with the Open Public Meetings Act. He then asked everyone to stand and recite the Pledge of Allegiance.

**Roll Call Board:**

Chairman Peter Von Bradsky	Present
Mayor Keith Misciagna	Absent
Ms. Jessica Mazzarella	Present
Councilman Robert Metzdorf	Present
Mr. Mark Bisanzo	Present
Mr. Donald Browne	Present
Mr. Ray Mital	Present
Mr. Donald Schwamb	Present
Mr. Nick Triano	Absent
Mr. Stephen Jobst	Present
Mr. David Fasola	Absent

**Also Present:**

Mr. William Rupp	Board Attorney
Ms. Tonya Tardibuono	Board Secretary
Joseph Burgis – Burgis Associates	Board Planner (Left at 8:16 p.m.)

**Open to the public for non-agenda items**

No members of the public wishing to speak.

**Approval of Minutes**

The amended minutes of October 9, 2019 were approved on a motion from Councilman Metzdorf, seconded by Mr. Mital, and carried by all members eligible to vote.

**BOARD DISCUSSION**

**Reexamination Report**

Mr. Joseph Burgis led a discussion on the Master Plan Re-Examination Report. Mr. Burgis explained the changes that were made to the revised copy of the report and what changes on this report differ from the Master Plan. Mr. Burgis stated that this document is not a Master Plan, but a Master Plan Re-Examination Report.

A motion was made by Mr. Mital to adopt a Periodic Re-Examination Report of the Master Plan. The motion was seconded by Mr. Schwamb, and carried by roll call vote as follows:

Councilman Robert Metzdorf	Yes
Ms. Jessica Mazzearella	Yes
Mr. Mark Bisanzo	Yes
Mr. Donald Browne	Yes
Mr. Ray Mital	Yes
Mr. Donald Schwamb	Yes
Mr. Stephen Jobst	Yes
Chairman Peter Von Bradsky	Yes

#### RESOLUTION #2019-6

#PB19-03

Ernest Heller, Jr.

162 Spring Valley Road

A motion was made by Mr. Bisanzo to approve the minor subdivision. The motion was seconded by Councilman Metzdorf, and carried by roll call vote as follows:

Councilman Robert Metzdorf	Yes
Ms. Jessica Mazzearella	Yes
Mr. Mark Bisanzo	Yes
Mr. Donald Browne	Yes
Mr. Ray Mital	Yes
Mr. Donald Schwamb	Yes
Mr. Stephen Jobst	Yes
Chairman Peter Von Bradsky	Yes

#### Resolution #2019-7

#PB-19-04

Bears Nest

60 Earlshire Run

Block 103 / Lot 3 & 5

Site Plan Application

Board member Mr. Schwamb recused himself from this application.

Attorney Joseph Rizzi was present as the Attorney for the applicant. The applicant is Bears Nest Condominium Association, Inc. The General Manager of the Bear's Nest, Mr. Tony Herbert, was also present.

It is the Board's practice to not distribute resolutions prior to the hearing. Mr. Rizzi read the resolution upon his arrival at tonight's hearing and had some concerns about the resolution. In the resolution there is a condition that the trees be located no further than 40 feet apart and the caliber of the trees planted will be 3-3 ½ feet. Mr. Herbert stated that he doesn't believe the size of the trees will be an issue, but the amount and spacing of the trees may be an issue. Mr. Rupp stated that if the Board wishes to change a condition of the resolution they may do so, but this is not a public hearing, the applicant doesn't get to say he doesn't like the decision. Mr. Rizzi commented that he doesn't agree with some of the conditions in the resolution. Chairman Von Bradsky commented that we can table this so there can be collaboration between the professionals.

Mr. Rupp believes the resolution accurately reflects the Board's discussion. Mr. Rupp stated that there is a site plan ordinance that requires trees to be a minimum distance from each other and the applicant is asking for a waiver from that ordinance.

Mr. Rupp said while looking at the plans, that there was varying distances between the trees. Mr. Herbert commented that the trees were intended to be equally spread out.

Mr. Browne asked the Chairman if we could table this resolution for tonight, giving time for the professionals to talk.

The Board was in favor of tabling the resolution until our landscape expert can collaborate with their landscape architect.

Mr. Rupp stated that it has been the policy of this Board forever not to distribute resolutions. Resolutions not yet adopted are not subject to the Open Public Records Act and it's primarily to avoid this type of problem.

There were no members of the public wishing to speak.

A Board discussion took place about members being clearer with specific wants before a resolution is completed.

The Board spoke about private roads and paper streets located in town.

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

Respectfully Submitted,



Tonya Tardibuono

Resolution #2019-6  
Application #19-03  
PB11-13-19

**BOROUGH OF PARK RIDGE**

**PLANNING BOARD**

**RESOLUTION**

\* \* \* \* \*

**WHEREAS, ERNEST HELLER, JR.** (hereinafter referred to as "Applicant"), being the owner of premises known as 162 Spring Valley Road, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 1 in Block 802 on the Tax Assessment Map for the Borough of Park Ridge, applied to the PLANNING BOARD OF THE BOROUGH OF PARK RIDGE (hereinafter referred to as "BOARD"), seeking Minor Subdivision Approval to create two lots, Lot 1.01 and 1.02 and ancillary variances required therefor; and

**WHEREAS,** the BOARD held a hearing in connection with the application, upon due notice as required by law, on August 14, 2019 and October 9, 2019; and

**WHEREAS,** various documents were marked into evidence at the hearings held in connection with the Application, as more particularly set forth an Exhibit A, annexed hereto and made part hereof; and

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

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

1. Lot 1 in Block 802 is located in the R-20 single family residential zoning district and is currently improved with a single family dwelling and detached frame garage and several other accessory structures (e.g. sheds, work table, fencing, patio).

2. Lot 1 currently is 50,161 square feet in size (20,000 sf required) having a lot width of 205.58 feet (110 feet required), a street frontage along Spring Valley Road of 205.73 feet (83 feet required), and a lot depth of 267.34 feet (160 feet required). The existing one family house has a front yard setback as measured from Spring Valley Road of 143 feet (40 feet required), a rear yard setback of 60.9 feet (50 feet required), side yard setbacks of 65.8 feet and 41.8 feet, as measured from the northerly sideline of Musso Lane (22 feet each required), building coverage of 5.3% (2,672 sf) (maximum of 18% permitted), and impervious coverage of 11.9% (75,959 sf) (maximum of 40% permitted). The existing frame garage and one of the sheds are non-conforming in terms of setbacks. The existing dwelling width is 58 feet and is 35.1% of the lot width as measured from the northerly sideline of Musso Lane (maximum of 60% permitted).
3. The Applicant proposes to subdivide the existing lot into two lots. Proposed lot 1.01 would contain 23,484 square feet (note: the minor subdivision plan erroneously indicates 24,484 square feet) (20,000 sf required) and would have a lot width of 123 feet (110 feet required) and a street frontage along Musso Lane (a 25 foot wide private street) of 123 feet (83 feet required). The lot depth would be 165.92 as measured from the northerly sideline of Musso Lane (160 feet required). Proposed lot 1.02 would contain 26,677 square feet (20,000 sf required), the lot width would be 178.75 ft., as measured from the northerly sideline of Musso Lane (110 feet required), a street frontage along Spring Valley Road would be 178.90 feet, as measured from the northerly sideline of Musso Lane (83 feet required) and the lot depth would be 144.34 feet (160 feet required).
4. The resultant lot 1.02 would be vacant except for some fencing. Future development shall comply with the setbacks, dwelling widths, building height, building coverage,

impervious coverage and F.A.R. limitation. With respect to proposed lot 1.01, the existing dwelling will front on Musso Lane and have a front hard setback therefrom of 41.8 feet (40 feet required), side yard setbacks of 60.9 feet and 25.2 feet (22 feet required) and a rear yard setback of 65.8 feet (50 feet required). The building coverage would be increased from 5.3% to 11.38% (2,672 sf divided by 23,484 sf) (maximum of 18% permitted), impervious coverage (5,959 sf) would be increased from 11.9% to 25.37% (5,959 sf divided by 23,484 sf) (maximum of 40% permitted) and the dwelling width (40 feet) will be decreased from 35.1 % to 32.52% (maximum of 60% permitted).

5. The proposed lots 1.01 and 1.02 lie along a private right-of-way for ingress and egress as described in Deed Books 1079 page 258, corrected in Deed book 1098 page 471; and per Deed Books 1079 page 260 and 1079 page 261, commonly known as Musso Lane, being 25 feet wide and providing access to the subject premises from Spring Valley Road. Musso Lane extends from Spring Valley Road to a point bordered by Lot 3 and Lot 6 in Block 802 as shown on the current tax map of the Borough of Park Ridge.
6. In addition to providing access to the proposed Lots 1.01 and 1.02, Musso Lane provides access to lots 2, 21, 3 and 6 in Block 802.
7. Section 87-36(c), "Lots," of Article VIII, "Design standards for subdivisions," of Chapter 87, "Subdivision and Site Plan review," requires that "each lot must front upon an approved and improved street with a right-of-way width of at least 50 feet in width." In addition, Section 101-15 A, "Lot regulations" of Article V, "Supplementary Lot, Yard and Bulk Regulations," of Chapter 101, "Zoning," provides that "Every principal

building or structure shall be built upon a lot with at least the minimum required frontage upon an improved and approved street.”

8. N.J.S.A. 40:55D-35 provides, in part, that “no permit for the erection of any building...shall be issued unless the lot abuts a street giving access to such proposed building...” N.J.S.A. 40:55D-36 provides that where enforcement of the foregoing “would entail practical difficulty or unnecessary hardship...” the planning board (where subdivision approval is required) may “...vary the application of N.J.S.A. 55D-35 and direct the issuance of a permit subject to conditions that will provide adequate access for firefighting equipment, ambulances and other emergency equipment...”
9. The Applicant testified that the Borough of Park Ridge currently provides snowplowing of Musso Lane and provides for leaf pick-up and sanitation services for the properties along Musso Lane. The Applicant offered testimony that easements for sanitary sewers and PSE&G gas service currently exist within the private right-of-way of Musso Lane. The Applicant further testified that there is a municipal water line and municipal electric poles and overhead wires on Musso Lane.
10. The plans indicate that there is a partial macadam pavement along a portion of Musso Lane off of Spring Valley Road and a gravel driveway thereafter. The paved and gravel surface of Musso Lane is not, however, co-extensive with the private right-of-way of Musso Lane. The travel width along Musso Lane is marked by a stone border. The current travel way width within a portion of proposed lot 1.02 is restricted to a width of only 15 feet.
11. In order to maintain adequate access for firefighting equipment, ambulances and other emergency equipment, snow plows, sanitation trucks and leaf removal equipment, the BOARD finds that it is necessary to widen the existing paved or gravel width within

proposes lot 1.02 by moving the stone border to the northerly sideline of the right-of-way of Musso Lane and to restrict any additional structures or obstructions to be constructed, placed or planted within the right of way of Musso Lane within both proposed lots 1.01 and 1.02. The BOARD notes that the 10" cherry tree shown on the plans adjacent to Musso Lane is no longer there.

12. Subject to the aforesaid condition, the Board finds that Musso Lane provides adequate access for firefighting equipment, ambulances and other emergency vehicles, snow plows, sanitation trucks and leaf removal equipment, necessary for the protection of the public's health, safety and welfare.
13. The Board finds, by reason that proposed lot 1.01 fronts on a private road rather than a public street and has no other means of access, that the enforcement of the requirements of N.J.S.A. 40:55D-35 and Section 87-36(c) would entail practical difficulty or unnecessary hardship upon the Applicant.
14. The BOARD finds that, with the exception of frontage along an improved public street, proposed Lot 1.01 fully complies with the lot size, width, frontage and depth requirements of the zoning ordinance. The BOARD further finds that proposed lot 1.02 complies with the lot size, frontage and width requirements but, by reason of its orientation for frontage along Spring Valley Road, rather than Musso Lane, does not comply with the lot depth requirement. The BOARD finds that by reason of the size and orientation of proposed lot 1.02, and the lack of access directly to a public street from Lot 1.01, the strict application of the zoning ordinance as to lot depth and frontage along an improved and approved street would result in peculiar and exceptional practical difficulties to, and exceptional and undue hardship upon, the Applicant.



15. Furthermore, subject to the conditions herein contained, by reason that the proposed subdivision results in two lots which are fully conforming as to lot size, frontage and width, that other improved lots are located along Musso Lane, that Musso Lane provides the sole means of access to a number of other existing residences, and that Musso Lane provides adequate access for firefighting, ambulance, police and other emergency vehicles, snow plows, sanitation service and leaf removal equipment, the BOARD finds that a decision to grant a waiver from the subdivision requirements of Section 87-36(c) to allow a lot not located upon a public street and a variance for lot depth as to proposed lot 1.02 and frontage along an improved and approved street as to proposed lot 1.01 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,.

16. The BOARD hereby adopts the following conditions, which shall be included in the subdivision deed:

- A. The Applicant shall remove or relocate the stone border within proposed lot 1.02 and widen the paved or gravel travel way to the northerly sideline of the Musso Lane right-of-way.
- B. The Applicant shall install a trench drain across the driveway width of Musso Lane with a 5 foot wide concrete or asphalt collar and connect said trench drain to the existing drainage inlet in Spring Valley Road shown on the plans as Grate Elevation 332.6, subject to the review and approval of the BOARD'S Engineer.
- C. The Applicant shall grant to the Borough of Park Ridge and record an easement within the portion of Musso Lane within proposed Lots 1.01 and Lot 1.02 for municipal water service, a of a form approved by the BOARD's attorney.

- D. The Applicant shall grant to the Borough of Park Ridge and record an easement within the portion of Musso Lane within proposed Lots 1.01 and Lot 1.02 for municipal electric service, a of a form approved by the BOARD's attorney.
- E. The Applicant, its heirs and assigns, shall maintain the existing paved and/or gravel width of Musso Lane within proposed Lot 1.01 and Lot 1.02 and shall not construct, place or plant any additional structures or obstructions on proposed Lots 1.01 and 1.02, which condition shall run with the land and shall be included and recorded as a deed restriction, subject to the review approval of the BOARD's attorney.
- F. The Applicant shall submit revised plans to the BOARD showing the revised stone border along Musso Lane, proposed trench drain, and the water and electric facilities and easements within Musso Lane, which plans shall be subject to the review and approval of the BOARD's professionals.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE BOROUGH OF PARK RIDGE, by virtue of the foregoing, pursuant to N.J.S.A. 40:55D-36 and N.J.S.A. 40:55D-70(c)1 that the BOARD does hereby grant a waiver from the provisions of Section 87-36(c) of the Park Ridge Subdivision Ordinance and approves the Applicant's requested Minor Subdivision, grants a variance from the requirements of lot depth as to proposed Lot 1.02 and a variance from the requirement of frontage along an improved and approved street, as more particular set forth herein and as shown on the plans submitted, subject to the following conditions which shall be included in the subdivision deed::

- A. The Applicant shall remove or relocate the stone border within proposed lot 1.02 and widen the paved or gravel travel way to the northerly sideline of the Musso Lane right-of-way.

- B. The Applicant shall install a trench drain across the driveway width of Musso Lane with a 5 foot wide concrete or asphalt collar and connect said trench drain to the existing drainage inlet in Spring Valley Road shown on the plans as Grate Elevation 332.6, subject to the review and approval of the BOARD'S Engineer.
- C. The Applicant shall grant to the Borough of Park Ridge and record an easement within the portion of Musso Lane within proposed Lots 1.01 and Lot 1.02 for municipal water service, a of a form approved by the BOARD's attorney.
- D. The Applicant shall grant to the Borough of Park Ridge and record an easement within the portion of Musso Lane within proposed Lots 1.01 and Lot 1.02 for municipal electric service, a of a form approved by the BOARD's attorney.
- E. The Applicant, its heirs and assigns, shall maintain the existing paved and/or gravel width of Musso Lane within proposed Lot 1.01 and Lot 1.02 and shall not construct, place or plant any additional structures or obstructions on proposed Lots 1.01 and 1.02, which condition shall run with the land and shall be included and recorded as a deed restriction, subject to the review approval of the BOARD's attorney.
- F. The Applicant shall submit revised plans to the BOARD showing the revised stone border along Musso Lane, proposed trench drain, and the water and electric facilities and easements within Musso Lane, which plans shall be subject to the review and approval of the BOARD's professionals.
- G. The Applicant shall be required to execute a Developer's Agreement in a form acceptable to the BOARD and the Mayor and Council of the Borough of Park Ridge, said Agreement to be prepared by the BOARD's Attorney at Applicant's cost and expense.

H. Applicant shall secure all necessary approvals, if not previously secured, including but not limited to the County of Bergen, the Bergen County Planning BOARD Approval, the Bergen County Soil Conservation BOARD Approval, the New Jersey Department of Environmental Protection and any other required governmental approvals. In the event any agency requires modifications to the Site Plan approved herein, Applicant shall be required to return to the BOARD for the approval of such modifications.

Ayes: 6

Nays: 0

Abstentions: 0

Dated: 11-13-19

Introduced by:

Mark Bisanzio  
MARK BISANZIO

Seconded by:

Robert Metzger  
ROBERT METZGER

Peter von Bradsky  
PETER VON BRADSKY

Peter Von Bradsky Chairperson

<p style="text-align: center;"><b>EXHIBIT LIST</b></p> <p style="text-align: center;"><b>BOROUGH OF PARK RIDGE PLANNING BOARD</b></p>
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APPLICANT: PB 19-03  
 ADDRESS: 162 Spring Valley Road  
 BLOCK: 802 LOT: 1  
 ZONE: R-20

EXHIBIT:	ITEM NO.	DATE:
Application	1	6/6/19
Owners Certification	2	7/8/19
Tax Certification	3	6/6/19
Survey dated 4/22/19	4	6/6/19
Plans dated 4/22/19	5	6/6/19
Fire Dept. / Fire Prevention Review	6	7/12/19
Electric Review	7	7/15/19
Engineering Review	8	8/5/19
Engineering Review	9	7/19/19
Planner Review	10	7/29/19
No Park Ridge Water Review Note	11	7/29/19
Plans revised 7/31/19	12	7/31/19
Proof of Publication	13	8/13/19
Property Owners within 200 Feet	14	8/13/19
Certification of Service (w/Receipts)	15	8/13/19
Bergen County Department of Planning & Engineering letter	16	8/13/19
Plans revised (9/25/19)	17	9/27/19
Engineering Review	18	10/8/19
Deed dated 9/7/1920	A1	8/14/19
Deed dated 2/19/1921	A2	8/14/19
Deed dated 7/15/1960	A3	8/14/19
Deed dated 11/29/71	A4	8/14/19
Deed dated 5/7/1986	A5	8/14/19

**PLANNING BOARD  
OF THE  
BOROUGH OF PARK RIDGE**

**RESOLUTION**

**A RESOLUTION ADOPTING A PERIODIC REEXAMINATION REPORT OF THE  
MASTER PLAN OF THE BOROUGH OF PARK RIDGE – 2019**

**WHEREAS**, the Planning Board of the Borough of Park Ridge has adopted a total of twelve master plan documents since 1959, including the most recent plan adopted on December 2, 2009; and

**WHEREAS**, N.J.S.A. 40:55D-89 provides that "the governing body shall, at last every 10 years, provide for a general reexamination of its master plan and development regulations by the planning board, which shall prepare and adopt by resolution a report o the findings of such reexamination;" and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-89, the reexamination report shall state:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report;
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date;
- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land use, housing conditions, circulation, conservation of natural features, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, County and municipal policies and objectives;
- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulation should be prepared;

- e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality; and

**WHEREAS**, the Planners for the Borough of Park Ridge, Burgis Associates, Inc., had met with the Planning Board on February 11, 2019, July 10, 2019, September 18, 2019 and October 9, 2019 to discuss the requirements of a periodic reexamination report of the Master Plan; and

**WHEREAS**, at the July 10, 2019 meeting of the Planning Board, the Planner distributed to the Board a memorandum outlining the requirements for a Master Plan and Reexamination Report; and

**WHEREAS**, at the October 9, 2019 meeting of the Planning Board, the Planner distributed to the Board a draft of a 2019 Periodic Reexamination Report of the Master Plan of the Borough of Park Ridge; and

**WHEREAS**, following a discussion thereon by the Board and its attorney, the Board agreed to provide additional written comments and suggestions to the Planner for inclusion in a final draft report; and

**WHEREAS**, following the receipt of such comments, the Planner submitted a revised draft report to the Board; and

**WHEREAS**, following an opportunity for public comments thereon, the Planning Board at its meeting held on November 13, 2019, further considered the 2019 Periodic Reexamination Report of the Master Plan of the Borough of Park Ridge;

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Park Ridge, pursuant to N.J.S.A. 40:55D-89, that the 2019 Periodic Reexamination Report of the Master Plan of the Borough of Park Ridge is hereby adopted; and

**BE IT FURTHER RESOLVED** that a copy of such report and the within resolution be sent to the Office of Planning Advocacy, the Planning Board of the County of Bergen, the Mayor and Council of the Borough of Park Ridge and the municipal clerks of each adjoining municipality.

Ayes: 8

Nays: 0

Abstentions: 0

Dated: 11-13-19

Introduced by:

Seconded by:

Peter van Bradsky Chairperson