

**BOROUGH OF PARK RIDGE  
ZONING BOARD  
NOVEMBER 20, 2018  
REGULAR MEETING MINUTES**

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

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

**ROLL CALL VOTE:**

|                              |         |
|------------------------------|---------|
| Chairman Jake Flaherty       | Present |
| Vice Chairman John Sigillito | Present |
| Mr. William Walker           | Present |
| Mr. Frank Pantaleo           | Present |
| Mr. Mike Curran              | Present |
| Mr. Jeff Rutowski            | Present |
| Mr. David Shifris            | Present |
| Mr. Gary Ingala (Alt. 1)     | Present |
| Mr. Nick Triano (Alt. 2)     | Present |

**ALSO PRESENT:**

|                      |                 |
|----------------------|-----------------|
| Mr. William Rupp     | Board Attorney  |
| Ms. Tonya Tardibuono | Board Secretary |
| Ms. Allison Fahey    | Board Planner   |
| Mr. Christopher Dour | Board Engineer  |

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

**CONTINUED APPLICATION**

**#ZBA 18-06  
Jason Destro  
30 Henry Ave  
Block 2205 / Lot 8  
Second Floor & Deck Addition**

The following people were present and previously sworn in at the September 17, 2018 meeting:

Joseph Bruno  
29 Pascack Road  
Park Ridge, NJ 07656

Mr. Jason Destro  
30 Henry Ave  
Park Ridge, NJ 07656

Mr. Bruno handed out a packet of 5 photos dated October 16, 2018. The photos were marked as Exhibit #17.

Mr. Bruno went over the original variances requested. They have eliminated three of the five variances originally asked for. They are now asking for two variances; one for FAR and the other is for rear yard setback. Mr. Bruno explained that this property has a severe hardship with the rear yard setback. The required depth is 150 feet, they only have 96.71 feet.

Mr. Pantaleo asked Mr. Bruno to explain where exhibit 17 picture 1 is located on the survey. Mr. Destro answered.

### PUBLIC COMMENT

#### **Forde Prigot – 26 Henry Avenue**

Mr. Prigot is concerned with the balcony. He believes it takes away from his property as he lives two houses away. He said the plans call for a trellis and a trellis can be taken down. Mr. Prigot read a letter to the board, then submitted a copy of the letter to be marked into evidence. The letter was marked as Exhibit 18. Mr. Prigot stated that he has no objection to the addition, just the balcony.

Mr. Rupp asked for roof calculations, Mr. Bruno went over all calculations. Mr. Bruno commented that he put the lattice panels on the sides to direct the view to the rear of the property, not towards the neighbors, as Mr. Destro has no desire to view the neighbors back yards. Mr. Rupp asked Mr. Prigot if he would have a problem if the resolution had a condition in it that the trellis cannot be taken down. Mr. Prigot replied that his wife doesn't want the balcony at all. Mr. Rupp asked Mr. Bruno if they could construct a different type of vertical wall. Mr. Bruno said yes.

#### **Ernie Steinsdorfer – 32 Henry Avenue**

Mr. Steinsdorfer has an issue with the size of the deck. He would prefer it to only be two to three feet at the most. Mr. Steinsdorfer stated that his property is directly to the north of the applicants.

Mr. Destro commented that if he didn't put up trees and berms you could see in everybody's backyard.

Mr. Curran pointed out that looking at exhibit 17, page 5 you could see neighbor to neighbor already.

Mr. Dour asked if the patio is included in the impervious coverage calculations. Mr. Bruno replied yes. Mr. Dour asked if the wall extended to the town property. Mr. Bruno replied no.

Ms. Fahey pointed out that she had some discrepancies with calculations. Mr. Bruno replied that the applicant obtained a new survey at the board's request, and he went with the new survey calculations.

A board discussion was had pertaining to the application and the wall surrounding the deck. Some members had an issue with making a condition in the resolution that the wall can only be made out of specific material. It was decided on that in lieu of

the lattice panels, the applicant will install a type of screening which would block the views to the north and south.

Mr. Pantaleo questioned the electric that is on the borough property (easement). Ms. Tardibuono commented that she will reach out to the construction department to look into this matter.

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

|               |     |
|---------------|-----|
| Mr. Curran    | Yes |
| Mr. Pantaleo  | Yes |
| Mr. Shifris   | Yes |
| Mr. Walker    | Yes |
| Mr. Ingala    | Yes |
| Mr. Sigillito | Yes |
| Mr. Flaherty  | Yes |

### RESOLUTION

#ZBA 18-08  
Debra Kumiega  
70 Rivervale Road  
Block 1918 / Lot 3  
Patio / Driveway

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

|             |     |
|-------------|-----|
| Mr. Curran  | Yes |
| Mr. Shifris | Yes |
| Mr. Walker  | Yes |
| Mr. Ingala  | Yes |
| Mr. Triano  | Yes |

### APPROVAL OF MINUTES

The minutes of October 16, 2018 were approved on a motion from Mr. Walker, seconded by Mr. Ingala, and carried by all members eligible to vote.

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

Respectfully Submitted,



Tonya Tardibuono

**BOROUGH OF PARK RIDGE**  
**ZONING BOARD OF ADJUSTMENT**  
**RESOLUTION**

\* \* \* \* \*

WHEREAS, DEBRA A. KUMIEGA (hereinafter referred to as "Applicant"), being the owner of premises known as 70 Rivervale Road, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 3 of Block 1918 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 for impervious coverage; and

WHEREAS, the premises are located in an R-10 Residential Zoning District as same is defined by the Zoning Ordinance of the Borough of Park Ridge; and

WHEREAS, the BOARD held a hearing in connection with the application, upon due notice as required by law, on October 16, 2018; 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 has carefully considered the application and all evidence and testimony submitted in connection therewith;

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 70 Rivervale Road in the Borough of Park Ridge, being known as Lot 3 of Block 1918 on the Tax Assessment Map for the Borough of Park Ridge, located within the R-10 Residential Zoning District, containing 5,944 square feet (10,000 sf required) with a lot width of 50.0 feet (85 feet required), a frontage of 50.03 feet (75 feet required) and a lot depth of 118 feet (120 feet required). The lot is a corner lot located at the intersection of Rivervale Road and Morningside Avenue.

2. Applicant has applied for a variance for impervious coverage. During the course of the hearing, it was determined that a variance was also required for driveway width, as more particular set forth below.

3. The R-10 One Family Residential Zoning District permits a maximum impervious coverage of 40%.

4. The premises are improved with an existing two story frame dwelling measuring  $\approx 38' \times 24'$ , a detached one car garage measuring  $\approx 12' \times 16'$  and a rear wood deck measuring  $\approx 5' \times 10'$ , resulting in an existing building coverage of 18.84% (maximum of 20% permitted). The house is setback 12.29 feet from Morningside Avenue (25 feet required for corner lots), 24.70 feet from Rivervale Road (25 feet required), 13.9 feet from the side property line to the south (15 feet required) and 55.8 feet from the rear property line (35 feet required). There is an existing gravel driveway (which is considered impervious), front paver walkways, a rear paver patio adjacent to

the deck and a paver patio in the northwest rear corner of the property. The current impervious coverage is 44.80% (maximum of 40% permitted).

5. The Applicant is seeking approval for the installation of 260 square feet of pavers in the front yard, 143 square feet of which are located within the existing gravel driveway. The remaining additional square footage of pavers (117 sf) results in an increase in the impervious coverage to 46.77%. (note: the plans indicate a proposed impervious coverage of 49.18%. The discrepancy is a result of the inclusion of the 143 square feet within the existing gravel driveway which is already included within the existing impervious coverage calculations.) Applicant further testified that the installed pavers extend beyond the front property line to the edge of the roadway pavement within the public right-of-way of Rivervale Road. The pavers were previously installed without receiving prior approvals by a friend of the Applicant as a gift.

6. The Applicant acknowledged that she parks her motor vehicle upon the portion of the pavers installed adjacent to the existing driveway so as to allow another vehicle to travel unimpeded on the gravel driveway to the detached garage. The Board finds that the installed pavers are used as and constitute a driveway. Section 101-23E2a of the Zoning Ordinance provides that "(f)or a front-loaded garage, the width of the driveway shall not extend beyond the width of the garage, except that the width of the driveway may be extended up to a maximum of two feet beyond the side of the garage which is closest to the interior of the dwelling." Section 101-23E2b permits up to an additional 10 feet of driveway width provided that "(f)or front-loaded garages, said width extension shall not be permitted on the side of the driveway that is closest to the dwelling." The

additional pavers extend 6 feet on the side of the driveway that is closest to the dwelling, thereby requiring a variance. The existing gravel driveway is located one (1') foot from the side property line to the south.

7. The Applicant's Engineer testified that the additional pavers would add only between 100-120 gallons of runoff during a 2 hour period in a 10 year storm and that such runoff would be able penetrate the ground through the pavers. Moreover, the surface runoff from the pavers would flow toward the house rather than toward the public right-of-way or adjoining property.

8. The BOARD finds that by reason of the existing undersized lot width of the subject property, the undersized lot size, the size and the location of the existing structures and the location of the existing gravel driveway, the strict application of the Zoning Ordinance with respect to impervious coverage and driveway width would result in peculiar and exceptional practical difficulties to, and exceptional and undue hardship upon the Applicant pursuant to N.J.S.A. 40:55D-70c(1). More specifically, the Board notes that the total square footage of impervious coverage ( $\approx 2,780$  sf), if located on a conforming 10,000 sf lot, would result in an impervious coverage of only 27.8%, well below the maximum of 40% permitted. Moreover, if the lot width was conforming, there would be sufficient room to widen the driveway on the side of the driveway that is furthest from the dwelling.

9. The BOARD further finds that the installation of the pavers enhance the public's health, safety and welfare, by providing additional safety for drivers and passengers entering and exiting vehicles and brings the driveway more in conformance

with the provisions of Section 101-23B that "All garages shall have a paved driveway connecting it to the public right-of-way" and that the benefits of the deviation from the impervious coverage and driveway width requirements substantially outweigh any detriment pursuant to N.J.S.A. 40:55D-70c(2)

10. The BOARD finds that the increase in impervious coverage of 117 square feet is de minimus and is in keeping with the scale and character of the neighborhood. The BOARD further finds that the additional driveway width is also in keeping with the neighborhood where the right-of-way has been paved in the front of other homes in the vicinity to accommodate the parking of vehicles. Accordingly, the BOARD finds that the variances from impervious coverage and driveway width can be granted without substantial detriment to the public good and that the granting of such variances will not 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 c(2), the BOARD does hereby grants the Applicant's requested variances from the impervious coverage and driveway width requirements of the Zoning Ordinance, as more particularly set forth in this resolution and as shown on the plans submitted to the BOARD.

Ayes: 5

Introduced by: Mike Curran

Nays: 0

Seconded by: Gary Inqala

Dated: 11-20-18

Approved by: William Walker



**EXHIBIT LIST**  
**BOROUGH OF PARK RIDGE ZONING BOARD**

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APPLICANT: ZB 18-08  
ADDRESS: 70 Rivervale Road  
BLOCK: 1918 LOT: 3  
ZONE: R-10

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| <b>EXHIBIT:</b>                       | <b>ITEM NO.</b> | <b>DATE:</b> |
|---------------------------------------|-----------------|--------------|
| Site Plan A-101 revised 7/25/18       | 1               | 9/20/18      |
| Application                           | 2               | 9/20/18      |
| Owner's Affidavit/ Authorization      | 3               | 9/20/18      |
| Certificate of Applicant              | 4               | 9/20/18      |
| Tax Certification                     | 5               | 9/20/18      |
| Property Owners within 200 Feet       | 6               | 10/11/18     |
| Proof of Publication                  | 7               | 10/11/18     |
| Certification of Service (w/Receipts) | 8               | 10/11/18     |