

**BOROUGH OF PARK RIDGE
ZONING BOARD
OCTOBER 20, 2020
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 Flaherty stated that the meeting was being held in accordance with the Open Public Meetings Act.

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

Roll Call:

Chairman Jake Flaherty	Present
Vice Chairman Frank Pantaleo	Present
Mr. Steve Clifford	Present
Mr. Mike Curran	Present
Mrs. Jamie DeMartino	Present
Dr. Gregory Perez	Present
Mr. Jeff Rutowski	Present

Also Present:

Board Attorney - Mr. William Rupp	Present
Board Secretary –	
Ms. Tonya Tardibuono	Present
Mr. Gregory Polyniak –	
Neglia Engineering	Present
Joseph Burgis – Burgis Associates	Present

Continued Application

#ZBA 18-10

Hornrock Properties

1 Sony Drive

Block 301 / Lot 1

ORL

Site Plan / Use Variance / Parking Variance

Mr. Rupp announced that Hornrock Properties is significantly changing their plans, therefore, they were advised to file a new application and re-notice.

Mr. Rupp made an announcement that the new application is anticipated to be heard November 24, 2020 at 8:00 p.m. meeting.

NEW APPLICATION

#ZB 20-03

Blue Hill Estates

87 Louville Avenue

Block 712 / Lot 5.01

R-10

New Home

Mr. Rupp wanted the Board to be aware of the fact that Mr. Albert Dattoli (the applicant's architect) has been designated as the special expert architect in connection with a tax appeal that he is the attorney for. Mr. Rupp does not believe that this causes a conflict because it is a special appointment, but in full disclosure he wanted this on the record.

Attorney Frank Ferraro of Ferraro & Stamos, LLP was present as the attorney for the applicant. The applicant is Blue Hill Estates Inc. which is owned by Walter Janovic and Raymond Janovic.

Proof of service is in order.

Mr. Ferraro commentED that the Board is probably familiar with this address as this applicant appeared before this Board in late 2019 with a proposed two-family home application that was denied. The lots have been merged from lot 5 & 6 to lot 5.01. Currently on the property there ARE two principal buildings and three sheds. Including the fence, all structures will be demolished. The applicant is seeking rear yard and side year setback variances for the proposed single-family home and garage, driveway variance and A/C accessory setback variance. The lot itself has size, width and depth non-conformities. The lot is 8, 437 sq. ft., where 10,000 is required. The lot width is 75 ft., where 85 ft. is required. The lot depth is 112.50 ft., where 120 sq. ft. is required. Mr. Ferraro commented that the new home will face Louville Avenue. Mr. Ferraro went over the variances:

Lot Size: 8,437 sq. ft., where 10,000 is proposed.

Principal Building Rear Yard Setback: 15 ft., where 35 ft. is required. To anybody looking at the home, this will appear to be the side yard.

Detached Garage: 10 ft., where 20 ft. is required.

Driveway: 3 ft. from property line, where 5 ft. is required.

AC Condenser: According to code all accessory equipment must be located 15 ft. from all property lines. The applicant is requesting 12 ft. from property lines.

Chairman Flaherty asked if all existing sTRUCTURES including the fence will de demolished. Mr. Ferraro commented, yes.

The applicants Architect, Albert Dattoli of Montvale, New Jersey was sworn in by Attorney Rupp. Mr. Dattoli went over his qualifications and was accepted as an expert witness.

Mr. Dattoli went over the existing conditions at the site. Mr. Dattoli stated that the property needs rehabilitation as he went over in detail the locations of the existing structures located on the lot.

Mr. Dattoli went over the required and proposed measurements of the proposed single-family home (A-1).

Mr. Dattoli went over the floor plans of the proposed single-family home (A-2).

Mr. Dattoli went over the elevation of the single-family home (A-3).

Mr. Dattoli went over the details of the two-car garage (A-4).

It was asked if the applicant looked into attaching the garage to the home. Mr. Dattoli replied if the garage was attached then the patio could not be installed and then a FAR variance would be required.

Mr. Dattoli went over in detail all of the requested variances.

Chairman Flaherty stated that the applicant would be seeking less variances if the proposed house was smaller. Mr. Dattoli replied that it would not be beneficial to make the house smaller because of the A/C units.

A discussion was had pertaining to the possible relocation of the A/C unit. The applicant agreed to install fencing along the westerly rear lot line to screen the A/C unit from the adjoining property.

A discussion took place pertaining to the proposed driveway and garage. The applicant agreed to reduce the width of the driveway so it will not extend beyond the width of the garage and the proposed garage will be relocated 10 ft. closer to Branton Street, increasing the rear yard setback to 20 ft.

Mr. Pantaleo asked if there were any plans to keep the maple tree. It does look that the tree may be on Borough property. Mr. Dattoli commented that there are no substantial trees to be removed and no set landscaping plan as of yet.

The applicant, Mr. Walter Janovic of 51 Hering Road in Montvale, was sworn in by Board Attorney Mr. Rupp.

Mr. Janovic stated that both maple trees are on the town right-of-way, but they are not in the way of the proposed new home. Mr. Janovic said that the town asked him if he would have an issue if the tree was cut down. He's flexible either way. Mr. Janovic commented that he has no problem putting together a landscape plan and may consider installing a new fence.

Chairman Flaherty asked if there were any members of the public wishing to speak.

Mr. Robert Brennan – 93 Louville Avenue

Mr. Brennan asked what would happen to the utility pole with the streetlight on it located on Louville Avenue. Mr. Janovic replied that Park Ridge Utility Department said they would move the pole and he assumed the light will be placed on the new pole. Mr. Brennan replied that the street light lights up the stop sign and by moving the light it will lessen the light that projects onto the stop sign.

Mr. Brennan asked about the fire hydrant that will be in the middle of the driveway. Mr. Janovic replied that the driveway is existing.

Mr. Brennan asked about the 12 ft. sewer easement. Mr. Ferraro replied that the easement is unknown.

Mr. Brennan asked why are they proposing a two-car garage instead one a one car garage. Mr. Janovic replied that when he was in front of this Board previously with an application for this property, the Board asked for a two-car garage. Mr. Janovic also said a two-car garage makes a home more sellable. Mr. Ferraro stated we are under the impervious coverage.

The Board spoke about the positive and negative criteria and the benefits of removing the non-confirming use.

The resolution will be subject to the following conditions:

- The applicant shall install fencing along the westerly rear lot line to screen the A/C unit from the adjoining property.
- The applicant shall plant shrubbery to screen the A/C from Louville Avenue.
- The applicant shall submit revised plans to the Board Engineer reducing the width of the driveway and showing the relocation of the garage.

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

Mr. Clifford	Yes
Mr. Curran	Yes
Mrs. DeMartino	Yes
Mr. Pantaleo	Yes
Dr. Perez	Yes
Mr. Rutowski	Yes
Chairman Flaherty	Yes

Approval of Minutes

The minutes of September 15, 2020 will be approved at the next meeting on November 24, 2020

Board Discussion

No Board discussion took place

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

Respectfully Submitted,



Tonya Tardibuono



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Via: E-mail

September 24, 2020

Ms. Tonya Tardibuono
Zoning Board Secretary
53 Park Avenue
Park Ridge, NJ 07656

RE: Amended Variance Application
Applicant: Blue Hills States, Inc.
87 Louville Avenue
Block 712, Lot 5 & 6
Borough of Park Ridge
Bergen County, New Jersey
NEA No.: PKRDSPL20.025

Dear Ms. Tardibuono:

As requested, Neglia Engineering Associates (“NEA”) has reviewed the below noted documents in reference to the above referenced project. Specifically, we have reviewed the following documents:

- Denial of Application, dated August 10, 2020;
- Borough of Park Ridge Application of Appeal to the Zoning Board of Adjustment with Application Addendum, dated August 17, 2020;
- Borough of Park Ridge Resolution, dated December 17, 2019;
- Survey plan sheet entitled “Plat of Survey on Premises located at 87 Louville Avenue, Boro of Park Ridge, Bergen County, New Jersey”, prepared by Paul J. Troast, P.L.S., of Troast Surveying Assoc., Inc., dated April 6, 2018, with no revisions; and
- Signed and sealed architectural plans consisting of four (4) sheets entitled “Proposed Residence, 87 Louville Ave, Lot 5.01, Block 712, Park Ridge, New Jersey” prepared by Albert Dattoli Architect, dated June 24, 2020, with latest revision date of August 12, 2020.

1. General Information

The subject property is located within the R-10 One-Family Residential District and is situated on Block 712, Lots 5 and 6, commonly known as 87 Louville Avenue. The site is situated at the southwest corner of Louville Avenue and Branton Street with approximately seventy-five (75) feet of frontage on Louville Avenue and 112.5 feet of frontage on Branton Street. The site is currently occupied by two (2) 1½ -story buildings. Associated on-site improvements include multiple sheds, concrete walkways, gravel areas, and wood fencing

The Applicant was previously denied for the proposed construction of a two-family dwelling which is not a permitted use in this zone. The Applicant has amended their application and now proposes the construction of a single-family dwelling with associated improvements. Associated improvements include concrete walkways, stairs, concrete driveway, air conditioning condensers, and a one (1)-story, two (2) car, detached garage with access on Branton Street.

2. Variations/Waivers

- a. We defer to the report of the Board Planner regarding any required variations or waivers.

3. Engineering Review

Since this application seeks variance approval to construct a single-family dwelling in the R-10 zone with multiple C-Variations, a full engineering review is not required at this time. Should the application receive approval from the Zoning Board, an application must be made to the Building Department for Engineering review to receive permits for construction. The comments provided below are typical comments of a Building Department Application review and are only provided for the Board’s understanding of the matters to be reviewed as part of the Building Department Application.



- a. Construction details of all proposed site related improvements shall be provided on the plans. This shall include sidewalks, driveways, curb, utility trench repair, ROW repair, HVAC, generators and transformers.
- b. The Applicant shall protect any perimeter fencing, curbs, walkways, plantings, and walls on adjacent properties during construction, if approved. The Applicant shall be responsible for any damage done to neighboring properties during the installation of proposed improvements. A note on the plan stating the same shall be provided.
- c. The Applicant shall be responsible for the repair and reconstruction of pavement, curb, sidewalk, or other public property damaged during construction. A note stating the same shall be provided on the plan.
- d. Existing and proposed grading and drainage information shall be provided. Any increase in impervious coverage must be addressed by the installation of drainage improvements supported by calculations prepared by a New Jersey licensed Professional Engineer. Any import or export of soil to/from the site will be subject to the submission of a Soil Movement Application.
- e. The Applicant is responsible for any negative drainage impacts to adjacent properties due to on-site grading or drainage. Should a negative impact be identified during and/or upon completion of the project, the impact shall be addressed immediately. A note shall be provided on the plan stating the same.
- f. The Applicant shall illustrate the approximate locations for all existing and proposed water service, sanitary service, gas service, cable, electric, telephone and fiber-optic utility lines.
- g. Locations of all existing and proposed trees shall be noted on the plans. Any trees to be removed are subject to the review of the Shade Tree Commission.
- h. Any landscaping improvements must be depicted on the plans with a planting schedule indicating the species, quantity and planted size.
- i. A lighting plan illustrating the proposed lighting fixtures shall be provided with a lighting schedule indicating light fixture size, mounting height, wattage and quantity.

4. **Final Comments**

- a. This approval is subject to all other applicable rules, regulations, ordinances and statutes of the Borough, Bergen County, State of New Jersey or any other governmental agency having jurisdiction over same.
- b. It is the Applicant's responsibility to determine what, if any, permits are required from outside agencies and internal municipal agencies and departments in order to construct the proposed development. These agencies include but are not limited to Bergen County Planning/ Engineering, Bergen County Soil Conservation District, municipal fire / police departments, Park Ridge Water, Park Ridge Electric, BCUA, NJDOT and NJDEP.
- c. NEA recommends that a response letter be submitted that addresses each of the comments noted above, where appropriate.

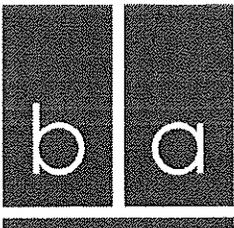
Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Very truly yours,
Neglia Engineering Associates

Daniel C. Lee, P.E., C.M.E.
For the Board Engineer
Borough of Park Ridge

DCL/KT

cc: Joseph H. Burgis, P.P., A.I.C.P., Board Planner *via email*
Blue Hills Estates, Inc. – Applicant *via email* bluehilltwjj@gmail.com
Frank Ferraro, Esq. – Applicant's Attorney *via email* frankf@ferrarostamos.com
Albert Dattoli Architect – Applicant's Architect *via email* dattoliarchitect@hotmail.com



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
ASSOCIATES, INC.

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA

MEMORANDUM

To: Park Ridge Zoning Board of Adjustment
From: Joseph Burgis PP, AICP
Subject: Blue Hill Estates, Inc. & Walter & Raymond Janovic
Use and Bulk Variance Request
Block 712 Lots 5 & 6
87 Louville Avenue
Date: October 16, 2020
BA#: 3575.08

I. INTRODUCTION

The applicants, Blue Hill Estates, Inc. and Walter and Raymond Janovic, are requesting bulk variance relief to demolish the existing dwelling and number of accessory structures to develop a single family dwelling with a detached garage at the above referenced property. The property is located in the R-10 One-Family Residential Zone wherein single-family dwellings are permitted. Several bulk variances are also required as detailed herein.

This site was recently the subject of a use variance for a two-family dwelling. The Board denied that application by resolution dated December 17, 2019.

II. SUBMISSION

Our office is in receipt of and has reviewed the following documents:

1. Application and related materials including an addendum which identifies the applicant's basis for variance relief.
2. Architectural plans prepared by Joseph J. Bruno, AIA, revised August 12, 2020.
3. Site survey prepared by Troast Surveying Associates, Inc., dated April 6, 2018.

III. REVIEW

A. Property Description

The subject site, identified as Block 712 Lots 5 and 6, comprises a total lot area 8,437 square feet (0.194 ac) at the westerly corner of Louville Avenue and Branton Street with frontages of 75 feet and 112.5 feet, respectively. Lot 6 is developed with a 1 ½-story dwelling and separate 1 ½-story structure, which is previous testimony was identified as a former garage but which was also noted to have been converted to a dwelling but which was not in use as such for a number of years. Several improvements, including sheds, fencing and paving are located off of the property and in the Branton Street right-of-way. Lot 5 is developed with 3 sheds.

There are no known environmental features impacting the site. Surrounding development generally consists of detached single-family dwellings.

B. Proposed Development

The applicant proposes to demolish the existing structures on Lots 5 and 6 to accommodate the development of a new 2,492 square foot, 24 feet in height, single family dwelling and a 441 square foot detached 2 car garage with associated site improvements. The garage is proposed with a 12 foot height. The main entrance to the house will face Louville Avenue and the driveway to the garage will be located on Branton Street. An existing wood fence encloses the property.

The following is offered for the Board's consideration with respect to specific elements of the development proposal:

1. Existing Uses and Conditions. The applicant should provide an overview of the uses of all existing structures on the site.
2. Lots. This review assumes the two lots shall be merged. The applicant should confirm this.
3. Dwelling. The proposed dwelling will contain three bedrooms unit on the 2nd floor. No floor plan for the basement has been provided. Driveway Access to the garage spaces is from Branton Street.

A detail on the plot plan depicts the location of the proposed air condensing units on the westerly side of the dwelling. The applicant should confirm compliance with §101-21(8) that condensing units be located a maximum of 5 feet from the principal structure and minimum of 15 feet from all property lines. It appears it is setback 11 feet from the property line and abuts the dwelling, necessitating variance relief. Accessory

equipment must be screened with evergreen plantings or fencing of at least 4 feet in height if located in the side yard and/or is visible from the street.

4. Sidewalks. There appear to be no public sidewalks in the vicinity of the site. The Board should consider whether to grant a waiver from providing sidewalks here.
- C. Zoning. The site is located in the R-10 One-Family Residential wherein the proposed one-family dwelling is permitted. The following table illustrates the bulk requirement of the R-10 Zone as compared to the proposed development conditions.

Table 1: R-10 Zone District

Area & Bulk Regulations	Requirement	Proposed
Minimum Lot Area	10,000 sf	8,437 sf (pre-ex)
Minimum Lot Width	85 ft	75 ft (pre-ex)
Minimum Street Frontage	75 ft	75 & 112.5 ft
Minimum Lot Depth	120 ft	112.5 ft (pre-ex)
Minimum Front Yard Setback' Princ Bldg	25 ft	25 ft,
Minimum Side Yard Setback	15 ft	15 ft VAR
Maximum Dwelling Width		
Louville Avenue	48.75 ft	35 ft
Branton Street	73.12 ft	46 ft
Minimum Rear Yard Setback	35 ft	15 ft VAR
Minimum Front Yard Setback (Deck)	25 ft	25 ft
Minimum Side Yard Setback (Deck)	15 ft	27.5 ft
Minimum Rear Yard Setback (Deck)	20 ft	37.0 ft
Maximum Building Height	32 ft	24 ft
Maximum Building Coverage	20%	20%
Maximum Impervious Coverage	40%	39.5%
Maximum Floor Area Ratio	30%	29.82%
Maximum Gross Floor Area	30% (3,333 sf)	29.5% (2,492 sf)
Min. Garage Side Yard Setback	20 ft	10 ft (V)
Min. Garage Rear Yard Setback	20 ft	10 ft (V)
Max. Garage Height	1 ½-sty/12 ft	1 sty/12 ft
Air conditioning Units	--	See Comment in Finding No. 3

(VAR) Variance Required

(Pre-ex) Existing Pre-existing Nonconforming Condition

Statutory Criteria

'c'(1)'/c'(2) Bulk Variances

The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test. These are identified as follows:

1. Physical Features Test: An applicant may be granted 'c'(1) variance relief when it is demonstrated that the noncompliant condition is caused by 1) an exceptional narrowness, shallowness, or shape of the property, 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.
2. Public Benefits Test: An applicant may granted 'c'(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the Municipal Land Use Law; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.

In addition to the above, an applicant must address the Negative Criteria of the statute. To meet the negative criteria, an applicant must demonstrate the variance can be granted without substantial detriment to the public good and it will not substantially impair the intent and the purpose of the master plan and zoning ordinance.

Comments on these items will follow testimony.

JHB