

**BOROUGH OF PARK RIDGE  
ZONING BOARD  
OCTOBER 19, 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	Present
Mr. Jake Flaherty	Present
Mr. Frank Pantaleo	Present
Dr. Gregory Perez	Present
Mr. Jeff Rutowski	Present
Mr. Michael Brickman	Absent

**Also Present:**

Mr. Brian Giblin - Attorney	Present
Ms. Tonya Tardibuono - Secretary	Present
Mr. John Dunlea – Engineer	Present

**RESOLUTIONS**

**RESOLUTION#2021-18**

**#ZB21-17**

**Steve Diani**

**72 Terrace Street**

**Block 1904 / Lot 6**

**Above Ground Pool**

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. Mike Curran	Yes
Ms. Jamie DeMartino	Yes
Mr. Jake Flaherty	Yes
Dr. Perez	Yes
Chairman Frank Pantaleo	Yes

## APPLICATIONS

### CONTINUED APPLICATION

**#ZB21-16**

**Ellen Kramer**

**8 Frederick Court**

**Block 1203 / Lot 41**

**Addition / Alteration**

Mr. Giblin made an announcement that this application will be carried to the next Zoning Board of Adjustment meeting on November 23, 2021 at 8:00 p.m. The applicant agreed to consent to an extension of time. No additional notice will be required.

### NEW APPLICATION

**#ZB21-18**

**Edward Wong Lio & Trang Minh Lio**

**6 Johnsvale Road**

**Block 1203 / Lot 17**

**Covered Porch (Patio)**

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

Edward Lio

6 Johnsvale Road

Park Ridge, NJ 07656

Peter Carlock

The applicants General Contractor, Peter Carlock was sworn in by Attorney Giblin and accepted as an expert witness.

Proof of service is in order.

The applicant is seeking the following variances:

Minimum rear yard set-back.

Mr. Lio spoke about the application. He said they application is proposing a covered porch over an existing patio. The covered porch will have no walls and will be open to all elements. Mr. Lio also commented that his rear lot line is not straight and the home already has a pre-existing non-conforming rear yard. Mr. Carlock said the existing home is currently 39 ft. to the rear back property line.

There will be no grade changes as the patio is level now. There will be several columns for support. The gable roof will tie into the existing garage roof. The gutters will drain left and right of structure. There are currently French drains on the property, with no standing water.

Dr. Perez commented that this application makes sense.

Mr. Dunlea has no questions for the applicant or his professional. Mr. Dunlea pointed out that the proposed porch will have no impervious coverage change. Mr. Dunlea suggested that the water from the downspout flow into the French drains that were previously installed.

Mr. Curran asked if the fireplace was gas or wood burning. Mr. Carlock replied gas.

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

Mr. John Herroder – 5 Frederick Court, Park Ridge

Mr. Herroder's home is directly behind the Lio's home. Mr. Herroder commented that he sees no objection with the application.

A Board discussion took place regarding the application for 6 Johnsvale Road with all members in agreement that this is a good application.

Mr. Giblin will draft a resolution that will be voted on at the November 23, 2021 Board of Adjustment meeting.

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

Mr. Steve Clifford	Yes
Mr. Mike Curran	Yes
Ms. Jamie DeMartino	Yes
Mr. Jake Flaherty	Yes
Dr. Gregory Perez	Yes
Mr. Jeff Rutowski	Yes
Chairman Frank Pantaleo	Yes

**NEW APPLICATION**

**#ZB21-20**

**John Larsen**

**113 Ridge Avenue**

**Block 805 / Lot 12**

**Pool Equipment / Retaining Wall**

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

John Larsen  
113 Ridge Avenue  
Park Ridge, NJ 07656

Proof of service is in order.

The applicant is seeking the following variances:

Retaining wall rear and side yard set-back. Pool equipment rear and side yard setback.

Mr. Larsen spoke about the application. He said he is putting in a pool, replacing an existing retaining wall, regrading the yard to make it level and fixing the drainage on the property.

Mr. Larsen has been in landscaping and excavating for over 33 years. He specializes in retention tanks and drainage work.

Mr. Larsen spoke about how the yard currently has a 2 ½ ft. slope from one side of the yard to the other. He would like to get the yard level, with only a six-inch slope.

Mr. Larsen spoke about future plantings.

Mr. Clifford commented that it seems necessary to make many of these improvements on the property.

Mr. Rutowski commented that everybody downgrading from the Larsen property will benefit from the proposed changes.

Mr. Dunlea went over his application review letter dated September 22, 2021 (attached). Mr. Larsen went over the proposed drainage changes with Mr. Dunlea.

There are no easements on the property.

Mr. Dunlea asked about a lighting plan. Mr. Larsen said he does not have one at this time.

Mr. Dunlea asked if there would be any trees removed from the property. Mr. Larsen said no.

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

Mr. Brian Stapleton – 119 Ridge Avenue, Park Ridge

Mr. Stapleton is Mr. Larsen's neighbor on the west side. Mr. Stapleton thinks this project will help a lot of people with the drainage improvements.

Mr. & Mrs. Jackie and Mike Gardocki – 2 Second Street, Park Ridge

Mr. & Mrs. Gardocki are neighbors to Mr. Larsen and they both agree that the drainage changes will be a huge improvement.

A Board discussion took place regarding the application for 113 Ridge Avenue with all members in agreement that this is a good application that will benefit the neighbors as well.

Mr. Giblin will draft a resolution that will be voted on at the November 23, 2021 Board of Adjustment meeting.

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

Mr. Steve Clifford	Yes
Mr. Mike Curran	Yes

Ms. Jamie DeMartino	Yes
Mr. Jake Flaherty	Yes
Dr. Gregory Perez	Yes
Mr. Jeff Rutowski	Yes
Chairman Frank Pantaleo	Yes

### APPROVAL OF MINUTES

The approved minutes of September 21, 2021 were approved on a motion from Dr. Perez, seconded by Mr. Curran, and carried by all members eligible to vote.

### BOARD DISCUSSION

A discussion was had by all members pertaining to the attendance of the Board for the next meeting.

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

Respectfully Submitted,



Tonya Tardibuono

Resolution #Z021-18  
Application #ZB21-17  
ZB 10-19-21

BOROUGH OF PARK RIDGE  
ZONING BOARD OF ADJUSTMENT  
RESOLUTION

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WHEREAS, Steve Diani (hereinafter referred to as "Applicant"), being the owner of premises known as 72 Terrace Street, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 6 in Block 1904 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"), is seeking a variances to install an above ground pool within fourteen (14') feet of a property line; and

WHEREAS, Ordinance 101-21(d)(1) requires a pool to be a minimum of twenty (20') feet from all property lines;

WHEREAS, the premises are located in the R-10 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 September 21, 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 September 21, 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 72 Terrace Street in the Borough of Park Ridge, also known and designated as Lot 6 in Block 1904 on the Tax Map of the Borough of Park Ridge. The property is a non-conforming lot containing 12,486 sq. ft. (10,000 sq ft. required) a lot width of 125 feet (85 feet required) and a lot depth of 100 (120 feet required). The property is currently improved with an existing single family residential structure.
2. The Applicant proposes to install an above ground pool and pool equipment in the rear yard. In the proposed location, the pool will be fourteen (14') feet from the rear property line.
3. The Applicant testified that the property to the rear is a commercial building. The Applicant also testified that the pool is oval shaped and measures fifteen (15') feet by twenty four (24') feet.
4. The Board observed, and the Applicant agreed, that the property is unique because of its topography. It is at a much higher elevation than the property to the rear.

5. The Applicant testified that none of the adjacent neighbors will be able to look into the area where the pool will be installed because of the elevation and a substantial line of evergreen trees. The applicant also referred the Board to pictures of the area submitted with the application that depict the area.
6. The Applicant testified that the existing location of the house creates a hardship in building the pool in a conforming location.
7. The Board also notes that the lot has insufficient lot depth, which also creates a hardship for this property owner.
8. The Applicant further testified that the pool equipment will be in the rear yard and will not be visible from the street.
9. As a result of the foregoing, the BOARD finds and concludes that variance may be granted to permit the pool to be installed fourteen (14') feet from the rear property line where twenty (20') feet is required.
10. The BOARD finds that by reason of the location of the existing house on the lot, the rear yard setback to a pool of twenty (20') 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).

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 variances from the Ordinance so as to permit a fifteen (15') foot by twenty four (24') foot above



ground pool to be installed within fourteen (14') feet of the rear property line as depicted on the survey submitted with the application.

Ayes: 5

Nays: 0

Dated: October 19 2021

Introduced by: Jake Flaherty (H)

Seconded by: Jake Flaherty  
Gregory Perez (H)

Approved: Frank Pantaleo (H)  
FRANK PANTALEO

EXHIBIT LIST

Application #: ZB 21-17

Applicant: Steve Diani

Property Address: 72 Terrace Street  
Block 1904 Lot 6

Application received on 8/4/2021

Survey prepared by: Schwanawede/Hals Engineering dated 7-29-20.

Denial of application dated 6/2/2021.

Set of three (3) photographs undated.



EXPERIENCED  
DEDICATED  
RESPONSIVE

espl@neglia.com

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September 22, 2021

Via: E-Mail

Borough of Park Ridge  
53 Park Avenue  
Park Ridge, New Jersey 07656

Attn.: Ms. Tonya Tardibuono, Secretary

Re: **Variance Application – Engineering Review**  
Applicant(s): John Larson  
113 Ridge Avenue (Block 805, Lot 12)  
Borough of Park Ridge, Bergen County, New Jersey  
NEA File No.: PKRDSPL21.028

Dear Ms. Tardibuono,

As requested, we have reviewed the recently submitted Variance Application for completeness determination. The submittal included the following documents:

- A Borough of Park Ridge, Application of Appeal, prepared by the Applicant, dated August 25, 2021;
- A Denial of Application, Borough of Park Ridge, prepared by Tonya Tardibuono, Park Ridge Zoning Officer, dated August 20, 2021;
- A Park Ridge Zoning Review Application, dated August 20, 2021;
- A signed but unsealed engineering plan sheet, entitled "Pool Location & Grading Plan for the Larson Residence, 113 Ridge Avenue, Block 805, Lot 12, Borough of Park Ridge, Bergen County, N.J.," prepared by David J. Egarian, P.E., of DJ Egarian & Associates, Inc., dated July 21, 2021, and revised through August 17, 2021; and
- A signed but unsealed property survey, entitled "Rear Topographic Boundary Survey, Block 805, Lot 12, 113 Ridge Avenue, Borough of Park Ridge, Bergen County, New Jersey," prepared by William T. Manning, P.L.S., of Pax Surveying & Environmental Consultants, LLC, dated June 3, 2021.

**1. Property Description**

The subject property is a single lot identified as Block 805, Lot 12, per the Borough of Park Ridge Tax Map Sheet No. 8. The subject property is commonly known as 113 Ridge Avenue and is located on the southwesterly side of Ridge Avenue, approximately 153 feet to the west of the intersection with Second Street. The property is 19,000 square feet (0.44 acres), and is located within the R-20 Zone, per the Borough of Park Ridge Zoning Map.

The existing site is currently occupied by a two-story brick and frame residential dwelling with an asphalt driveway providing access onto Ridge Avenue. Additional site features include a front entrance walkway, rock retaining wall, covered porch with a fireplace, fencing, and a stormwater management system. The Applicant is proposing to construct a below-ground pool in the rear yard along with an associated patio area and spa. In addition, the Applicant is proposing to construct a new retaining wall and a shed in the rear yard.

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LYNDHURST  
34 Park Avenue  
PO Box 426  
Lyndhurst, NJ 07071  
p. 201.939.8805 f. 201.939.0846

MOUNTAINSIDE  
200 Central Avenue  
Suite 102  
Mountainside, NJ 07092  
p. 201.939.8805 f. 732.943.7249



## 2. Completeness Review

NEA previously issued a completeness review of the subject application and recommended that the application be deemed **complete**. Overall, NEA takes no exception to this application being heard by the Zoning Board of Adjustment.

## 3. Variances / waivers

We defer to the Board Planner regarding the determination of variances and waivers. NEA recognizes the following potential variances, as identified within the submitted application, which we defer to the Board Planner on final determination regarding the same.

- Minimum lot area: 20,000 square feet permitted, 19,000 square feet under the existing conditions with no proposed change to the same (this is an existing non-conforming condition);
- Minimum lot width: 110 feet permitted, 100 feet under existing conditions with no proposed change to the same (this is an existing non-conforming condition)
- Minimum side yard: 22 feet permitted, 20 feet under existing conditions with no proposed change to the same (this is an existing non-conforming condition)
- Minimum side yard: 22 feet permitted, 19.9 feet under existing conditions with no proposed change to the same (this is an existing non-conforming condition)

- Retaining wall side yard setback: 10 feet permitted, and 3 feet proposed;
- Retaining wall rear yard setback: 10 feet permitted, and 3 feet proposed;
- Pool equipment side yard setback: 15 feet permitted, and 5 feet proposed;
- Pool equipment rear yard setback: 15 feet permitted, and 5 feet proposed.

#### 4. Engineering Comments

- 4.1. The Applicant is advised that 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 may be provided upon formal submittal of the Soil Movement Application.
- 4.2. The Applicant shall provide testimony at the Board hearing addressing any existing or proposed deed restrictions, easements, or covenants or lands dedicated to public use which may exist of the subject property.
- 4.3. The Applicant shall provide testimony at the Board hearing confirming that there are no proposed modifications to the existing utilities and that the proposed construction will not impact any existing utilities.
- 4.4. 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 construction.
- 4.5. The Applicant shall provide testimony confirming there are no existing trees located within the vicinity of the proposed improvements.
- 4.6. The Applicant shall provide a means of screening the pool mechanical equipment or shall provide testimony verifying that the proposed fence and gate located along the northwesterly portion of the dwelling will provide sufficient screening.
- 4.7. The Applicant shall provide a detail for the proposed fence and gate.
- 4.8. The Applicant shall install the pool mechanical equipment on a reinforced concrete pad. A corresponding detail shall be provided.
- 4.9. The Applicant shall provide testimony regarding the relocation of the existing seepage pit and re-routing of the PVC piping.
- 4.10. The Applicant proposes improvements that will result in an increase in impervious coverage of 1,884 square feet, as compared to the existing conditions. As such, the Applicant shall provide on-site stormwater storage volume equivalent to a two (2) inch rainfall over the net increase in impervious area. Therefore, the minimum required storage volume is determined as:  $(1,884 \text{ square feet}) \times [(2 \text{ in.}) / (12 \text{ in./ft})] = 314 \text{ cubic feet (2,350 gallons)}$ . The Applicant proposes a seepage pit system with a capacity of 2,430 gallons. NEA takes no exception to the design methodology and finds the same acceptable.
- 4.11. The Applicant shall provide testimony on what appears to be columns on the eastern portion of the patio area and re-route the conflicting drainage pipe as needed.
- 4.12. The Applicant is proposing grading along the southwesterly portion of the pool that will result in a localized low point. The Applicant shall provide additional spot elevations and evaluate the grading and drainage design for this location to ensure that ponding conditions do not occur.

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- 4.13. The Applicant is proposing grading within the southerly corner of the property which redirects stormwater onto the southerly adjacent property. The Applicant shall provide an additional inlet in this location and re-evaluate the grading such that no stormwater runoff is directed onto the adjacent property and is redirected to the inlet.
- 4.14. The design and construction of seepage pits or recharge basins shall conform to the New Jersey Stormwater Best Management Practices Manual's Standard for Infiltration Basins. The Following comments pertaining to the same shall be addressed prior to construction, if granted approval:
- Testing:
    - The Applicant shall perform a percolation/permeability test in the vicinity of each proposed infiltration measure to determine percolation rates AND the seasonally high-water table of the subsoils below.
    - The Applicant shall notify NEA a minimum of 48 hours in advance of this testing so that a representative of our office may be present for the testing, as required.
    - The Applicant shall provide a signed and sealed copy of all testing results and information prepared by a Licensed Professional Engineer to the Building Department, who will subsequently issue them to NEA for review.
  - Design:
    - The bottom of the infiltration structure or stone, where applicable, shall be no less than two feet above the seasonal high groundwater table or bedrock.
    - The tested percolation rates shall be a minimum of 1.0 inches per hour, per NJDEP guidelines. Design percolation rates shall include a factor of safety of two for a design percolation rate of 0.5 inches per hour.
    - The Applicant shall provide calculations verifying that all proposed seepage pits will fully drain within 72 hours.
    - Should percolation testing yield unacceptable results, the Applicant shall provide a revised design which does not rely on infiltration.
- 4.15. Based upon the proposed grading conditions, the Applicant is proposing to construct a retaining wall with a maximum height of 3.4 feet. The Applicant shall note that all walls in excess of three (3) feet (exposed height) will require associated wall stability calculations prepared by a licensed professional engineer in the State of New Jersey.
- 4.16. The Applicant shall tie all retaining wall drainage into the proposed drainage system.
- 4.17. Upon completion of construction, and if granted approval, all retaining walls in excess of three (3) feet in height (exposed height) require certification by a licensed professional engineer in the State of New Jersey confirming that the wall was built in accordance with the plans and details and that it will support its design and intended loads.
- 4.18. The Applicant shall provide the disturbance area on the site plan. The Applicant is advised that should the limit of disturbance exceed 5,000 square feet, the Applicant shall apply for and obtain approval from the Bergen County Soil Conservation District. Proof of approval shall be provided to the Borough prior to any soil disturbance activities.
- 4.19. Based upon the nature of the proposed improvements, it does not appear that any lighting improvements are included as part of this application. However, the Applicant shall provide testimony confirming the same.
- 4.20. Based upon the nature of the proposed improvements, it does not appear that any landscaping improvements are included as part of this application. The Applicant shall provide testimony confirming the same. Additionally, the Applicant shall confirm that all existing trees on the property are to remain.
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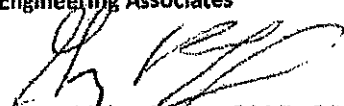
- 4.21. The Applicant shall ensure that all disturbed work areas are stabilized with topsoil, seed, hay, and straw mulch to ensure lawn growth. The Applicant shall revise the plans to include notation indicating the same.
- 4.22. The Applicant shall ensure that stormwater runoff does not negatively affect neighboring properties, during and after construction. Any damages caused by an increase in runoff or improper drainage shall be repaired by the Applicant. Any damages incurred to surrounding public or private property as a result of construction shall be repaired by the Applicant. The Applicant shall revise the plans to include notation indicating the same.

### 3. Final Comments

- 5.1 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.
- 5.2 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.
- 5.3 Should the Board look favorably upon this application, a performance bond, maintenance bond and inspection escrow will be required for on-site / off-site improvements, in accordance with the Municipal Land Use Law.
- 5.4 NEA recommends that a response letter be submitted that addresses each of the comments noted above.
- 5.5 The above comments are based on a review of materials submitted and/or testimony provided to date. NEA reserves the right to provide new or updated comments as additional information becomes available.

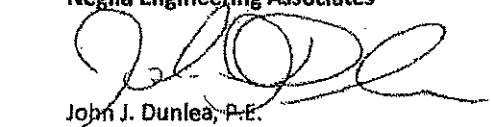
We trust you will find the above in order. Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,  
Neglia Engineering Associates

  
Gregory J. Polyniak, P.E., P.P., C.M.E., C.P.W.M.  
For the Zoning Board Engineer  
Borough of Park Ridge

cc: John Larson – Applicant *via e-mail*  
David J. Egarian, P.E. – Applicant's Engineer *via regular mail*

Very truly yours,  
Neglia Engineering Associates

  
John J. Dunlea, P.E.  
For the Zoning Board Engineer  
Borough of Park Ridge