

**BOROUGH OF PARK RIDGE
ZONING BOARD
DECEMBER 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	Present
Mr. Michael Brickman	Absent

Also Present:

Mr. Brian Giblin Jr. - Attorney	Present
Ms. Tonya Tardibuono - Secretary	Present
Mr. John Dunlea – Engineer	Present
Mr. Nicholas Dickerson – Planner	Present

APPROVAL OF MINUTES

The approved minutes of November 23, 2021 were approved on a motion from Mr. Flaherty, seconded by Mr. Curran, and carried by all members eligible to vote.

RESOLUTIONS

RESOLUTION#2021-21

#ZB21-21

**Kirker Kucukyan
110 N. 5th Street
Block 1001 / Lot 28
Circular Driveway**

Mr. Curran to approve the memorializing resolution. The motion was seconded by Ms. DeMartino, and carried by a roll call vote as follows:

Mr. Mike Curran	Yes
Ms. Jamie DeMartino	Yes
Chairman Frank Pantaleo	Yes

RESOLUTION#2021-22

#ZB21-13

James & Kara Angelillo
23 N. Maple Avenue
Block 1506 / Lot 15
Garage Alteration

Mr. Curran to approve the memorializing resolution. The motion was seconded by Ms. DeMartino, and carried by a roll call vote as follows:

Mr. Mike Curran	Yes
Ms. Jamie DeMartino	Yes
Chairman Frank Pantaleo	Yes

APPLICATIONS

NEW APPLICATION

#ZB21-15

Ramon Fonseca
42 Highview Avenue
Block 1808 / Lot 13
2nd Floor Addition

Mr. Giblin Jr. made an announcement that this application will be carried to the virtual February 15, 2022 Zoning Board of Adjustment meeting on at 8:00 p.m. The applicant agreed to consent to an extension of time. No additional notice will be required.

CONTINUED APPLICATION

#ZB21-16

Ellen Kramer
8 Frederick Court
Block 1203 / Lot 41
Addition / Alteration

Attorney, Ms. Jennifer Knarich, from the law firm of Price, Meese, Shulman & D'Arminio was present as the attorney for the applicant. Proof of service is in order.

The planner for this application was not able to attend this hearing. Ms. Knarich asked if this application can be moved. This application will be carried to the virtual February 15, 2022 Board of Adjustment meeting. The applicant agreed to consent to an extension of time. No additional notice will be required.

BOARD DISCUSSION

No Board discussion took place.

The meeting was adjourned on a motion from Ms. DeMartino, seconded by Mr. Rutowski, and carried by all.

Respectfully Submitted,


Tonya Tardibuono

Resolution #2021-21
Application #2B21-21
ZB 12-12-21

BOROUGH OF PARK RIDGE

ZONING BOARD OF ADJUSTMENT RESOLUTION

WHEREAS, KIRKER KUCUKYAN (hereinafter referred to as "Applicant"), being the owner of premises known as 110 North 5th Street, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 28 in Block 1001 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 to install a circular driveway; 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 November 23, 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 November 23, 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 110 North 5th Street in the Borough of Park Ridge, also known and designated as Lot 28 in Block 1001 on the Tax Map of the Borough of Park Ridge, a conforming lot containing 20,354 sq. ft. (20,000 square feet required) with a lot width of 110 feet (110 feet required) and a lot depth of 160 feet (160 feet required) and currently improved with an existing single family residential structure.
2. The applicant proposes to install a circular driveway, which would require two (2) curb cuts. Pursuant to Ordinance 101-23 E(1)(b), the subject property may not have more than one (1) curb cut.
3. The applicant elicited the testimony of Lou Chiellini, his builder, in support of the application.
4. The witness testified that the street is very narrow and that it is hard to turn into and out of the driveway. The witness also testified that the applicant would like to be able to park closer to the front door, which would be possible under the proposal.
5. The witness testified that the property will be regraded to reduce the steep slope that exists in the front yard and that there will be a seepage tank installed to accommodate the drainage of the additional impervious coverage. The witness also testified that the existing driveway will remain and that the applicant would agree to any reasonable recommendations of the Board Engineer.
6. The BOARD finds that by reason of the narrowness of the street and the location of the existing house on the street, the strict application of the Zoning Ordinance 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).

7. The BOARD further finds that construction of the circular driveway 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 variances proposed outweigh any detriment pursuant to N.J.S.A. 40:55D-70 (c) (2).

8. Moreover, the Board further finds that

- (a) The proposed construction will improve drainage affecting adjacent properties;
- (b) 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 single curb cut ordinance 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 ordinance 101-23 E (1)(B) so as to permit the construction of second curb cut and circular driveway as more particularly shown on the plans submitted to the BOARD.

The within approval is conditioned upon the following:

1. Applicant to obtain a soil movement permit;
2. Board Engineer to review and approve drainage;
3. Applicant to insure that existing seepage pit can accept additional run off proposed;
4. Contractor to take all reasonable precautions to preserve the tree on the adjacent property;
5. This Resolution does not constitute approval to construct any improvement off site

Ayes: 3

Nays: 0

Dated: December 21, 2021

Introduced by:

Mike Curran

Seconded by:

Jamie DeMartino

Approved

Frank Pantaleo

EXHIBIT LIST
BOROUGH OF PARK RIDGE ZONING BOARD

APPLICANT: ZB 21-20
ADDRESS: 110 North 5th Street
BLOCK: 1001 LOT 28
ZONE: R-20

EXHIBIT:	ITEM NO.	DATE:
Application	1	9/10/2021
Denial of Application	2	8/13/2021
Plot Plan by Booker Engineering	3	6/15/2021
Existing Conditions by Booker Engineering	4	6/15/2021
Construction Detail by Booker Engineering	5	6/15/2021

BOROUGH OF PARK RIDGE
ZONING BOARD OF ADJUSTMENT
RESOLUTION

Resolution #2021-22
Application #ZB21-13
ZB 12-12-21

WHEREAS, James and Kara Angelillo (hereinafter referred to as "Applicant"), being the owner of premises known as 23 N. Maple Avenue, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 15 in Block 1506 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 variances, including a use variance, for the expansion of a barn structure, which has been used as a nonconforming residential dwelling; and

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 November 23, 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 November 23, 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 23 N. Maple Avenue in the Borough of Park Ridge, also known and designated at Lot 15 in Block 1506 on the Tax Map of the Borough of Park Ridge, a conforming lot containing 36,036 sq. ft. (10,000 sq ft. required) a lot width of 148.14 feet (85 feet required) and a lot depth of 178.79 feet (120 feet required). The property is currently improved with an existing single family residential structure as well as an accessory structure (barn) that is proposed to be enlarged and constitutes a second residential use whereas the property is in a single family zone.
2. The Applicants' first witness was Al Dattoli, who qualified and testified as an expert in architecture.
3. The witness testified that the proposal is to move the staircase from inside the barn to the outside of the building. The stairs are proposed to be covered to protect them from the elements. As a result of removing the stairs from inside the building, the useable area for residential purposes will be increased.
4. The owner, James Angelillo, also testified. He stated that he plans to run a gas line to the barn in order to install a gas furnace for heat.
5. The applicant also called Andrea Piazza as a witness, who qualified and testified as an expert in Engineering.
6. The witness stated that the "barn" is identified as an accessory structure on the survey.

7. The witness introduced A6 into evidence which was an aerial image of the area, as well as A7, A8 and A9, where were photographs of the property and barn.
8. The witness testified that the structures on the property are nonconforming in several respects, including an insufficient rear yard setback and insufficient distance from the driveway to the side yard. In addition, the minimum rear yard setback to the barn requires thirty five (35') feet whereas 9.4 feet are existing and 7.2 feet is proposed in order to accommodate the new staircase.
9. The witness reviewed the photographs of the site and testified that the proposed staircase would not be visible from anywhere off the property.
10. The applicant agreed to comply with all comments in the review letter of Neglia Engineering dated October 19, 2021.
11. The applicant also introduced a document into evidence as Exhibit A-10 which was a list of pre-existing two family properties in Park Ridge. The Board notes that the subject property is contained in the list.
12. Based upon the evidence presented at the hearing, the Board finds that the property contains two dwelling units, the single family home and the "barn" and that the property is, therefore, a nonconforming two family use.
13. The Board further finds that the minor expansion of this non-conforming use, as well as the variance for a rear yard setback of 7.2 feet from the barn to the rear property line, is justified. The Board finds that the applicant has demonstrated both the positive and negative criteria and hereby finds that the proposal will not impair the intent and purposes of the zone plan and zoning ordinances.

EXHIBIT LIST

Application #: ZB 21-13

Applicant: James and Kara Angelillo

Property Address: 23 North Maple Avenue

Block 1506 Lot 15

Application received on 6/1/2021

Survey prepared by: Piazza Engineering dated 12/17/2021.

Site Plan prepared by Piazza Engineering dated 1-28-2021.

Denial of application dated

Three (3) photographs of site (undated).

14. The BOARD finds that by reason of the location of the existing house and accessory structures on the lot, and the expansion of the barn to locate the stairway on the exterior, and the increase in useable area inside the nonconforming barn is *de minimis*.

By reason of the foregoing the BOARD finds that a decision to grant the variances from the ordinances to permit the expansion of a barn structure 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, the BOARD does hereby grant the Applicants variances from the Ordinance so as to permit the expansion of the accessory structure (barn) as more particularly set forth in the application and plans filed with the Board.

BE IT FURTHER RESOLVED that any changes to lighting on site shall not result in glare or light spillage onto adjacent properties.

Ayes: 3

Nays: 0

Dated: December 21, 2021

Introduced by: Mike Civan (M)
Mike Civan

Seconded by: Jamie DeLartino (M)
Jamie DeLartino

Approved: Frank Pantaleo (M)
Frank Pantaleo

EXHIBIT LIST

Application #: ZB 21-13

Applicant: James and Kara Angelillo

Property Address: 23 North Maple Avenue

Block 1506 Lot 15

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