

**BOROUGH OF WOODCLIFF LAKE
ZONING BOARD OF ADJUSTMENT
FEBRUARY 26, 2013
7:30 P.M.
MINUTES**

Call to Order:

The meeting was called to order at 7:40 p.m. by Chairwoman Hembree.

Adequate Notice Statement:

The Chairwoman announced this meeting, in accordance with the Open Public Meetings Law, P.L. 1975, Chapter 231, at the Reorganization Meeting of January 22, 2013, in the Municipal Building. Notice of this meeting was posted and two newspapers, **The Record** and **The Ridgewood News**, were notified. The public was advised of the Zoning Board's rule that the meeting will conclude at 10:30 p.m.

Flag Salute

Roll Call:

| | | |
|-------------------------------|---------|-----------------|
| Christine Hembree, Chairwoman | Present | |
| Victor Bongard, Vice Chairman | Present | |
| Marcia Denbeaux | Present | |
| John Spirig | Present | |
| Robin Effron-Malley | Present | 7:45 pm |
| Brian Boffa | Absent | |
| Wilson Castrillon | Absent | |
| Dana Cassell | Absent | |
| Jay Ferreira | Present | |
| S. Robert Princiotto, Esq. | Present | |
| Darlene Green, Planner | Absent | (not requested) |
| John Pavlovich, Traffic | Absent | (not requested) |
| Brian Intindola (Neglia Eng) | Present | |
| Kathy Rizza, Secretary | Present | |

Minutes:

The minutes from January 22, 2013 were approved on a motion from Mr. Ferreira, seconded by Mrs. Denbeaux, and carried by all.

2013 REORGANIZATION, continued

Robin Effron Malley was sworn in by Attorney Princiotta as Alternate 1 on the Zoning Board. An Oath of Office form was filled out and will be forwarded to the Clerk.

Old Business:

Knapp - CONTINUED

68 West Hill Road

Addition

Variances – Minimum both side yards 19.7'

Driveway from property line 2'

Deborah Knapp and Olav Barstad of 68 West Hill Road were present. Attorney Princiotta stated that both Ms. Knapp and Mr. Barstad are still under oath. A topographical map was received, as requested, by all members of the Board. The map, prepared by Chris Lantelme of Lantelme, Kurens and Associates, was marked as Exhibit A-7. The letter dated 2-25-13 received at this meeting from Brian Intindola of Neglia Engineering, was marked as Exhibit A-8.

Mr. Ferreira referred to the topographical map and stated his concern with the 6' and 7' retaining walls that are proposed. The Borough has a 3' height restriction on retaining walls and there is no way to terrace this property. Jay would like to see wooden guard rails on the walls on three sides of the property for safety reasons. Drainage was also discussed in detail. Mr. Brian Intindola of Neglia Engineering spoke concerning the drainage situation. Jay Ferreira would like to see all drainage tied together. He feels that this could alleviate the neighbors concerns. Mr. Chris Lantelme of Lantelme, Kurens and Associates was sworn in by Attorney Princiotta. Mr. Lantelme is a licensed land surveyor in New York and New Jersey and a licensed Engineer in the States of New Jersey and Connecticut. He has been practicing for 17 years. He is the sole owner of this company. Mr. Lantelme was accepted as an expert witness. Mr. Lantelme stated that he did the topographical map to view the drainage and retaining wall on the east side of the property. He stated that there is a 500 sq. ft. increase in impervious coverage. Also there are two (2) seepage pits; one for the driveway pick up and one for the roof over the garage pick up. Board Attorney Princiotta asked if Mr. Lantelme was only addressing the drainage for the addition and the garage. Mr. Lantelme responded yes because the new home is being built on the same foundation. Mr. Princiotta stated that we do have run off issues in this town and but he feels for the benefit of the homeowners a drainage plan for the entire home should have been done. The Board Attorney also stated that the drainage plan will have to be reviewed by the Building Department.

Regarding the retaining walls, Mr. Princiotta asked Mr. Lantelme if he did the design work. Mr. Lantelme responded no. The applicant stated that a design has not been chosen as of yet. Attorney Princiotta stated that two (2) variances are needed – one for retaining wall height over 3' and one for retaining walls within 5' of the property line. Mr. Ferreira asked the Borough Engineer when a guardrail is deemed necessary. Mr.

Intindola stated that the threshold is usually 4'. Mr. Intindola suggested keystone or modular block for the retaining wall. Regarding drainage he suggested a catch basin to capture water at the French drain line. Mr. Barstad stated that he would like to use poured concrete for the retaining walls. Attorney Princiotto stated that the retaining wall and guardrail height has to be decided at this meeting. The plan would have to be signed and sealed and approved by the Borough Engineer. Mr. Intindola stated that 30" is the maximum guardrail height. Mr. Ferreira recommends 8" high and 24" minimum of guardrail with 2' minimum setback. Drainage pipes and extensions were discussed. Mr. Ferreira would also prefer a free form wall. Mrs. Denbeaux asked the history of retaining walls in Woodcliff Lake. Mr. Ferreira stated that there are many retaining walls over 3' in the Borough. The State has a maximum of 4' and the Borough has a maximum of 3". Attorney Princiotto stated that this gives the Board the chance to review each application. The Borough Engineer spoke regarding possible grade changes and the need for a chain link fence on top of the retaining wall. Board Member Marcia Denbeaux stated that Woodcliff Lake has a very strict soil moving ordinance. Mr. Ferreira showed Mr. Barstad where guardrails would be needed – wherever the wall is 3' or higher. Mr. Ferreira stated that he is concerned with safety and drainage.

The Board Attorney stated that he will prepare a resolution for the next meeting in anticipation of an affirmative vote but the applicant must also advertise and notice for two (2) variances as follows: 1- construct a retaining wall of 7.5', and 2 – to locate a retaining wall within 3' of the property line.

This matter will continue on April 23rd.

The meeting was adjourned on a motion from Mr. Spirig, seconded by Mrs. Denbeaux and carried by all.

Respectfully submitted,

Kathleen S. Rizza, Secretary