

**WYCKOFF ZONING BOARD OF ADJUSTMENT
MAY 18, 2023
PUBLIC WORK SESSION MINUTES**

Public Work Session: 7:30 p.m. Second Floor Court Room, Memorial Town Hall
Public Business Meeting: 8:00 p.m. Second Floor Court Room, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meetings Statement by Vice Chairman Borst:

"The May 18, 2023 Public Work Session of the Wyckoff Board of Adjustment is now in session. In accordance with the Open Public Meetings Act, notice of this meeting appears on our annual Schedule of Meetings. A copy of our Annual Schedule has been posted on the bulletin board of Memorial Town Hall; a copy has been filed with the Township Clerk, The Record, The Ridgewood News and the North Jersey Herald and News--all newspapers having general circulation throughout the Township of Wyckoff. At least 48 hours prior to this meeting, the agenda thereof was similarly posted, filed and mailed to said newspapers." Formal action may be taken. Members of the public are welcome to be present at this meeting. However, in accordance with Section 7 (A) of the Open Public Meetings Act, participation on the part of the public at this meeting will not be entertained."

Mr. Borst read the following statement into the record: *"All applicants are hereby reminded that your application, if approved, may be subject to the terms, conditions and payment of the Affordable Housing Development Fee requirements of the Township. Information can be obtained from the Code of the Township of Wyckoff, Chapter 113-8 on the Township's website, www.wyckoff-nj.com"*

"This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times."

Vice Chairman Borst Chaired the meeting in Chairman Fry's absence.

ROLL CALL

Board Members in attendance: Mark Borst, Erik Ruebenacker, Nekije Rizvani, Brian Tanis, Ed Kalpagian, Brian Hubert, and Doug Messineo.

Absent: Carl Fry and Chris Joachim.

Staff in attendance: Dave Becker, Board Attorney; Mark DiGennaro, Township Engineer; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the April 20, 2023 Work Session and Public Business Meeting minutes.

Ms. Ruebenacker made a motion to approve the April 20, 2023 Work Session and Public Business Meeting minutes. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Ms. Rizvani, Mr. Ruebenacker and Vice Chairman Borst. Abstained: Mr. Kalpagian, Mr. Hubert, and Mr. Messineo.

PAYMENT RESOLUTION #23-05

Ms. Ruebenacker made a motion to approve Payment Resolution #23-05. Second, Ms. Rizvani. Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Rizvani, Mr. Ruebenacker and Vice Chairman Borst. Abstained: Mr. Hubert, and Mr. Messineo.

RESOLUTION FOR MEMORIALIZATION

Young 59 Colgate Ave. Block 489 Lot 1.01

(The applicant proposes to construct an addition in the rear of the home requiring variance relief for principal building lot coverage and combined lot coverage)

Mr. Tanis made a motion to approve the Resolution. Second, Mr. Ruebenacker. Voting in favor: Mr. Tanis, Mr. Ruebenacker, and Vice Chairman Borst. Abstained: Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, and Mr. Messineo.

DePiero 456 Ellis Place Block 347 Lot 17

(The applicant proposes to construct an addition above the existing attached garage and a roof over an existing deck requiring variance relief for enhanced side yard setbacks)

Mr. Ruebenacker made a motion to approve the Resolution. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Ms. Rizvani, Mr. Ruebenacker, and Vice Chairman Borst. Abstained: Mr. Kalpagian, Mr. Hubert, and Mr. Messineo.

APPLICATIONS CARRIED

Kaldon 301 Wiley Place Block 219 Lot 7

(The applicant proposes to renovate the existing home and construct an addition of a new front entryway and change the roof line requiring variances for lot area, frontage, front yard setback, both side yard setbacks, and principal building lot coverage)

Vice Chairman Borst announced that the application will be carried to the June 15, 2023 meeting at the request of the applicant.

NEW APPLICATIONS FOR PUBLIC HEARING

Bickford 514 Hopper Ave. Block 516 Lot 11

(The applicant proposes to construct a roof over the front entryway requiring variance relief for the front yard setback)

Mr. Messineo recused himself and stepped down from the dais.

Mark DiGennaro, the Township Engineer provided the following technical details of the Application: I have reviewed the Survey prepared by GB Engineering dated 3/23/23, Plot plan, Architectural plan and Landscape plan by Thomas R. Canzani, RA dated 4/19/23, application and photos. The single family home is located in the R-15 residential zone and is non-conforming as to front yard setback. The applicant is proposing a front covered porch to the existing structure on the property requiring variance relief. The lot area, frontage, depth, side yard setbacks, rear yard setback, lot coverage, and accessory structure setbacks are all conforming. The existing front yard setback is 24.47' and 20.94' is proposed where 40' is the requirement. The application does not require a stormwater management plan and the property is served by sanitary sewer.

Vice Chairman Borst said he visited the site and there is a lot of construction going on however the application is only for the portico at the front entry requiring a front yard setback variance.

Mr. Kalpagian said there is a lot of work going on at the property. He added that he would like to hear testimony about the landscaping since they are proposing to encroach further into the front yard setback, and a landscape plan was not submitted. Mr. Ruebenacker pointed out that the site plan shows three boxwoods on each side of the front door. Ms. Rizvani said the plan also shows proposed low native plants, perennials, and ferns. Mr. Borst said he is guessing the existing white pine will have to be removed.

Mr. Tanis said this is a big lot for this street and there are a lot of inconsistencies in setbacks with many of the other houses on the street. He added that this is a minimal addition to the home, and he does not believe it will be a detriment to the neighborhood.

Mr. Messineo returned to the dais.

Fox 416 Flaker Drive Block 483 Lot 21

(The applicant proposes to install an emergency backup generator in the side yard setback requiring variance relief)

Mr. DiGennaro provided the following technical details of the application:
I have reviewed the property survey prepared by Dominick J. Venditto, III., PLS dated 7/15/2020, marked up by applicant to reflect project proposed generator location and landscaping, photos, and complete application. The existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot size, frontage, front yard and side yard setback, accessory setbacks, principal building lot coverage and combined lot coverage. The applicant is proposing to install a generator encroaching into the side yard setback requiring variance relief. The existing lot area is 15,000 sf where 25,000 sf is the requirement. The existing frontage is 100' where 125' is the requirement. The existing front yard setback is 37.9' and will remain unchanged where 40' is required. The principal building side yard setback #1 is 9.9' and #2 is 26.1'. Both will remain unchanged where 20' is required for each side. There is an existing 96 sf shed on the property with a side yard setback of 11' where 15' is the requirement, and a rear yard setback of 13' where 20' is the requirement. The existing A/C units have a side yard setback of 6.5' where 15' is required. The applicant is proposing a 6.5' side yard setback for the proposed generator in the area of the A/C units. A 15' side yard setback is required for the generator. The existing principal building lot coverage is 15.8% where 15% is permitted and the combined lot coverage is 20.38% where 20% is permitted. Stormwater management is not required, and the property is served by sanitary sewers.

Vice Chairman Borst said this is a very straight forward application.

Mr. Ruebenacker said he would like to hear testimony on what efforts were made, if any, to place the generator in the rear yard.

Mr. Becker said variances were previously granted for the principal building side yard setback and the principal building lot coverage however the history does not show that variances were granted for the combined lot coverage or the A/C units in the side yard setback. Mr. Hubert pointed out that the shed is also nonconforming. Mr. Ruebenacker asked if those issues should be addressed this evening. Mr. DiGennaro expressed the opinion that testimony should be

provided as to the shed and the A/C units as there does not appear to be permits on file for those nonconforming accessory structures.

Mr. Tanis said the upside to the proposed location of the generator is the fact that the neighbors driveway and garage are adjacent to the location.

Mr. Ruebenacker asked about the testing times for a generator. Mr. DiGennaro stated that generators may only be tested Monday through Friday between the hours of 9:00 am and 4:00 pm.

Eastern Christian School 518 Sicomac Ave. Block 400 Lot 11

(An application for a Deviation from Standard of Conditional Use to construct two temporary classroom buildings on the campus requiring variances)

Vice Chairman Borst stated that he, Mr. Tanis, and Board Attorney Becker would be recusing themselves for this application and that Mr. Ruebenacker would be taking over as Chairman for this portion of the meeting. Vice Chairman Borst, Mr. Tanis, and Mr. Becker stepped down from the dais. John Segreto Esq. joined the dais to serve as Board Attorney for this application.

Mr. Ten Kate provided the following overview of the application:

The site is located on Sicomac Avenue. To the west of the site is Franklin Lakes and Ramapo High School, to the north are some residences, and to the east is Kennedy Court. The applicant proposes to install two temporary classroom trailers on the west side of the building in a grassy play area. They are also proposing to install fifty-three bollards along the front of the school. They requested several submission waivers which I believe can be handled through testimony including how they will handle stormwater runoff from the temporary trailers, landscape plan, location of existing trees, and exterior lighting plan. Testimony should also be provided on the length of time needed for the temporary classrooms and how they will operate.

Mr. Hubert said the biggest question is how long the temporary buildings will be on the site. As we have seen in the past, temporary sometimes turns into permanent for a number of reasons. In addition he questioned if there will be a time frame for the approval of these temporary facilities. Mr. Messineo and Ms. Rizvani voiced similar concerns about the time frame.

Mr. Ruebenacker said that if the application is approved, he would like the approval to be subject to review and approval of the plans by the Wyckoff PD and FD as was recommended in Mr. Ten Kate's report.

Mr. Ten Kate reiterated the requested submission waivers for a stormwater management plan, landscape plan by a landscape design architect, plan showing location of any existing trees, and an exterior lighting plan. In addition, the applicant is seeking the expansion of conditional use variance as well as a maximum lot coverage of 10.8% where 10% is the maximum allowed.

With regard to the submission waiver requests, Mr. Ruebenacker said he does not have a problem with the landscape plan waiver request since plants are proposed on the site plan. He added that he would like to hear testimony on how they plan to discharge the runoff from the roofs of the temporary buildings, and the exterior lighting plan. It was the general consensus of the Board that granting the submission waiver requests is acceptable as long as testimony is provided on those items.

Mr. Ruebenacker asked for a motion to grant the four submission waivers, and deem the application for expansion of conditional use complete. Mr. Hubert made a motion to deem the application complete. Second, Ms. Rizvani. Voting in favor: Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Messineo, and Mr. Ruebenacker.

There being no further business, a motion was made to adjourn the Work Session, was seconded, and passed unanimously. The meeting concluded at 8:00 pm.

Respectfully Submitted,
Maureen Mitchell, Secretary
Wyckoff Board of Adjustment

WYCKOFF BOARD OF ADJUSTMENT

MAY 18, 2023 PUBLIC BUSINESS MEETING MINUTES

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"This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times."

Vice Chairman Borst Chaired the meeting in Chairman Fry's absence.

ROLL CALL

Board Members in attendance: Mark Borst, Erik Ruebenacker, Nekije Rizvani, Brian Tanis, Ed Kalpagian, Brian Hubert, and Doug Messineo.

Absent: Carl Fry and Chris Joachim.

Staff in attendance: Dave Becker, Board Attorney; Mark DiGennaro, Township Engineer; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the April 20, 2023 Work Session and Public Business Meeting minutes.
The minutes were approved during the Work Session.

PAYMENT RESOLUTION #23-05

Payment Resolution #23-05 was approved during the Work Session.

RESOLUTION FOR MEMORIALIZATION

Young 59 Colgate Ave. Block 489 Lot 1.01

(The applicant proposes to construct an addition in the rear of the home requiring variance relief for principal building lot coverage and combined lot coverage)

DePiero 456 Ellis Place Block 347 Lot 17

(The applicant proposes to construct an addition above the existing attached garage and a roof over an existing deck requiring variance relief for enhanced side yard setbacks)

The Resolutions were approved during the Work Session.

APPLICATIONS CARRIED**Kaldon 301 Wiley Place Block 219 Lot 7**

(The applicant proposes to renovate the existing home and construct an addition of a new front entryway and change the roof line requiring variances for lot area, frontage, front yard setback, both side yard setbacks, and principal building lot coverage)

Vice Chairman Borst announced that the application will be carried to the June 15, 2023 meeting at the request of the applicant.

NEW APPLICATIONS FOR PUBLIC HEARING**Eastern Christian School 518 Sicomac Ave. Block 400 Lot 11**

(An application for a Deviation from Standard of Conditional Use to construct two temporary classroom buildings on the campus requiring variances)

Vice Chairman Borst stated that he, Mr. Tanis, and Board Attorney Becker would be recusing themselves for this application and that Mr. Ruebenacker would be taking over as Chairman for this portion of the meeting. Vice Chairman Borst, Mr. Tanis, and Mr. Becker stepped down from the dais. John Segreto Esq. joined the dais to serve as Board Attorney for this application.

Harold Cook, the applicant's Attorney, stated this is an application to permit the placement of two temporary classroom buildings on the existing site. Because the site is a little less than ten acres, it's considered a conditional use. The bulk variance we are requesting for the lot coverage is treated at a use variance which requires five affirmative votes. All variances listed in Mr. Ten Kate's report were previously granted in a prior application. We are only seeking one new variance for lot coverage of 10.80% where 10% is permitted. Mr. Cook stated that the three witnesses providing testimony would be Justin Provencher, Engineering; Jeff Botbyl, Director of Operations; and Daniel Lazor, School Principal.

Justin Provencher, the applicant's Engineer, was sworn in. Mr. Provencher's professional affiliation is with LAN Associates of Midland Park. Mr. Provencher stated that he is a Licensed Professional Engineer in the state of New Jersey and his license is in good standing. The site plan, last revised 5/10/2023, was marked exhibit A-1. Mr. Provencher provided the following details of the application: the site is located on Sicomac Avenue. The proposed classrooms will be placed north of the existing school building in the rear of the school. The temporary buildings do not have any drainage infrastructure of their own. The storm water will sheet flow off the front of the buildings which will be raised on piers with grass or soft scaping underneath. The stormwater will flow away and across the field as it does now. We will have only a small amount of impervious coverage from the piers and the sidewalks which will provide ADA access to

these classrooms. Runoff from the buildings will not have any impact on the neighboring properties. We did not submit a separate landscape plan however we have provided landscape detail on the site plan. The location of the temporary classroom units does necessitate the removal of one tree. We are proposing to plant six Schip laurels, 42"- 48" tall at time of planting, in front of the classroom units. There is no new exterior lighting proposed. The existing building mounted lighting by each entrance to the existing school building will provide adequate lighting where the temporary classrooms are proposed.

Jeff Botbyl, the Director of Operations and School Security, was sworn in. Mr. Botbyl stated that the expectation is to utilize the temporary classroom units for two to three years. Simultaneously with the filing of this application, we have our first meeting with our Architect on Tuesday to discuss our long term plans for the possible expansion of the school based on continued enrollment at the school. Those plans are in the early stages. The exterior color of the temporary classrooms will be white, and the hours of operation will be from 8:00 am to 3:30 pm.

Mr. Daniel Lazor, the school's Principal, was sworn in. Mr. Lazor stated that the current enrollment at the school is 279 students, and the expected total for next year will be approximately 330 students. The proposed temporary classrooms will serve the middle school grades six through eight and we anticipate there being anywhere from seventy-five to eighty students out there at any given time. Mr. Lazor said that due to the increase in enrollment for next year we need a few additional classrooms on site. He added that the first class begins at 8:15 am and the dismissal bell from the last class of the day is at 3:00 pm.

Mr. Ruebenacker asked if the temporary classrooms have any doorway lighting and if so, will the lights be kept on overnight. He clarified by saying that he is thinking about the lighting for security reasons in case the Wyckoff Police have to get back there during the night for some reason. Mr. Provencher stated they are currently not proposing any lighting on the temporary classrooms. Mr. Kalpagian expressed concerns about not having any lighting at the entrances to the temporary classrooms considering there will be cleaning crews after hours or possibly for some reason Police Officers. Mr. Provencher stated that if lighting is a concern of the Board, lights can be installed above the front and rear entrances to the temporary classroom. Mr. Cook said the applicant will comply with any recommendations made by Wyckoff Police and Fire as well.

Mr. Hubert asked for clarification on stormwater runoff as testified to by Mr. Provencher earlier. Mr. Provencher said the roofs are gently sloped and the runoff will flow towards the existing field.

Mr. Ruebenacker asked for information on utilities, how power will be supplied, whether it will be underground or overhead, and if there will be bathrooms and plumbing in the classrooms. Mr. Provencher stated there is no plumbing proposed and the electric power will come from the existing school building. He added that he believes the electric will be overhead. Mr. Ten Kate said we have a requirement that all utilities must be placed underground. Mr. Provencher said the utility lines can be placed underground. With regard to the plumbing, Mr. Botbyl stated that There is no intention at this time to run water or plumbing to the temporary buildings. There will be bathrooms and sinks which will be served by freshwater tanks and sanitary tanks underneath the buildings. The tanks will be serviced by Zuidema to refresh the fresh water and drain the sanitary waste tanks as well.

Mr. Ten Kate asked about the proposed bollards on the plan. Mr. Provencher stated the

applicant is proposing fifty-three bollards along the front drop-off area of the school. Currently there is a curb and a sidewalk along the front driveway where parents loop through to drop off students. We are looking to provide extra protection for the students in the event that a vehicle jumps the curb.

Mr. Ten Kate recommended that as a condition of any approval, the existing ADA parking spaces on the site must be brought up to Code. He added that he will look into whether or not the number of existing ADA spaces meet the requirements however he believes the number of spaces is sufficient.

Ms. Rizvani asked if the location of the temporary classrooms was considered in the planning of the future expansion of the building. Mr. Botbyl stated that to the best of his knowledge he does not think it will affect the expansion adding that he does not believe they will expand to that side of the existing building.

Ms. Rizvani asked if heating and air-conditioning is proposed to which Mr. Botbyl replied yes. Mr. Ruebenacker asked if the heat will be electric, and where the A/C units will be placed. Mr. Botbyl stated the heat will be electric, and one A/C unit will be placed on the narrower side of each temporary building. Mr. Ruebenacker asked that the A/C units be identified on the plans if the application is approved.

Mr. Kalpagian asked if proper safety and security alterations have been considered in that the proposed classrooms will be outside of the main school building. Mr. Botbyl stated that Eastern Christian installed a temporary classroom building at the elementary school in Midland Park last year. The building was outfitted with the proper window shades. The building was also fitted with quick action locks, and they are all fire code compliant. The locks allow for one lever egress from the trailer when they need to exit. The doors remain locked from the outside so no one can get in during school hours, but there is free egress from the classrooms. Staff and security make sure the students get back and forth from the trailers to the main building safely when they switch classes.

Mr. Ruebenacker asked if the applicant would be willing to add additional landscaping to soften the impact of the trailers to which Mr. Botbyl replied yes, absolutely.

Ms. Rizvani asked if the entrance to the main school building are relatively close to the trailers considering the students will be moving in and out during rain and snow. Mr. Botbyl stated the students will exit the main building through the doors that are closest to the trailers. He added that the rear trailer doors are for emergency use only so they will not be used on a daily basis.

Mr. Ruebenacker asked about the anticipated increase in enrollment next school year and if any efforts were made to utilize the existing school building to accommodate the increase without having to exceed the maximum lot coverage allowance requiring a conditional use variance. Mr. Lazor said we currently have fourteen full classrooms within the building, which includes two classrooms that are outfitted as science labs. With the increase in enrollment, and the way it falls across grade levels, we need the number of proposed new classrooms. We have a large media center on campus, and we looked at putting up some temporary walls within that space. However, we would lose the one large space we can use for larger student gatherings, so we decided against that option.

Mr. Kalpagian asked what security would be provided for the students as they transition from

the trailers to the main building throughout the course of the day while changing classes. Mr. Lazor stated that there will be teachers on both ends of the process to release the students from the trailers and to receive them at the main building. He added that they also have an armed security officer on site from either the Wyckoff PD or North Haledon PD.

Mr. Hubert asked if there are any existing parking issues that may be further exacerbated by the increased enrollment specifically concerning parking during extra-curricular activities and back-to-school nights. Mr. Lazor stated there are currently no parking issues and that the school has an agreement with the Church that is in front of the school property to utilize their lot for overflow parking from the school when necessary.

Ms. Rizvani asked if there are any evening activities at the school and if the temporary classroom will be used at night for any reason. Mr. Lazor stated that they do hold back-to-school events, however it is split between two nights, and the temporary classrooms will not be used at night for any reason.

Mr. Ruebenacker said the word temporary is seen throughout the application and plans as well as used in testimony this evening so he would like to put a time frame of two or three years in the Resolution. After the duration of that time frame we can see if these are becoming more permanent versus temporary and the applicant can come back to the Board to request an extension of time. Mr. Cook stated that according to Mr. Botbyl, thirty-six months would work. Mr. Lazor stated that he believes the intent is for the trailers to be temporary and that if the enrollment supports a need for an increase in space, we will look at investing in the physical structure of the main building.

Mr. Cook said everything the Board has requested as far as conditions is satisfactory to the applicant. Mr. Ruebenacker stated the conditions as follows:

1. Electric shall be placed underground
2. Additional landscaping of similar size and species as proposed on the plan shall be added to the west and north sides of the trailers
3. Lighting shall be installed above the six entrance and exit doors of the trailers
4. The temporary structures (classrooms) shall be permitted for a period of thirty-six months
5. ADA parking spaces shall be updated and brought to code
6. The site plan shall be revised to include the location of the A/C units
7. Approval shall be subject to the review and approval of the site plan by the Wyckoff Police and Fire Departments

Mr. DiGennaro recommended that the approval time frame run until the end of the 2026 school year at which time the applicant can come back to the Board to request an extension prior to the start of school in September 2026. Mr. Ten Kate suggested an end date of August 30, 2026. Mr. DiGennaro said the applicant should make the determination by the end of the school year in June, that way they will have the summer months to come back to the Board to request an extension before the approval expires on August 30, 2026. Mr. Ruebenacker said the Resolution will state that the approval for the temporary classrooms will expire on August 30, 2026.

OPEN TO THE PUBLIC

Thomas Laird, who resides at 525 Sicomac Avenue was sworn in. Mr. Laird stated that traffic on

Sicomac Avenue during morning drop off and afternoon pick up times is horrendous and needs to be addressed by the school.

Mr. Ten Kate recommended an analysis by the Wyckoff PD. Mr. Botbyl stated there are no problems in the morning during drop off however it does get backed up in the afternoon during pick up. He said he believes it is a matter of educating the parents, and they are working on a plan to divert cars into the church parking lot and off Sicomac Avenue. Mr. Lazor agreed that the afternoon traffic is worse however school is dismissed at 3:00 pm and by 3:05 pm there are no cars waiting on Sicomac Avenue. He went on to say that he believes the agreement with Faith Community Church to utilize the parking lot will improve the traffic flow from Sicomac into the school campus. Mr. Ruebenacker said any approval will be subject to the school coordinating an analysis of the traffic by the Wyckoff PD and if it is deemed a problem from a safety perspective, Eastern Christian will have a traffic study performed.

Donald Hayek, who resides at 727 Kennedy Court, was sworn in. Mr. Hayek said he has concerns about the safety of the students and the residents on his street. He stated that students from the school use his street as a playground. They race up and down the street and they also lie down in the cul-de-sac at the end of the street where delivery trucks and cars drive. In addition, Mr. Hayek stated that at times students throw rocks into the street on Kennedy Court which is dangerous for drivers who may not see the rocks.

Mr. Lazor stated that students at the school are instructed to stay on school grounds and they are not allowed on Kennedy Court during the school day. He went on to say that there are times after the school day where the track and field team, or cross country runners may use the neighborhood streets for running however, he is not aware that the students were lying down in the street. Regarding the rocks, Mr. Lazor stated that the students know where the boundary line is. There is a rock wall at the edge of the property and the students have been quite creative this year building forts with the rocks. He added that the students have been instructed not to go on the Kennedy Court side of the rock wall, and rock throwing is unacceptable. Mr. DiGennaro asked if the school has considered installing a fence on that side of the property. Mr. Botbyl stated they are considering installing a fence and recently had LAN Associates mark the property to see where a fence might be installed while adhering to the requirements of the Township. Mr. Ruebenacker said he would not want to make the installation of a fence a condition of approval and asked that Mr. Hayek's and the Kennedy Court neighbor's concerns be taken into consideration by the applicant.

Robert Cirminiello, who resides at 719 Kennedy Court was sworn in. He stated that parents of some students are using Kennedy Court, which is a dead end, as a secondary drop off and pick up location for their children which is problematic. He added that the problem has gotten worse over the last year, and with an increase in enrollment next year, he fears it will become a complete parking lot. Mr. Lazor stated that all of the school's communication to parents is to drop off and pick up by way of the main entrance to the school from Sicomac Avenue. He added that he will address the issue. Mr. Ruebenacker asked for a commitment from Mr. Lazor to enforce or implement a restriction on parents not using Kennedy Court for dropping off or picking up students. Mr. Lazor stated he has no problem with that and prefers that only the main entrance is used. Mr. Hubert pointed out that the neighbors have stated that the increase in enrollment this year has created a new problem which will only get worse if the enrollment increases even more next year so a plan needs to be implemented such as utilizing the church parking lot. Mr. Lazor agreed stating that they want to be as good a neighbor as possible. Mr. Messineo asked how much the enrollment increased this past school year. Mr. Lazor stated

Mr. Messineo asked how much the enrollment increased this past school year. Mr. Lazor stated the enrollment for this year went from 242 students to 279 students with another 50 coming in next year. Mr. Lazor pointed out that some of the 50 new students already have siblings enrolled in the school so while the number of students will increase by 50, the number of vehicles will not.

Mr. Hayek came forward again. He stated that as part of the original approval for the school, they had to plant trees along the driveway to the school and some of the trees have degraded so he would like to see some of the trees replaced to screen the school traffic from his home. Mr. Ruebenacker said he cannot comment on the details or conditions of the original Resolution adding that he does not want to take this opportunity to force the school to replace certain shrubs that were planted thirty years ago as it is not part of this application. He also said that Mr. Hayek would not be prevented from planting his own trees or shrubs on his side of the property to block out any disturbances from school traffic. Mr. DiGennaro stated that he believes this falls into the property maintenance realm and there may be something in the Ordinance about having to maintain buffers over time. We can look into the file to see if there was a planting buffer requirement, and if that is the case, I am sure that the school would be willing to address it however it will not be tied to this application or Resolution.

In summary Mr. Cook stated this is a conditional use which makes the criteria for granting a variance that of a use variance. The school is an inherently beneficial use, and no one can argue that. This is a temporary solution for the school to serve the needs of the community. The school will endeavor to look into a long term solution.

Mr. Ten Kate said he will work with the applicant's Engineer to ensure that the revised plans meet all of the conditions of approval and no Certificate of Occupancy should be granted until all of the conditions have been met.

Mr. Ruebenacker reiterated the conditions:

1. Electric shall be placed under ground
2. Additional landscaping of a similar size and species as proposed on the plan shall be added to the west and north sides of the trailers
3. Lighting shall be installed above the six entrance and exit doors of the trailers
4. The temporary structures (classrooms) shall be permitted to remain until August 30, 2026 at which time the applicant may come back to the Board to request an extension
5. ADA parking spaces shall be updated and brought to code
6. The site plan shall be revised to include the location of the A/C units
7. Approval shall be subject to the review and approval of the site plan by the Wyckoff Police and Fire Departments
8. The school will request that the Wyckoff PD perform a review of the traffic during morning drop off, and afternoon pick up times at the start of school year in September 2023 in cooperation with the school official

Mr. Kalpagian made a motion to approve the application with the aforementioned eight conditions. Second, Mr. Hubert. Voting in favor: Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Messineo, and Mr. Ruebenacker.

Bickford 514 Hopper Ave. Block 516 Lot 11

(The applicant proposes to construct a roof over the front entryway requiring variance relief for

the front yard setback)

Mr. Messineo recused himself and stepped down from the dais.

Kyle and Kevin Bickford, the applicants, were sworn in. Ms. Bickford stated that they are doing quite a bit of work on the house and what they are specifically requesting here is a variance to construct a portico over the front door.

Vice Chairman Borst asked if they are building the portico over the existing landing. Ms. Bickford said there were two steps with no landing at the front door which have been removed. She explained that in order for her mother to have access to the house, they need to install a ramp from the front door to the driveway. Ms. Bickford stated that her mother uses a walker so they cannot have steps at the entrance. There will be a ramp from the driveway to the new platform and a roof covering the platform. Mr. Kalpagian asked if there will be any covering over the ramp to which Ms. Bickford replied no.

Mr. Bickford stated that there will be a platform out the front door with a sloped ramp down to the Driveway for future wheelchair access. There will be no steps at all.

Mr. Kalpagian said the front yard setback is typically measured to the first step however there are no steps proposed. Mr. DiGennaro stated that in this case, the ground will be graded to the platform so the setback is measured to the overhang of the portico. Vice Chairman Borst clarified that the front yard setback to the proposed landing will be 20.94' adding that he does not see any issues with this.

Mr. Tanis said he thinks the proposal makes sense. The house has a fairly steep roof with minimal overhang so snow and ice coming off that roof without any type of protection would definitely be a safety issue. He added that he does not feel the addition of the portico will be a detriment to the neighbors.

Mr. Ruebenacker said the proposed landscaping is fine. He asked if the white pines are going to remain. Ms. Bickford stated that it is their plan to keep those trees and as much of the existing landscaping as possible.

OPEN TO THE PUBLIC
NO ONE FROM THE PUBLIC COMMENTED
CLOSED TO THE PUBLIC

Mr. Ruebenacker made a motion to approve the application as submitted. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Ruebenacker and Vice Chairman Borst.

Mr. Messineo returned to the dais.

Fox 416 Flaker Drive Block 483 Lot 21

(The applicant proposes to install an emergency backup generator in the side yard setback requiring variance relief)

Benjamin Fox, the applicant, was sworn in. Mr. Fox stated that he is looking to install a whole house generator on the side of his home as shown on the survey. He said he heard the

comments about the proposed location and that the side of the house is the only place he can locate the generator because there are windows all across the rear and the left side of the house. He added that he was told by the generator company representative that the generator must be 5' from any windows so the proposed location is the only place it can go. Mr. Fox stated that the house was built in the 1990's and the side yard setback requirements have changed since it was built. The existing side yard setback is only 10' where the requirement is now 20'. Regarding the other nonconforming accessory structures that were mentioned during the work session, Mr. Fox stated that he purchased the home from his father in 2020 and the A/C units were on the previous site plan in the late 1990's so he does not know why there is no record of a variance for the A/C units.

Mr. DiGennaro said he pulled the archived file, and the A/C units were not shown on the site plan. He went on to say that he does not believe the location of A/C units would have been an issue at that time (1997) because the location of A/C units has really only become a concern over the last fifteen years.

Vice Chairman Borst said he looked at the site and he understands the issue with not locating the generator near the windows and suggested placing it back by the shed. Mr. Fox said that location was considered however he would need 150' of gas line to install the generator back there. The line would have to come in from Flaker Drive, run through his entire basement, and out the back of the house, through the back yard to the shed.

Mr. Tanis asked about screening for the generator. Mr. Fox stated that there is some existing screening for the A/C units, and he will add screening in the front and on the side of the unit to shield it from Flaker Drive and his neighbor's driveway. Mr. Tanis pointed out that the plan shows two to three boxwoods on the side facing Flaker Drive and two to three boxwoods on the side facing the neighbor.

Mr. Messineo brought up the exhaust from the generator. Mr. Fox stated the exhaust will not vent out towards his neighbor or Flaker Drive.

Mr. DiGennaro asked what brand of generator is proposed. Mr. Fox stated it is a Generac 24 kilowatt generator. Mr. DiGennaro advised Mr. Fox that if he has to switch to a different brand for some reason, a different manufacturer may have different setback requirements from the house which may not meet the 6.5' side yard setback variance he is seeking.

OPEN TO THE PUBLIC
NO ONE FROM THE PUBLIC COMMENTED
CLOSED TO THE PUBLIC

Mr. Tanis made a motion to approve the application as submitted. Second, Mr. Messineo. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Messineo, and Vice Chairman Borst.

There being no further business, a motion was made to adjourn the Public Session, seconded and passed unanimously. The Public Business meeting was adjourned at 9:55 p.m.

Respectfully Submitted,
Maureen Mitchell, Secretary