

**WYCKOFF ZONING BOARD OF ADJUSTMENT
APRIL 25, 2024
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 Chairman Borst:

"The April 25, 2024 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."

"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."

ROLL CALL

Board Members in attendance: Mark Borst, Erik Ruebenacker, Chis Joachim, Nekije Rizvani, Brian Tanis, and Zvonko Veskov. Absent: Ed Kalpagian, Brian Hubert, and Doug Messineo.
Staff in attendance: Tom Garlick, Board Attorney; Mark DiGennaro, Township Engineer and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the March 21, 2024 Work Session and Public Business Meeting minutes.

Mr. Ruebenacker made a motion to approve the Work Session minutes and the Public Business meeting minutes as amended. Second, Mr. Joachim. Voting in favor: Mr. Tanis, Ms. Rizvani, Mr. Joachim, Mr. Veskov, Mr. Ruebenacker, and Chairman Borst.

PAYMENT RESOLUTION #24-04

Mr. Tanis made a motion to approve Payment Resolution #24-04. Second, Ms. Rizvani. Voting in favor: Mr. Tanis, Ms. Rizvani, Mr. Joachim, Mr. Veskov, Mr. Ruebenacker, and Chairman Borst.

RESOLUTIONS FOR MEMORIALIZATION**Morgan 80 Morley Drive 278/15**

(The applicant constructed a front portico requiring variance relief for the front yard setback)

Bell 243 Eastview Terrace 393/5

(The applicant propose a second story addition requiring variance relief for both side yard setbacks, lot area, and frontage)

Mr. Ruebenacker made a motion to approve the two (2) Resolutions. Second, Mr. Joachim. Voting in favor: Mr. Tanis, Ms. Rizvani, Mr. Joachim, Mr. Veskov, Mr. Ruebenacker, and Chairman Borst.

REQUEST FOR EXTENSION OF APPROVAL**Abbott Family Properties LLC 394 Franklin Ave. 250/3.01**

(The applicant is requesting an extension of the approval of the C1 and D1 variances Granted to construct a second story addition to the building)

Chairman Borst said the applicant came before this Board in 2022 for variances to construct second floor residential apartments above the frame shop and pizza place on Franklin Avenue and the approval technically expired on October 20, 2023. Mr. Borst said the Planning Board just had the same situation where an applicant's approval expired in September 2023. The applicant failed to request an extension of time before the approval expired, so the Board voted to extend the approval to September 2024. The Chairman said the applicant's letter states the reason they are requesting an extension is because they are having difficulty obtaining financing for the project which is understandable. He went on to say that he thinks it would be fair to extend the approval to October 2024, and if an additional extension is needed, the applicant should come back to the Board to explain what is going on. He then asked for a motion to approve the extension of time.

Mr. Joachim made a motion to extend the approval to October 20, 2024. Second, Mr. Ruebenacker. Voting in favor: Mr. Tanis, Ms. Rizvani, Mr. Joachim, Mr. Veskov, Mr. Ruebenacker, and Chairman Borst.

APPLICATION WITHDRAWN**Vartabedian 369 Steinhauser Lane 428/3.02**

(The applicant proposes to construct an addition to the first and second floors of the home requiring variance relief for the enhanced side yard setback)

The Chairman announced that the applicants have withdrawn their variance application.

CARRIED APPLICATIONS**Patel 811 Wyckoff Ave. 202.02/28**

(The applicant proposes to expand the first and second stories of the home requiring variance relief for both side yard setbacks)

Chairman Borst announced that the applicant has requested that the application be carried to the May 16 meeting pending the submission of revised plans.

Step 304 Calvin Ct. 349/44

(The applicant proposes to construct an addition over the attached garage with separate entrance from the outside requiring variance relief for a side yard setback of 5.48' to the second story addition)

Mr. DiGennaro provided the following details of his report on the revised plans:

The rear yard setback increased by 2' to 103.33'. The side yard setback #2 increased from 4.0' to 4.5'. The gross building area has been decreased by 107 sf to 2969 sf. The principal building square footage decreased by 43 sf from 1768 sf to 1725 sf. The principal building lot coverage decreased by 0.32% to 12.51% (conforming). The combined lot coverage also decreased by 0.32% to 15.26% (conforming). The dwelling area of the second floor decreased by 79 sf. The proposed impervious coverage decreased by 0.22%.

Mr. Ruebenacker asked if the second story was bumped in 2', which is what the Board had requested.

Mr. DiGennaro said the rear of the addition, where the staircase is proposed was pulled in, and they also pulled in the overhang on the right side to get it to 4.5' on the first floor. He said the Board should get some testimony about exactly what revisions were made.

Mr. Tanis said it looks like the applicant listened to the Board's comments about reducing the rear addition in the setback on the right side as well as stepping in the proposed second story. He went on to say that he drove down the street and what they are proposing is in character with another house a couple of doors down with a similar setback and a bumped in second floor.

Ms. Rizvani said the house down the street is almost identical to this one as far as the distance between the neighbors property and the size of the house.

Mr. Joachim agreed saying, looking at the plans, it looks like they took everything into consideration, and it will be almost identical to the house that is three doors down.

There being no further business, a motion was made to adjourn the Work Session, was seconded, and passed unanimously. The meeting concluded at 7:50 pm.

Respectfully Submitted,
Maureen Mitchell, Secretary
Wyckoff Board of Adjustment

WYCKOFF BOARD OF ADJUSTMENT

APRIL 25, 2024 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."

PLEDGE OF ALLEGIANCE

ROLL CALL

Board Members in attendance: Mark Borst, Erik Ruebenacker, Chis Joachim, Nekije Rizvani, Brian Tanis, and Zvonko Veskov. Absent: Ed Kalpagian, Brian Hubert, and Doug Messineo.
Staff in attendance: Tom Garlick, Board Attorney; Mark DiGennaro, Township Engineer and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the March 21, 2024 Work Session and Public Business Meeting minutes.
The minutes were approved during the Work Session meeting.

PAYMENT RESOLUTION #24-04

The Payment Resolution was approved during the Work Session meeting.

RESOLUTIONS FOR MEMORIALIZATION

Morgan 80 Morley Drive 278/15

(The applicant constructed a front portico requiring variance relief for the front yard setback)

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(The applicant propose a second story addition requiring variance relief for both side yard setbacks, lot area, and frontage)

The two (2) Resolutions were approved during the Work Session meeting.

REQUEST FOR EXTENSION OF APPROVAL**Abbott Family Properties LLC 394 Franklin Ave. 250/3.01**

(The applicant is requesting an extension of the approval of the C1 and D1 variances Granted to construct a second story addition to the building)

The Board approved an extension of the approval until October 20, 2024 during the Work Session.

APPLICATION WITHDRAWN**Vartabedian 369 Steinhauser Lane 428/3.02**

(The applicant proposes to construct an addition to the first and second floors of the home requiring variance relief for the enhanced side yard setback)

The Chairman announced that the applicants have withdrawn their variance application.

CARRIED APPLICATIONS**Patel 811 Wyckoff Ave. 202.02/28**

(The applicant proposes to expand the first and second stories of the home requiring variance relief for both side yard setbacks)

Chairman Borst announced that the applicant has requested that the application be carried to the May 16 meeting pending the submission of revised plans.

Stepe 304 Calvin Ct. 349/44

(The applicant proposes to construct an addition over the attached garage with separate entrance from the outside requiring variance relief for a side yard setback of 5.48' to the second story addition)

Scott Stepe, the applicant, was reminded that he was previously sworn and is still under oath. Mr. Stepe stated that they took the Board members comments into account and spent time making revisions to the plans which he believes is a good solution. He thanked the Board for their feedback.

Wayne Johnson, the applicant's Architect, was reminded that he was previously sworn and is still under oath. He then provided the following details of the revised plans:

We have made some significant changes to the plan based on the Board's recommendations and we believe it is a good compromise. One of the biggest things we did was to try to limit the footprint expansion which we did by bringing the proposed staircase halfway into the garage. We will lose some garage space however, we will reduce the footprint expansion by 43 sf. We also brought the entire second story addition in closer to the main body of the house.

The Chairman asked how much the second story addition has been pushed back. Mr. Johnson said we pushed the addition back 18" and we also reduced the size of the overhang to the first floor by 6". There were no changes to the small addition in the rear on the left side of the house.

Mr. DiGennaro asked for the proposed dimension from the property line to the wall of the second floor addition on the right side. Mr. Johnson stated the existing setback is 5.53' to the wall and the second floor will be bumped in 18" from that, so it will be 7.03' from the property line to the wall of the addition.

Mr. Johnson said they pulled in the back stairs significantly by proposing to demolish the back wall of the garage which is 18" thick, and they will reframe the wall and pour a foundation for the new portion of the addition to accommodate the portion of the staircase that extends beyond the existing garage slab. Referring to sheet Z-5 Mr. Johnson stated the proposed setback to the overhang on the first floor is 4.5' and 7.03' to the wall of the proposed second floor addition.

Chairman Borst asked for clarification on how much the second story wall will be bumped in from the first floor wall. Mr. Johnson replied the difference will be 18 inches.

Mr. Johnson said the interior of the new second story room will now be 10' wide where we originally proposed a width of 11.5'. The proposed length of the room is 24.6' however that includes the stair; the length of the room's usable floor space is 21'.

Mr. Ruebenacker asked what the originally proposed dimensions of the room were. Mr. DiGennaro said the room was originally 11.5' by 27.7' and has been reduced to 9.91' by 21.08' (floor space) and 24.6' including the staircase opening. The gross building area has been reduced by 107 sf. Mr. Joachim said the usable space in the addition will be 208 sf.

Mr. Ruebenacker pointed out that at the last meeting, the Board requested that the addition be bumped in 2' and that he is disappointed they only got it to 18".

Mr. Joachim said he appreciates the fact that the applicant went back to the drawing board and figured out a way to not have the addition go straight up over the garage adding that although he would have liked to see it pushed back 2', the proposed 18" is better than nothing.

Ms. Rizvani said she is okay with the revisions.

Mr. Tanis said if they went any narrower with the room it would be unusable space. He added that he was glad that they also pulled the addition in on the back of the house behind the garage.

OPEN TO THE PUBLIC

NO ONE FROM THE PUBLIC COMMENTED

CLOSED TO THE PUBLIC

Mr. Joachim made a motion to approve the application as revised. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Ms. Rizvani, Mr. Veskov, Mr. Joachim, Mr. Ruebenacker, and 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 8:20 p.m.

03-21-2024PM

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Board of Adjustment

Respectfully Submitted,
Maureen Mitchell, Secretary
Wyckoff Board of Adjustment