

**WYCKOFF ZONING BOARD OF ADJUSTMENT
NOVEMBER 17, 2022
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 Fry:

"The November 17, 2022, 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: Carl Fry, Chairman; Mark Borst, Vice Chairman; Ed Kalpagian, Rosa Riotto, Erik Ruebenacker, Brian Hubert, Brian Tanis, Nekije Rizvani, and Ian Christ.
Staff in attendance: David Becker, Board Attorney; Mark DiGennaro, Township Engineer; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the October 20, 2022 work session and public business meeting minutes.

Mr. Kalpagian made a motion to approve the October 20, 2022 work session and public meeting minutes. Second, Mr. Borst. Voting in favor: Mr. Kalpagian, Ms. Riotto, Ms. Rizvani, Mr. Christ, Mr. Borst, and Chairman Fry. Abstained: Mr. Tanis, Mr. Hubert, and Mr. Ruebenacker.

RESOLUTION FOR PAYMENTS #22-11

Ms. Riotto made a motion to approve the Payment Resolution. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Christ, Ms. Rizvani, Mr. Ruebenacker, Mr. Borst, and Chairman Fry.

RESOLUTIONS TO BE MEMORIALIZED**Gjoreski 172 Greenhaven Rd. Block 332 Lot 12**

(The applicant proposes to renovate and expand the dwelling requiring variance relief for lot area, frontage, front yard setback, and side yard setback)

Lewis 105 Wood St. Block 270 Lot 8

(The applicant proposes to demolish the existing detached garage and construct a new detached garage requiring variance relief for accessory structure side yard setback, rear yard setback and accessory lot coverage)

Rega 166 Ralph Ave. Block 295 Lot 3

(The applicant proposes to construct an addition to the rear of the home requiring variance relief for both side yard setbacks and principal building lot coverage)

Bachardy 296 W. Stevens Ave. Block 320 Lot 102

(The applicant proposes to construct a covered patio requiring variance relief for principal building lot coverage)

Fox 441 Ellis Pl. Block 346 lot 30 – Corner Lot

(The applicant proposes to construct an addition to the home requiring variance relief for front yard setback on George Place and enhanced side yard setback)

Martinez 369 Dorothy Ln. Block 285 Lot 13 – Corner Lot

(The applicant proposes to construct a second story addition to the home requiring variance relief for both front yard setbacks, rear yard setback, side yard setback and principal building lot coverage)

Mr. Kalpagian made a motion to approve the six (6) Resolutions. Second, Mr. Borst. Voting in favor: Mr. Kalpagian, Ms. Riotto, Ms. Rizvani, Mr. Christ, Mr. Borst, and Chairman Fry. Abstained: Mr. Tanis, Mr. Hubert, and Mr. Ruebenacker.

FOR DISCUSSION – WAIVER OF JURISDICTION REQUEST**Nouvelle, LLC 714 Godwin Avenue, Midland Park. The rear of the property is located in the Township of Wyckoff**

(The applicant has submitted an application to the Midland Park Zoning Board of Adjustment for Preliminary and Final Site Plan approval, with “use” and “bulk” variances, to develop the portion of the property located in Midland Park. No improvements are proposed for the portion of the property located in the Township of Wyckoff. The applicant is requesting that the Wyckoff Board of Adjustment, and the Township, waive any requirement to file an application for development with the Township of Wyckoff)

Chairman Fry stated that the Board received a letter from Matthew Capizzi, the applicant's Attorney, which explains what is going on. The vast majority of the property in question is in Midland Park however there is a portion of the lot that is in Wyckoff. They are seeking a waiver of jurisdiction from the Wyckoff Zoning Board which means the matter will be addressed by the Midland Park Zoning Board and the Wyckoff Board will waive the opportunity to hear the

application. Mr. Fry said that in his opinion, other than a letter from the NJDEP, very few details have been provided. He said that he does not have any issues with the intent of the proposal which is to provide housing for disabled veterans however we would be remiss if we did not get a better understanding of what they are looking to do with the property. This is a unique proposal for the single-family residential area since they are proposing a three-story, four-unit building with setbacks that are far less than we would permit. At this point they are simply asking if this Board will or will not waive jurisdiction over the matter. Chairman Fry stated that in his opinion, based on the information provided, he does not wish to waive jurisdiction.

The Board agreed unanimously that jurisdiction should not be waived.

David Becker, the Board Attorney stated that he will send a letter to the applicant's Attorney regarding the Board's decision. It will then be up to the applicant to decide whether to submit the application to this Board now or wait until Midland Park decides on the application.

Mr. Kalpagian pointed out that it would not make sense for the Wyckoff Zoning Board to hear the application until it is voted on by Midland Park because the application and plans may be revised based on the Midland Park Board comments and concerns.

CARRIED APPLICATION

Frezza 426 Meer Ave. Block 349 Lot 107

(The applicant proposes to construct a second story and a covered porch requiring variance relief for both side yard setbacks and principal building lot coverage)

I have reviewed the Plot plan and Architectural plan by William Brown Architects sheets A1-5, plus a cover sheet last revised May 4, 2022, Landscape Plan prepared by Yost Design, dated 8/26/22, photos and application. The existing single family dwelling is situated in the RA-25 zone and is non-conforming as to side yard setback. The applicant is proposing an addition and renovation requiring variance relief for enhanced side yard setback and garage setback to the property line for a side loading garage. Existing side yard #1 setback is 19.8' and proposed is 25' to the proposed second floor addition. Existing side yard #2 setback is 24.7' and proposed is 27.1'. Required is 25' for each side due to the enhanced setback requirement. Stormwater management is not required, and the property will be served by a new four (4) bedroom septic in the front yard which has been approved for construction.

Chairman Fry said the lot is currently conforming with the exception of one of the side yard setbacks. The increase in gross building area is triggering the enhanced side yard setback of 25' so now both of the side yard setbacks will be nonconforming. The new garage bay will be conforming at 27', and the new second story addition will also be constructed out of the enhanced side yard setback. The Chairman pointed out that Mr. DiGennaro's report lists the proposed lot coverage as 13.4% however the application and plan lists the lot coverage as 15.2%.

Mr. DiGennaro stated he believes the 15.2% on the application and plans is incorrect.

Chairman Fry said the utility pole is close to the property line so utilities should be placed underground.

NEW APPLICATIONS**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)

Mr. DiGennaro provided the following technical review of the application:

I have reviewed the property survey dated 12/20/21 prepared by Steven L. Koestner, PE, LS, self-prepared landscape plan, Architects plan prepared by Thomas Ashbahian, last revised 11/1/22, application and photos. The existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area, frontage, front yard and side yard setbacks, and principal building lot coverage. The applicant is proposing to improve the property by removing the flat roof and replace with a gable roof and increase the footprint requiring variance relief. The existing lot area is 12,423 sf where 25,000 sf is required. Existing frontage is 75' where 125' is the requirement. Existing front yard setback is 31.41' to the roof overhang and 33.41' is proposed where 40' is required. Existing side yard #1 setback is 0.56' and proposed is 2.72'. Side yard #2 has an existing setback of 1.11' and 3.11' is proposed where 20' is required for each side. Existing principal building is 16.9 % and 18.9% is proposed where 15% is the maximum allowed. Stormwater management is not applicable. The property will be connected to sewer as the applicant has applied to perform a privately funded sewer extension. Any approval must be conditioned upon the sewer project being completed and connected to the structure. No certificate of occupancy will be granted until the sewer extension and connection is complete.

Chairman Fry said this is a very unique structure. The applicant is looking to completely change the roof line. He said the problem he has with the application is that the house is extremely nonconforming, situated within a foot of the property line which he feels is a nonstarter. There is also no garage on the property, which is a nonconformity, and the applicant is not proposing a garage. Mr. Fry said that there is currently open space in the center of the two structures that are connected by the roof however the applicant is proposing to close the open space and add more mass to the house just 1' and 3' from the side property lines. He went on to say that he feels the existing house should be taken down and a more conforming house constructed with a garage.

Mr. Kalpagian stated that he struggles with the side yard setbacks. He added that the landscape plan shows the proposed A/C condenser units placed on the side of the house that is already severely encroaching into the setback so the units should be placed in the rear.

Mr. Hubert said it appears that the detached structure to the left might have been a garage at one time.

Mr. Borst said that structure is only 15' deep so it can't become a garage without expanding it deeper.

185 Jackson LLC 8 Sherwood Lane Block 263 Lot 45

(The applicant proposes to construct a second story addition and a two-story addition to the rear of the home requiring variance relief for lot area, frontage, front yard setback, both side yard setbacks)

Mr. DiGennaro provided the following technical review of the application:

I have reviewed the site plan prepared by Steven L. Koestner, PE, LS last revised 11/1/22, architectural plan by Puzio Architects AIA, last revised 11/2/22, application and photos. The single family home is located in the R-15 residential zone and is non-conforming as to lot area, frontage, front yard and side yard setbacks, side yard accessory structure setback. The applicant is proposing an addition – renovation to the existing structure on the property requiring variance relief. The existing lot area is 13,778 sf where 15,000 sf is the requirement. Frontage is 75.49' where 100' is required. Existing front yard setback is 17.42' and 18.14' is proposed where 40' is the requirement. Existing side yard setback #1 is 12' and is proposed to remain unchanged at 12'. Existing side yard setback #2 is 30.35' and proposed is 14.25' where 20' is the requirement for each side. The proposed height is 34.03' where 35' is the maximum allowed. There is an existing detached garage on the property with a side yard setback of 3.31' and rear yard setback of 17.67'. This application satisfies the required Stormwater Management Plan review, and the property is served by sanitary sewer.

Chairman Fry stated that his first impression of the application is that the proposal is a little aggressive for the narrow lot and the proposed height is almost at the maximum allowed. He said he would like to know how much of the existing house is going to remain since it appears that there is a significant amount of construction proposed. The Chairman mentioned that the applicant is proposing a new attached garage while also proposing to keep the existing detached garage that is nonconforming at 3' off the property line.

Ms. Riotto pointed out that the location of A/C units are not shown on the plan so we should hear testimony about that.

Mr. Borst stated that the landscape plan is not adequate in his opinion.

There being no further business, a motion was made to adjourn the Work Session, was seconded, and passed unanimously. The meeting concluded at 8:10 pm.

Respectfully Submitted,
Maureen Mitchell, Secretary
Wyckoff Board of Adjustment

WYCKOFF BOARD OF ADJUSTMENT

NOVEMBER 17, 2022 PUBLIC BUSINESS MEETING 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 Fry:

"The November 17, 2022, 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."

PLEDGE OF ALLEGIANCE

ROLL CALL

Board Members in attendance: Carl Fry, Chairman; Mark Borst, Vice Chairman; Ed Kalpagian, Rosa Riotto, Erik Ruebenacker, Brian Hubert, Brian Tanis, Nekije Rizvani, and Ian Christ.
Staff in attendance: David Becker, Board Attorney; Mark DiGennaro, Township Engineer; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the October 20, 2022 work session and public business meeting minutes.

The minutes were approved during the Work Session.

RESOLUTION FOR PAYMENTS #22-11

The Payment Resolution was approved during the Work Session.

RESOLUTIONS TO BE MEMORIALIZED

Gjoreski 172 Greenhaven Rd. Block 332 Lot 12

(The applicant proposes to renovate and expand the dwelling requiring variance relief for lot area, frontage, front yard setback, and side yard setback)

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(The applicant proposes to construct a second story addition to the home requiring variance relief for both front yard setbacks, rear yard setback, side yard setback and principal building lot coverage)

The six (6) Resolutions were approved during the work session.

FOR DISCUSSION – WAIVER OF JURISDICTION REQUEST

Nouvelle, LLC 714 Godwin Avenue, Midland Park. The rear of the property is located in the Township of Wyckoff

(The applicant has submitted an application to the Midland Park Zoning Board of Adjustment for Preliminary and Final Site Plan approval, with “use” and “bulk” variances, to develop the portion of the property located in Midland Park. No improvements are proposed for the portion of the property located in the Township of Wyckoff. The applicant is requesting that the Wyckoff Board of Adjustment, and the Township, waive any requirement to file an application for development with the Township of Wyckoff)

Chairman Fry announced that the Board discussed the matter during the work session and determined that jurisdiction will not be waived. This Board will wait to see what action is taken by the Midland Park Board of Adjustment. No further action will be taken at this time.

CARRIED APPLICATIONS

Frezza 426 Meer Ave. Block 349 Lot 107

(The applicant proposes to construct a second story and a covered porch requiring variance relief for both side yard setbacks and principal building lot coverage)

Harold Cook, the applicant's Attorney, said he heard the comments during the work session regarding the lot coverage. Mr. Brown, the applicant's Architect spoke with Mr. DiGennaro and

the numbers have been recalculated to reflect that the proposed lot coverage is 14.9% which is below the maximum permitted 15%. Mr. Cook stated that they are seeking two (2) variances for enhanced side yard setbacks.

William Brown was sworn in and accepted as an expert in Architecture based on his credentials and numerous previous appearances before the Board. Mr. Brown then provided the following details of the proposal: I recalculated the lot coverage, and the proposed principal and combined lot coverage is 14.9%. The existing home is a ranch style home, and we are proposing a second story. The existing right side yard setback is 24.6' and we are proposing 27' to the proposed new third garage bay. The existing side yard setback on the left side is 19.8' and the proposed second story will be at 25'. We are proposing a rear covered porch which will be a one story structure. Siding will be Hardie board and the covered front porch will have a metal roof. There will be four (4) bedrooms on the second floor.

Mr. Tanis asked if all of the first floor walls are going to be taken down to the deck. He also asked if the existing support beams will remain or be replaced.

Alejandro Frezza, the applicant, was sworn in. Mr. Frezza stated that he plans to sister the existing 2"x4" walls with new 2"x6" boards. The existing garage walls will remain.

Mr. Brown stated that all of the first floor perimeter walls will remain, and the main girder will have to be reinforced to support the extra weight of the new second story.

Mr. DiGennaro asked about the location of the mechanicals and the type of siding.

Mr. Brown stated that the two (2) A/C condensers and the generator are shown on the site plan last revised October 3, 2022, and they will be on the left side of the house out of the required setback. The siding will be white Hardie board.

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

Mr. Cook stated that the variances being sought are for existing conforming setbacks that will now be nonconforming due to the enhanced side yard setback requirement.

Chairman Fry said the correct principal and combined lot coverage is 14.9% where the plan and schedule J states 15.2% so that variance request is eliminated.

Mr. Ruebenacker made a motion to approve the application as submitted with the corrected principal and combined lot coverage of 14.9%, Hardie siding, and underground utilities. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Ruebenacker, Mr. Borst, and Chairman Fry.

NEW APPLICATIONS**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)

Thomas Ashbahian, the applicant's Architect was sworn in and provided his credentials as a licensed Architect, Planner, and Engineer in the State of New Jersey. He was accepted as an expert.

Mr. Ashbahian provided the following details of the application:

The property is nonconforming in very significant ways. The lot area is less than half of what is required in the zone, and frontage is almost half of what is required. The existing home is a ranch with an unsightly flat roof. There is a large void which separates the two (2) parts of the existing house. The plan is to fill in the void to create an actual front entrance and a more normal circulation inside the house. We are proposing to remove the entire flat roof and construct a new conventional gable roof. The existing nonconformities are the lot area, frontage, front yard setback and both side yard setbacks. The only new variance we are generating with this application is for a principal building lot coverage of 18.9% where 15% is the maximum allowed. There is a sewer connection application that has been submitted and we are awaiting NJDEP approval on that. In my opinion, the aesthetic benefits of the proposal will outweigh any detriments.

Mr. Becker clarified that the applicant is seeking variances for lot area, frontage, side yard setbacks, front yard setback and lot coverage.

Mr. Borst questioned how the homeowner will have access to the back yard for leaf removal, lawn care equipment, or tree removal if the middle portion of the structure is closed in. He added that it does not seem possible to do so without utilizing the neighbor's property.

Mr. Ashbahian stated that there are approximately 3' on each side from the house to the property line. He added that there will be access to the rear yard from the back of the house.

Mr. Tanis asked if any consideration was given to eliminating the study room on the left side which would create a proper setback on the left side. He added that he feels there are other creative options to make this a functional home for a family to live in while improving upon the side yard setback. He added that the homeowner will still have to park in the existing small driveway in the front because you are not proposing a garage. By eliminating the study room, you could extend the driveway to get cars further back and away from the street.

Mr. Ashbahian said that option was not discussed, and it could be considered however the variance requests would still be the same.

Chairman Fry said that he personally would not be able to approve this application as submitted. He suggested eliminating the study, and constructing a garage attached to the house where the open area currently exists between the structures. This would open up the entire left side of the property for access which would be a huge improvement from a usability, safety, functionality, and aesthetic standpoint. It would also eliminate a nonconformity by adding a garage. The Chairman then asked if the applicant plans to live in the house or if it will be renovated and sold.

Mr. Ashbahian stated that he cannot answer that question however he can have his client answer.

The Chairman said he would like an answer to that question.

The applicant, although present, did not ask to be sworn in to respond.

Mr. Tanis said he would like to see more details identified on the site plan as to how much of the existing concrete on the site will remain and how much will be removed.

Mr. Borst suggested a revised landscape plan as well.

OPEN TO THE PUBLIC

Charles McKearnin who resides at 299 Wiley Place was sworn in. He mentioned the existing retaining wall which he said is encroaching onto his property. He said there is a deed in place which states that if the wall needs to be repaired or replaced, it is to be moved off of his property. He asked what the intentions are for the retaining wall at this time. He also expressed concerns about runoff from the site. Finally, Mr. McKearnin stated that he would like the height of the proposed roof line reduced and questioned how the homeowner will get equipment into the back yard.

Mr. Borst said the Board has already discussed the concerns about access to the backyard.

Mr. Ashbahian stated that they are not proposing any changes to the retaining wall at this time. He added that the current survey shows the retaining wall on the applicant's property. Regarding the runoff, Mr. Ashbahian stated that gutters and leaders will be installed which will drain to the ground. He added that the Township Engineer has stated that there is no requirement for a drainage plan.

Fortunato Puleo who resides at 301 Wiley Place was sworn in and said he is very happy with the proposed improvements to the home.

CLOSED TO THE PUBLIC

Mr. Ashbahian stated that he would like the application to be carried and he will work on revisions which he will try to submit in time for the December 15 meeting.

Chairman Fry advised that the revisions should not be minor.

Mr. Becker stated no further notice will be required for the December meeting.

185 Jackson LLC 8 Sherwood Lane Block 263 Lot 45

(The applicant proposes to construct a second story addition and a two-story addition to the rear of the home requiring variance relief for lot area, frontage, front yard setback, both side yard setbacks)

Bruce Whitaker, the applicant's Attorney provided the following overview of the application: The existing small home is in a state of disrepair. The lot is nonconforming in area and width. We are proposing to construct a second story, additions to the rear and right side of the home. The addition on the right will be an attached garage with a second story above. The major new

variances we are seeking are for the two (2) enhanced side yard setbacks. We are proposing side yard setbacks of 14.25' and 12' where 20' is the requirement. Utilities will be placed underground. We have submitted a drainage plan which proposes a seepage pit in the rear yard and certification from our Engineer, dated September 15, 2022 that the improvements will result in a zero net increase in runoff from the site. There is an existing detached garage on the property which we propose to keep however we heard the Board members comments during the work session and if it is the consensus of the Board that the nonconforming garage should be removed, we will stipulate that it will be removed.

Steven Koestner, the applicant's Engineer, was sworn in and was accepted as an expert in his field based on the professional credentials he provided.

Mr. Koestner stated that he prepared the site plan last revised November 1, 2022. There are currently no drainage improvements on the property. We are proposing a 1000 gallon seepage pit surrounded by 36' of stone in the rear yard. The lot is undersized in area and width. The existing front yard setback is 17.42' and we are proposing 18.14' where 40' is the requirement. The existing side yard setbacks are 12' and 30.35' and we are proposing 12' and 14.25' where 20' is the requirement. Mr. Koestner stated that he also prepared the landscape plan which proposes several shrubs in the front as well as two (2) trees in the rear of the property and trees and plantings along the westerly sideline of the property.

Mr. Ruebenacker asked for clarification that the proposed side yard setback of 14.25', where the requirement is 20', is the result of all new construction.

Mr. Koestner confirmed that it is new construction.

Robert Puzio, the applicant's Architect, was sworn in and accepted as an expert based on his professional credentials.

Mr. Puzio provided the following details of the architectural plans:

The existing home is a 1 ½ story home. We are proposing to add the rear and side of the home. The existing enclosed front porch will be removed. The existing foundation has been inspected and will be built upon. The existing perimeter walls will remain, and we are proposing to sister the existing wall studs with new studs to increase the ceiling height. The design is a traditional center hall colonial that meets today's standards of living for a family. The first floor will contain a living room, dining room, kitchen, family room, office, and mud room. Upstairs we are proposing four (4) bedrooms, three (3) bathrooms, and a laundry room. The size and style of the proposed home will fit in with the character of the neighborhood. Siding will be Hardie plank and stone veneer with metal roof accents.

Chairman Fry stated that there is a significant amount of work being done to the existing house and in his opinion, it looks like a tear down. He also commented on the elevation in the rear of the house adding that the exposed foundation is going to grow in height based on the topography.

Mr. Whitaker stated that the only walls that are coming down are where additions are being constructed.

Mr. Hubert pointed out that an addition is proposed for the entire right side and the rear so those walls are going to come down. In addition he said, you are proposing to remove the enclosed front porch so this is essentially a tear down.

Chairman Fry said he would like to see the house moved over and back to improve the setbacks.

Mr. Whitaker said the intent is to maintain the existing foundation to build upon and keep the building where it is right now. The proposed addition on the right is for the garage.

There was a discussion about the height, the grading, and the amount of exposed foundation in the rear of the house.

Mr. Koestner stated that the height is measured from lowest grade to the ridge and the proposed height is 34.03' which complies with the zoning requirement. He added that he can modify the grading slightly in the rear.

Mr. Borst asked for clarification on the right side yard setback where the new addition is proposed.

Mr. Koestner stated they are proposing 15.25' to the wall and 14.25' to the roof overhang.

Mr. Ruebenacker asked if any consideration was given to stepping in the second story to get closer to the required 20' setback requirement. He added that he understands that the lot width is undersized however the Board is challenged with upholding the zoning ordinances. Typically applicants are more accommodating by bumping in the second story addition.

Mr. Puzio stated that that the possibility is there however the intent is to give the home a traditional element with the continuous wall on the first and second stories.

Mr. Tanis pointed out that the proposed 15.6' by 24' garage is quite large for a one-car garage with a large master bedroom with bathroom proposed above on the second story. He suggested reducing the size of the garage and the addition above to reduce the encroachment into the right side yard setback.

Mr. Whitaker stated that they will take that under consideration.

Mr. DiGennaro voiced his opinion by stating that if you reduce the size of the one-car garage by 2' or 3' it becomes a matter of form over function. He said the garage is proposed at 15' which is the required setback except for the fact the enhanced setback rule now comes into play which requires 20'.

Mr. Kalpagian said he would like to see the second story addition stepped in to lessen the encroachment into the setbacks. He also agreed with Mr. DiGennaro about the size of the proposed garage stating that if the garage is reduced in size, the homeowner probably will not park a vehicle inside.

Mr. Borst expressed concerns about the proposed height of 34.03' and inquired about the difference in height between the ridge line and the gable.

Mr. Puzio stated that the 34.03' measurement is to the gable in the front and 32.02' to the ridge line. he added that he could certainly modify the roof to bring the height down.

Mr. Ruebenacker suggested reducing the ceiling height on the second floor from the proposed 9' to 8'.

Mr. Puzio stated that he can reduce the ridge line to 29' and the gable to 31' in the front. The height to the ridge in the rear will be 32' due to the difference in the grade.

Mr. Hubert asked about the existing fence on the right side of the property.

Mr. Whitaker stated the fence is on the applicant's property.

Mr. Ruebenacker asked if the property owner intends to live in the house or renovate and sell.

Mr. Whitaker stated that is an irrelevant question from a land use perspective, a planning perspective, and a Zoning Board perspective.

Mr. Borst said the landscape plan needs to be revised.

OPEN TO THE PUBLIC

Esra Goren, who resides at 187 Crescent Avenue, was sworn in. Ms. Goren stated that she is also the owner of the property located at 12 Sherwood Lane which is adjacent to the subject property. Ms. Goren said that she feels the applicant is overbuilding the lot and finds what is being proposed unacceptable.

Mary Read of 21 Sherwood Lane, and Ludmilla Zelkin of 9 Sherwood Lane were sworn in. Both homeowners stated that they are in favor of the project.

CLOSED TO THE PUBLIC

Chairman Fry recapped the discussed revisions by stating that the height will be reduced to 31' to the front gable and 32.7' overall, utilities will be placed underground, A/C units will be placed in the rear, efforts will be made to step in the second story, a revised landscape plan will be submitted, the revised site plan will show the existing detached garage shall be removed, revised elevations will be submitted, and the revised architectural plan will indicate the siding will be Hardie board.

Mr. Becker announced that the application will be carried to the December 15, 2022 meeting with further notice required.

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 10:30 p.m.

Respectfully Submitted,

Maureen Mitchell, Secretary
Wyckoff Board of Adjustment