

WYCKOFF BOARD OF ADJUSTMENT

SEPTEMBER 17, 2020 PUBLIC BUSINESS MEETING MINUTES

Work Session: 7:30 p.m. Via Zoom Video Conferencing and streaming live on the Township's YouTube account

Public Meeting: 8:00 p.m. Via Zoom Video Conferencing and streaming live on the Township's YouTube account

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

"The September 17, 2020 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.

Chairman Fry read this 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."

Roll call was taken.

Board Members in attendance: Carl Fry, Chairman; Mark Borst, Vice Chairman; Ed Kalpagian, Brian Tanis, Rosa Riotto, Brian Hubert, Kimberly Evans, and Ian Christ.

Absent: Erik Ruebenacker

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

Pledge of Allegiance.

OLD BUSINESS

Approval of the August 20, 2020 Work Session and Public Business meeting minutes.

The August 20, 2020 Work Session and Public Meeting minutes were approved during the Work Session.

NEW APPLICATIONS**Ellie Homes, LLC 349 Voorhis Ave. Block 316 Lot 4**

(The applicant proposes to construct a second story, a front porch, and expand the kitchen in the rear of the home requiring variance relief for front and side yard setbacks)

Bruce Whitaker, the applicant's attorney, provided the following overview of the application: The applicant proposes an addition of a second story to existing home, a 2-story addition to the rear of the home, and an open, wraparound front porch. Mr. Whitaker stated that the lot is undersized and nonconforming in lot area, frontage, depth, front yard setback and side yard setback. The existing garage is one story and will remain one story. The existing walls of the home will remain and will be built upon. Mr. Whitaker affirmed that this will not be a complete knockdown. The applicant will install electric lines underground. A 4-bedroom septic has been approved and the deed restriction, as mentioned by Mr. DiGennaro during the Work Session, will be recorded by him and complied with. The numerous overgrown shrubs and retaining wall in the front yard will be removed and the front yard will be regraded to create a more expansive front lawn than what currently exists. The proposed front porch will remain open. Mr. Whitaker stated that he believes the application meets the criteria for the C1 and C2 approach. Finally, he said that the landscape plan will be revised based on comments made by the Board members during the work session. Mr. Becker said the application will be marked exhibit A-1 and the landscape plan exhibit A-2.

Joseph Cestaro, the applicant's architect, was sworn. His office is located at 362 Main Street in Wyckoff. Mr. Cestaro stated that he has a bachelor's degree in Architecture from NJIT and has been licensed in the state of NJ since 2016. He has testified as an expert in Architecture before other boards in NJ. Chairman Fry recognized Mr. Cestaro's credentials as acceptable. Mr. Cestaro stated that this work will not be a complete teardown and he pointed out on the plans which walls will remain. The walls of the garage will also remain. The proposed siding will be hardy board with a mix of horizontal and vertical boards. There will also be architectural trim, metal accent roofing, and stone veneer around the base of the home on all 4 sides. All new windows and doors will be installed as well as new architectural outdoor lanterns. The landscape plan will be revised and submitted based on comments made by the Board members during the Work Session.

There was a discussion about which trees on the property are going to be removed and which trees will remain. Mr. DiGennaro cautioned that trees within 10' of the proposed new septic system may have to be removed because of their large root systems. Mr. Whitaker suggested that a field decision could be made at the time. Board Attorney Becker and Township Engineer DiGennaro concurred.

Mr. DiGennaro asked for confirmation that the existing first floor perimeter walls are going to remain in place, plates will be cut, and studs added, rather than taking all perimeter walls down to the deck. Mr. Whitaker stated that the first-floor perimeter walls will remain.

Chairman Fry stated that if approved, the applicant should submit a revised landscape plan. The garage will remain a one-story structure, electric lines will be placed underground, there will be a deed restriction legally recorded for the septic and the front porch will always remain an open porch.

OPEN TO THE PUBLIC
NO ONE FROM THE PUBLIC CALLED IN TO COMMENT
CLOSED TO THE PUBLIC

Mr. Borst made a motion to approve the application for 349 Voorhis Avenue subject to the submission of a revised landscape plan prior to memorializing the Resolution. Second, Ms. Riotto. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Borst and Chairman Fry.

Anzano Samantha & Christopher 105 Sheldon St. Block 266 Lot 9

(The applicant proposes to add a second story to the existing home and construct a detached garage requiring variance relief for side yard setback, lot coverage and accessory structure side yard setback and lot coverage)

Samantha and Christopher Anzano, the applicants, were sworn. Mirek Lewandowski, the applicant's Architect, was sworn. Mr. Lewandowski stated that he has a master's degree in architecture. He is licensed in NJ, NY and PA has testified before land use boards approximately 15 times. Chairman Fry stated that Mr. Lewandowski's credentials were acceptable.

Mr. Lewandowski provided an overview of the application. He stated that the existing home is a three-bedroom, one-bathroom, one-story dwelling. The applicant is proposing a five-bedroom, three-bathroom, two-story home. The proposed front yard setback is 24.7' requiring variance relief. Existing right side yard setback is 5' and 4' is proposed to the roof overhang. The proposed accessory garage requires a 10' side yard setback and the proposed is 4'. The proposed principal building lot coverage and accessory structure lot coverage will exceed the maximum allowed. The two existing sheds on the property will be removed. The house is not a complete teardown. The first floor will remain intact except for some of the interior walls which will be removed to open up the living space. Mr. Lewandowski stated that he believes the proposal is consistent with other existing homes on the applicant's street.

Chairman Fry asked the applicants if they plan to reside in the home after construction. Mrs. Anzano said they are going to live in the home. She said that her husband grew up in Wyckoff and they want to live here and raise a family here. Mr. Fry asked about the proposed 18' wide driveway. Mrs. Anzano said that it will facilitate not having to shuffle cars around to get out of the driveway. Mr. Fry commented that the door on the right side of the house is marked as optional on the plans. Mrs. Anzano said the door is proposed and will be installed.

Mr. Kalpagian commented that there are no proposed windows on the left or right side of the proposed second floor. Adding, windows would break up the mass of the home and lessen the impact on the neighbors. Mr. Lewandowski said that they will consider adding a couple of windows to the sides of the second story. Ms. Riotto said that she feels adding windows to the master bedroom on the left side of the second story will take up valuable wall space. Mr. Lewandowski said they will add a window on the right side on the second story.

Mr. Borst suggested moving the proposed garage further away from the property line, if possible. Mr. Lewandowski said that if they move the garage it will take up the green space in the back yard and will bring it very close to the deck on the rear of the house. Ms. Riotto pointed out that the house to the right has a garage just as close to the property line as is being

proposed adding that the proposal is similar to most other existing homes with garages in the neighborhood. Mr. Tanis added that the proposed garage is very modest in size.

Mr. Hubert inquired about the existing and proposed ceiling height. Mr. Lewandowski stated that the existing and proposed ceiling height for the first floor is 8' and the proposed height for the second story is also 8'. Mr. Hubert then asked about the landscape plan. Mr. Lewandowski stated that the existing tree in the front yard will remain. Boxwoods and arborvitaes will be planted along the foundation in the front of the house. Mr. Borst said the landscape plan is sufficient. Ms. Riotto stated that screening should be placed around the A/C units.

Mr. DiGennaro stated that the Resolution should restrict the installation of a canopy or portico over the proposed side door on the right side of the home.

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Chairman Fry summarized as follows: a window will be added to the right side of the proposed second story, A/C units will be added to site plan with screening, 8' ceilings on first and second floors, proposed garage will be located 4' from the side property line, side door on the right side of the first floor to be installed without canopy or portico, and the two existing sheds are to be removed. Mr. DiGennaro said that the plot plan survey reference should be listed on the site plan and the site plan should also include revision date.

Mr. Kalpagian made a motion to approve the application subject to the addition of a window to the right side of the second story, A/C units to be added to the revised site plan in the rear of the home with screening, revised site plan to reference survey and revision date.
Second, Ms. Riotto. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Christ, Ms. Evans, Mr. Borst and Chairman Fry.

Scalise, Michael & Erica 541 Helena Ave. Block 336 Lot 4

(The applicant proposes to construct an addition to the rear of the home and to install a generator requiring variance relief for side yard setback)

Michael and Erica Scalise, the applicants, were sworn. Mr. Scalise stated that this home is his primary residence. He is proposing to construct a single-story addition to the rear of the structure and to install a generator on the right side of the home. Mr. Scalise stated that his Architect, Fred Klenk, advised him that the location chosen for the proposed generator is the most practical location because that is where the existing gas line is. There is also more room on the right side of the home. Mr. Scalise said that he and his wife have two daughters. Under the current circumstances due to the pandemic, his older daughter is attending school virtually and his wife works from home a few days a week. They currently use the kitchen table as their workstation. He said they would like to convert one of the 3 existing bedrooms into an office. The proposed addition will be a new master bedroom with a walk-in closet and master bath. Mr. Scalise stated that the home will continue to be a 3-bedroom home. They currently have 1 ½ bathrooms with only 1 shower in the home and limited closet space. Mr. Scalise went on to say that they are also proposing to expand the basement area under the proposed addition and add an exit from the basement to the rear yard.

Mr. Borst commented that he is concerned about the office being used as a 4th bedroom in light of the fact that the property is serviced by a 3-bedroom septic system. Mr. DiGennaro stated that the matter would arise if the homeowner sells the home and tries to list it as a 4-bedroom house where a 3-bedroom septic exists.

Chairman Fry asked the applicant about the proposed office. Mr. Scalise stated that his wife works from home a few days a week and this will be used as her primary workspace and a place for his daughter to attend virtual school classes. The door on the existing closet will be removed and will be replaced with shelving for books. Ms. Riotto inquired about the size of the proposed office. Mr. Scalise said the existing room is approximately 10' X 10'. Mrs. Scalise said it is a very small room with barely enough room for their 3-year-old daughters' crib, changing table and dresser.

Mr. Fry asked about screening for the proposed generator. Mr. Scalise stated that they are proposing to install a 4' tall white picket fence around the generator to screen it from the street and the neighbor. The fence will match the existing fence around their yard.

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Chairman Fry summarized by stating that a one-story addition will be constructed in the rear of the home, a generator will be installed on right side of the home with screening for the generator and the existing A/C unit, and the proposed office will not be utilized as a 4th bedroom but will remain an office with book shelves replacing the existing closet.

Mr. Tanis made a motion to approve the application for 541 Helena Avenue subject to adding screening around the proposed generator and existing and A/C unit.
Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Hubert, Mr. Kalpagian, Ms. Riotto, Mr. Christ, Ms. Evans, Mr. Borst and Chairman Fry.

Lieberman, Keryn & Michael 396 Carriage Lane Block 324 Lot 4

(The applicant is proposing to construct a covered patio requiring variance relief for exceeding the maximum allowed principal building coverage)

Michael Lieberman, the applicant, and John Musinski, the Architect, were sworn. Mr. Musinski stated that has a bachelor's degree in Architecture from NYIT. He is licensed in NY and NJ and has testified before many boards in in the state of New Jersey. Mr. Musinski's credentials were accepted by the Chairman.

Mr. Musinski stated that the applicant is proposing an open covered patio attached to the rear wall of the house. The roof of the patio will be integrated with the roof of the house. The patio will include an outdoor fireplace and kitchen. The maximum height of the structure will be 12'. The total area of the proposed patio is 580 sf which will bring the principal building lot coverage to 17% which exceeds the maximum allowed 15%. The applicant is requesting variance relief for principal building lot coverage. Mr. Musinski stated that no other accessory structures are proposed, so the total combined lot coverage will be 17% which is below the maximum allowed combined of 20%. Finally, Mr. Musinski said that all other zoning requirements of the Township of Wyckoff are being met with this application.

Mr. Lieberman said that the new home construction did not require any variances. He and his wife recently decided that since the family is spending much more time at home, they would like to add the covered outdoor living space.

Chairman Fry stated that the application is straight forward. One variance is being requested for principal building lot coverage.

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Mr. Hubert made a motion to approve the application for 396 Carriage Lane. Second, Mr. Borst. Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Mr. Hubert, Mr. Christ, Ms. Evans, Mr. Borst and Chairman Fry.

Andrukiewicz, Renata & Krzysztof 383 Lehigh St. Block 481 Lot 4

(The applicant proposes to construct a porch on the front of the home requiring variance relief for both front yard setbacks of this corner lot)

Renata and Krzysztof Andrukiewicz, the applicants, were sworn. Mrs. Andrukiewicz explained that the home has been under construction. She said that when the addition was completed, she felt that the front of the home was missing something. Mrs. Andrukiewicz said that most of the existing homes on her street have a front porch and she feels that her home will fit in better with look of the neighborhood if they add a front porch. She said it will also provide shelter from the weather.

Mr. Borst said that the landscape plan needs to be revised. The submitted landscape plan shows arborvitaes proposed in the front of the house which are going to grow to 20' in height. It also shows 12 other shrubs in a small area that will become very overgrown. He advised seeking guidance from a landscape professional for varieties that will do well in this area as well as quantities.

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Mr. Borst made a motion to approve the application for 383 Lehigh Street subject to the submission of a revised landscape plan prior to the memorializing of the Resolution. Second, Ms. Riotto. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Christ, Ms. Evans, Mr. Borst and Chairman Fry.

Allain, Brian 388 Cornell St. Block 479 Lot 3

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

Peter Sullivan, the applicants Contractor, was sworn.

Chairman Fry stated that it appears that the work on the proposed portico has already been completed.

Mr. Sullivan stated that he intended to complete the work under the construction permit he had obtained for the roofing and siding project and he did not realize a variance was required. He explained that there was a water issue in the area of the front door, and he wanted to get this fixed for his client. He apologized for being remiss in completing the work without following the proper protocol.

Chairman Fry stated that it is a small canopy over the front door

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Mr. Tanis made a motion to approve the application for 388 Cornell Street. Second, Mr. Hubert. Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Mr. Hubert, Mr. Christ, Ms. Evans, Mr. Borst and Chairman Fry.

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 11:15 p.m.

Respectfully Submitted,
Maureen Mitchell, Secretary
Wyckoff Board of Adjustment