

**WYCKOFF BOARD OF ADJUSTMENT
DECEMBER 15, 2016 PUBLIC BUSINESS MEETING MINUTES**

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

The meeting commenced with the reading of the Open Public Meetings Statement by Erik Ruebenacker, Chairman:

"The December 15, 2016 Public Business Meeting 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.

Board Member Attendance: Erik Ruebenacker, Chairman; Carl Fry, Vice Chairman; Mark Borst; Tim Shanley; Brian Hubert; Ed Kalpagian; Brian Tanis, Alt.

Board Member Absent: Susan Yudin; Rich DeLeo, Alt.

Staff Present: David Becker, Board Attorney; Joseph C. Perconti, Planning Board Attorney; Mark DiGennaro, Township Engineer; Susan McQuaid, Board Secretary.

The Board of Adjustment Meeting began with the Pledge of Allegiance.

Chair Ruebenacker stated that all phones, pagers and hand held electronic devices should be turned off or switched to silent mode in order to avoid interrupting the public session.

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Chair Ruebenacker 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"*

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OLD BUSINESS

APPROVAL OF MINUTES

November 17, 2016 work session/public business meeting
The minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #16-12- Approval of vouchers for work performed/funded from various escrow accounts. Resolution #16-12 was approved at the work session meeting.

RESOLUTION(S) TO BE MEMORIALIZED

FINKLE, BRADLEY & REGAN BLK 432 LOT 12 (RA-25); 799 Birchwood Drive. *(The applicant proposes to demolish the existing structure and construct a new 2-story, single family residence which will exceed the gross building area and trigger the enhance side yard setback requirement).*

The above referenced resolution was memorialized at the work session meeting.

APPLICATION(S) – NEW

WISPELWEY, CHRIS & MICHELE BLK 263 LOT 10 (R-15); 28 Shadyside Drive. *(The applicant proposes to increase the footprint of the first and second floor which will exceed gross building area and encroach into the sides yard setback, front yard setback and building coverage).*

Board Member Kalpagian recused himself from discussion and removed himself from the dais.

Mr. Whitaker, from the law firm of McDonnell & Whitaker, the applicant's attorney, said the variance request is due to a substandard lot in lot size and lot width. He said the side yard setbacks that are proposed are enhanced due to the gross building area being increased from 2,234 square feet to 4,420 square feet. He said the applicant is seeking a front yard setback variance due to the architectural enhancement over the front porch and side yard setback based on the increase in the enhanced side yard setback requirement where 11.5' by the proposed 2 car garage and 12.8' to the chimney on the right side where 20' is required. He said the overall scheme of the neighborhood where additions such as this are very similar. He said enhanced landscaping will be provided around this property to help buffer this proposal from the neighboring property owners. The last variance being sought is for the overall coverage where 15% is for the principle structure and 5% on accessory. The applicant is proposing the combined lot coverage at 19.5% on this lot. He said the applicant would not consider an accessory structure which would be deed restricted so the coverage remains under the 20%.

The following exhibits were marked as identification:

A-1 Application package

A-2 Pictures of the house and neighboring property owners

Peter Cooper, the applicant's architect, 14 Overbrook Road, Ramsey, NJ, said he is a licensed architect and landscape architect in the State of NY and NJ and has been practicing since 1992. He said he has a master's degree in planning from the University of Pennsylvania and a bachelor degree from the University of Vermont. The Board accepted Mr. Cooper's credentials. Mr. Cooper said he designed the plan and will be preserving the core of the house. He said the existing staircase will be widened and the living room and study will remain. The second floor addition will be modest in nature and not oversized. The proposed 2 car garage will encroach into the side yard setback in order to make it a reasonable sized 24' in width 2 car garage with 2 - 9' carriage style garage doors. The existing garage/foundation wall will remain. There will be a 4.5' setback on the second floor above the garage. He said this house will be a center hall colonial with a master suite over the first floor family room with a master bath. He said all the rooms are modest in size. He said the side yard setback on the right side of the property is 12.8' to the chimney and 15.2' to the foundation of the house. The second floor addition will go

straight up from the first floor. He said the front porch is 10' in width and the front porch element will cover the front porch and will encroach into the front yard setback by 37.25' where 40' is required. The final variance pertains to the overall coverage on the site where 15% is allowed and 19.5%, which incorporates the entire house and the 2 car garage. Mr. Cooper explained the pictures of the neighboring property owners on exhibit A-2. He said the existing shrubbery will remain on the applicant's property and the new foundation plantings will enhanced the proposed home.

Mr. Whitaker asked Mr. Cooper what kind of material would be used on the exterior of the house. Mr. Cooper said the materials will be clapboard and cedar shake. Board Member Shanley ask which walls of the existing house are going to be utilized for the construction of the new house. Mr. Cooper said the foundation wall by the garage, the front wall and the right side wall up to the chimney will remain and the rear wall will be removed. Chair Ruebenacker asked if the garage could be moved to the right by 3 feet and shrink the size of the living room and study. Mr. Cooper said if you reduce the garage to a one door garage you would lose the effect of the step back on the second floor. He said the existing foundation wall by the living room cannot be moved since there is a basement on the other side of this wall. He said these are the proportions for the construction of the center hall colonial. Mr. Whitaker said since the foundation wall already exists the 2 car garage can only be achieved to the left of this wall. Board Member Borst said the applicant is encroaching further into the left side setback and creating a larger variance but the neighbor is not as close to the applicant. He said the right side addition would go straight up. He asked if there was a way to step in the second floor on the right side since the neighbors are so close on that side. Mr. Cooper said by stepping in the second floor on the right side of the house this would change the symmetry of the building for a center hall colonial. He continues that this is a narrow lot and there are houses of similar style in the neighborhood.

The following exhibit was marked as identification:
A-3 Picture of houses in the neighborhood

Chris Wispelwey, 28 Shadyside Drive, Wyckoff, NJ, was sworn. He said he purchased the house in June of 2012 and did some upgrades to the house. He said he would like to expand the house further at this time. Chair Ruebenacker said he is struggling with the side yard setback. Mr. Whitaker said 22 Shadyside Drive with a lot width of 90' increased their lot coverage to 18.9% and 18 Shadyside Drive with a lot width of 90' is at 19.3%. Vice Chair Fry said the house is a lovely design but the applicant would like a large mass for the house on less space. He said the Board would like to challenge the applicant to make this house more conforming to the required setbacks with possibly more mass in the rear of the house and narrower in the front of the house. He said he understands the applicant wanting to maintain the foundation wall. Chair Ruebenacker said the applicant may need to sacrifice the 2 car garage for a large 1 car garage. Board Member Borst asked what triggers the side yard setback. Township Engineer DiGennaro said the house exceeds 2,700 square feet, which increases the side yard setback from 15 to 20'. Vice Chair Fry said the new house is proposed at 4,420 square feet. Mr. Whitaker said the right side yard setback is infringed because of a chimney and the left side is 171' from the neighboring property owner. He said the building coverage is all contained in a principle building. Board Member Borst agreed that the right side yard setback conforms except for the chimney and the left side yard setback will be further away from the neighbors.

OPEN TO THE PUBLIC

Tom Karaty, 32 Shadyside Drive, Wyckoff, NJ was sworn. He said he lives to the left of the house where the garage will encroach. He stated he welcomes the addition and said it fits in with the character of the neighborhood.

Glenn Burke, 26 Shadyside Drive, Wyckoff, NJ was sworn. He said he lives to the right of the Wispelwey's. He said he welcomes the addition. He said he would like the air conditioning units next to the chimney screened. He also asked if there is a way to confirm with today's zoning requirements.

CLOSED TO THE PUBLIC

Chair Ruebenacker suggested that the second floor be stepped in on the right side of the house if it is architecturally pleasing it would be acceptable to the Board. Mr. Whitaker said the right side meets the side yard setback. He said the neighbor on the left side of the house just spoke and said they have no issue with the side yard setback encroachment of 11.5' on the one story side of the house. Township Engineer DiGennaro asked that the applicant explore underground utilities. Chair Ruebenacker asked that the applicant meet the left side setback as close to 15' as possible and that the second floor on the left remain stepped in. He said in all fairness the Board will look at alternate plans and still keep this plan as an alternate. The Board unanimously agreed to carry this applicant until the January 19, 2017 public hearing meeting at 8 p.m.

ERTEN, ALI BLK 264 LOT 20 (R-15) 116 Wood Street. *(The applicant proposes to remove the detached garage and add an attached garage and mud room on the first floor with a second floor dormer and a master bedroom over the garage and a covered front porch with landing & steps which will exceed the principle building and total lot coverage).*

Malathi Ananthakrishnan, 31 Dorr Road, New Providence, NJ was sworn. She said she is a licensed architect in the State of NY, NJ and PA and received her Bachelor of Science degree in architect in India. She said 116 Wood Street is an existing cape cod with a 2 car detached garage. She said the existing garage will be demolished and a new garage will be connected to the house. The existing rear sunroom will be converted to a family room and the master bedroom will be constructed over the garage. She said the applicant is before the board for a front yard setback for the covered front porch, dog house dormers and maximum building coverage. She said the original house was at 20.67% and when the garage is connected to the house the maximum building coverage will exceed the maximum building coverage allowed. She said the 2 structures will blend into each other and maintaining the same roof line. She said a new landscaping plan has been provided.

Vice Chair Fry said this application is a true hardship. He said the right side of the garage setback is 5' and will be eliminated when the detached 2 car garage is removed. He asked if the applicant considered any architectural detail to the left of the house. Chair Ruebenacker asked if the front façade of the house needs to be broken up. Ms. Ananthakrishnan said she can add a 2' cantilever to the roof. Township Engineer DiGennaro asked if the garage door can be made wider. Ms. Ananthakrishnan said she can make the door a 12' door. Mr. DiGennaro suggested a 10' door be installed. He added that the small 2' overhang will be an architectural feature to break up the front of the addition. Vice Chair Fry said the front porch landing will be covered. Board Member Tanis asked what the exterior finish will be. Ms. Ananthakrishnan said the house will be vinyl siding.

OPEN TO THE PUBLIC

John Cays, 108 Wood Street, Wyckoff, NJ was sworn. He said he has no issue with the proposed construction.

CLOSED TO THE PUBLIC

Board Member Borst said the landscape plan is acceptable. He asked where are air conditioning units will be located. Ms. Ananthakrishnan said they will be placed behind the garage. Township Engineer DiGennaro asked that the air conditioning units be placed on the revised plans.

Board Member Borst made a motion to approve this application as presented subject to the following conditions: a 10' garage door will be installed; a 2' overhang will be added to the roof to create an eyebrow roof and the air conditioning units will be shown in the rear of the garage. Second, Board Member Kalpagian. Voting in favor: Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Mr. Borst, Mr. Fry and Chair Ruebenacker.

VIDAIC, MARK & STEFANIE BLK 466 LOT 6 (R-15 CORNER); 77 Mary Ann Lane. (*The applicant proposes to provide a canopy over the existing front step platform and install a new shed roof over the proposed paver patio which will encroach into the front and side yard setbacks*).

Mark Vidaic & Stefanie Vidaic, 77 Mary Ann Lane, Wyckoff, NJ were sworn. He said he is sprucing up the exterior of the house and would like to add a portico over the existing 9' in width front steps and would like to remove the rear deck and install a brick paver patio with a roof over it.

Chair Ruebenacker said the applicant would use the existing stoop. He reiterated that the existing rear deck will be removed, a patio installed and then covered with a roof. Board Member Borst noted that the proposed rear yard roof will have sky lights. Vice Chair Fry said the front yard portico will safely cover the front steps which was setback by 25.5' and will now be 24'; the existing shed has a side yard setback at 2.2' which will remain; the lot coverage currently is at 12.9% and will increase to 15.7% where 15% is required; the existing accessory is at 5.9 % and will be decreased to 3% and the combined lot coverage will be at 19.1% where 20% is required.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Vice Chair Fry made a motion to approve this application as presented. Second, Board Member Shanley. Voting in favor: Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Mr. Borst, Mr. Fry and Chair Ruebenacker.

IULIANO, FABIO & VERONICA BLK 352 LOT 11 (RA-25); 317 Newtown Road. (*The applicant proposes to construct an addition to the rear of the garage and also an open rear yard porch which will encroach into the side yard setback due to the enhanced gross building area*).

Xiomara Paredes, 240 Rock Road, Glen Rock, NJ was sworn. The Board accepted Ms. Paredes credentials since she has appeared before the board on many occasions. Ms.

Paredes said the proposed rear addition and 3 dormers on the side of the garage will trigger the gross building area and increase the side yard setbacks from 20' to 25'.

The following exhibits were marked as identification:

- A-1 Application package
- A-2 Aerial view of the existing house
- A-3 Four (4) photos

Ms. Paredes said the neighbors are quite a distance from the homeowner and the property is surrounded by mature trees. She said this one story addition will have an open structure porch for an outdoor kitchen and dining table for 12 people and a fireplace. She said 3 dormers will be added to roof in order to break up the façade of the roof. She said a bathroom and mudroom will be constructed behind the garage. On the second floor the homeowner would like to have his study above the garage where the proposed dormers will make the garage 1 ½ stories. Township Engineer DiGennaro said he will be need the exact location of the septic since the open porch will need to be located 15' from a septic. Board Member Borst said the new mudroom will be located inside the garage. Ms. Paredes said yes, the mudroom will be located in the rear of the garage. Chair Ruebenacker asked when the original 2 car garage was constructed.

Fabio Iuliano, 317 Newtown Road, Wyckoff, NJ was sworn. He said he purchased the house 3 years ago and the garage was an original structure.

OPEN TO THE PUBLIC
No one appeared.
CLOSED TO THE PUBLIC

Board Member Hubert made a motion to approve this application as presented. Second, Board Member Shanley. Voting in favor: Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Mr. Borst, Mr. Fry and Chair Ruebenacker.

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There being no further business, a motion to adjourn the meeting was made and seconded and passed unanimously. The meeting concluded at 9:49 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment