

**WYCKOFF BOARD OF ADJUSTMENT
JULY 21, 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 July 21, 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: Carl Fry, Vice Chairman; Mark Borst; Susan Yudin; Tim Shanley; Rich DeLeo, Alt.

Board Member Absent: Erik Ruebenacker, Chairman; Brian Hubert; Ed Kalpagian; Brian Tanis, Alt.

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

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

Vice Chair Fry 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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Vice Chair 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"*

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OLD BUSINESS

APPROVAL OF MINUTES

June 16, 2016 work session/public business meeting
The minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #16-07- Approval of vouchers from various escrow accounts.
Resolution #16-067 was approved at the work session meeting.

RESOLUTION(S) TO BE MEMORIALIZED

BORRELLI, JASON BLK 477 LOT 4.01 (R-15); 372 Kingston Street. *(The applicant proposes to install an in ground pool and a new front porch which will exceed gross building area, encroach into the front yard setback and exceed lot coverage).*

GRAY, JAMES & COURTNEY BLK 491 LOT 46 (R-15); 452 Louisa Avenue. *(The applicant proposes a second floor expansion which will encroach within the side yard setback and remain within the existing footprint).*

DISCOLA, EMILIO BLK 436 LOT 23.01 (RA-25); 688 Birchwood Drive. *(The applicant proposes to demolish the existing home and construct a new single family home on the non-conforming lot where deficiencies are in lot area and lot width. The new home will be conforming to all setback requirements).*

SINOWAY, TRACEY BLK 351 LOT 2 (RA-25); 385 Carriage Lane. *(The applicant proposes to expand the kitchen and family room which will increase the gross building area and therefore increase the side yard setback requirement).*

PRO-CONTRACTORS, II, LLC BLK 425.01 LOT 54 (RA-25); 729 Terrace Heights. *(The applicant proposes to demolish the existing single family residential dwelling resulting in a building height at 37.5 feet consisting of 3 stories).*

LIEBOWITZ, LAURENCE BLK 338 LOT 16 (RA-25); 555 Miller Court. *(The applicant proposes to demolish the existing home and construct a new fully conforming home and fully conforming accessory structures on a pre-existing lot which does not meet the lot frontage requirements).*

The above referenced resolutions were memorialized at the work session meeting.

APPLICATION(S) – CARRIED

PESCE, JAMES & MARY BETH BLK 312 LOT 5 (RA-25); 460 Carlton Road. *(The applicant is proposing to construct an in-ground swimming pool and shed resulting in excessive impervious coverage requiring a variance).*

This application has been postponed at the request of the applicant and will be carried to the August 18, 2016.

APPLICATION(S) – NEW

POLISE, JOSEPH & ALEXIS BLK 377 LOT 30 (RA-25) 541 Richard Place. *(The applicant proposes to install an in-ground pool and patio entertainment area which will exceed the impervious coverage).*

This application has been postponed at the request of the applicant and will be carried to the August 18, 2016.

SEIFERT, THOMAS & ROSEMARY BLK 255 LOT 12 (RA-25); 288 Morse Avenue. *(The applicant proposes to construct a new 2 car garage which will encroach into the rear and side yard setback for an accessory structure and exceed total accessory structure).*

Rosemary Seifert, 288 Morse Avenue and Doug Messineo, the applicant's builder, were sworn. Mr. Messineo said he would like to replace the existing garage with a larger 24' x 25' garage for the applicant which will be 5' off the side yard property line where 10' is required. Vice Chair Fry said if the garage is moved 5' closer to the house it would be too close to the existing deck. Mr. Messineo said the height of the garage will be 19'. He said the rear fence will remain and a small section will be extended. Mrs. Seifert said the buffer along the property line will remain and the new fence will meet the existing fencing

Vice Chair Fry said all aspects of this application are pre-existing and non-conforming. Board Member Shanley said he struggles with the 5' side yard setback and suggested a compromise. Board Member Borst suggested an 8' setback where 10' is required. Township Engineer DiGennaro said when the side yard setback buffer next to a garage is increased it makes a wider parking area for boats, Jet Ski's or storage.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Borst asked the applicant to increase the side yard setback to 8'. Mr. Messineo asked for a 7' side yard setback. Vice Chair Fry said a 7' side yard setback could be granted and asked that the existing screening along the left property line remain and there will be no change to rear dimension and no change to size of garage itself. Township Engineer DiGennaro said the garage will be shifted 2'. He said he will need a revised site plan and a revised Schedule J.

Board Member Borst made a motion to approve this application with the shifting of the garage 2' further of the property line for a total of 7' from the side yard setback. Second, Board Member Shanley. Voting in favor: Mr. DeLeo, Mr. Shanley, Ms. Yudin, Mr. Borst and Vice Chair Fry.

AMODEO, JOHN BLK 506 LOT 17 (R-15) 537 Franklin Terrace. *(The applicant proposes to construct a 2 story frame dwelling using the existing foundation with a new 2 car garage).*

John Amodeo, contract purchaser of the property and Rich Molinari, the applicant's architect, were present. Mr. Molinari said the applicant would like to construct a 2 story house over the existing footprint of the existing house. The applicant will maintain the existing basement and add a level of block which will increase the ceiling height in the basement. The existing side yard setback is at 13.6' and will encroach 2' further to 11.6' due to the overhang. The side yard setback of 10.9' on the right side of the house will be eliminated with the removal of the existing garage and will be conforming at 18.17' where 15' is required.

Board Attorney Becker reiterated that the applicant will be taking the house down to the foundation and adding one cinder block level higher for a deeper basement. Vice Chair Fry said a non-conformity will be eliminated with the removal of the existing garage and the removal of a side yard setback. Board Member Yudin asked what type of material will be used on the outside of the house. Mr. Molinari said the applicant will be using hardy plank. Board Member

Borst said the applicant will need to submit a revised landscape plan which includes an 8' planting strip along the left side of the house along with additional detail to the foundation planting.

OPEN TO THE PUBLIC

No one appeared

CLOSED TO THE PUBLIC

The Board requested that the applicant submit a revised landscape plan. This application has been carried to the August 18, 2016 public hearing meeting. The applicant will not need to renotice the neighbors or the newspaper.

DOMINGUES, STEVEN & MEREDITH BLK 352 LOT 5 (RA-25); 287 Newton Road. *(The applicant proposes to construct a new single family residential home on this vacant pre-existing non-conforming lot).*

Ben Cascio, Esq., on behalf of the applicant Stephen & Meredith Domingues, was present. He stated that the applicant would like to construct a home on this undersized vacant lot. He said this lot has the dimensional requirements for an R-15 lot but is located in an RA-25 zone. Mr. Steven Domingues, the contract purchaser of the property, was sworn. He said he and his wife currently live in a one bedroom apartment in Hoboken., NJ. He said he review house designs with their architect and due to the depth of the property the garage will need to be located in the rear yard. Mrs. Meredith Domingues was sworn. She said they will not use the front yard but will have the rear yard for their children to play in and there will be a sight distance from the kitchen to the rear yard. Vice Chair Fry suggested that the applicant shift the house away from the right side yard setback since it is proposed at 8' off the property line where 20' is required.

Robert Weissman, the applicant's engineer and Mark Braithwaite, the applicant's architect were sworn. Board Attorney Becker asked that the complete application be marked as identification.

A-1 Complete application package

Mr. Weissman said that since the lot frontage is 62.96' where 125' is required if house is centered on the property it will trigger additional variances.

A-2 Rendering of the proposed home

Mr. Braithwaite said this house is a traditional home with a wraparound porch with a modern interior. He added that the roof line can be lowered and the side yard setback can be increased to 10' by moving the existing location of the house by 2'. He said he wanted to stay under the 3700 square feet which would trigger an enhanced side yard setback and additional variances. Board Member Borst asked what the heights are of the ceilings. Mr. Braithwaite said the first floor is 9' and the second floor is 8'. Board Member Borst asked that the height of the roof be decreased by 1' by reducing the interior ceiling heights and move the right side of the house to a 12' side yard setback. He said the driveway would remain at 10' in width. Mr. Weissman said he will also locate the AC units on the revised site plan.

Township Engineer DiGennaro reiterated that there will be a 12' setback on the right side of the house and a 16.4' side yard setback on the left side which will add another variance. He asked what the exterior of the building will be constructed of. Mr. Braithwaithe said the exterior will be hardiplank. Board Member Borst said the foundation landscaping is adequate. Vice Chair Fry said the wrap around porch will remain and the AC units will be located on the right side of the house in the rear yard.

OPEN TO THE PUBLIC

Sarah Puchalik and Joseph Puchalik, 269 Cedar Hill Avenue, were sworn. They said their biggest concern is the buffer in the rear of their property along the property line. They asked that a privacy fence be installed or a landscape buffer be extended along their rear yard property line. Vice Chair Fry said a row of giant arborvitae will be planted. Board Member Borst asked that the row of arborvitae be extended towards the front plane of the proposed house

CLOSED TO THE PUBLIC

Vice Chair Fry asked that a revised plan be submitted showing 12' side yard setback along the right side of the house and that that a 16.4' be on the left side of the house. The proposed garage will remain and the roofline will be reduced by 1'. Board Member Borst asked that the arborvitae be planted to the front plane of the proposed house.

This application has been carried to the August 18, 2016 public hearing meeting. The applicant will not need to renote the public or the newspaper.

DiMARTINO, RICHARD & BLACKMER, LAURA BLK 208.01 LOT 19 (RA-25 CORNER); 282 Sycamore Court. *(The applicant would like to construct a one story addition to the master bedroom).*

Bruce Whitaker, the applicant's attorney, said the existing house is catty cornered on this lot. He said the applicant is proposing a one story master bedroom addition.

Board Attorney Becker asked that the following exhibits be marked as identification:

- A-1 Cover Sheet with existing landscape plan A0.1
- A-2 Existing floor plan/photo A1.1
- A-3 North and West Elevations A2.1
- A-4 South and East Elevation A2.2
- A-5 Photos of subject property A0.2
- A-6 Photos of neighborhood A0.3

Laura Blackmer, the applicant, was sworn. She said she would like to enlarge the existing master bedroom and bathroom which will encroach into the second front yard setback since this is a corner lot. Currently the front yard setback is at 21.25' and will be 21.74 where 40' is required. Vice Chair Fry said this application is for a one story addition. He added that the property is beautifully landscaped and a mature buffer is maintained on Blue Hill Terrace.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member DeLeo made a motion to approve this application as presented. Second, Board Member Borst. Voting in favor: Mr. DeLeo, Mr. Shanley, Ms. Yudin, Mr. Borst and Vice Chair Fry.

TEN KATE, PETER & BEVERLY BLK 256 lot 4 (RA-25); 268 Monroe Avenue. *(The applicant proposes to replace an undersized 87 year old deteriorated garage with a new garage which will exceed the minimum side yard setback for an accessory structure for side and rear yard setback and for maximum permitted lot coverage of principle and accessory buildings and maximum impervious coverage).*

Vice Chairman Fry recused himself from discussion and removed himself from the dais. Board Member Borst became the Acting Chairman with the absence of Chair Ruebenacker from the public hearing meeting and the recusion of Vice Chair Fry.

Peter Ten Kate, 268 Monroe Avenue, Wyckoff, NJ was sworn. He said he would like to demolish the existing 1929 style garage and construct a 24' x 24' detached garage. He said the existing property is undersized with pre-existing non-conformities. The variances would be for the new garage where a 20 rear yard setback is required and 7.1' exists and 3.5' is proposed and also for a side yard setback where 15' is required and 2.9' is existing and 2.9' is proposed. Acting Chair Borst said the applicant is proposing 3.5' off the rear property line where 15' is required. It was noted by the applicant and Board Members that there is a Village of Ridgewood Water pumping station located directly behind this house.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Yudin made a motion to approve this application as presented. Second Board Member Shanley. Voting in favor: Mr. DeLeo, Mr. Shanley, Ms. Yudin and Acting Chair Borst.

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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 10:37 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment