

**WYCKOFF ZONING BOARD OF ADJUSTMENT
DECEMBER 15, 2016 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 Eric Ruebenacker, Chairman:

"The December 15, 2016 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."

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; Mark DiGennaro, Township Engineer; Susan McQuaid, Board Secretary.

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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

Vice Chairman Fry made a motion to approve the November 17, 2016 work session/public business meeting minutes. Second, Board Member Shanley. Voting in favor: Mr. Tanis, Mr. Shanley, Mr. Hubert, Mr. Borst and Vice Chair Fry.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #16-12- Approval of vouchers for work performed/funded from various escrow accounts.

Board Member Fry made a motion to approve Resolution #16-12 for vouchers for payment. Second, Board Member Kalpagian. Voting in favor: Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Mr. Borst, Mr. Fry and Chair Ruebenacker.

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).*

Board Member Borst made a motion to memorialize this resolution. Second, Board Member Shanley. Voting in favor: Mr. Tanis, Mr. Shanley, Mr. Hubert, Mr. Borst and Vice Chair Fry.

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).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the R-15 zone and is non-conforming due to lot area deficiency, lot width, frontage and side yard setback. The applicant is proposing to expand the existing structure by expanding the first floor and second floors requiring variances for front yard setback, side yard setbacks, and excessive principal building lot coverage. The property is served by municipal sanitary sewer. The Stormwater management plan satisfies Township Code requirements.

Chair Ruebenacker said that in keeping with the neighborhood he noted that on the left side of the house the second floor is setback. He said the second floor on the right side is not setback. He said the front yard setback from 42' to 35.7' is for a covered porch over the front door. Vice Chair Fry said he would like to hear testimony as to what efforts were made to make this house more conforming. Board Member Borst said if they had a conforming lot the house would still be under in lot coverage.

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).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the R-15 zone and is non-conforming due to deficiencies in lot size, frontage, depth, accessory structure setbacks, front and side yard setbacks. The applicant is proposing to expand the existing dwelling by building a second floor addition and attached garage while removing the existing detached garage. In addition to the application's existing non-conformities the proposal will require an additional variances for principal building lot coverage, front yard and side yard

setback and combined lot coverages to accommodate the expansion. He said the garage to be removed and incorporated into principal structure, therefore, eliminating non-conforming structures. This application does not qualify for a Stormwater Management Plan.

Board Member Borst said this lot is deficient in lot area and the applicant is demolishing the detached garage and constructing a new garage and attaching it to the principle dwelling which will remove an existing accessory side yard setback variance. Board Member Kalpagian said most of the detached garages in this area are encroaching into the side yard setbacks. Chair Ruebenacker said the height of the 2 ½ story house is at 24.4' where 35' is the maximum required. Vice Chair Fry said one doghouse dormer is proposed on the right side of the house. He said he would like to see the left side elevation. He said the garage addition is setback 15' from the existing house. The applicant is eliminating a non-conformity accessory structure. The variance request is a hardship due to the undersized lot. Township Engineering DiGennaro said the covering over the existing front step is for aesthetics. The existing front yard setback is 29.6' and 25.5' is proposed where 40' is required.

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).*

Township Engineer DiGennaro said the existing single family dwelling is situated on a corner lot in the R-15 zone and is non-conforming due to front yard setback and accessory structure setback. The applicant is proposing to add a covered front porch and a covered rear porch requiring relief for front yard setback and principal building lot coverage. The application does not require Stormwater management and the property is served by municipal sewer. He said the principle building lot coverage is 15.7% where 15% is the maximum but the total principal is at 19.1% where 20% is the maximum. The front yard setback is currently at 25.5' and 24' is proposed in order to cover the front porch.

Chair Ruebenacker said the open front porch will now become a covered front porch and rear deck will be removed and a patio will be installed with a roof over it.

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).*

Township Engineer DiGennaro said the applicant is proposing a rear addition to the structure for an open outdoor covered porch and adding dormers above the garage. The existing structure is non-conforming due to side yard setback and accessory structure side yard setback. Stormwater management does not apply to this application. The applicant shall be required to accurately locate the septic on the site to ensure setback compliance with the proposed addition.

Board Member Borst said the applicant is before the board for both side yards setbacks due to the increase in gross building area which triggers the enhanced side yard setback requirement of 25' where 18.92' and 23.25' are proposed. Chair Ruebenacker said that at the rear of the garage the side yard setback is 26.08'. The Board questioned whether a variance was required when the garage addition was added onto the house.

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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 7:56 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment