

**WYCKOFF ZONING BOARD OF ADJUSTMENT
AUGUST 18, 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 Erik Ruebenacker, Chairman:

"The August 18, 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; Susan Yudin; Tim Shanley; Brian Hubert; Ed Kalpagian; Brian Tanis, Alt.; Rich DeLeo, Alt.

Board Member Absent: Mark Borst

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

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Chairman 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

July 21, 2016 work session/public business meeting

Vice Chair Fry made a motion to approve the July 21, 2016 work session/public business meeting minutes. Second, Board Member Yudin. Voting in favor: Mr. DeLeo, Mr. Shanley, Ms. Yudin, Mr. Fry and Chairman Ruebenacker.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #16-08- Approval of vouchers from various escrow accounts.

Board Member Shanley made a motion to approve Resolution #16-08 for vouchers for payment. Second, Board Member Hubert. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Fry and Chairman Ruebenacker.

RESOLUTION(S) TO BE MEMORIALIZED

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).*

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 for the master bedroom).*

Board Member Shanley made a motion to memorialize these resolutions. Second, Vice Chair Fry. Voting in favor: Mr. DeLeo, Mr. Shanley, Ms. Yudin 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).*

Board Member Yudin made a motion to memorialize these resolutions. Second, Board Member DeLeo. Voting in favor: Mr. DeLeo, Mr. Shanley and Ms. Yudin.

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Chair Ruebenacker asked Township Engineer DiGennaro to give the Board an overview of the changes made to revised impervious ordinance #1807 and how it will impact this Board. Township Engineer DiGennaro said Ordinance #1807 is an amendment to the impervious coverage ordinance adopted in 2008. This revised ordinance relaxes the impervious coverage for accessory pools and patios, walkway in the rear yard. He said that Stormwater management calculations are always required for a swimming pool permit which maintains a zero increase in runoff requirement from a pool and patio. He said impervious coverage does not include retaining walls, surface areas of swimming pools and their surrounding patios or hardscape features. The following will be included as impervious coverage: AC units, generators, pool equipment, walkways and at grade patios located in the rear yard of the property regardless of material types, driveways, front and side yard walkways and patios, structures and any type of sport athletic court. Board Member Shanley asked if there was a permit process for a driveway. Township Engineer DiGennaro said there is a permit process if a curb cut is involved. Board Member Yudin was disappointed that the Board of Adjustment was not consulted when the ordinance was changes.

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Township Engineer DiGennaro said he has a question with regards to an application that was approved a few months ago by the Board and when the plans were submitted for building permits there were changes to the roof lines, elevations and architectural. The Board Attorney opined that the approval is what was agreed upon the evening of the public meeting and any deviation would require the application to come back to the Board and resubmit an amended plan. Mr. DiGennaro said he will contact the applicant as to the decision of the Board.

APPLICATION(S) - WITHDRAWN

PESCE, JAMES & MARY BETH BLK 312 LOT 5 (RA-25); 460 Carlton Road. *(The applicant is proposing to install a 10' x 12' shed which exceeds the allowable size requiring a variance).*

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).*

The Board noted that the above referenced applications has been withdrawn at the request of the applicant.

APPLICATION(S) – CARRIED

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).*

Township Engineer DiGennaro said the revised landscape plan includes an addition of 9 arborvitae. Board Members Tanis, Kalpagian and Hubert said they have listened to the tape of the July 21, 2016 meeting at which they were absent. They are now eligible to vote on this application.

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).*

Township Engineer DiGennaro said the applicant followed the Board's request and reduced the roofline to a 9 to 12 pitch which lowered the roof by 1.3'; the right side yard setback has been increased from 8' to 12' which triggered a left side yard setback variance of 16.4' where 20' is required; the utilities will be placed underground and 22 green giant arborvitae will be planted on the right side property line to the front plane of the house.

Board Members Tanis, Kalpagian and Hubert said they have listened to the tape of the July 21, 2016 meeting at which they were absent. They are now eligible to vote on this application.

APPLICATION(S) – NEW

ROGOVICH, CHRISTOPHER BLK 250 LOT 46 (RA-25); 381 Oakwood Drive. *(The applicant proposes to expand the existing deck which will exceed lot coverage).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the RA-25

zone and has existing non-conforming conditions due to deficiencies in lot size, side yard setbacks, lot frontage, principal building lot coverage, accessory lot coverage, combined lot coverage and front yard setback. The applicant is proposing to expand the rear deck and erect an open air pergola above the deck resulting in variances for accessory lot coverage and combined lot coverage. The applicant obtained a variance in 2009 to expand the principal building footprint, however, has no intention of performing that work any longer. Board Attorney Becker said the 2009 approval has expired after one year.

FINE, PAUL/HAYWARD, ELIZABETH BLK 319 LOT 1 (RA-25 CORNER); 9 Neelen Drive.
(The applicant proposes to construct a second floor addition which will encroach into the front yard setback on this corner lot).

Township Engineer DiGennaro said the existing single family dwelling is situated in the RA-25 zone on a corner lot and is non-conforming due to front yard setbacks where existing front yard #1 is 35.9' and existing front yard #2 is 39.7' where 40' is required and accessory structure side yard setback is 13.27' where 15' is required. The applicant is proposing a renovation and addition to the existing structure by adding a second story above the existing encroachments requiring variances. He added that this lot is unique due to the location of the house on this corner lot. Chair Ruebenacker noted that 2 trees will be removed during construction.

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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 8:05 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment