

**WYCKOFF ZONING BOARD OF ADJUSTMENT
JULY 21, 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 July 21, 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; Susan Yudin; Tim Shanley; Rich DeLeo, Alt.

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

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

June 16, 2016 work session/public business meeting

Board Member Shanley made a motion to approve the June 16, 2016 work session/public business meeting minutes. Second, Board Member Borst. Voting in favor: Mr. DeLeo, Mr. Shanley, Ms. Yudin, Mr. Borst and Chairman Ruebenacker.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #16-07- Approval of vouchers from various escrow accounts.

Vice Chair Fry made a motion to approve Resolution #16-07 for vouchers for payment. Second, Board Member Borst. Voting in favor: Mr. DeLeo, Mr. Shanley, Ms. Yudin, Mr. Borst, Mr. Fry and Chairman Ruebenacker.

RESOLUTION(S) TO BE MEMORIALIZED

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).*

Board Member Borst made a motion to memorialize this resolution. Second, Board Member Yudin. Voting in favor: Mr. DeLeo, Ms. Yudin, Mr. Borst and Chair Ruebenacker. Abstain: Board Member Shanley.

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).*

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).*

Board Member Shanley made a motion to memorialize this resolution. Second, Board Member Borst. Voting in favor: Mr. Shanley, Ms. Yudin, Mr. Borst and Chair Ruebenacker.

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Chair Ruebenacker spoke with the Board about Ordinance 1807 with regard to that impervious coverage shall not include retaining walls, the surface areas of swimming pools, and/or walkways and patios that are constructed of gravel, cinder, pavers, blue stone or other materials that allow for the free drainage of rainwater through to the ground underneath. He was concerned with large patio's being installed and creating drainage issues for neighboring property owners. He asked Board Attorney Becker to write a letter to the Planning Board. He

said he has not heard a response from the Planning Board. Board Member Yudin suggested that the Township Committee notify the Board of Adjustment of any change to the impervious coverage so the Board can give their opinion. Chair Ruebenacker suggested introducing a permit process to manage the size and construction of patios.

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).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area deficiency, frontage, depth, front yard setback, side yard setbacks, accessory coverage, and accessory structure setbacks. The applicant is proposing to reconstruct the dilapidated garage and reconstruct a new garage to a standard functional size to accommodate 2 cars. The applicant is seeking relief from the code to reconstruct the garage requiring side, rear and accessory coverage variances. A Stormwater management plan is not applicable and the property is served by sanitary sewer.

Chair Ruebenacker said the proposed structure is close to the side yard setback and has a new height of 19'. He added that landscape is not required.

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 existing single family dwelling is situated in the R-15 zone and is non-conforming due to lot area, front yard setback, side yard setbacks and principal building lot coverage. In addition, the existing metal shed is non-conforming as to rear yard setback and is proposed to be removed. The applicant is proposing an addition/ renovation consisting of adding a second story and preserving the existing foundation. The addition will require a variance for expansion of a non-conforming lot and side yard setback to permit the second story above the existing non-conforming structure.

Borst Member Borst suggested landscape screening along the side of the garage. Township Engineer DiGennaro said the house sits low and the applicant will raise the house a course of block. Board Member Borst noted and elevation change of 5' to the front step.

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 existing vacant lot is situated in the RA-25 zone and is non-conforming due to lot area and frontage. The applicant is proposing to construct a new 4 bedroom home and a detached garage seeking variance relief for side yard setbacks. The applicant has submitted and obtained approval for a new 4 bedroom septic and the Stormwater management plan satisfies the Township's requirements.

Chair Ruebenacker said the height of the proposed dwelling is at 34' and located 8' off the property line. He added that the garage will not impact the neighbors. Vice Chair Fry said the challenge is with the narrow nature of the lot. He said he is also concerned with 8' off the side property line

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).*

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 lot area and front yard setback. The applicant is proposing to expand the existing structure requiring variances. Chair Ruebenacker said this addition will not impact the neighborhood. Board Member Borst said the property is beautifully landscaped and will not need additional landscaping.

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 Fry said he will be recusing himself during the testimony of this application.

Township Engineering DiGennaro said the existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area deficiency, frontage, depth, front yard setback, side yard setbacks, lot coverage, accessory coverage, combined coverage, accessory structure setbacks and impervious coverage. The applicant is proposing to reconstruct the dilapidated garage and reconstruct a new garage to a standard functional size to accommodate 2 cars. The applicant is seeking relief from the code to re-construct the garage requiring side, rear and coverage variances. A Stormwater management plan is not applicable and the property is served by sanitary sewer.

Chair Ruebenacker said this new garage replacing a very old garage which does need to be replaced. He said the lot size 6200 sf lot where 25000 sf is required.

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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 8:12 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment