

**WYCKOFF ZONING BOARD OF ADJUSTMENT
JUNE 20 2019
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 Chairman Carl fry:

"The June 20, 2019 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."

Chairman 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"*

"This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all time."

Board Members in attendance: Carl Fry, Chairman; Erik Ruebenacker, Vice Chairman; Board Members: Brian Tanis, Ed Kalpagian, Brian Hubert, Rosa Riotto, Mark Borst, Kelly Conlon and Louis Cicerchia.

Staff present: David Becker, Board Attorney, Mark DiGennaro, Township Engineer; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the May16, 2019 work session and public business meeting minutes.
Board Member Hubert made a motion to approve the May 16, 2019 meeting minutes. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Mr. Borst, Ms. Riotto, Mr. Ruebenacker and Chairman Fry.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #19-06 Approval of vouchers for Engineering and Professional Services.

Vice Chairman Ruebenacker made a motion to approve Resolution #19-05 for payment of vouchers. Second, Mr. Borst. Voting in favor: Mr. Tanis, Ms. Riotto, Mr. Hubert, Mr. Kalpagian, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

RESOLUTION(S) TO BE MEMORIALIZED

FILA, GREG & DANIELLE BLK 291 LOT 10 (RA-25) 317 West Stevens Ave.
The applicant proposes to construct a two story addition/alteration to the existing residence

ULMER, KEVIN AND CHRISTINA BLK 315 LOT 2 (RA-25) 392 Frances Place.
The applicant proposes to construct a one story addition onto the rear of the existing one story home.

BROWN, WILLIAM & DEBRA BLK 178 LOT 6 (B1-A) 241 Madison Avenue.
The applicant proposes to construct a 144 square foot addition to the second floor residence to permit a new bathroom and laundry area.

SINOCCHI, ANTHONY & SALLY BLK 498 LOT 82 (R-15) 485 Baxter Ave.
The applicant proposes to construct a 2 story addition on the rear of the existing home resulting in a gross building area greater than 2700 square feet triggering the enhanced side yard setback.

RUEBENACKER, ERIK AND KATE BLK 338 LOT 7 (RA-25) 539 Chestnut Street.
The applicant proposes to construct a two story addition onto the rear of the home.

Board Member Kalpagian made a motion to approve the five Resolutions listed above. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Borst and Chairman Fry. Vice Chairman Ruebenacker abstained.

COHEN, DAVID & LAUREN BLK 421 LOT 40 (RA-25) 783 Charnwood Drive
The applicant proposes to construct a 3rd bay to the existing 2 car garage, construct a master bedroom above the garage and construct an enclosed vestibule on the front of the house where an open porch exists.

Pending approval of revised landscape plan.

Board Member Kalpagian made a motion to approve the Resolution. Second, Mr. Ruebenacker. Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Mr. Hubert, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

APPLICATION CARRIED

CAMACHO, JOSE AND DONNA BLK 353 LOT 7 (RA-25) 200 Hillside Avenue.
The applicant proposes to construct an addition to the existing family dwelling. At the May 16, 2019 meeting, the applicant's Attorney requested that the application be carried to the July 18, 2019 meeting to allow his client to submit revised plans.

NEW APPLICATIONS**PAMA WOOD WORK** 374 Oakwood Dr. BLK 250 LOT 40

The applicant proposes to utilize the existing foundation to construct a new home.

Township Engineer DiGennaro gave the following report of the application: Plot Plan and Stormwater Management plan were prepared by Schwanawede/Hals Engineering, revised thru 6/5/19. The Architectural Plan was prepared by Puzio Architects revised thru 12/17/18. The Landscape Plan was prepared by Schwanawede/Hals revised thru 6/5/19.

The existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area, frontage and side yard setback. The applicant is proposing to expand the existing structure requiring variance relief.

The existing lot size is 14, 760 square feet where 25,000 is required. Existing frontage is 90' where 125' is required. Existing front yard setback is 44.6' where 40' is the requirement however the applicant is proposing 36'. The existing principal building side yard setbacks 9.3' on side #1 where 5' is proposed and the existing setback on side #2 is 26.4' and will remain unchanged. The existing shed on the property is to be removed.

Chairman Fry remarked that the lot is extremely undersized however the proposal to move the existing 9.3' side yard setback to 5' will be a challenge for the Board. Vice Chairman Ruebenacker stated that not only will the addition of the 2 car garage create the 5' setback, the proposed principal building coverage will be 18.3% where 15% is the maximum allowed. Mr. Borst would like to hear testimony as to which trees will be removed from the property. Mr. Tanis would like to hear testimony regarding the foundation during the Public Business meeting. Lastly, Mr. Hubert said that the applicant should provide testimony as to how much of the structure will be actually be demolished.

SAVITT, DAN & CHRISTINA 582 Cresthaven Rd. BLK 245 LOT 95

The applicant proposes to construct a sports court in the rear yard.

Board Member Borst recused himself and stepped down from the dais.

Mr. DiGennaro gave the following report of the application:

The Plot Plan was prepared MAP Engineering revised thru 6/7/19. The Landscape Plan was prepared by Borst Landscape and Design dated 6/4/18.

The existing single family dwelling is situated in the RA-25 zone and is conforming. The applicant is proposing to build an accessory sport court on the property requiring variance relief for excessive accessory lot coverage and combined lot coverage. This is an oversized lot consisting of 28, 802 square feet where 25,000 is required in the zone. The applicant is proposing a combined lot coverage of 20.97% where 20% is the maximum allowed. The existing accessory structure lot coverage is 3.82% and the applicant is proposing 8.7% where 5% is the maximum allowed. The storm water

management plan that was provided satisfies the Township Code.

Chairman Fry commented that this is a large lot however the applicant is proposing to exceed the combined lot coverage and accessory structure coverage. Mr. Ruebenacker stated that he would like to hear testimony from the applicant why he did not attempt to reduce the size of the sports court to stay below the maximum allowed coverage.

RAPPAPORT HOMES LLC 300 Cedar Hill Ave. BLK 352 LOT 1

The applicant proposes to construct a second story addition.

Township Engineer DiGennaro provided the following detailed summary of the application: The Site Plan and Grading were prepared by Donohue Engineering, revised thru 4/25/19. Architectural Plans were prepared by William Brown, RA revised thru 4/17/19 and the Landscape Plan was prepared by Borst Landscaping dated 4/17/19. The existing single family dwelling is situated in the RA-25 zone on a corner lot and is non-conforming by way of front yard setback. The applicant has been issued a permit to construct an addition which is currently under construction. However, the applicant is now seeking to expand the addition above the existing encroachment to further expand the size of the dwelling requiring a variance. Existing side yard #1 on Cedar Hill Avenue N. is conforming at 73.8' and will remain conforming at 66.7' however side yard #2 facing Cedar Hill Avenue E. has an existing setback of 5.3' and the applicant is proposing to remain at 5.3' where 40' is required. The applicant has obtained approval for a new 4 bedroom septic system and the storm water management plan that was submitted satisfies the Township Code.

Chairman Fry commented that the 5.3' setback is going to be a challenge especially since it is being compounded by adding height to the structure in that location. Mr. Ruebenacker stated that he would like to hear some testimony from the applicant as to why the landscape plan does not show any landscaping on side yard #2 which has the 5.3' setback. Mr. Tanis commented that he would like to hear testimony regarding the very old foundation which appears to be in disrepair. He is very concerned about the prospect of building on top of the existing foundation.

PACANOVSKY-NOLAN, KIM 322 Village Place BLK 289 LOT 19

The applicant proposes to construct a portico over the front entry way.

Mr. DiGennaro provided the following report: The Plot Plan and Architecturals were prepared by JR Frank dated 1/21/19. The Property Survey was prepared by Donald Sweeney & Associates dated 3/17/19.

The existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area, frontage and side yard setbacks. The applicant is proposing to expand the existing structure requiring variance relief. The lot is undersized at 15,747 square feet where 25,000 is required and the existing frontage is also non-conforming at 100' where 125' is required. The existing side yard setback

on side yard #1 is 8.9' and side yard #2 is 12.9' where 20' is required on each side however the side yard setbacks will remain unchanged.

Chairman Fry stated that none of the pre-existing non-conformities are going to be exacerbated and the application appears to be cut and dry. The applicant will provide testimony during the Public Business meeting.

PECK, KAREN 130 Wyckoff Ave. (Corner Annette Ct) BLK 462 LOT 41

The applicant proposes to expand the first floor footprint and also expand the second story.

Township Engineer gave the following detailed summary of the application: The Plot Plan and Architecturals were prepared by Peter Cooper, Architect, revised thru 6/6/19. The Landscape Plan was also designed by Peter Cooper dated 4/16/19. The existing single family dwelling is situated in the RA-25 zone on a corner lot and is non-conforming by way of lot width, front yard setback and accessory structure located in the front yard. The applicant proposes to expand the dwelling requiring variances. The existing lot is non-conforming with square footage of 16,840.9 where 25,000 is required. Front yard #1 on Wyckoff Avenue will be conforming with a proposed 45' setback. The existing non-conforming front yard #2 setback on Annette Court is 36' and 26' is being proposed where 40' is required. With regard to accessory structures, there is a detached garage located in the front yard #2 setback at 22.5'.

Chairman Fry expressed concerns with the proximity of the garage and rear porch as well as the bulk of the proposed addition being constructed on the right side of the home. The applicant will provide testimony during the Public Business meeting.

KANNING, MICHAEL 17 Colonial Dr. BLK 261 LOT 14

The applicant amended the original landscape plan which was approved by The Board on October 19, 2017.

Mr. DiGennaro explained that the applicant came before the Board back in October of 2017 and received approval for new home construction and landscape plan. Board Member Tanis recused himself and stepped down from the dais. The applicant did not complete the landscaping that was approved in 2017 and is in the Resolution from that approval. The home construction has subsequently been completed with the exception of the landscape plan and the applicant is here now to submit an amended landscape plan. The applicant is currently occupying the home under a Temporary Certificate of Occupancy. He has to comply with the approved landscape plan in order to obtain a final Certificate of Occupancy. A new self-prepared landscape plan has been submitted.

Chairman Fry remarked that the revised landscape plan is lacking in perimeter and foundation plantings. Mr. Kalpagian stated that the revised plan does not provide

adequate screening for the neighbors. Mr. Ruebenacker commented on the screening around the A/C units which is insufficient. Mr. Hubert said that in looking at the revised landscape plan and the plan that was approved by the Board in 2017, there is no comparison in that the new plan is very lacking in plantings. The applicant will provide testimony during the Public Business meeting.

There being no further business, a motion was made by Mr. Ruebenacker to close the Work Session. Seconded by Mr. Hubert and the vote was passed unanimously. The Work Session was adjourned at 8:20 p.m.

Respectfully Submitted,

Maureen Mitchell, Secretary
Wyckoff Board of Adjustment