

**WYCKOFF ZONING BOARD OF ADJUSTMENT
NOVEMBER 19, 2020
PUBLIC WORK SESSION MINUTES**

Public Work Session: 7:30 p.m. Via Zoom Video Conferencing and streaming live on the Township's YouTube channel

Public Business Meeting: 8:00 p.m. Via Zoom Video Conferencing and streaming live on the Township's YouTube channel

The meeting commenced with the reading of the Open Public Meetings Statement by Chairman Fry:

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act NJSA 10:4-6 et seq., and in consideration of Executive Order #103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency in the State of New Jersey, the Zoning Board of the Township of Wyckoff does hereby notify the public that to protect the health, safety and welfare of our citizens, the meeting of the Zoning Board of the Township of Wyckoff scheduled for Thursday November 19, 2020 will be conducted virtually through Zoom technology and it will be live-streamed on the Township of Wyckoff's YouTube channel. The Work Session is scheduled for 7:30 and the Public Business meeting will begin at 8:00 pm.

These measures are implemented to allow members of the public to observe the meeting via live streaming and to provide the ability to comment during the periods for public comment during the meeting through Zoom telephone call in technology. Joining the meeting by telephone will be utilized as security against the sharing of inappropriate video content.

General instructions regarding access to the meeting is posted on the Wyckoff web site's home page at www.wyckoff-nj.com as a "News" item.

"The November 19, 2020 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."

Mr. 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."

Roll call was taken.

Board Members in attendance: Carl Fry, Chairman; Mark Borst Vice Chairman; Erik Ruebenacker, Ed Kalpagian, Brian Tanis, Rosa Riotto, Brian Hubert, Kimberly Evans, and Ian Christ.

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

OLD BUSINESS

Approval of the October 15, 2020 work session and public business meeting minutes.

Board Member Hubert made a motion to approve the October 15, 2020 work session and public meeting minutes. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Ruebenacker, Ms. Evans, Mr. Christ, and Chairman Fry. Vice Chairman Borst abstained.

RESOLUTION FOR PAYMENTS #20-11

Mr. Ruebenacker made a motion to approve the Resolution for Payments #20-11. Second, Mr. Borst. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Ruebenacker, Mr. Christ, Ms. Evans, Mr. Borst, and Chairman Fry.

MEMORIALIZING RESOLUTIONS

Christian Jorquera & Kirstin Bohn 74 Yale Ave. Block 469 Lot 4

(The applicant proposes to construct a portico over the existing front landing requiring variance relief for the front yard setback)

Michael & Lindsay Mitchell 71 Harding Rd. Block 263 Lot 55

(The applicant proposes to construct an attic dormer in the rear of the home requiring variance relief for a pre-existing nonconforming side yard setback and a portico over the front entrance requiring variance relief for the front yard setback)

Mr. Kalpagian made a motion to approve the two (2) Resolutions. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Ruebenacker, Mr. Christ, Ms. Evans, and Chairman Fry. Vice Chairman Borst abstained.

REQUEST FOR EXTENSION OF APPROVAL

Robert Mosera 241 Eastview Terrace Block 393 Lot 6

(The applicant is requesting a one (1) year extension of time to begin construction on the subject property. The Resolution was approved on 1/16/2020)

The applicant, Robert Mosera, submitted a request for an extension of the variance approval which was granted in January 2020. He stated that due to extenuating circumstances related to the Covid-19 pandemic, he was unable to begin the planned construction on the home.

Mr. Borst made a motion to grant the one (1) year extension of approval of the Mosera application. Second, Mr. Ruebenacker. Voting in favor: Mr. Tanis, Mr. Hubert, Mr. Kalpagian, Ms. Riotto, Ms. Evans, Mr. Christ, Mr. Ruebenacker, Mr. Borst, and Chairman Fry.

NEW APPLICATIONS**Cangiolosi, Ignazio 535 Concord Place Block 311 Lot 3 RA-25 Corner Lot**

(The applicant proposes to construct a one-story addition in the rear of the principal structure requiring variance relief for a rear yard setback of 28.4' where 40' is required and a variance for soil movement in excess of 100 cubic yards to construct a circular driveway)

Township Engineer DiGennaro provided the following technical summary of the application: The existing single-family dwelling is situated in the RA-25 zone on a corner lot and is non-conforming due to accessory structure rear yard setback. The applicant is seeking variance relief to expand the structure into the rear yard requiring variance relief for rear yard setback, principal building lot coverage and to construct a circular driveway requiring a soil moving permit for soil movement in excess of 100 CY. The existing lot area, frontage, depth, side yard setback, and both front yard setbacks are conforming. The applicant proposes to construct an addition to the rear of the home requiring variance relief for a proposed rear yard setback of 28.4' where 40' is required. The existing accessory structure (inground pool) has a nonconforming rear yard setback of 6.7' where 20' is required. The pool is to remain. The existing principal building lot coverage is 13.6%. The applicant is proposing a principal building lot coverage of 15.7% where 15% is the maximum permitted however the proposed total combined lot coverage is 18.2% which is below the maximum allowed 20%. The stormwater management plan satisfies the Township requirements, and the property is served by a new 4 BR septic system. Mr. DiGennaro stated that the plan and the section J of the application need to be revised with regard to the combined lot coverage and principal building lot coverage as well as the request for a soil movement permit which is not listed on the application.

Board Attorney Becker stated that despite the deficiencies of the application, the notice for the hearing of the application was sufficient.

Chairman Fry stated that there are some discrepancies between the engineering plot plan and the landscape plan. The landscape plan does not show the rear addition which is proposed on the engineering plan. There is a shed on the landscape plan which is not on the engineering plan. He went on to say that there are also trees marked for removal on the engineering plan however the landscape plan reflects that the trees are to remain.

Mr. Ruebenacker stated that the pool patio which is shown on the engineering plan has already been removed. He also pointed out that the submitted landscape plan shows a proposed rectangular pool patio however the engineering plan shows a patio which follows the shape of the existing pool.

Ms. Riotto pointed out that the A/C units are not shown on the landscape plan.

Mr. Borst and Mr. Ruebenacker expressed concerns about the grading and slope of the proposed circular driveway in the front of the house on Concord Place.

Puleo, Fortunato 300 Wiley Place Block 214 Lot 76 RA-25

(The applicant proposes to construct a pavilion/roof over an existing outdoor BBQ area and patio requiring variance relief for an accessory structure side yard setback of 10' where 15' is required)

Mr. DiGennaro provided the following technical summary of the application: The existing single-family dwelling is situated in the RA-25 zone and is non-conforming due to lot

area, frontage, front yard, and side yard setbacks. The applicant is proposing to construct an accessory pavilion over the outdoor kitchen area in the rear yard requiring variance relief. The proposed accessory structure will have a side yard setback of 10' where 15' is required.

Mr. Borst stated that he would like to know why the footings for the structure have already been installed without a permit and if they have been inspected.

Mr. Ruebenacker commented that the roof of the structure, as proposed, does not cover the entire patio area adding that it will have to be made certain that the applicant constructs what has been proposed if this application is approved as submitted.

Janke, Debra 460 Grandview Ave. Block 497 Lot 7.01 RA-25 Corner lot

(The applicant proposes to install a black aluminum non-solid fence that is greater than 4' high in front yard #2 and to construct a shed in front yard #2)

Mr. DiGennaro provided the following summary of the application:

The existing single-family dwelling is situated in the RA-25 zone on a corner lot and is conforming. The applicant is seeking variance relief to relocate an existing pool code fence in the front yard which is greater than 4 feet in height and to install an accessory shed in front yard #2 on Deep Brook Road. The applicant should specify the height of the proposed shed to be constructed.

Chairman Fry commented that a landscape plan has not been submitted. There was a discussion amongst the Board members about screening for the fence and the proposed shed. The applicant will be asked to provide testimony regarding landscaping.

There being no further business, a motion was made to adjourn the Work Session, was seconded, and passed unanimously. The meeting concluded at 8:17 pm.

Respectfully Submitted,
Maureen Mitchell, Secretary
Wyckoff Board of Adjustment