

WYCKOFF ZONING BOARD OF ADJUSTMENT
APRIL 15, 2021
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 April 15, 2021 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 April 15, 2021 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 the following 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 times."

ROLL CALL:

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

Absent: Rosa Riotto.

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

OLD BUSINESS

Approval of the March 18, 2021 work session and public business meeting minutes.

Board Member Hubert made a motion to approve the March 18, 2021 work session and public meeting minutes. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Mr. Hubert, Mr. Ruebenacker, Mr. Christ, Ms. Rizvani, Mr. Borst, and Chairman Fry.

RESOLUTION FOR PAYMENTS #21-04

Mr. Hubert made a motion to approve the Resolution for Payments #21-04. Second, Mr. Ruebenacker. Voting in favor: Mr. Tanis, Mr. Hubert, Mr. Kalpagian, Mr. Ruebenacker, Ms. Rizvani, Mr. Christ, Mr. Borst, and Chairman Fry.

MEMORIALIZING RESOLUTIONS**Serkes, Matt 110 Ravine Ave. Blk 483 Lot 44**

(The applicant proposes to construct a two-story addition to the existing home with a pre-existing nonconforming side yard setback)

Mr. Borst made a motion to approve the Resolution. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Mr. Hubert, Mr. Ruebenacker, Ms. Rizvani, Mr. Christ, Mr. Borst, and Chairman Fry.

CARRIED APPLICATION**Electrify America, LLC 525 Cedar Hill Ave. Blk 391 Lot 42.01**

(The applicant is requesting a Use variance so as to permit the conversion of six (6) parking spaces on the property into a four (4) parking space electric vehicle charging station. The applicant is also seeking bulk variance relief with respect to the required front and rear yard setbacks, maximum fence height, required number of parking spaces, and accessory structure in a front yard)

The applicant's Attorney requested that the application be carried to the May 20, 2021 meeting.

NEW APPLICATIONS**Cauchard, Ronald & Denise 324 Wyckoff Ave. Blk 351 Lot 30**

(The applicant proposes to construct a second story addition above the existing attached garage and breezeway on a lot with pre-existing nonconforming lot area, frontage, and side yard setbacks)

Mark DiGennaro, the Township Engineer, provided the following technical summary of the

application: The existing single family dwelling is in the RA-25 zone and is non-conforming due to lot area, frontage, and side yard setbacks. The applicant is proposing to convert the existing attached garage to living space and add a second floor above requiring variance relief for side yard setback. The property is currently served by septic and a new septic application has been approved to serve a 3 BR house. The existing lot area is 14,991.29 sf where 25,000 sf is required in the zone. Existing side yard #1 setback is 18.4', existing side yard setback #2 is 16.1' where 20' is required for each side, and both will remain unchanged. Lot frontage is nonconforming at 100' where 125' is required. The existing detached garage accessory structure is conforming. There is an existing accessory structure shed on the property that is nonconforming with a rear yard setback of 8'. The proposed principal building lot coverage and total combined lot coverage are conforming, and the proposed building height will be conforming at 24.5' where 35' is the max allowed. Mr. DiGennaro stated that a revised section J was to have been submitted with a correction in the existing lot area and gross building area. He stated that he did not object with moving forward as his report, which was provided to the Board Members, reflected the correct calculations.

Chairman Fry stated that the applicant's Professionals will provide testimony during the public business meeting.

Montes, Marco 122 Edison St. Blk 270 Lot 1 Corner lot

(Applicant to construct second-story dormer addition to the existing home requiring variance relief for both front yard setbacks, nonconforming lot area, depth, rear yard setback and principal building lot coverage)

The existing single family dwelling is situated on a corner lot in the R-15 zone and is non-conforming due to lot area, depth, front yard setbacks, rear yard setback, lot coverage and accessory structure rear yard setback. The applicant is proposing an addition renovation requiring relief from the code for front yard setbacks, rear yard setback, principal building lot coverage. The existing lot area is 7167 sf where 15,000 sf is required, and lot depth is 100' where 125' is required. The proposed front yard setback #1 on Harding Road is 28' and proposed for front yard #2 on Edison Street is 19.5' where 40' is required for each side. The existing rear yard setback is 13.7' and will remain unchanged where 30' is required. The accessory structure shed is nonconforming with a side yard setback of 4.4' where 6' is required. Proposed principal building lot coverage is 18.5% where 15% is the maximum allowed however the proposed total lot coverage is 19.2% where the maximum allowed is 20%. The application does not require a stormwater management plan. The property is served by municipal sewer. Impervious coverage proposed is 44.3 % where a maximum of 45% is permitted.

Chairman Fry said the applicant is looking to construct a roof covering over the front entrance on Edison Street and also over the entry door on Harding Road. The principal building lot coverage is greater than the allowed however the proposed total combined coverage is conforming and There will be no increase in the height of the building.

Mr. Ruebenacker pointed out that the portico is not centered over the front door on the architectural plan which seems askew. He added that he would also like to hear testimony regarding proposed landscaping.

Mr. Hubert said he would like to hear testimony about how the impervious coverage was calculated as there is a lot of black top on the property.

Payerle, Donald 360 Pathway Manor Blk 316 Lot 18

(Applicant proposes to construct a roof over an open porch in the rear of the existing home requiring variance relief for principal building lot coverage on a nonconforming lot)

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, side yard setbacks and lot coverage. The applicant is proposing to expand the existing structure by adding rear outdoor covered porch requiring variance relief. The existing lot area is 16,797 sf where 25,000 sf is required, and lot frontage is 111.75' where 125' is required. Existing side yard #1 setback is 19.7', side yard #2 is 20.1', 25' is required for each side and both will remain unchanged. The applicant is proposing a principal building lot coverage of 18.02% where 15% is the maximum allowed and a total combined lot coverage of 18.02% where 20% is the maximum allowed. There are no accessory structures existing or proposed. The existing height of the principal structure is 34.25' and the proposed covered patio roof height is proposed at 19.4'.

Chairman Fry said the size of the proposed covered patio is 22' by 23' which is a substantial structure in the rear of the home which will push very close to the required rear yard setback of 40' as the applicant is proposing a rear yard setback of 40.65'. He added that he would like to hear some testimony about that.

Walsh, Samantha 101 Colona St. Blk 268 Lot 11

(Applicant proposes to expand the footprint of the existing home and add a second story requiring variance relief for enhanced side yard setback, front yard setback, nonconforming lot area, frontage and depth, principal building lot coverage and combined lot coverage)

Mr. DiGennaro provided the following technical summary of the application:

The existing single family dwelling is located in the R-15 zone and is non-conforming due to deficiencies in lot area, frontage, depth, side yard setback and front yard setback. The applicant is proposing a renovation and expansion requiring variance relief. The existing lot area is 7150 sf where 15,000 sf is required, frontage is 71.50' where 100' is required, and lot depth is 100' where 125' is required. The existing front yard setback is 30.3' with 21.25' proposed where 40' is required. Existing and proposed side yard setback #1 is 4.7'. Existing side yard setback #2 is 24.5' and a 15' is proposed where a 20' enhanced side yard setback is required. There is an existing 80 sf shed that is to be removed. A 166 sf deck is proposed in the rear of the home. Existing principal building lot coverage is 13.33%, 29.85% is proposed and 15% is the maximum allowed. Proposed combined lot coverage is 32.17% where 20% is the maximum allowed. Existing height is 17', proposed is 34.8' and 35' is the maximum allowed. The Stormwater Management Plan design satisfies the Township requirements, and the property is served by municipal sewer.

Chairman Fry said that this application has quite a bit going on. The lot is undersized which is a hardship however this is very aggressive, and the numbers of the proposed lot coverage are very concerning. He said he would like to know how much of the existing structure is going to remain. Mr. Fry pointed out that the applicant is proposing to construct an attached garage which will eliminate a nonconformity however they are going considerably over the 2,700 sf of gross building area and triggering the enhanced side yard setback. Finally, Chairman Fry stated that it is a nice design however it is proposed for a lot that is not designed to handle the mass of it.

Mr. Ruebenacker and Mr. Hubert expressed that they were in agreement with the Chairman's comments.

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