

**WYCKOFF ZONING BOARD OF ADJUSTMENT  
AUGUST 19, 2021  
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 Fry:

"The August 19, 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](http://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; Erik Ruebenacker, Ed Kalpagian, Brian Tanis, Ian Christ, and Nekije Rizvani.

Absent: Mark Borst, Vice Chairman; Brian Hubert, and Rosa Riotto.

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

**OLD BUSINESS**

Approval of the July 15, 2021, work session and public business meeting minutes.

Mr. Kalpagian made a motion to approve the July 15, 2021, work session and public meeting minutes. Second, Mr. Ruebenacker Voting in favor: Ms. Rizvani, Mr. Kalpagian, Mr. Ruebenacker, and Chairman Fry.

**RESOLUTION FOR PAYMENTS #21-08**

Mr. Ruebenacker made a motion to approve the Resolution for Payments #21-08. Second, Mr. Tanis. Voting in favor: Mr. Kalpagian, Mr. Tanis, Ms. Rizvani, Mr. Christ, Mr. Ruebenacker, and Chairman Fry.

**MEMORIALIZING RESOLUTIONS****Victoria Silva and Joseph Pisa 431 Lafayette Ave. Blk 438 Lot 30.01**

(The applicant is requesting relief from 173-2 of the Township Code to place an RV on the property to reside in during renovations to the principal dwelling due to a fire in the home)

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

**A&J Acquisitions 540 Helena Ave Blk 314 Lot 72 RA-25**

(The applicant proposes to demolish the existing home and construct new home on the lot with deficient Frontage of 120' where 125' is the requirement)

Mr. Ruebenacker made a motion to approve the Resolution. Second, Mr. Kalpagian. Voting in favor: Mr. Kalpagian, Mr. Ruebenacker, and Chairman Fry.

**Goodman, Ryan 421 Cornwall Ct. Blk 314 Lot 47 RA-25**

(The applicant proposes to construct a one story addition, and covered and uncovered decks in the rear of the home requiring variances for rear and side yard setbacks)

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

**Paragon Auto 290 Franklin Ave. Blk 260 Lot 2 B-1**

(The applicant proposes to construct an addition to the existing building requiring variance relief for front yard setback, side yard setback, accessory structure side yard setback and impervious coverage allowance)

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

**NEW APPLICATION****Jones, Robert & Ellen 385 Frances Place Blk 286 Lot 7 RA-25**

(The applicant proposes to construct an addition of second story over the existing attached Garage requiring variance relief for enhanced side yard setbacks and rear yard setback)

Mark DiGennaro, the Township Engineer provided the following technical details of the application:

The applicant submitted an Architectural and Plot Plan prepared RDS Architect revised thru 6/7/21, Survey prepared by GB Engineering LLC dated 5/14/21, application and photos. The existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area, depth, front yard setback, rear yard setback, side yard setbacks and principal building lot coverage. The applicant is proposing to expand the existing structure requiring variance relief. The lot area consists of 17,619 sf where 25,000 is the requirement in the zone. Lot depth is 141' where 150' is the requirement and the front yard setback is 34.5' where 40' is the requirement. Existing side yard setback #1 is 15.4' and the applicant is proposing 16.4' to the overhang of the addition where 25' is required for each side yard setback. Existing side yard setback #2 is 20.23' and will remain unchanged. The existing and proposed principal building lot coverage exceeds

the 15% allowable at 19.2% and will remain unchanged. Total combined lot coverage of 19.2% is under the maximum allowed 20%. The proposed bedroom count remains unchanged therefore a septic expansion is not required. Stormwater management is not required per the Township Code. The impervious coverage is listed incorrectly on the plan as 37.8%. The correct calculation is 33%.

**Tusk, Marla 104 Willow Pond Ct. Block 421 Lot 81 RA-25**

(The applicant proposes to enlarge the existing rear covered porch requiring variance relief for the enhanced side yard setback and exceeding allowable principal building lot coverage)

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

The applicant submitted a Plot Plan and Architectural Plan prepared by Plan Architecture last revised 7/19/21, application and photos. The existing single family dwelling is situated in the RA-25 zone on a corner lot and is non-conforming due to side yard setback, principal building lot coverage and impervious lot coverage. The applicant proposes to expand the structure by 329 SF to construct a covered open living space requiring variance relief. The existing side yard setback to the principal structure is 20.80' and the proposed to the covered porch addition is 22.25' where 25' is the requirement. The existing principal building coverage is 18.67% and the proposed is 19.99% where 15% is the maximum allowed. Proposed combined lot coverage is 19.99% where 20% is the maximum allowed. Impervious coverage is proposed at 38.9% where 28.5% is the maximum allowed requiring a variance. The Township's stormwater management requirements are not applicable, and the property is connected to sanitary sewer. The construction of the home predated the impervious coverage ordinances.

Chairman Fry stated that there is an existing covered patio area that the applicant is proposing to enlarge requiring variance relief. He said he would like to hear testimony from the architect as to what efforts were made, if any, to prevent further encroachment into the setback.

Mr. Ruebenacker pointed out that the proposed structure could possibly have been stepped in to eliminate the side yard setback variance.

**Denise, John & Jenna 533 Helena Ave. Block 336 Lot 6 RA-25**

(The applicant proposes renovate the home which was damaged by a fire and construct an addition requiring variance relief for pre-existing nonconforming side yard setbacks. Lot area and frontage)

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

The applicant submitted a property survey prepared by DAB Surveying Inc. dated 2/15/21, a Plot Plan and Architectural Plans prepared by William Brown AIA consisting of 6 sheets, last revised 8/3/21, landscape plan prepared by Cipriano Landscape Design dated 8/6/21, application, and photos. The existing single family dwelling is situated in the RA-25 zone is non-conforming due to lot area, lot frontage, side yard setbacks and accessory structure side yard setback. The applicant is to rebuild, renovate and expand the existing fire damaged structure requiring variance relief for side yard setbacks. The lot consists of 21,807 sf where 25,000 is required in the zone. Lot frontage is deficient existing at 78' where 125' is the requirement. Existing side yard setback #1 is 12.8' and will remain unchanged. Existing side yard setback #2 is 8.9' and 8.7' is proposed where 20' is required for each side. The existing accessory garage has a nonconforming side yard setback of 4.4' where 15' is the requirement. The proposed impervious coverage is 17.7% which is less than the maximum allowed 30%. The Township Stormwater

management requirements are not applicable. The existing septic will be replaced in order to conform to the minimum setback requirements by State Septic Code.

Chairman Fry said the proposed addition to the right front corner is very close to the neighboring driveway and the applicant is also proposing to build to the maximum allowed height. He added that he would like to hear testimony as to how much of the existing foundation will remain as well as testimony regarding the landscape plan and the detached garage in the rear of the home.

Mr. Ruebenacker stated that the lot is large however it is extremely narrow which limits what can be done. He added that he would like to hear testimony from the architect about the proposed two (2) front doors.

Board Attorney Becker announced that the Attorney for the Christian Health Care Center sent a letter requesting a one year extension of time to begin the construction of an addition to the Administration Building which was approved in 2018. The request will be on the September 16, 2021 meeting agenda for the Board to vote on. Mr. Becker stated that a one (1) year extension was granted in 2019 and again in 2020 for the same project adding that the letter does not indicate why the extension is needed. Mr. Becker will reach out to the CHCC Attorney for more details on the request so the Board can make an informed decision at the September meeting.

There being no further business, a motion was made to adjourn the Work Session, was seconded, and passed unanimously. The meeting concluded at 8:10 pm.

Respectfully Submitted,  
Maureen Mitchell, Secretary  
Wyckoff Board of Adjustment