

**WYCKOFF BOARD OF ADJUSTMENT
WORK SESSION MINUTES
JUNE 21, 2007**

Work Session: 7:30 p.m. – West Wing Conference Room, Second Floor, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meeting Statement by Rudy Boonstra, Chairman:

"The June 21, 2007 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."

Board Member Attendance: Chairman Rudy Boonstra, Richard Bonsignore, Jerry Lombardo, Kevin Rooney, Doug Christie, Libby Ciampo, and Jim Donkersloot. Absent: Warren Schaub and Ron Bavagnoli.

Staff Attendance: Harold P. Cook III, Board Attorney and Jacqueline Denequolo, Board of Adjustment Secretary.

OLD BUSINESS

Approval of Minutes from the May 17, 2007 Work Session and Regular Meeting.

Doug Christie made a motion to approve the minutes. Second by Richard Bonsignore. Voting in favor: Chairman Boonstra, Bonsignore, Rooney, Christie, Ciampo and Donkersloot.

RECOMMENDATION FOR APPROVAL

- A. RESOLUTION #07-06** - Approval of vouchers from various developers' escrow accounts.

Richard Bonsignore made a motion to approve this voucher for payment. Second by Kevin Rooney. Voting in favor: Chairman Boonstra, Bonsignore, Rooney, Christie, Ciampo and Donkersloot.

RESOLUTIONS FOR MEMORIALIZATION

- B. GORIA, BRUCE & ALEXIS**, BLOCK 411, LOT 19 (RA-25), 590 Farview Avenue. Variance requested to add a walkout basement.

Kevin Rooney made a motion to memorialize the resolution. Second by Richard Bonsignore. Voting in favor: Chairman Boonstra, Bonsignore, Rooney, Christie, Ciampo and Donkersloot.

Memorialized resolutions are available upon request in Room 110 at Memorial Town Hall.

CONTINUED APPLICATION

- 1. BANDAIZIAN, RICK**, BLOCK 265, LOT 41 (RA-25), 66 Van Schaik Lane; Demolition of existing home.

Chairman Boonstra stated that under normal conditions, a front yard setback of 13' from the street would be a reason for removal. The houses on either side are at the same front yard setback. Under the Sherman case, you can go up on the same building envelope and improve the site.

Doug Christie, Board Member, stated that the home is aesthetically pleasing to the neighborhood and the drainage improvement is great for the two neighbors that are in support of the project. The tree proposed to come down is an unfortunate but necessary circumstance that would occur with any proposed addition.

Kevin Rooney, Board Member, stated that the submitted landscape plan is adequate as submitted. Some comments will be reserved for the regular meeting.

2. **DEPINTO, MATTHEW & JANICE**, BLOCK 250, LOT 45 (RA-25), 383 Oakwood Drive; Variances requested for two principal building side yard setbacks, lot coverage and a rear and side yard setback for an accessory structure.

Chairman Boonstra summarized the proposed suggestions at the last meeting held on May 17. The detached garage was suggested to be within 10' of the septic field but the code does not permit an occupied building to be less than 15'. The garage was moved from 7.5' to 11.8' from the side yard setback where 15' is required.

Jerry Lombardo, Board Member, stated that he would accept the proposed garage without the dormer.

The Board's consensus was that the garage is very large in size and height and is very close to the side property line.

Chairman Boonstra stated that the minimum size for a two car garage would be 22'.

Doug Christie, Board Member, suggested the applicant switch to a pump system in order to allow the septic field to be reduced in size and allow additional space by the side property line.

Mark DiGennaro, Township Engineer, stated that the proposed septic system works by gravity flowing from a 3" pipe into a 1" pipe. A dosing system uses a pump rather than gravity. Design calculations provided by the state allow the septic field to be smaller for a dosing system.

Jim Donkersloot, Board Member, stated that a dosing system is more expensive but would allow the septic field to be reduced and the garage could be moved off of the side property line.

Harold P. Cook, Board Attorney, stated under the Sherman case, a height restriction may be imposed as a condition of granting the variance that contains bulk consideration based upon aesthetics.

NEW APPLICATIONS

3. **CORNERSTONE CHRISTIAN CHURCH**, BLOCK 346, LOT 7 (RA-25), 495 Wyckoff Avenue. Variance requested for a new sign structure totaling approximately 100 sq. ft.

The Board Members consensus was that the structure where the sign would be enclosed was heavy and massive and would need to be softened.

4. **SMITH, ANGELA & NATHAN**, BLOCK 315, LOT 3 (RA-25), 388 Frances Place. Variance requested for existing lot area, front and side yard setbacks and new variance request for lot coverage.

Chairman Boonstra stated that most of the proposed addition would be in the rear of the home which is secluded. Trees are to be removed only for the construction of a new septic system, however, replacement trees are proposed.

Kevin Rooney, Board Member, stated that some of the trees are diseased.

Harold P. Cook, Board Attorney, made reference to a finding that could assist with granting approval for the DePinto application. A variance could be granted with a condition that would not allow the applicant to expand further on the detached garage. This condition would be made part of public record by recording a deed with a restrictive covenant. This would benefit adjoining neighbors whereby a violation of this condition would allow a neighbor to have the right to bring forth a private action, as well as, enforcement by the Township of Wyckoff. In order for the process to be valid, five conditions would need to be addressed by the Board. The criteria are as follows:

1. This application will not offend the Zoning Ordinance.
2. No illegal conduct on the part of the applicant.
3. The application must be in the public's best interest ensuring their protection.
4. The application must be a reasonable objective of the Zoning Ordinance.
5. Lastly, no unnecessary burden will be placed on the landowner.

Mr. Cook stated that these specific conditions would be in the resolution and attached to a deed restriction.

Jim Donkersloot, Board Member, confirmed that the garage could be built or rebuilt as proposed but never modified.

Mr. Cook stated that by recording the resolution, any future purchaser would know about the deed restriction during a title search.

The meeting was adjourned at 8:40 p.m.

Jacqueline Denequolo
Board of Adjustment Secretary