

**WYCKOFF BOARD OF ADJUSTMENT
WORK SESSION MINUTES
OCTOBER 18, 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 October 18, 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, Kevin Rooney, Libby Ciampo, Doug Christie, Ron Bavagnoli and Jim Donkersloot. Absent: Warren Schaub and Jerry Lombardo.

Staff Attendance: Harold P. Cook III, Board Attorney, Mark A. DiGennaro, P.E., Township Engineer and Jacqueline Denequolo, Board of Adjustment Secretary.

OLD BUSINESS

Approval of Minutes from the September 20, 2007 Work Session and Regular Meeting.

RECOMMENDATION FOR APPROVAL

- A. RESOLUTION #07-10** - Approval of vouchers from various developers' escrow accounts.

Doug Christie made a motion to approve the resolution for payment. Second by Kevin Rooney. Voting in favor: Chairman Boonstra, Bonsignore, Rooney, Christie, Ciampo, Bavagnoli and Donkersloot.

RESOLUTIONS FOR MEMORIALIZATION

- B. DIAZ, JOHN & DEBORAH**, BLOCK 465, LOT 1 (R15), 394 Butternut Avenue. Variance requested for a front yard setback and any existing non-conformities. A proposed front porch encroaches into the front yard setback.
- C. PUGLISI, KENNETH & KELLY**, BLOCK 250, LOT 29 (RA-25), 367 Pinewood Drive. Variance requested for a side yard setback, total lot coverage and any existing non-conformities. This existing home is proposed to be knocked down and rebuilt.

- D. **HOURIHAN, JIM & CHRISTINE**, BLOCK 318, LOT 28.01 (RA-25), 376 Sunset Boulevard. Variance requested for a front yard setback to add a front porch.
- E. **HOLOWACZ, JESSE & ELIZABETH**, BLOCK 423, LOT 4 (RA-25), 721 Laurel Lane. Variance requested to add a walk-out basement.

Kevin Rooney made a motion to memorialize resolutions B through E. Second by Doug Christie. Voting in favor: Chairman Boonstra, Bonsignore, Rooney, Christie, Ciampo, Bavagnoli and Donkersloot.

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

CONTINUED APPLICATIONS

1. **PRECISION MULTIPLE CONTROLS, INC.**, BLOCK 516, LOT 6.04 (L-1), 200-500 Braen Avenue for the Industrial area and 563 Hopper Avenue for the residence. To permit the residence to remain and to be used as a security office.

Postponed to next month's meeting.

2. **SMITH, FRANK**, BLOCK 278, LOT 21 (RA-25), 46 Dale Ave. Variance requested for a front yard setback.

Postponed to next month's meeting.

NEW APPLICATION

3. **MESSINEO, DOUG & SARAH**, BLOCK 265, LOT 117 (RA-25), 51 Midland Avenue. Variance requested for a side yard setback and any existing non-conformities. This existing home is proposed to be knocked down and rebuilt.

Chairman Boonstra stated for the record that the lot size is 41,955 sq. ft. where 25,000 sq. ft. is required. The lot is quite narrow. The applicant is planning to remove the house and requests a side yard setback which needs variance relief.

Kevin Rooney, Board Member, stated that the applicant is proposing to take down four trees. The Board requests a two year maintenance plan with one year paid. The plan submitted only indicates a plan for the lawn but not for the trees and shrubs.

Richard Bonsignore, Board Member, questioned whether the proposed home could be shifted over to the right in order to centralize it on the lot. This will allow the home to be further away from the side property line.

Jim Donkersloot, Board Member, noted that some of the neighbor's homes are close to the side property lines.

Doug Christie, Board Member, stated that when a home is knocked down, the issue and struggle is always with the proposed building not being able to conform to the code.

CHRISTIAN HEALTH CARE CENTER

Chairman Boonstra stated that the chair's responsibility is to protect the integrity of this Board. A newsletter, put out by the Friends of Wyckoff, indicated that the Board of Adjustment was in favor of the Christian Health Care Center (CHCC). Chairman Boonstra's recollection was that the comments made on the record when the application was originally submitted for Completeness Review were less than favorable from this Board. The March 15, 2007 minutes have confirmed that it was in fact the case.

Harold P. Cook, Board Attorney, stated that the Board of Adjustment may want to take some action. It was Mr. Cook's recommendation to send a letter from this Board with a copy of the minutes from the March 15, 2007 meeting discussing the CHCC indicating the commentary distinction. This Board will demand a retraction. If they don't retract the comments made, the Christian Health Care Center will be listed on the next agenda whereby the Board can take legal action.

Chairman Boonstra agreed with Mr. Cook's recommendation in reference to potential legal action. The comments that were put on the record on March 15 were clearly not in favor of the CHCC. When misinformation is distributed to the community, the matter becomes quite serious.

Mr. Cook stated that the retraction would need to be printed in the Friends of Wyckoff newsletter and one step further with an ad in a local newspaper. This is a quasi judicial Board whereby applications can not be prejudged. Both the author and source of information from the newsletter would need to be provided with a retraction. The next meeting will list the CHCC for discussion whereby legal action may need to be taken. An Executive Session may be necessary for discussion.

The meeting was adjourned at 8:00 p.m.

Jacqueline Denequolo
Board of Adjustment Secretary