

**WYCKOFF BOARD OF ADJUSTMENT
WORK SESSION MINUTES
DECEMBER 20, 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 December 20, 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, Jerry Lombardo, Libby Ciampo, Doug Christie, and Jim Donkersloot. Absent: Warren Schaub and Ron Bavagnoli.

Staff Attendance: Patricia Cistaro, Board Attorney Stand-in, Mark A. DiGennaro, Township Engineer and Jacqueline Denequolo, Board of Adjustment Secretary.

OLD BUSINESS

Approval of Minutes from the November 15, 2007 Work Session and Regular Meeting.

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

RECOMMENDATION FOR APPROVAL

- A. RESOLUTION #07-12** - Approval of vouchers from various developers' escrow accounts.

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

RESOLUTIONS FOR MEMORIALIZATION

- B. 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 used as a security office.

Doug Christie made a motion to memorialize the resolution. Second by Jerry Lombardo. Voting in favor: Chairman Boonstra, Bonsignore, Rooney, Lombardo, Christie, and Donkersloot.

- C. 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 demolished and rebuilt.

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

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

WITHDRAWN APPLICATION

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

CONTINUED APPLICATIONS

2. **FILIPIC, PAUL & SHERIDA**, BLOCK 462, LOT 18 (RA-25), 379 Butternut Avenue. Variance requested for a front yard setback, accessory building side and rear yard setbacks and total accessory building lot coverage. The proposal is to allow for a new entryway with front steps which extend into the front yard setback.

Chairman Boonstra stated that the resubmitted proposed setback is at 31.5' which was originally proposed at 28.5'. The front yard setback was increased by 3' from the last application.

Mark DiGennaro, Township Engineer, stated that the neighborhood itself is on a hill. After reviewing the front elevation, their side porch is on top of an existing retaining wall. The question is whether a railing will be installed or if the existing retaining wall be built up.

Chairman Boonstra requested that Mr. DiGennaro raise the question for the applicants in order to get testimony on the record.

3. **MAMOLA, JOE**, BLOCK 510, LOT 5 (R-15), 506 Franklin Terrace. Variance requested for a front yard setback to allow for a new covered front porch. The slope of the property exposes the basement requiring an additional variance for a third story after a second story addition is constructed.

Chairman Boonstra stated that the original application had a front yard setback of 31.1' with a resubmission of 35'. Two visual options were submitted by the applicant with the front yard setback being the same on each.

4. **DECURTIS, RICHARD & MARIA BELLA**, BLOCK 295, LOT 14 (R-15), 165 Packard Avenue. Variance requested for front and side yard setbacks for a principal building and accessory building rear and side yard setbacks. Total principal, accessory and total lot coverage variances requested as well.

Libby Ciampo, Board Member, stated that the lot itself is a hardship.

Chairman Boonstra stated that the removal of the shed may be necessary to bring down the total lot coverage.

NEW APPLICATION

5. **LUCCA, STEVEN & DENISE**, BLOCK 250, LOT 30 (RA-25), 369 Pinewood Drive. Variance requested for a front yard setback, lot coverage and any existing non-conformities. A new entryway and steps will extend into the front yard setback.

Jim Donkersloot, Board Member, stated that the existing side yard setback is at 7.5' and proposed at 9.2'. The survey shows 9.2' to the foundation wall. The 7.5' is probably to the overhang or eave on the front of the building. The proposed side yard setback is 9.2' to the foundation but the site plan of the house shows an overhang.

Mr. DiGennaro, stated that the 2nd story will have a soffit so if you're at 9.2' on the foundation, the soffit is 1 1/2' to 2'.

Jerry Lombardo, Board Member, stated that the 9.2' less the soffit would be the proposed side yard setback.

Chairman Boonstra stated that there's a new ordinance in process which would forever change the interpretation of the Sherman case and establish an impervious coverage limitation. Any vertical construction over an existing footprint within a setback would require a variance in Wyckoff. This new approach should not increase the number of Board of Adjustment applications. Any comments can be forwarded to Mark DiGennaro.

Mr. DiGennaro stated that currently the installation of enormous driveways and patios on individual lots, which impact runoff, are able to move forward without the recognition of storm water management. This would be addressed by an impervious coverage limitation.

At 8:05 p.m. the Board of Adjustment recessed the Work Session Meeting to enter into a Closed Session via Resolution #07-C2 with the following vote:

TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #07-C2

INTRODUCED: Kevin Rooney

SECONDED: Richard Bonsignore

MEETING DATE: December 20, 2007

REFERENCE: Closed Session

VOTE:	BOONSTRA: <u>Yes</u>	ROONEY: <u>Yes¹</u>	LOMBARDO: <u>Yes</u>	CHRISTIE: <u>Yes</u>	CIAMPO: <u>Yes</u>
	BONSIGNORE: <u>Yes²</u>	SCHAUB: <u>Ab</u>	DONKERSLOOT: <u>Yes</u>	BAVAGNOLI: <u>Ab</u>	

WHEREAS, the Zoning Board of Adjustment of the Township of Wyckoff is subject to certain requirements of the “Open Public Meetings Act”, N.J.S.A. 10:4-6, et seq.; and,

WHEREAS, the “Open Public Meetings Act”, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and,

WHEREAS, it is necessary for the Zoning Board of Adjustment of the Township of Wyckoff to discuss in a session, not open to the public, certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

POTENTIAL LITIGATION – Inaccurate Statements Attributed to the Board of Adjustment

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Wyckoff, County of Bergen, State of New Jersey, that an Executive Session closed to the public shall be held on December 20, 2007, in the Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey, 07481, for the discussion of matters relating to the specific items designated above.

BE IT FURTHER RESOLVED, that the minutes of the said closed session will be made public when the Zoning Board of Adjustment of the Township of Wyckoff determines the reason for the minutes to remain closed no longer exists.

Jacqueline Denequolo
Board of Adjustment Secretary

Rudy Boonstra
Chairman

At 8:30 p.m. the Board of Adjustment voted to remove themselves from Closed Session and re-enter the Work Session Meeting:

MOTION:

VOTE:	BOONSTRA: <u>Yes</u>	ROONEY: <u>Yes</u>	LOMBARDO: <u>Yes</u>	CHRISTIE: <u>Yes¹</u>	CIAMPO: <u>Yes</u>
	BONSIGNORE: <u>Yes</u>	SCHAUB: <u>Ab</u>	DONKERSLOOT: <u>Yes²</u>	BAVAGNOLI: <u>Ab</u>	

The Work Session meeting was adjourned at 8:31 p.m.

Jacqueline Denequolo
Board of Adjustment Secretary

