

**WYCKOFF PLANNING BOARD  
APRIL 11, 2007 REGULAR MEETING MINUTES**

Regular Meeting: April 11, 2007 - 7:30 p.m.  
Location: Court Room  
Second floor, Memorial Town Hall

Board Member Attendance: Gordon Stanley, Chairman; Robert Steinbruch, Vice Chairman; David Connolly, Mayor; Joseph Fiorenzo, Twp. Comm. Rep.; Randy Hoogerheyde; Fred Depken; Kathy Scarpelli; Robert Kane, Alt. Absent: Gerry Chi; Dan Hartigan.

Staff Attendance: Peter Ten Kate, Boswell Engineering Representative; Joseph Perconti, Board Attorney; Susan Schilstra, Administrative Officer/Secretary.

The following statement, in accordance with the Open Public Meeting Act, was made by the Chairman, Gordon Stanley, "The regular April 11, 2007 Meeting of the Wyckoff Planning Board 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 said Annual Schedule has been posted on the bulletin board in 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."

Approval of the March 14, 2007 Work Session Minutes  
Approval of the March 14, 2007 Regular Business Minutes

**1 RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #07-04**

Board Member Scarpelli made a motion to memorialize this resolution to approve voucher for payment. Second, Board Member Depken. Voting in favor: Mr. Kane, Ms. Scarpelli, Mr. Depken, Mr. Hoogerheyde, Mr. Fiorenzo, Mr. Steinbruch, Mayor Connolly, and Chairman Stanley.

**2 RESOLUTION(S) TO BE MEMORIALIZED**

**2A LAKELAND BANK BLK 236 LOT 1.01 (B1A); 652 Wyckoff Avenue. Amended site plan. (Hoogerheyde)**

*The application proposes to utilize a third floor storage area for office use.*

Board Member Hoogerheyde made a motion to memorialize this resolution for a minor site plan/variance. Second, Board Member Steinbruch. Voting in favor: Mr. Depken, Mr. Hoogerheyde, Mayor Connolly and Mr. Steinbruch. Memorialized resolutions available upon request in Room 110 at Memorial Town Hall.

### **3 PUBLIC HEARING**

#### **3A BARRISTER HOME CONSTRUCTION, INC. (BARRISTER AT RUSSELL FARMS)** BLK 377 LOTS 1 & 18.05 (RA-25); Sicomac/Russell Avenue. Preliminary Major Subdivision. (Hartigan)

*This application proposes to create a seven (7) lot residential subdivision creating six (6) new single family residential lots on two (2) existing residential parcels totaling 5.66 acres.*

Mr. Robert Milanese, the principle of Barrister Home Construction and applicant, Mr. Russell Huntington, the applicant's attorney, and Mr. Andrew Missey, the applicant's engineer, were present.

Mr. Russell Huntington introduced himself to the Board.

Chairman Stanley asked that all exhibits be marked into the record at this time. Marked as identification were the following exhibits:

- A-1 Lapatka Associates boundary survey/existing conditions
- A-2 Colored rendering of sheet number 7 of 7 with the revision date of 2-27-07
- A-3 Series of photographs depicting various locations on the property in question
- A-4 Series of photographs depicting various locations on the property in question
- A-5 Series of photographs depicting various locations on the property in question
- A-6 Series of photographs depicting various locations on the property in question
- A-7 Series of photographs depicting various locations on the property in question
- A-8 Series of photographs depicting various locations on the property in question
- A-9 Series of photographs depicting various locations on the property in question
- A-10 Series of photographs depicting various locations on the property in question
- B-1 Preliminary major subdivision and variance application
- B-2 Wyckoff Police Report dated February 2, 2007
- B-3 Wyckoff Fire Department Report dated February 3, 2007
- B-4 Wyckoff Shade Tree Commission Report dated February 14, 2007
- B-5 Building Inspector Report dated February 14, 2007
- B-6 Boswell Report dated March 28, 2007
- B-7 Boswell Report dated March 6, 2007
- B-8 Boswell Report dated January 24, 2007

The Board took a brief recess since the applicant had noticed for the application to

begin at 8:00 p.m. The regular Planning Board meeting is scheduled to begin at 7:30 p.m.

At 8:00 p.m. Board Attorney Perconti noted for the record that the meeting is beginning.

Mr. Andrew H. Missey, a licensed engineer with Lapatka Associates, was sworn. He said that he is a licensed professional engineer in the State of New Jersey since 1989. He said that he has appeared before this Board in the past most recent of which was the Snyder Farms application on Ravine Avenue and Barrister at Deep Voll also on Ravine Avenue.

The Board accepted Mr. Missey's credentials.

Mr. Missey described the application as a preliminary major subdivision of 2 lots containing 5.66 acres of property located in an RA-25 single family residential use zone. Lot 1 is presently developed with a one family dwelling. Lot 18.05 is presently developed and until recently was operated as Russell Orchards, a farm/greenhouse commercial business, with seasonal produce sales. The applicant proposed to create a seven (7) lot residential subdivision creating six (6) new residential lots on a new cul-de-sac. At present, the Russell Orchards portion of the site is currently accessed from Sicomac Avenue through an easement on the adjacent firehouse property (Sicomac Community Fire Engine Company No. 3) and exits directly onto Russell Avenue. The applicant has demolished the two greenhouses and proposes to demolish a one-story building. The applicant proposes to construct a new road servicing the proposed six (6) residential lots from Russell Avenue. The existing dwelling on Lot 1 will remain and will continue to have direct access and all utility services from Russell Avenue. Lot 18.05 is sewerred from Long Drive. The topography of the land slopes from the firehouse entrance approximately 20 feet in elevation towards Russell Avenue. Existing Lot 1 contains State Open Water, wetlands and flood encroachment boundaries. An easement will be provided on Lot 1 to widen Russell Avenue. This easement will further the required front yard setback encroachment where 40' is required and 25.4 feet will be provided. Additional property will be added to Lot 1 to increase the lot area and make the lot more conforming.

Committeeman Fiorenzo said the applicant will be creating more of front yard setback non-conformity by giving an easement to the County of Bergen to widen Russell Avenue.

Mr. Missey said Russell Avenue will be widened to 66' in width in front of this proposed subdivision. The proposed cul-de-sac will be 450 feet in length with a 40' paved cul-de-sac bulb. The street will conform to RSIS (Residential Site Improvement Standards) standards. The applicant proposes a sidewalk on the north side of the cartway only where a sidewalk is required on both sides. The sanitary sewer terminates to the north of the culvert on Russell Avenue. The applicant proposes to extend the sewer and utilities in the right of way of Russell Avenue down to the new street to service the six

(6) new homes. The applicant will cease in using the sewer from Long Drive. Board Member Hoogerheyde asked why the sewer line is not being constructed in the center of the street.

Mr. Missey said the new sewer line in Russell Avenue will be constructed in the right of way and not down the center of the street so that Russell Avenue can remain open during sewer construction.

Chairman Stanley asked how long it would take to extend the new sewer line. He said sewer extensions are always installed in the center of the roadway.

Mr. Missey said the new sewer line would need to be placed 14' in depth under the culvert which could take approximately 5 working days or more to construct. There are no existing homes that would benefit from this sewer extension.

Mr. Huntington said the applicant will abide with the Boards decision on the placement of the sewer in the street.

Boswell Engineering Representative Ten Kate said the Wyckoff Sewer Atlas indicates that the sewer line in Russell Avenue is shown to extend further south on Russell Avenue towards Sicomac Avenue.

Mr. Missey continued. He said that the applicant proposed to dedicate as a deeded conservation easement, the area of the existing State Open Waters, wetlands and portion of the Transition area on proposed Lot 18.05. The development of the site will result in a decrease of 16,719 square feet of impervious area. Therefore, no-site retention of stormwater is required and there will be a reduction in surface water run off to adjacent properties. The applicant proposes to collect the stormwater from the street in a series of catch basins and discharge them to the tributary of Goffle Brook which is currently being done on site with the Russell Orchards site. The proposed water quality drainage system, to be located between Lots 18.05 and 18.06, will be a CDS Vortex model storm water treatment unit with a screening device verses a filtration system. The size of this unit is 7 feet in diameter and 13 feet in depth. Individual seepage pits will be installed on each property to collect the surface water from the roofs of the new dwellings.

Vice Chairman Steinbruch asked Mr. Missey to explain to the Board why a screening device was chosen over a filtration system for this proposed subdivision.

Mr. Missey said this screening device was chosen since the present site has a decrease in suspended solids emanating from this site. The flow rate and volume of flow will be less from this site and the conditions will be in character with the surrounding area rather than a commercial use.

Chairman Stanley asked how the sediment will be removed from the screening device.

Mr. Missey said the sediment will be removed by a vacuum truck once a year and be

maintained by the township. During construction the screening device will be maintained by the builder until the on-site conditions have been stabilized.

Vice Chairman Steinbruch said this system is similar to the one approved for Julie Court. There was a homeowner's agreement to maintain the Julie Court system.

Mr. Huntington said this is minimal system to maintain and possibly the town could maintain it.

Vice Chairman Steinbruch said that the Township has required the Homeowner Association to maintain these systems.

Mr. Missey said the drainage system will be improved on this site. All of the proposed lots meet the bulk requirements in an RA-25 zone except Lot 18.09 which is requesting a lot depth variance where 150 feet is required and 135.8 feet is proposed. Existing Lot 18.05 is irregular in shape therefore a variance for lot width will always be required on one of the new proposed lots.

Committeeman Fiorenzo asked if the applicant was to reduce the amount of lots could the lot width variance be avoided as well as any other variances and waivers.

Mr. Missey said the lot width variance could not be avoided whether the lots are reconfigured or reduced because the mother lot (Lot 18.05) does not have a straight line to start with. He said that another variance being requested is for side lot lines on Lots 18.08, 18.09 and 18.10 which are required to be at right angles to straight street lines and radial to curbed street lines (Zoning Code Section 168-19D(2)) and a variance for irregular or odd-shaped lot for Lots 18.09 and 18.08 (Zoning Code 168-19(6)).

Committeeman Fiorenzo asked if the applicant could acquire some property from the neighboring property owner.

Mr. Missey said the neighbor had been approached with regards to purchasing additional property and this will be discussed when Mr. Steck, the applicant's planner, gives his testimony.

Mr. Missey then continued with regards to the steep slope area of the property. He said that the steep slope area is man-made and not a natural terrain. The raised sidewalk along Russell Avenue is a safety hazard. When the sewer is extended along Russell Avenue the man-made embankment will be disturbed.

Committeeman Fiorenzo asked Mr. Missey to mark with a red line on exhibit A-8 where the steep slope is located.

Mr. Missey drew a red line where the terrain had been altered.

Committeeman Fiorenzo said that the natural terrain is what presently exists on site.

A discussion then ensued with regards to the township's definition of natural terrain and what man-made changes have been made on this property when the commercial business use was in effect.

Mr. Huntington said the application will not be concluding this evening and suggested to the Board that Mr. Missey be excused and Mr. Steck, the applicant's planner, start his testimony.

A FIVE MINUTE RECESS WAS TAKEN AT THIS TIME AT THE  
REQUEST OF THE COURT STENOGRAPHER

Mr. Peter Steck, 80 Maplewood Avenue, Maplewood, NJ was sworn. He said that he has a bachelor degree in Civil Engineering, a Masters Degree in City and Regional Planning from Rutgers University and have been licensed as a professional planner in New Jersey since 1976.

The board accepted Mr. Steck's credentials.

Marked as identification at this time were the following exhibits:

A-11 An aerial view of the site and existing structures

A-12 An aerial view of the subdivision superimposed over the site.

Mr. Steck stated to the Board that Lot 1 is presently a substandard lot and will be made to conform to the RA-25 residential zoning requirements. Existing Lot 18.05 is in a residential zone but has been used as a commercial use. Both lots are irregular in shape. The largest concentration of steep slope area is along the open water and wetland area. The area has been re-graded in order to construct greenhouses and various out buildings. The applicant is requesting preliminary major subdivision approval. This lot pattern in the area is similar to what is being proposed. This proposed site is surrounded by single family residential homes and 2 churches. He then summarized the relief that the applicant is requesting with regards to proposed variances and waivers. He then read from the Wyckoff Zoning Ordinance under the definition of what a slope is and its connection with steep slopes.

Committeeman Fiorenzo said "the applicant shall prepare and submit a slope analysis for the entire site (including proposed roadways and common areas) and each proposed or existing lot" (Zoning Code 186-63(A)). This ordinance was drafted to include roadways and mandates all areas be included in the slope analysis categories.

Mr. Steck said the nature of a roadway is that most of the land in the roadway will be disturbed.

Committeeman Fiorenzo said there is no argument under this ordinance.

Mr. Steck said the proposed subdivision is a good design for this area such as a classic double loaded cul-de-sac, rear yards will face the rear yards of neighboring lots, there is

a logical design, and the building envelope is large enough to accommodate single family homes in this residential zone. He said that Lot 18.08 is the only lot that will be affected by steep slopes at 851 square feet or 2.4% of lot area. In summary he added that a C-1 variance criteria is being requested because the application will not substantially impair the intent and purpose of the Wyckoff Zoning Ordinance and Wyckoff Master Plan.

Committeeman Fiorenzo said that by virtue of the exceptional narrowness of the shape of the parcel of land which creates a hardship for the applicant could this be a self imposed hardship. Could this subdivision be reconfigured with the removal of one lot and would this lot depth variance then be removed.

Mr. Steck that the existing lots are odd shaped and narrow and by eliminating one lot the applicant would still be requesting a lot width variance relief. He said the issue is not the size of the property but the shape of the property.

Mr. Huntington said the application is conforming on 61 out of 63 bulk standards for this subdivision. And the one standard we are off on is the is the depth of Lot 18.08 which is the result of the width of the property.

Chairman Stanley said that due to the late hour the meeting will be adjourned. This application will be carried until the June 13, 2007 Regular Planning Board Meeting at 7:30 p.m. The Barrister at Deep Brook will continue at the May 9, 2007 Regular Planning Board Meeting at 7:30 p.m.

#### **4 PUBLIC HEARING – TO BE CONTINUED AT THE MAY 9, 2007 MEETING**

#### **4A BARRISTER HOME CONSTRUCTION, INC. (BARRISTER AT DEEP BROOK) BLK 497 LOTS 7, 8.01, 10 & 11.01 (RA-25); Ravine Avenue. Preliminary Major Subdivision/ variance.**

*The site presently contains four (4) lots. One lot, which contains an existing residential dwelling, fronts on Grandview Avenue. The largest of the three lots, known as the Mason family property, was previously zoned by Court Order for Affordable Housing/Multi-family for 99 condominiums. The application proposes to subdivide the remaining three (3) lots into nine (9) conforming lots and to construct a new single family residence on these lots. A total of six (6) new homes are proposed by the application.*

There being no further business, a motion to adjourn the meeting was made and seconded and passed unanimously. The meeting concluded at 10:35 p.m.

04-11-07PM

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Planning Board

Respectfully Submitted,

Susan Schilstra, Planning Board  
Administrative Officer/Secretary