

**WYCKOFF PLANNING BOARD
MARCH 12, 2008
REGULAR MEETING MINUTES**

Regular Meeting: March 12, 2008 - 7:30 p.m.

Location: Court Room

Second floor, Memorial Town Hall

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

Staff Attendance: Mark DiGennaro, Township Engineer; 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 March 12, 2008 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 February 12, 2008 Work Session Minutes

Approval of the February 12, 2008 Regular Business Minutes

1 RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

1A RESOLUTION #08-03

Board Member Steinbruch made a motion to approve vouchers for payment. Second, Board Member Depken. Voting in favor: Mr. Kane, Ms. Scarpelli, Mr. Chi, Mr. Depken, Mr. Hoogerheyde, Mr. Fiorenzo, Mr. Steinbruch, Mayor Alnor and Chairman Stanley.

2 RESOLUTION(S) TO BE MEMORIALIZED

2A BARRISTER HOME CONSTRUCTION, INC. (BARRISTER AT RUSSELL FARMS)

BLK 377 LOTS 1 & 18.05 (RA-25); Sicomac/Russell Avenue. Preliminary Major Subdivision/ variance. (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).*

Chairman Stanley said the resolution for Barrister at Russell Farms will not be memorialized this evening. It will be placed on the agenda for the April 9, 2008 Planning Board meeting.

3 FOR COMPLETENESS REVIEW

- 3A B.C. ESTATES** BLK 237 LOT 2.01 (B1A); 231 Madison Avenue. Minor site plan. (Kane) *(This applicant proposes to construct a second story addition to the existing building. The first floor is to serve as a dentist office and the second floor as a dwelling unit).*

Township Consulting Engineer Ten Kate said this application is incomplete.

Board Member Kane made a motion to deem this application incomplete. Second, Board Member Scarpelli. Voting in favor: Mr. Kane, Ms. Scarpelli, Mr. Chi, Mr. Depken, Mr. Hoogerheyde, Mr. Fiorenzo, Mr. Steinbruch, Mayor Alnor and Chairman Stanley.

- 3B EASTERN CHRISTIAN CHILDREN'S RETREAT** BLK 443 LOT 49.04 (RA-25); 700 Mountain Avenue. Amended site plan. (Hoogerheyde) *(The applicant proposes to install an emergency generator outside the building where previously it was located in the basement).*

Ms. Jayne Press, Executive Director of the Eastern Christian Children's Retreat, was present. She stated to the Board that the Retreat would like to replace the existing emergency generator with a new and larger diesel powered emergency generator to be located outside the building in an underground concrete pit. Shrubbery and landscaping will be planted around the perimeter of the pit. The noise level will be low and there will not be any disruption to the neighboring property owners. The generator will provide emergency power during an electrical outage for heat and air conditioning for our aging population. Currently the existing generator provides power for just essential items and not heat and air conditioning.

Chairman Stanley said that a memorandum from Township Engineer DiGennaro states that the Children's Retreat has met all the requirements.

Board Member Hoogerheyde made to motion to deem this application complete and be placed on the Wednesday, April 9, 2008 Planning Board agenda for a public hearing. Second, Board Member Depken. Voting in favor: Mr. Kane, Ms. Scarpelli, Mr. Chi, Mr. Depken, Mr. Hoogerheyde, Mr. Fiorenzo, Mr. Steinbruch, Mayor Alnor and Chairman Stanley.

4 PUBLIC HEARING - Continued

- 4A WYCKOFF FAMILY YMCA** BLK 202 LOT 80.03 (RPP-1). 691 Wyckoff Avenue. Amended site plan. (Steinbruch) (*Applicant is requesting amended site plan approval in order to rebuild the pavilion/ snack bar building and replace the bathhouse for ADA compliance*).

This application has been postponed until the Wednesday, April 9, 2008 public meeting at the request of the applicant.

5 PUBLIC HEARING – NEW

- 5A WYCKOFF-MAIN, LLC** BLK 224 LOT 5.01 (L1); 420 West Main Street. Amended site plan/ variance. (Chi) (*Applicant received Planning Board approval in 2006 for a new building for 100% medical use along with 70 parking spaces. The applicant is requesting an amendment to the previously approved site plan since the NJDEP Stream Encroachment approval requires the building be relocated 1.81 feet toward the street and required a wider buffer at the rear of the property resulting in the elimination of 8 parking spaces*).

Board Member Kane recused himself from this application due to a business issue with the applicant and removed himself from the dais.

Ms. Nylema Nabbie, the applicant's attorney, and Mr. Kenneth Karle, the applicant's engineer, were present. She stated that the applicant is present this evening seeking amended site plan approval. In July 2006 the applicant received approval for a two story medical building with associated parking. The memorializing resolution was adopted in August 2006. In September 2007 the applicant received approval from the NJDEP for a Stream Encroachment Permit. NJDEP has required the applicant to shift the building to increase the buffer to the rear of the proposed building so as a result there is one additional variance. The applicant is requesting approval for this variance.

Chairman Stanley asked that all exhibits be marked into evidence at this time. They are as follows:

- AA-1 Amended site plan application package
- AA-2 Site plan dated August 116, 2005 with a last revision date of November 6, 2007
- AA-3 Letter from the NJDEP dated March 12, 2008
- AA-4 Drainage review

- BB-1 Boswell McClave report dated December 12, 2007
- BB-2 Boswell McClave report dated February 21, 2008 from Hormoz Pazwash
- BB-3 Prior Resolution of approval dated August 9, 2006

Mr. Kenneth H. Karle, the applicant's engineer from Lan Associates, was sworn. He was previously accepted as an expert witness. He explained to the Board that the plans submitted to the Board, which are presented on the easel, have minor changes. Page SP.20 dated August 16, 2005 with a revision date of March 3, 2008 has revisions from the Boswell review letter.

Township Committeeman Fiorenzo asked if the Board is reviewing the same plan that the applicant is presenting with these revisions.

Mr. Karle said the Board has the original site plan without the revisions. There have been 2 minor changes to the previous plan.

Township Consulting Engineer Ten Kate said the changes are minor and Mr. Karl will point out the changes to the Board.

Mr. Karle said that originally the plan was to construct a 2 story building to be used for medical offices. The medical building required a parking ratio of 1 space per 150 square feet of area. When NJDEP approved the plan they requested that the flood way along the edge of the brook not be disturbed. The original plan was revised and the bulk of the parking was moved away from the brook and the original building was moved closer to the brook and above the flood elevation. Since the building was moved it created a small front yard setback variance of 1.73 feet since the roadway (West Main Street) is curved at this point. More green space was created along the brook which reduced the parking. Previously 70 parking spaces were proposed and now there are 62 parking spaces proposed. The applicant is also proposing to change the use of the building from all medical to medical on the first floor and general office use on the second floor. The second floor is larger than the first floor because it overhangs around 7' in the front and back of the building by the covered entrances. Using all of the revised calculations 62 parking spaces are required and 62 parking are provided. The rear yard setback has not changed. The impervious coverage decreased. It was 80.1% and is now 73.4% because more of the flood way has been preserved along with 7 additional trees.

Township Committeeman Fiorenzo asked if the new township ordinance that deals with impervious coverage has been followed.

Township Engineer DiGennaro said the new ordinance is for residential use only. This application is a commercial use.

Mr. Karle said the applicant received final NJDEP approval today.

Township Committeeman Fiorenzo asked the applicant to identify the new variances as a result of the changes requested from the NJDEP.

Mr. Karle said the only new variance is the front yard which was approved at 40.21' and is now reduced to 38.48'.

Board Attorney Perconti said all the other conditions of the previous approval will be incorporated into the current proposed plan and resolution.

Board Member Depken said the previous plan showed a combination sprinkler and stand pipe system. These plans do not show this.

Mr. Karle said the size of the proposed building does not require a sprinkler system since it is below the 12,000 foot threshold. The applicant will comply with the Wyckoff Building Code.

Board Attorney Perconti said he has correspondence from June 28, 2006 indicating that the 13,881 square foot building has been reduced to 10,499 square feet.

Ms. Nabbie asked for confirmation that the sprinkling of the building will not be part of the amended resolution.

Board Attorney Perconti said the sprinkling of the building will not be necessary as long as the building is less than 12,000 square feet.

Board Member Chi asked that the Development Fee Ordinance be part of this application.

Board Attorney Perconti said the development fee is applicable to this application and will be part of the resolution.

Township Consulting Engineer Ten Kate said the original resolution of approval states the date of the approved plan as dated June 27, 2006.

Mr. Karl said the plan is page A1.00 with a revision date of June 27, 2006 that shows a reduced building.

Township Committeeman Fiorenzo said the bulk requirement non-conformity variances should be noted along with the new variances.

Ms. Nabbie said that the applicant had previously applied for variances and was granted those variances in 2006. As a result of the NJDEP approval the applicant is here tonight seeking an additional front yard setback variance for 1.73 feet.

Township Consulting Engineer Ten Kate said that his report shows the previous variances that were granted.

Chairman Stanley said previous variances were granted on July 12, 2006. The additional variance is the front yard setback.

Township Consulting Engineer Ten Kate said county approval will be required.

Mr. Karle said he will apply to the county.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Chi made a motion to approve the amendment to Wyckoff-Main, LLC application with the following conditions:

1. The amendment is based on the March 4, 2008 drawings with the Boswell Engineering comments;
2. This building will be a mixed use building with medical use on first floor and general office use on second floor;
3. The Development Fee Ordinance will apply to this application;
4. The applicant will obtain any approvals from the county and state;
5. There will be 5,805 square feet of general office space and 4,694 square feet of medical office space which would require a total of 62 parking spaces which are proposed;
6. If there is any change in the use the applicant will need to return to the Planning Board for approval.

Second, Board Member Scarpelli. Voting in favor: Ms. Scarpelli, Mr. Chi, Mr. Depken, Mr. Hoogerheyde, Mr. Steinbruch, Mayor Alnor and Chairman Stanley. Voting in denial: Mr. Fiorenzo

Ms. Nabbie asked if the applicant can proceed with demolition.

Township Consulting Engineer Ten Kate said the applicant should check with the Wyckoff Building Department.

There being no further business, a motion to adjourn the meeting was made and seconded and passed unanimously. The meeting concluded at 8:12 p.m.

Respectfully Submitted,

Susan Schilstra, Planning Board
Administrative Officer/Secretary