

WYCKOFF PLANNING BOARD
OCTOBER 12, 2022 PUBLIC WORK SESSION MEETING MINUTES

Public Work Session: 7:30 p.m. Second Floor Court Room, Memorial Town Hall
Public Business Meeting: 8:00 p.m. Second Floor Court Room, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meeting Statement by Chairman Robert Fortunato.

"The regular October 12, 2022 Public Work Session Meeting of the Wyckoff Planning Board is now in Session. In accordance with the Open Public Meeting 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." Formal action may be taken.

Members of the public are welcome to be present at this meeting. However, in accordance with Section 7(A) of the Open Public Meetings Act, participation on the part of the public at this meeting will not be entertained.

"All applicants are hereby reminded that your application, if approved, may be subject to the terms, conditions, and payment of the Affordable Housing Development Fee requirements of the Township. Information can be obtained from the Code of the Township of Wyckoff, Chapter 113-8 on the Township's website, www.wyckoff-nj.com"

"This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times."

ROLL CALL

Board Members in attendance: Rudy Boonstra, Mayor; Rob Fortunato, Chairman; Mike Homaychak, Glenn Sietsma, Kelly Conlon, Frank Sedita, Joe Vander Plaat, Mae Bogdansky, and Sarah Caprio.

Absent: Pete Melchionne, and Kevin Purvin.

Staff in attendance: Kevin Hanly, Board Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the September 14, 2022 Work Session and Regular Business Minutes

Mr. Homaychak made a motion to approve the September 14, 2022 meeting minutes. Second, Mr. Sedita. Voting in favor: Ms. Caprio, Mr. Homaychak, Mayor Boonstra, and Chairman Fortunato. Abstained: Ms. Conlon, Ms. Bogdansky, Mr. Sedita, Mr. Vander Plaat, and Mr. Sietsma.

PAYMENT RESOLUTION #22-10

Mr. Homaychak made a motion to approve Payment Resolution #22-10. Second, Ms. Caprio. Voting in favor: Ms. Conlon, Mr. Homaychak, Mr. Sedita, Mr. Vander Plaat, Ms. Bogdansky, Ms. Caprio, Mr. Sietsma, Mayor Boonstra, and Chairman Fortunato.

RESOLUTION FOR MEMORIALIZATION**Karpoff 348 Steinhauser Ln. Block 429 Lot 25**

(The applicant is proposing to regrade the rear yard by constructing retaining walls around the perimeter and moving approximately 600 cubic yards of soil requiring Planning Board approval)

Mr. Homaychak made a motion to approve the Resolution. Second, Mayor Boonstra. Voting in favor: Ms. Caprio, Mr. Homaychak, Mayor Boonstra, and Chairman Fortunato.

Abstained: Ms. Conlon, Ms. Bogdanský, Mr. Sedita, Mr. Vander Plaat, and Mr. Sietsma.

Gilbert 354 Steinhauser Ln. Block 429 Lot 26

(The applicant is proposing to regrade the rear yard by constructing retaining walls around the perimeter and moving more than 100 cubic yards of soil requiring Planning Board approval)

Mr. Homaychak made a motion to approve the Resolution. Second, Mayor Boonstra. Voting in favor: Ms. Caprio, Mr. Homaychak, Mayor Boonstra, and Chairman Fortunato.

Abstained: Ms. Conlon, Ms. Bogdanský, Mr. Sedita, Mr. Vander Plaat, and Mr. Sietsma.

Bank of America 339 Franklin Ave. Block 239 Lot 1

(The applicant proposes to install fourteen (14) safety bollards on the site requiring amended site plan approval)

Mr. Homaychak made a motion to approve the Resolution. Second, Mr. Sedita. Voting in favor: Ms. Caprio, Mr. Homaychak, Mayor Boonstra, and Chairman Fortunato.

Abstained: Ms. Conlon, Ms. Bogdanský, Mr. Sedita, Mr. Vander Plaat, and Mr. Sietsma.

UB Wyckoff 1, LLC 525 Cedar Hill Ave. Block 391 Lot 42.01

(The applicant is seeking amended site plan approval for the purposes of modifying and making improvements to the parking lot and for the installation of four vehicle charging stations)

Mr. Homaychak made a motion to approve the Resolution. Second, Ms. Caprio. Voting in favor: Ms. Caprio, Mr. Homaychak, Mayor Boonstra, and Chairman Fortunato.

Abstained: Ms. Conlon, Ms. Bogdanský, Mr. Sedita, Mr. Vander Plaat, and Mr. Sietsma

FOR COMPLETENESS REVIEW**Zarzar 551 Overlook Dr. Block 245 Lot 42.02**

(The applicant proposes to construct a basketball court on the property involving soil movement in excess of 100 cubic yards requiring Planning Board approval)

Mark DiGennaro, the Township Engineer, provided the following technical summary of the application: I have reviewed the sports court grading plan prepared by DJ Egarian Associates dated 8/25/21, the as-built survey prepared by Schwanawede/Hals Engineering dated 4/2/04, and the application. The applicant is seeking approval to re-grade the rear yard by constructing retaining walls to level the yard to facilitate the construction of a 60' by 40' basketball court resulting in soil movement in excess of 100 cubic yards requiring Planning Board approval. The application as submitted is administratively incomplete as there are numerous checklist items that are incomplete. The biggest issue is the fact that the property abuts state open waters comprised of a defined pond. Due to the presence of the pond and related riparian buffer zone, a New Jersey Department of Environmental Protection review and determination is required prior to the review and consideration by the Planning Board. The items of concern are the presence or absence

determination for wetlands, a flood hazard applicability determination, and encroachment disturbance within the 50' flood hazard area riparian zone. Stormwater management design calculations by a licensed engineer must be submitted, signed, and sealed, certifying a zero net increase in stormwater runoff from the improved site. The property appears to be served by municipal sewers. The plan must identify the location of the sewer lateral. Should the application be approved, structural retaining wall calculations must be submitted by a New Jersey Professional Engineer for review prior to the issuance of permits. A Bergen County Soil application is applicable as the disturbance is greater than 5000 square feet. Seepage pit construction details have not been provided on the plan. Filter fabric shall not be installed at the bottom of the seepage pit between the stone and the native soil. The design engineer must inspect the construction of the retaining walls and issue the Township a certification of structural stability upon completion of the project. It appears that some type of lighting is proposed for the court however there are no details about the lighting on the plan. The applicant should provide detailed information about any proposed lighting including intensity, mounting structure, how tall the mounts will be, and hours of operation for the lighting. The applicant has suggested in conversation with me that there is a desire to replace an existing fence on the property. I recommend that the applicant include the request for the fence, and provide details of the proposal for review as part of this application. Finally Mr. DiGennaro stated that the applicant has been provided with this memorandum and as a result is aware of the aforementioned outstanding items. Based on my comments, it is recommended that the application be deemed incomplete to afford the applicant time to address each of the items with a goal to resubmit for public hearing in November provided this is acceptable to the Board. The applicant has already posted public notice in anticipation of an October public hearing. If the applicant submits all of the required items, and the application is deemed complete at the November work session, I would see no problem with the Board hearing the application the same night.

Chairman Fortunato said his main concern is the NJDEP review which could take longer than one month so we may not have the documentation from the agency by the November meeting.

Mr. DiGennaro stated that he spoke with the applicant about the requirement for NJDEP review numerous times over the course of the last year and a half. He added that he advised the applicant to obtain NJDEP approval prior to coming before the Board with the application, however the applicant apparently decided differently.

Chairman Fortunato asked if the application could move forward next month without the NJDEP recommendation if the other incomplete items are satisfied.

Mr. DiGennaro stated that it would be a mistake to hear the application without the NJDEP report, adding that he made it very clear to the applicant that if the NJDEP does not sign off on the submittal, the plans will have to be revised.

The Chairman said that based on Mr. DiGennaro's recommendation, the Board will not deem the matter complete until the NJDEP provides a determination letter.

Ms. Caprio pointed out that if the Board was to deem the application complete, hold the public hearing, and approve the application subject to the NJDEP approval, the applicant would have to return to the Board with a revised plan if the NJDEP subsequently denies the application.

Mr. DiGennaro said the applicant would bear the consequences of moving forward with this application prior to NJDEP approval.

Chairman Fortunato stated there are too many open items with the application as submitted so we will cross that bridge once the applicant addresses the open items. He then asked if the applicant will be required to re-notice for the public hearing if the application as submitted is deemed incomplete.

Mr. Hanly said he will look into whether or not the applicant should be required to re-notice.

Mr. Sietsma made a motion to deem the application incomplete. Second, Mr. Homyachak. Voting in favor of deeming the application incomplete: Ms. Conlon, Mr. Sedita, Mr. Homyachak, Mr. Vander Plaats, Mr. Sietsma, Ms. Bogdanskyy, Ms. Caprio, Mayor Boonstra, and Chairman Fortunato.

APPLICATIONS CARRIED

T-Mobile Northeast, LLC Route 208 North Block 455 Lot 1

(The applicant proposes to install a 50 kw diesel emergency backup generator within the fenced equipment area on the site of the communications tower on 208 north at Cedar Hill Ave.)

Chairman Fortunato announced that this application will be heard at the November 9, 2022 meeting.

FOR PUBLIC HEARING

Abma & Sons Inc. 700 Lawlins Rd. Block 202 Lots 2 and 4

(The applicant proposes to construct a new 50' by 114' pole barn, a 135' by 175' greenhouse building, an addition to an existing cabana, and an addition to the store building requiring site plan and variance approval by the Planning Board)

The Chairman announced that the application was deemed complete at the September 14, 2022 Work Session meeting and will be heard during the Public Business meeting this evening.

There being no further business, a motion to adjourn the Work Session meeting was made, seconded, and passed unanimously. The Work Session concluded at 7:59 p.m.

Respectfully submitted,

Maureen Mitchell, Secretary
Wyckoff Planning Board

**WYCKOFF PLANNING BOARD
OCTOBER 12, 2022 PUBLIC BUSINESS MEETING MINUTES**

Public Work Session: 7:30 p.m. Second Floor Court Room, Memorial Town Hall
Public Business Meeting: 8:00 p.m. Second Floor Court Room, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meeting Statement by Chairman Robert Fortunato.

“The regular October 12, 2022 Public Work Session Meeting of the Wyckoff Planning Board is now in Session. In accordance with the Open Public Meeting 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.” Formal action may be taken.

“All applicants are hereby reminded that your application, if approved, may be subject to the terms, conditions, and payment of the Affordable Housing Development Fee requirements of the Township. Information can be obtained from the Code of the Township of Wyckoff, Chapter 113-8 on the Township’s website, www.wyckoff-nj.com”

“This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.”

The meeting began with the Pledge of Allegiance.

ROLL CALL

Board Members in attendance: Rudy Boonstra, Mayor; Rob Fortunato, Chairman; Mike Homaychak, Glenn Sietsma, Kelly Conlon, Frank Sedita, Joe Vander Plaat, Mae Bogdansky, and Sarah Caprio.

Absent: Pete Melchionne, and Kevin Purvin.

Staff in attendance: Kevin Hanly, Board Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the September 14, 2022 Work Session and Regular Business Meeting minutes

The September 14, 2022 Work Session and Regular Business Meeting minutes were approved during the Work Session.

PAYMENT RESOLUTION #22-10

Payment Resolution #22-10 was approved during the Work Session.

MEMORIALIZING RESOLUTION

UB Wyckoff 1, LLC 525 Cedar Hill Ave. Block 391 Lot 42.01

(The applicant is seeking amended site plan approval for the purposes of modifying and making improvements to the parking lot and for the installation of four vehicle charging stations)

Karpoff 348 Steinhauser Ln. Block 429 Lot 25

(The applicant is proposing to regrade the rear yard by constructing retaining walls around the perimeter and moving approximately 600 cubic yards of soil requiring Planning Board approval)

Gilbert 354 Steinhauser Ln. Block 429 Lot 26

(The applicant is proposing to regrade the rear yard by constructing retaining walls around the perimeter and moving more than 100 cubic yards of soil requiring Planning Board approval)

Bank of America 339 Franklin Ave. Block 239 Lot 1

(The applicant proposes to install fourteen (14) safety bollards on the site requiring amended site plan approval)

The four (4) Resolutions were approved during the Work Session.

FOR COMPLETENESS REVIEW**Zarzar 551 Overlook Dr. Block 245 Lot 42.02**

(The applicant proposes to construct a basketball court on the property involving soil movement in excess of 100 cubic yards requiring Planning Board approval)

The application was deemed incomplete during the Work Session meeting. The application may be heard at the November or December meeting pending the submission of the required checklist items and NJDEP approval. Mr. Hanly will advise as to whether the applicant will be required to re-notice the public.

APPLICATIONS CARRIED**T-Mobile Northeast, LLC Route 208 North Block 455 Lot 1**

(The applicant proposes to install a 50 kw diesel emergency backup generator within the fenced equipment area on the site of the communications tower on 208 north at Cedar Hill Ave.)

Chairman Fortunato announced that this application will be carried to the November 9, 2022 meeting at the request of the applicant.

APPLICATIONS FOR PUBLIC HEARING**Abma & Sons Inc. 700 Lawlins Rd. Block 202 Lots 2 and 4**

(The applicant proposes to construct a new 50' by 114' pole barn, a 135' by 175' greenhouse building, an addition to an existing cabana, and an addition to the store building requiring site plan and variance approval by the Planning Board)

Harold Cook placed himself on the record as the Attorney for the applicant. He stated that this is a site plan and variance application to permit the construction of a pole barn on the existing farm. This is a phased application containing three (3) other components in addition to the construction of the pole barn.

Chairman Fortunato asked for clarification as to whether all of the project phases would be addressed this evening.

Mr. Cook stated that the applicant is looking for approval for all of the requested variances and to construct the pole barn and will return to the Board in the future for the other phases of the plan.

David Hals, the applicant's Licensed Professional Engineer, Planner, and Surveyor was sworn in and recognized as an expert based on the credentials he presented to the Board.

Mr. Hals provided the following details of the application:

We have a survey for the site known as Abma's Farm consisting of 32 acres, a portion of which lies in Franklin Lakes. The survey was marked exhibit A-1, the site plan last revised 9/7/2022 was marked A-2, floor plan A-3, and elevations A-4. The property is located in both the RA-25 and MF-AH2 zones and both zones permit farming. The required setbacks for front, rear, and side yard is 150' therefore variances are required for the proposed project which includes a 50' by 114' pole barn to store farm equipment, which will be constructed in phase one of the project if the application is approved. The pole barn will have a setback of 10' from the property line where 150' is the requirement. Also part of phase one is a proposed addition to an existing cabana of an existing single family home on the property. Phase one will take place over the next year. Phase two, which will take place in the next 1-2 years, is the reworking of the four (4) greenhouses on the property located near the entrance on Lawlins Road. The greenhouses will be replaced with a single 150' by 170' greenhouse. The applicant will come back before the Board with a specific site plan for the greenhouse building at some point in the future. The new greenhouse will be 10' from the property line where 150' is the requirement. Phase three, which will take place in the next 2-3 years, will be the farm store building. We are proposing an addition to the building to improve the working operations of the site. The proposed side yard setback to the new portion of the building will be 66.3' where 150' is the requirement. Lastly, phase four involves the building that houses the bakery and that will take place in the next 3-4 years. We are proposing to remove the front portion of the existing bakery building and construct an addition in the rear which will not require any variances.

Chairman Fortunato asked for clarification on how many buildings on the property will be involved in the different phases of the project.

Mr. Hals stated that four (4) existing structures and one (1) newly constructed building, the pole barn, will be involved in the project.

Mr. Sietsma asked what color is proposed for the pole barn.

Mr. Hals stated it will be a neutral color.

Mr. Hals stated that the variances we are requesting are for a 10' side yard setback from the pole barn to the property line, an 81.9' side yard setback from the cabana to the property line, a 10' side yard setback and 138.7' front yard setback from the proposed greenhouse to the property line, and a side yard setback of 66.3' from the farm store to the property line where 150' is the setback requirement for each setback.

Chairman Fortunato asked if the requested variances require testimony from Mr. Hals as a Professional Planner.

Mr. Hanly stated that as a Professional Planner, Mr. Hals should provide the C-1 and C-2 criteria for granting the variances.

Mr. Hals said we are seeking C-1 variances for the farm store building and the cabana. Both are lawfully existing structures and there is no other place for the additions to be constructed other than taking the buildings down and moving them to a different location on the site. With regard to the C-2 variances, we are replacing existing greenhouses in the same location which will cause

less disturbance to the operations of the farm and to the members of the public who enter the farm and utilize the services of the business. The pole barn will not be visible from any of the surrounding properties and we are taking the existing outdoor storage of farm equipment and placing it inside the building which will be a benefit.

Mayor Boonstra said the farm building should probably be listed on the State and National Registry of Historic Structures therefore moving it would not be a good thing for the building. He also said the proposed addition should be compatible with the rustic look of the existing building.

Mr. Hals stated that there have been conversations about that, and the addition will be in keeping with the character of the existing building.

Chairman Fortunato suggested that the applicant present the architectural drawings to the Design Review Advisory Board when they are ready to move into that phase of the project.

Mr. Ten Kate inquired about any new lighting.

Mr. Hals stated that no new lighting is proposed adding that the existing lighting is mainly in the area of the farm store and the farming operations run until dark, then it all shuts down.

With regard to the pole barn, Mr. Ten Kate said the final grading of the property must ensure that no surface water runoff flows to adjacent properties.

Mr. Hals stated that right now everything in that area flows back down onto the site itself and that pattern will stay the same.

OPEN TO THE PUBLIC

Joan Sibson, who resides at 309 Gaewood Drive in Franklin Lakes, was sworn in. Ms. Sibson said her property backs up to the petting zoo. She stated that she and her neighbor are concerned with the addition to the farm store and the setback of 66.3' where 150' is required. She said she is also concerned with the parking if the store is going to be expanded. Ms. Sibson added that she did not receive any notice about the application.

Chairman Fortunato said the applicant is doing the project in phases and will have to come back before this Board when the farm store phase happens. The parking will be addressed at that time. He added that Ms. Sibson should receive notice of the hearing at that time.

Ms. Sibson stated that there is a light on the barn that shines into her home and would like something done about it.

The Chairman recommended that Ms. Sibson have a conversation with the Abma family about the light and if it is not taken care of, she can let Mr. DiGennaro know, and he will pass the information on to the Code Enforcement Official.

CLOSED TO THE PUBLIC

Chairman Fortunato said Abma's Farm is an institution in the Township and it would make sense to assist in helping them modernize in some ways. All of the requested variances have to do with side yard setbacks and in one case a front yard setback. We are only being asked to approve the construction of a small addition to the cabana and the construction of the pole barn in the location

where the farm equipment is currently stored outside. The applicant will come back to the Board at some point in the future for final approval of the other buildings that were discussed this evening.

Mayor Boonstra clarified that the applicant is requesting that the Board approve all of the requested variances this evening.

Mr. Hanly stated that a parking variance may be required when the final site plan for expansion of the retail farm store comes back to the Board.

Jim Abma, the owner and applicant, came forward and was sworn in. Mr. Abma stated that only a small portion of the proposed addition to the farm store is for retail space. Most of the addition will be for kitchen, storage, and cooler space. He went on to say that they wish to make it a more modern kitchen to increase the productivity of the farm store and they do not believe they will need any additional parking.

Mr. Ten Kate said the Board is not addressing the parking now. He added that when that portion of the application comes back to the Board, Mr. Hals will have to provide the detailed analysis of the retail space to determine what the parking requirements will be.

Chairman Fortunato said that the Resolution should state that when the farm store phase of the application comes back to the Board, the parking requirements will be reviewed to determine if another variance is required. The parking, however, is not being addressed this evening.

Mr. Homaychak asked why the Board is ruling beyond phase one this evening when we do not have all of the information before us. He added that if the applicant has to come back before the Board for phase two, phase three and phase four why wouldn't we wait until all of the information is presented.

Mr. Hals stated that the four phases will require a lot of planning and the applicant does not want to invest the time and money in the planning without knowing if the Board is going to approve the variances for the setbacks. The greenhouse building for example will take a lot of planning and they want to know that the variance will be granted for the footprint before they invest in the planning.

Mayor Boonstra said that he believes it is very important to make a commitment to keep this property agricultural. He added that in looking at the bigger picture, he does not have a problem with the Board approving what has been presented this evening for all of the phases.

Mr. Ten Kate said he recommends that any ADA parking on the site is brought up to code prior to a C.O. being issued.

Ms. Caprio recommended including in the Resolution that the barn will be neutral or earth tone colors.

Ms. Bogdansky asked what the projected timeline is for the completion of phase four.

Mr. Hals stated it will be in approximately 3-4 years.

The Chairman asked for a motion on the application for the construction of the pole barn, the addition to the cabana, and the variances for the proposed greenhouse, and retail store addition,

subject to the applicant coming before the Board for final approval of the buildings in the next phases as presented by Mr. Hals.

Mr. Homaichak made a motion to approve the application. Second, Mr. Sietsma. Voting in favor: Ms. Conlon, Mr. Sedita, Mr. Homaichak, Mr. Vander Plaat, Mr. Sietsma, Ms. Bogdansk, Ms. Caprio, Mayor Boonstra, and Chairman Fortunato.

There being no further business, a motion to adjourn the Public Business Meeting was made, seconded, and passed unanimously. The meeting concluded at 9:10 p.m.

Respectfully submitted,
Maureen Mitchell, Secretary
Wyckoff Planning Board