

**WYCKOFF PLANNING BOARD  
MAY 10, 2023 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 Fortunato.

"The regular May 10, 2023 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](http://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: Mike Homyachak, Mae Bogdansk, Sarah Caprio, Joe Vander Plaats, Mayor Tom Madigan, and Rob Fortunato.

Absent: Rudy Boonstra, Kelly Conlon, Frank Sedita, Glenn Sietsma, and Kevin Purvin.

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

**OLD BUSINESS**

Approval of the April 19, 2023 Work Session Minutes

Mr. Homyachak made a motion to approve the April 19, 2023 Work Session meeting minutes. Second, Ms. Bogdansk. Voting in favor: Mr. Homyachak, Ms. Bogdansk, Ms. Caprio, Mr. Vander Plaats, Mayor Madigan, and Chairman Fortunato.

Approval of the April 19, Public Business Meeting Minutes

Mr. Homyachak made a motion to approve the April 19, 2023 Work Session meeting minutes. Second, Ms. Caprio. Voting in favor: Mr. Homyachak, Ms. Bogdansk, Ms. Caprio, Mr. Vander Plaats, Mayor Madigan, and Chairman Fortunato.

**NEW APPLICATIONS FOR COMPLETENESS REVIEW AND PUBLIC HEARING****Marino 147 Ridge Road Block 299 Lot 10**

(The applicant proposes to install a 6' privacy fence in the front yard along Godwin Avenue)

Mark DiGennaro, the Township Engineer provided the following technical details of the application: The property is located in the R-15 Zone and is a corner property having a frontage on Ridge Road and Godwin Avenue. The applicant is proposing to install a 6 foot privacy fence in the front yard along Godwin Avenue as shown on the sketch with evergreen landscaping as described on the plan. As with any 6' privacy fence in the front yard, screening with evergreen plantings is required. The applicant has prepared a sketch on the property survey which describes the proposed improvements.

Chairman Fortunato said the applicant will provide testimony about the type of fence during the public hearing.

Mr. Homyachak made a motion to deem the application complete. Second, Ms. Caprio. Voting in favor: Mr. Homyachak, Mr. Vander Plaat, Ms. Bogdansk, Ms. Caprio, Mayor Madigan, and Chairman Fortunato.

**Kwak 427 Manchester Way Block 454 Lot 15**

(The applicant proposes to make improvements to the property which entails regrading and soil movement in excess of 100 cubic yards)

Mr. DiGennaro provided the following technical details of the application: I have reviewed the Grading Plan prepared by Azzolina & Feury Engineering last revised 1/31/23, the Boundary and Topographic Survey prepared by Azzolina & Feury Engineering dated 11/21/22, and the application. The applicant is seeking to improve the property by building an addition to the existing dwelling and constructing a detached garage. The project also entails regrading of the property in excess of 100 cubic yards requiring a soil moving permit and the approval of the Planning Board. The property is located in the RA-25 single family zone and the proposed work as it pertains to the addition conforms to the zoning requirements for the zone. The proposed grading to the property involves a net import of soil in the amount of 131 cubic yards. The proposal includes a stormwater design plan that will result in a zero net increase in runoff as required. The proposed retaining wall must be stepped back from the property line a minimum of 1:1 for the maximum height of wall which is listed as 2.3'. Therefore, the wall must be 2.3 feet from the property line. No fabric is to be placed below the proposed drywell structures, only sides and top. A soil manifest must be provided prior to import of any soil to verify the origins and quality of the fill material. A landscape plan is required showing any tree removals and a proposed landscape plan for the property, including foundation plantings. A clear legend describing quantity, species, size, and location must be included.

The Chairman said no variances are being requested.

Mr. Homyachak made a motion to deem the application complete. Second, Ms. Caprio. Voting in favor: Mr. Homyachak, Mr. Vander Plaat, Ms. Bogdansk, Ms. Caprio, Mayor Madigan, and Chairman Fortunato.

**APPLICATION WITHDRAWN****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 at 208 north and Cedar Hill Ave.)

Chairman Fortunato announced that this application has been withdrawn

**CONTINUATION OF CAPITAL PROJECT REVIEW AND RECOMMENDATION****Ridgewood Water Cedar Hill Avenue, Block 392, Lot 24**

(The applicant proposes to construct a water treatment facility at the location. The application is filed as a capital project mandated by the New Jersey Department of Environmental Protection to treat water within the Ridgewood system that exceeds the permitted maximum contaminant levels that have been established by the NJDEP)

Chairman Fortunato announced that the application will be carried to the June 14, 2023 meeting.

**CARRIED APPLICATION****Hackensack Meridian Ambulatory Care Center 327 Franklin Ave. 216.01/24.01**

(The applicant proposes to convert 6,029 sf of the Stop & Shop building into an urgent care center)

Chairman Fortunato said the application will be heard during the Public Business meeting at 8:00 pm.

There being no further business, a motion to adjourn the Work Session meeting was made, seconded, and passed unanimously. The Work Session concluded at 7:45 p.m.

Respectfully submitted,

Maureen Mitchell  
Land Use Administrator





**WYCKOFF PLANNING BOARD  
MAY 10, 2023 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 May 10, 2023 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](http://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: Mike Homaychak, Mae Bogdansky, Sarah Caprio, Joe Vander Plaats, Rudy Boonstra, Mayor Tom Madigan, and Rob Fortunato.

Absent: Kelly Conlon, Frank Sedita, Glenn Sietsma, and Kevin Purvin.

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

**OLD BUSINESS**

Approval of the April 19, 2023 Work Session and Public Business Meeting minutes.

The meeting minutes were approved during the Work Session.

**APPLICATION WITHDRAWN**

**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 at 208 north and Cedar Hill Ave.)

Chairman Fortunato announced that this application has been withdrawn without prejudice.

**CONTINUATION OF CAPITAL PROJECT REVIEW AND RECOMMENDATION****Ridgewood Water Cedar Hill Avenue, Block 392, Lot 24**

(The applicant proposes to construct a water treatment facility at the location. The application is filed as a capital project mandated by the New Jersey Department of Environmental Protection to treat water within the Ridgewood system that exceeds the permitted maximum contaminant levels that have been established by the NJDEP)

Chairman Fortunato announced that the application will be carried to the June 14, 2023 meeting.

**CARRIED APPLICATION****Hackensack Meridian Ambulatory Care Center 327 Franklin Ave. 216.01/24.01**

(The applicant proposes to convert 6,029 sf of the Stop & Shop building into an urgent care center)

Bruce Whitaker, the applicant's Attorney, came forward and provided the following information: This is a continuation of the public hearing for creating an urgent care facility at the Boulder Run shopping center. At the last meeting there were a series of questions that the Board had, and we were asked to go back and review the items in question. For the record, the Bergen County Planning Board has waived their request for any type of application. The letter from the County was marked exhibit A-6. I also generated a letter to this Board which consists of a list of the items that have been addressed. We will have the manager of the Stop & Shop testify this evening as to the truck deliveries and truck traffic at the site. After that I will have our traffic Engineer, Gary Dean, testify about traffic flow on the site. The entrance to the facility is the one that was previously shown on the site plan. We will have our Architect testify tonight as to the dumpster enclosure. Our signage will be conforming and will be back lit, not internally lit. I would like to answer the question about Hackensack Meridian's affiliation with the YMCA in Wyckoff which is a question that was raised at the first meeting. At the YMCA, Hackensack Meridian assists the members there with health and wellness programs. Those programs will not take place at the urgent care facility. This is an amended site plan and what we have proposed to you is variance free. To be clear, we only need to provide two ADA parking spaces. There was a suggestion by Mr. Ten Kate that we provide four ADA spaces. We are amenable to putting in the four however, we will then be deficient in parking by two spaces which will require a variance. Two ADA spaces means this is a variance free application. In connection with the traffic aspect, we will show you the amount of truck traffic there. The colors of the proposed signage that we previously proposed is what we are going with.

Michael Scolza, the store manager for Stop & Shop in Boulder Run, was sworn in. Mr. Scolza stated that he has been employed by Stop & Shop for twenty-four years and he has been at the Wyckoff location for sixteen months. His job entails everything including the parking lot, maintenance of the building, deliveries, keeping product on the shelves, taking care of customers, safety, accidents, labor, and payroll. He went on to say that he is responsible for everything that comes into the building. He provided the Board members with a list of the Stop & Shop daily receiving hours of trucks and other vehicles that deliver to the site which was marked exhibit A-7. Photos of the loading docks and delivery areas were marked exhibit A-8. Mr. Scolza explained the process as follows: Delivery vehicles enter the site from Greenwood Avenue. We receive deliveries by way of cars, vans, box trucks, dock-height trucks, and tractor trailers. There are three loading docks for the trailers however we basically only use two of them. If more than two trailers show up, the additional trailers will stage along the guard rail to wait for a loading dock.



Vehicles that are non-dock height park along the curbing in the back, unload, and deliver up the side ramp shown on the plan. All of our deliveries are scheduled; there are no random deliveries. Since I have been working at the site, I have not seen any problems with vehicle traffic as it pertains to our facility. We receive deliveries from approximately fifty-four vendors one to seven times a week and most of the deliveries are made before noon. Knowing where the tractor trailers sit at the loading dock, where the dumpster will be, and where the bollards are, I do not see any conflict with the proposed ambulance parking space and trucks backing into the loading dock.

Chairman Fortunato asked how many deliveries a day are made by a tractor trailer. Ms. Caprio said she counted twelve vendors on the list that deliver by tractor trailer. Mr. Scolza stated that those twelve vendors do not make deliveries every day; it is approximately four to five a day. Mr. DiGennaro said it amounts to thirty-six a week according to the delivery schedule.

Mr. Boonstra asked about the length of the loading ramp and if a tractor trailer will have enough room to swing out away from the building if an ambulance is parked at the rear corner of the building. Mr. Scolza said there is ample room to maneuver a tractor trailer out of the space.

Mr. DiGennaro asked how snow on the ground impacts deliveries. Mr. Scolza stated that the back of the parking lot is as clean as the front of the parking lot. That is what the snow removal company is contracted to do. Mr. Boonstra asked where they pile the snow in the back. Mr. Scolza stated that he has not experienced that because he has only been at the Wyckoff location since January of last year. Mr. Boonstra said he has concerns about that because the trailers have to swing way to the left to get around the curb in the back corner of the building when they leave the loading dock. If there is snow piled up there it will impede their ability to swing wide enough to make that turn. Mr. Boonstra said that in the past that may not have been a problem however now it's going to be an occupied parking lot which is also a major concern of our Municipal Planner. Mr. Scolza said that he met with the contracted snow removal company about snow removal protocol when he came to the Wyckoff location and there have been no issues. Ms. Caprio asked if the contract is with Stop & Shop or the landlord. Mr. Scolza said it is with the landlord. Mr. Ten Kate said that in his experience of observing that shopping center, a lot of the snow gets stock piled behind Marshalls.

Gary Dean, of Dolan and Dean Consulting Engineers, was sworn in. Mr. Dean provided his professional credentials and was accepted as an expert in the field of Civil Engineering with a focus on traffic. Mr. Dean provided the following information about traffic on the site: When we were retained we understood a concern regarding the ingress and egress relative to Godwin Avenue. At the last meeting, the Board expressed a number of concerns specifically pertaining to truck circulation and the presence of large vehicles and how they will impact activating this portion of the site. We previously performed traffic counts only to find out that they were performed during a school break, so we repeated those counts and found no difference. We looked between April 15<sup>th</sup> and May 6<sup>th</sup>. We installed two motion activated trail cameras on the site. As a result we obtained twenty-four hour truck counts. On Friday May 5<sup>th</sup> we saw a total of six tractor trailers exit to Godwin Avenue mostly during the morning hours. In addition, we observed three box trucks enter via Godwin Avenue and seven box trucks leaving via Godwin Avenue, all during the morning hours. Exhibit A-9 is a vehicular turning template for tractor trailers which are approximately 70' long. The loading ramp is 120' long so there is ample room for the tractor trailers to maneuver out of, and away from the loading dock. I see no potential conflicts with an ambulance or other vehicles in the back corner of the building.

Chairman Fortunato said that in his opinion, if the entrance to the facility is in the front of the building, people will be more inclined to park in the front as opposed to the side of the building.

He asked Mr. Dean's opinion about the need for crosswalks in front to make drivers entering from Godwin Avenue aware that people may be crossing there. Mr. Dean said there is an existing striped crosswalk and yield markings in that area.

Ms. Caprio said there is currently a "no right turn" sign at the Godwin Avenue entrance to the shopping center. She asked Mr. Dean for his opinion on why someone felt it was necessary to install that sign in that location. Mr. Dean stated that he thinks it is an unusual sign in that the sign reads "no right turn except for employee parking and truck delivery". He went on to say that it make no sense to prohibit drivers from making the right turn if employees and trucks are permitted to turn right.

Mayor Madigan said he has concerns about safety considering the fact that the entrance to the facility is proposed at the corner of the building right where cars enter from Godwin Avenue. He added that cars entering from Godwin will immediately come upon this area, and although the traffic study provides car counts, it does not provide traveling speed. Mr. Dean stated that the entrance from Godwin is a fairly narrow entrance lane, not a high speed access ramp, and cars will probably be traveling at 13 to 15 miles per hour. The Mayor asked Mr. Dean if it is his opinion, that a car traveling at that rate of speed, will have plenty of time to stop for a pedestrian when it reaches this first cross walk. Mr. Dean stated that even at 20 miles per hour a driver will have 4 ½ to 5 seconds of clear visibility to anyone in that crosswalk and at 13 to 15 miles per hour, it's on the order of 5 to 6 seconds.

Mr. Ten Kate asked if it would be helpful in Mr. Dean's opinion, to install signage alerting tractor trailer drivers to slow down when making the right turn into the side parking area. Mr. Dean stated that he believes drivers tend to become desensitized to signage. He suggested introducing some pavement markings or cross-hatching which in his opinion is a greater visual cue than another sheet metal sign.

Mr. Homaychak asked if a "do not enter" sign should be installed to prevent customers from driving around the rear of the building on the Godwin Avenue side. Mr. Dean stated that he does not see a need to prohibit it however he will leave that to the Board to decide.

Ms. Caprio asked if a speed bump at the end of the entrance drive from Godwin Avenue would be beneficial or detrimental in slowing vehicles down before they get to the crosswalk. Mr. Dean said the ground is very level there and speed bumps can create stormwater runoff and ice issues.

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NO ONE FROM THE PUBLIC COMMENTED  
CLOSED TO THE PUBLIC

William Kimmerle, the applicant's Architect was reminded that he was previously sworn and is still under oath. He provided the following details of the proposed dumpster enclosure plan which was marked exhibit A-10: The trash receptacle is shown to the rear of the proposed ambulance parking space where there are currently trash receptacles. It will be a three yard dumpster with a solid composite fencing enclosure. It is 5'11" in projection off the rear wall of the building. The dumpster will have full privacy screening, 6' in height, and bollards to prevent the dumpster from being pushed back into the building.

Ms. Bogdansk asked if there is sufficient room for a garbage truck to maneuver to empty the dumpster. Mr. Kimmerle replied yes. Mr. Ten Kate asked if the dumpster will be used solely by



Hackensack Meridian. Mr. Kimmerle replied yes. Mr. Ten Kate said that if the application is approved, he would like a plan submitted that shows better details of the dumpster enclosure. Mr. DiGennaro asked for the dimensions of the dumpster enclosure. Mr. Kimmerle stated it will be 5'11" as it projects from the building, and 9' in width.

Mr. Boonstra asked if there will be striping or a delineation on the pavement for the ambulance parking zone. Mr. Whitaker replied yes, it will be cross-hatched and there will be sign that says no parking or ambulance parking only. Mr. Ten Kate said he does not recommend the proposed curb stop for the ambulance parking space as it could be problematic for snow removal. Mr. Kimmerle stated the curb stop can be omitted.

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Ms. Bogdansk asked if a representative from Hackensack Meridian was present to answer questions about the ambulance. Michael Gerardi, MD was sworn in. Dr. Gerardi stated that he is with the medical group that is going to be staffing the proposed urgent care center. Ms. Bogdansk asked Dr. Gerardi what he defines as an ambulance and where the ambulance will be coming from. Dr. Gerardi provided the following response: we have a two tier response in New Jersey. We will have the local EMS squad respond, and we will also have Paramedics respond. The Paramedics typically respond in a Suburban style vehicle, and they can park very close to the front entrance of the building or in the parking lot. The box ambulance is something that will transport the patient. That will be the volunteer squad here in this area. Ms. Bogdansk asked what the procedure is if a patient has a heart attack in the facility. Dr. Gerardi stated that if a patient is having chest pain, and we determine that they are having a heart attack, we will call 911 and stabilize the patient by giving nitroglycerine and blood pressure support until the Paramedics and local EMS arrive. Ms. Bogdansk said that Dr. Schreck previously testified that the first procedure would not be to call the local ambulance squad. Dr. Gerardi stated that he does not know what Dr. Schreck was thinking when he provided that answer, but we will call 911 to get that kind of Paramedic and EMS response. To clarify, Dr. Gerardi stated that if a patient has a broken hip, we will try to arrange for transport without calling 911. Ms. Bogdansk asked Dr. Gerardi if anyone consulted with the Wyckoff Ambulance Corp to see if they could actually support the need the facility will have. Dr. Gerardi stated that they had a meeting with a member of the Hackensack Meridian EMS who has a relationship with the Wyckoff EMS. Ms. Bogdansk said she spoke with the Captain of the Wyckoff Ambulance Corp who had no idea what she was talking about with regard to the proposed urgent care center. Ms. Bogdansk said it is very important to know if the Wyckoff EMS can support the need because we currently cannot always support our own calls, and we also support Franklin Lakes and other neighboring towns that have the same problem we have. She went on to say that in some cases we get a 911 call, but we don't have a duty crew. There are times when we cannot even support our own town which is why this is such a key issue and I do not think you have fully investigated whether or not you will have that support. Dr. Gerardi stated that he did not know that Wyckoff had this type of demand for its services and that he will commit to meeting with the Ambulance squads of Wyckoff and the surrounding towns. Ms. Bogdansk said the situation is dire. Dr. Gerardi said he has been in certain areas where the hospital system has placed ambulance crews in the community and that he would like to do anything he can do to help.

Mayor Madigan asked if the applicant considered constructing a bay that would enable an ambulance to be backed inside the building. Mr. Whitaker said a review of the architectural aspects of the facility goes beyond the jurisdiction of this Board in his opinion. The Mayor also



mentioned the red motif in the signage. Dr. Gerardi stated people identify red with fire departments and medical facilities. He cited the examples The Red Cross and almost every emergency room you see. Mr. Whitaker stated that there is no prohibition in the Town's Ordinance for the color red in the sign. Mayor Madigan said he has not seen the color red in any other Hackensack Meridian signage.

Mr. Vander Plaat asked Dr. Gerardi if he had explored any options, such as an agreement with Valley or Hackensack, in the event that the local ambulance Corp can't supply an ambulance. Dr. Gerardi stated that Atlantic Health has it's own transport system and when they are available, they come out to provide transport however if it is a heart attack or stroke, we have to call 911. Mr. Vander Plaat further asked for example, if someone has a broken arm, will you have a transport ambulance available to transport that person to a hospital? Dr. Gerardi said we would try not to call 911. Mr. Vander Plaat said that burdening the Wyckoff Ambulance Corp is his biggest concern. Dr. Gerardi said we should look into what the capabilities of the community are. Mr. Whitaker stated that there was testimony at the last meeting that transport would be taken care of by the facility itself.

Ms. Caprio pointed out that the applicant chose Wyckoff as the location for this facility and asked Dr. Gerardi what other towns he is intending to support by placing the facility at this location. Dr. Gerardi stated all of the surrounding towns within a ten mile radius. Mr. Whitaker stated a facility like this, and any other type of facility within the jurisdiction of a Planning Board, where the people come from is not the issue the Planning Board deals with. Ms. Caprio said she is considering the influx of people and then potentially an outflux to our local Ambulance Corp. Chairman Fortunato agreed stating that you will have people coming in from other towns which will put more stress on the Wyckoff Ambulance Corp because the people are then going to be located in Wyckoff who otherwise wouldn't be.

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In closing, Mr. Whitaker made the following comments:

We have been able to provide you with all of the information that was required for a use that is a permitted use in the zone. There is a section in the Municipal Land Use Law that basically states that for a site plan application, the burden of proof that an applicant has is to meet the requirements under your site plan ordinance, and the standards under site plan ordinance. In this case we have a use that is a permitted use. We are not expanding the building in any manner whatsoever. We meet all of the requirements of your site plan ordinance. The section of MLUL in connection with that, is that if you hit those landmarks, a Planning Board shall approve. You have been very good in requesting information from us, and I believe we have supplied it to you as it pertains to the traffic aspect, and the truck traffic etcetera. I believe the applicant has met the burden of proof. This is a facility that is a much needed facility. There is an expectation from members of the community that a facility like this be available.

Mr. Hanly asked for clarification on the parking variance and the number of ADA parking spaces. Mr. Whitaker stated we will put the required two ADA spaces in, and no variance will be required. However, if the Board wants four ADA spaces, and will grant the variance, we will do that. Chairman Fortunato stated that the original application as presented with two ADA spaces was variance free however, Mr. Ten Kate recommended four ADA spaces which will require a variance. Mr. Ten Kate said he calculated the number of ADA spaces by the percentage required for a medical facility. Mr. Boonstra said if we increase the number of ADA spaces, then we reduce



the number of regular spaces that people can utilize without having to park in the main lot and walk across the main drive aisle. The Board agreed to three ADA parking spaces and will grant a variance for one parking space.

Mayor Madigan asked if there will be any additional testimony about the proposed steps at the corner of the building. Chairman Fortunato said no changes were made to the plans regarding the location of the entrance, the stairs, and the switchback ramp so the plan before us is the plan we are voting on.

The Board Members made their final comments about the application.

Chairman Fortunato: I think Ms. Bogdanský's concern is my biggest concern which is that this will put more pressure on the volunteer squad which is already over-taxed. However, I think this is a beneficial use for the community. It is not a perfect application. I think the design is attractive. There is either no variance or a de minimis variance due to our request for additional ADA parking. The applicant is leasing space in an existing building, and they can't make drastic changes to an existing building.

Mr. Boonstra: My main concern from the beginning was the truck traffic pattern and how it relates to the ambulance parking space, and the solid waste receptacle at the back of the building. I was mostly concerned with the semi-trucks making the turn from the back of the building into the side parking area. Mr. Dean's testimony and diagram was pretty convincing, and I am much more comfortable with it now. I do have a concern about a strain on our Ambulance Corp however I think this is a facility that will serve the community well which is a positive.

Mayor Madigan: I am very concerned about the proposed steps near the entrance, and I do not think that is a good idea. I am extremely concerned about the access in the front of the building facing the main parking lot and people crossing where vehicles are entering from Godwin Avenue. Even the applicant's traffic expert said it would be best to park along Godwin in front of the building however Godwin Avenue is on the side of the building. The original proposal had the entrance on the side, and the patient parking on the side. I am also concerned about an ambulance entering and leaving site and how the Wyckoff Volunteer Ambulance Corp will be able to support calls because it will be a strain. I will not be supporting the application as presented.

Ms. Bogdanský: I think I've made it clear. Mr. Whitaker said we really don't have a choice but let the record show that I do not support it.

Mr. Homyachak: I was worried about the ambulance parking in the rear, but I think the testimony we heard shows that there is plenty of room for the trailers to get around. I would prefer the entrance on the Godwin Avenue side of the building, but I understand there are issues with the elevations inside the building. I think this is a beneficial use and I hope it does not put a strain on our Ambulance Corp.

Ms. Caprio: I prefer the entrance in the front of the building because it lessens the impact on the residences across Godwin Avenue. I appreciate that the awning is now proposed to be blue. My biggest concern is ensuring that the hours of operation are limited to what was originally proposed. It was discussed that the hours of operation could potentially evolve which would be counter-intuitive to what was in the Memorialized Resolution for the shopping center which was to maintain a small town feel. I feel like this is much larger than a small town feel for this establishment in this complex.

Chairman Fortunato asked for clarification on the proposed hours of operation. Mr. Whitaker stated that if there is a need for additional hours, the hours could be extended. This is a use that is permitted in this town, and there is not an ordinance that says that the use has limited hours. We can abide by the hours that any other establishment is permitted to operate a business in this town. Likewise, if you didn't want to permit this use in this town, it would require the Mayor and Council to create an ordinance which would prohibit this use. Your Zoning Officer has already confirmed that this is a use that is permitted under the ordinance. Our hours of operation will be the hours that are permitted in your ordinance.

Mr. Vander Plaat: My primary concern would be the burden on the Ambulance Corp, and I think the witness answered that. They will look to do all of their transports through outside agencies and hopefully the Ambulance Corp will only be called for true emergencies which require a fast immediate response with ALS support. As a father of three, I am very excited to have a local facility, so they have my support.

Mr. Ten Kate said that if the application is approved, he advises that there be conditions that the lighting intensity will not exceed 3000k as per the Township Code, and that the facility operators meet with our EMS people prior to the issuance of a Certificate of Occupancy to come up with an agreement on how they are going to operate together. The Chairman said he believes that is very reasonable adding that we have also agreed upon three ADA spaces as opposed to two or four. He then asked for a motion.

Mr. Vander Plaat made a motion to approve the application. Second, Mr. Homyachak. Voting in favor: Mr. Homyachak, Mr. Vander Plaat, Mr. Boonstra, and Chairman Fortunato. Against: Ms. Bogdansk, Ms. Caprio, and Mayor Madigan.

A five minute recess was taken.

#### **Marino 147 Ridge Road Block 299 Lot 10**

(The applicant proposes to install a 6' privacy fence in the front yard along Godwin Avenue)

Christine Marino, the applicant. Was sworn in. Mr. Hanly marked the drawings exhibits A-1 and A-2. Ms. Marino said she wishes to install a 6' solid vinyl fence on the Godwin Avenue side of her property. Chairman Fortunato said the rule is that you cannot have a solid fence higher than 4' in a front yard which is the reason for the application. He also said that he visited the site and there is a lot of growth and overgrown trees on the property. Ms. Marino said she would like to remove much of that growth, install the fence, and then plant new shrubs in front of the fence.

Chairman Fortunato asked about the reason for the 6' solid fence. Ms. Marino stated that she has two small children and a dog, so she wants the fence for safety and privacy reasons. She went on to say that there is a lot of foot traffic on Godwin Avenue along her property, and she is concerned about the safety of her children. The Chairman said that in the past, this Board has frowned upon solid white 6' fences that run for a long stretch along a main road. Where we have granted a 6' fence, we typically prefer a 5' solid with 1' of lattice or picket fencing on top to break up the solid fence. He asked Ms. Marino if she would be willing to consider a fence with the lattice or picket at the top, or something other than a 6' solid white fence. Ms. Marino stated that her property drops approximately 2' from the street level so the 6' fence is actually a 4' height from the sidewalk if you are walking by her yard. Chairman Fortunato said it would be helpful to see photos of how the property drops down from the street level.



Ms. Marino said that she made a list of other homes in Wyckoff that are corner lots with 6' solid white fences. The Chairman said those may or may not have come before the Board and may have been installed prior to the fence ordinance pertaining to a 6' solid fence in a front yard. Ms. Marino said she will soften the look of the fence by planting skip laurels along the fence on Godwin Avenue. Mr. DiGennaro said there is white pine on the corner of the property that needs to be trimmed back or removed because it appears to be causing a visibility impediment at the stop sign.

Mayor Madigan said he understands the need for the fence with young children at home however, the Board typically does not approve of the 6' solid fence adding that the fence with the lattice top will look very nice as well as provide safety and privacy.

Mr. Homyachak asked how far back from Godwin Avenue the fence would be. Ms. Marino said she approximates 4' from the sidewalk. Mr. DiGennaro said he approximates 15' – 17' from the street to the property line.

Mr. Boonstra said we had a similar application for a 6' solid white fence on the corner of Franklin and Lawlins. At the end of the day the homeowner installed a black aluminum fence with narrow spacing between the bars for safety, and planted green giant arborvitaes for privacy, and that is the direction I am going in.

Chairman Fortunato said he would be okay with the 5' fence with the 1' lattice or picket top. Ms. Marino said she believes the cost of the lattice top fence is 70% more than the solid fence and she is not sure that is in her budget.

The Chairman suggested that Ms. Marino consider some other fence options and come back next month to provide those options as well as photos of the property. He went on to say that the Board can put the application to a vote as submitted however it may not have a favorable outcome because the Board has to go with what the ordinance states.

Robert Marino, who resides at 522 North Maple Avenue in Ridgewood, was sworn in. Mr. Marino said the 6' fence with the lattice top will not provide the privacy his daughter is looking for.

Mr. Vander Plaat suggested a cedar fence which would blend in better with the natural greenery. Ms. Bogdanský suggested building a berm and then installing a 4' fence on top of the berm which would provide the desired privacy.

Ms. Marino persisted in stating that there are other homes in Wyckoff with 6' solid white fences and that she can provide photos. Chairman Fortunato stated that every application is different and judged on its own adding that even if this Board approved a 6' solid fence last week, it is not relevant to this application. He went on to say that there are other factors that come in to play such as the location of the property and how heavily trafficked the abutting road is. He reiterated that it would be in Ms. Marino's best interest to come back next month with other fence options and photos of the property. Ms. Marino agreed to carry the application to the June 14, 2023 meeting.

**Kwak 427 Manchester Way Block 454 Lot 15**

(The applicant proposes to make improvements to the property which entails regrading and soil movement in excess of 100 cubic yards)

Steven Sinisi, the applicant's Attorney, came forward and placed himself on the record. Mr. Sinisi said this is a soil application for a residential modification.

Perry Frenzel, the applicant's Engineer, was sworn in. Mr. Frenzel stated that he is a licensed Civil Engineer in the State of New Jersey and his license is in good standing. He has appeared before many Land Use Boards including this one. The Chairman recognized Mr. Frenzel as an expert in Engineering. Mr. Frenzel provided the following details of the application and site plan (exhibit A-1):

Our firm was hired by Mr. and Mrs. Kwak to prepare the site plan showing the proposed changes to the property. The homeowners are proposing to construct a second story on the existing one-story home. They are also proposing to construct a one car garage in the rear left corner of the house. The house as it currently exists has nonconforming side yard setbacks. To come up with a plan that is totally conforming, their plan is to cut back both sides of the existing house. This is a soil moving application for 266 cubic yards of soil. The necessity comes from the topography of the site in the area of the garage where the existing driveway terminates where the grade drops off approximately 2' or more. In order to accommodate the garage at a similar level, soil needs to be brought in to facilitate regrading of the property. I prepared the On Site Retention Design Report dated November 30, 2022 (exhibit A-2). I have been to the property to inspect the site. There is currently no form of stormwater management on the property. There are no underground seepage pits, retention chambers, or anything of that nature currently existing on the site. We are proposing two 1000 gallon seepage pits at the right front corner of the property to collect the runoff from the entire roof of the home. Similarly, behind the garage, we are proposing two rectangular chambers which will collect all of the water off the garage roof. One of the other documents we provided is a certification statement dated November 20, 2022 that the post construction conditions will result in a zero increase in runoff from the site (exhibit A-3). What we are proposing with the two sets of drainage chambers should represent a significant improvement in the runoff conditions on the site. An application for soil erosion and sediment control has been filed with the Bergen County Soil Conservation District (exhibit A-4). We have complied with the items listed in Mr. DiGennaro's report including repositioning the retaining wall, submitting a landscaping plan, certifying that all imported soil will be clean and free of debris, and ensuring that no filter fabric will be placed at the bottom of the drainage pits.

Chairman Fortunato said the proposed drainage plan should greatly reduce runoff on the site. Mr. Frenzel stated that the system is designed for a 3" storm over the course of an hour, which is a very intense storm. The front system will handle a capacity of 825 cubic feet and the chambers behind the garage are designed for runoff volume of 110 cubic feet.

Mr. DiGennaro recommended considering increasing the drainage leaders from 4" to 6". Mr. Frenzel said he will do that. Mr. DiGennaro asked if the driveway curbing is Belgium block. Mr. Frenzel said it will be a modular block with a cap on top which will prevent water from rolling onto the neighboring property.

Mr. Boonstra said it is nice to see that a nonconformity is being removed which we don't often see.

OPEN TO THE PUBLIC



NO ONE FROM THE PUBLIC COMMENTED  
CLOSED TO THE PUBLIC

Mr. DiGennaro said the applicant must submit a manifest to the Township Engineer prior to the import of any soil to verify the origins and quality of the fill material.

Mr. Homyachak made a motion to approve the application subject to Mr. DiGennaro's comments. Second, Mr. Boonstra. Voting in favor: Mr. Homyachak, Mr. Vander Plaat, Mr. Boonstra, Ms. Bogdanskyy, Ms. Caprio, Mayor Madigan, 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 10:45 p.m.

Respectfully submitted,  
Maureen Mitchell  
Land Use Administrator