

WYCKOFF PLANNING BOARD
JUNE 14, 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 June 14, 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"

"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: Kelly Conlon, Frank Sedita, Mike Homyachak, Glenn Sietsma, Sarah Caprio, Joe Vander Plaat, Rudy Boonstra, Mayor Tom Madigan, and Rob Fortunato.
Absent: Kevin Purvin, and Mae Bogdansk.

Staff in attendance: Kevin Hanly, Board Attorney; Mark DiGennaro, Township Engineer; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the May 10, 2023 Work Session Minutes

Mr. Homyachak made a motion to approve the Work Session minutes. Second, Ms. Caprio. Voting in favor: Mr. Homyachak, Mr. Vander Plaat, Ms. Caprio, Mayor Madigan, and Chairman Fortunato. Abstained: Ms. Conlon, Mr. Sedita, Mr. Sietsma, and Mr. Boonstra.

Approval of the May 10, Public Business Meeting Minutes

Mr. Homyachak made a motion to approve the Public Business Meeting minutes. Second, Mr. Boonstra. Voting in favor: Mr. Homyachak, Mr. Vander Plaat, Ms. Caprio, Mr. Boonstra, Mayor Madigan, and Chairman Fortunato. Abstained: Ms. Conlon, Mr. Sedita, and Mr. Sietsma.

PAYMENT RESOLUTION #22-06

Mr. Homyachak made a motion to approve Payment Resolution #22-06. Second, Mr. Boonstra. Voting in favor: Ms. Conlon, Mr. Sedita, Mr. Homyachak, Mr. Vander Plaat, Mr. Sietsma, Mr. Boonstra, Ms. Caprio, Mayor Madigan, and Chairman Fortunato.

RESOLUTIONS FOR MEMORIALIZATION**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. Homyachak made a motion to approve the Resolution. Second, Mr. Sedita. Voting in favor: Mr. Homyachak, Ms. Caprio, Mr. Vander Plaat, Mr. Boonstra, Mayor Madigan, and Chairman Fortunato. Abstained: Ms. Conlon, Mr. Sedita, and Mr. Sietsma.

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)

Mr. Homyachak made a motion to approve the Resolution. Second, Mr. Sedita. Voting in favor: Mr. Homyachak, Ms. Caprio, Mr. Vander Plaat, Mr. Boonstra, Mayor Madigan, and Chairman Fortunato. Abstained: Ms. Conlon, Mr. Sedita, and Mr. Sietsma.

ADOPTION OF THE 2023 MASTER PLAN AMENDMENT

The Chairman announced that the Master Plan Amendment would be discussed and voted on during the Public Business meeting.

FOR REVIEW AND RECOMMENDATION TO THE TOWNSHIP COMMITTEE

ORDINANCE #1985 AN ORDINANCE TO AMEND CHAPTER 186 (ZONING), SECTION 186-36.1 (SOLAR PANEL INSTALLATION) TO AMEND THE INSTALLATION REQUIREMENTS

ORDINANCE #1986 AN ORDINANCE TO AMEND CHAPTER 186 (ZONING), SECTION 186-26 (OFF STREET PARKING) TO AMEND CERTAIN PARKING REQUIREMENTS

The Chairman announced that the Ordinances would be discussed and voted on during the Public Business meeting.

CONTINUATION OF A 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)

The application will be carried to the July 12, 2023 meeting at the request of the applicant.

CARRIED APPLICATION**Marino 147 Ridge Road Block 299 Lot 10**

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

The Chairman announced that the application would be continued during the Public Business meeting.

NEW APPLICATIONS FOR COMPLETENESS**Silva 431 Lafayette Ave. Block 483 Lot 30.01**

(The applicant proposes to demolish the existing fire damaged principal building and construct a new conforming single-family dwelling on the property involving regrading, and soil movement in excess of 100 cubic yards)

Mr. DiGennaro, the Township Engineer, provided the following details of the application: I have reviewed the site plan and grading plot plan prepared by DJ Egarian & Associates dated 2/9/23 consisting of 2 sheets with sheet 2 having latest revision date of 2/24/23, landscape plan dated 5/15/23 prepared by DJ Egarian & Associates labeled sheet 3, and the application. The applicant proposes to demolish the existing fire damaged principal building and construct a new conforming single family dwelling on the property. The plan proposes to eliminate all non-conforming and conforming accessory structures and erect a new conforming principal building on the site. Due to the challenging site topography, the proposal site improvements result in regrading of the site in excess of 100 CY triggering a soil movement permit to be granted by the Planning Board. Mr. DiGennaro offered the following comments which were sent to the applicant's Engineer on 5/26:

1. The proposed requires stormwater management design prepared by a NJPE to collect the entire roof area of the proposed dwelling. Due to previous application concerns raised at the Zoning Board of Adjustment hearings, the driveway trench drain will be required to collect driveway runoff and direct it to an appropriately sized drywell with overflow to the municipal catch basin. Calculations must be provided by the engineer that certify that a zero net increase in stormwater runoff is achieved.
2. The property is currently served by municipal sewers.
3. All utility locations must be shown on the plan: gas, water, sewer and electric.
4. Underground electric is required, and they have indicated on the plan that they will comply with that.
5. A well is indicated on the plan with a note stating the well will be abandoned which has to be handled through the NJDEP.
6. The retaining walls exceed 2 feet, therefore, structural stability calculations and details are required by a NJPE.
7. Bergen County Soil Application is required.
8. The applicant proposes Belgium block curbing along the entire driveway that must be labeled on the plan.
9. No fabric to be installed beneath the proposed drywells.
10. Note #10 must be removed as it contradicts the submitted landscape plan.
11. Two pine trees, in poor condition, have received approval by the Township Engineer to be removed.
12. Add general note – prior to import of any soil, a soil manifest, certificate of origin shall be provided to the Township Engineer to ensure all imported material is free of debris and does not contain contaminants which exceed the Residential Direct Contact Soil

Remediation Standards (NJRDSCRS). This requirement should be included in the Resolution.

13. The proposed new dwelling will be attached to the existing barn. Any resolution of approval shall clearly state that the property will be used as a single housekeeping unit at all times. There is a Deed Restriction preventing the detached barn structure from being used as a separate housekeeping unit. Two nonconforming sheds will be removed. The barn will be attached to the principal building by a roof.
14. Lot coverage table references a "detached frame dwelling and frame dwelling porch". This structure is not a dwelling and must be re-labeled as "structure" in both instances.

Mayor Madigan asked if the existing barn is being used as temporary housing due to the house fire. Mr. DiGennaro stated that he believes the barn structure is being used for storage. He added that after the house fire, the applicant was granted a variance by the Zoning Board to place an RV on the property to live in for a period of ten (10) months. The time period has since expired, and the RV has been removed from the property.

Mr. Boonstra pointed out that there is currently no garage on the property however an attached garage is proposed on the plans.

Chairman Fortunato asked Mr. DiGennaro if he sees any reason why the Board should not deem the application complete. Mr. DiGennaro said he would take no exception with the Board deeming the application complete for a public hearing.

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

Barrister Home Development 364 Smith Place (TBD 701 Frederick Ct) Block 433 Lot 6

(The applicant proposes to construct a new conforming single-family dwelling on a cleared lot Involving regrading, and soil movement in excess of 100 cubic yards)

Chairman Fortunato recused himself and stepped down from the dais. Mr. Sietsma presided as Chairman for the application.

Mr. DiGennaro provided the following details of the application:

I have reviewed the following the plot plan prepared by Lapatka Associates, Inc. dated 8/5/22 consisting of 2 sheets, drainage calculations prepared by Lapatka Associates signed by Daniel LaMothe, PE dated 8/5/22, landscape plan without title block and date, and application. The applicant proposes to construct a new conforming single family dwelling on the property and seeks to raise the low lying lot to provide positive pitch from the foundation and to adequately drain the property from standing water. As a result, the grading triggers a soil movement permit to be granted by the Planning Board as the re-grading of the property exceeds 100 CY. Based on my review, I offer the following comments:

1. The proposed site includes an approved stormwater management plan which will result in a zero net increase in runoff from the improved property.
2. The property will be served by municipal sewers and underground electric.
3. Bergen County Soil Application is required.
4. The applicant proposes to improve the roadway by installing Belgium block curbing along the entire frontage.

5. Add general note – prior to import of any soil, a soil manifest, certificate of origin shall be provided to the Township Engineer to ensure all imported material is free of debris and does not contain contaminants which exceed the Residential Direct Contact Soil Remediation Standards (NJRDCSRS) and should be included in the Resolution.

Regarding the origin of the soil, Mr. DiGennaro stated that he is aware that the soil that is currently mounded on the site came from another property being developed on Frederick Court which is also owned by the applicant. He added that he is satisfied with the origin of the soil.

Mr. DiGennaro stated that the property was previously known as 364 Smith Place. The applicant requested a change of address to 701 Frederick Court however this will probably have to be changed back to 364 Smith Place due to the unique layout of the street.

Mr. Sietsma inquired about the trees marked for removal. Mr. DiGennaro stated that there are several trees that are in the right of way, close to the road, close to the driveway, and they are in poor condition. He went on to say that he suggested that the applicant have a certified tree expert/arborist take a look at those trees and be prepared to provide testimony as to the condition of the trees and whether or not they will have to be removed.

Mr. Sietsma asked Mr. DiGennaro if he sees any reason why the Board should not deem the application complete. Mr. DiGennaro said he does not see any reason why the application should not be deemed complete.

Mr. Homaychak made a motion to deem the application complete. Second, Ms. Caprio. Voting in favor: Ms. Conlon, Mr. Sedita, Mr. Homaychak, Mr. Vander Plaat, Ms. Caprio, Mr. Boonstra, Mayor Madigan, and Mr. Sietsma.

Chairman Fortunato returned to the dais.

There being no further business, a motion to adjourn the Work Session meeting was made, seconded, and passed unanimously. The Work Session concluded at 8:00 p.m.

Respectfully submitted,
Maureen Mitchell
Land Use Administrator

WYCKOFF PLANNING BOARD
JUNE 14, 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 June 14, 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”

“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: Kelly Conlon, Frank Sedita, Mike Homaychak, Glenn Sietsma, Sarah Caprio, Joe Vander Plaat, Rudy Boonstra, Mayor Tom Madigan, and Rob Fortunato.
Absent: Kevin Purvin, and Mae Bogdansky.
Staff in attendance: Kevin Hanly, Board Attorney; Mark DiGennaro, Township Engineer; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the May 10, 2023 Work Session and Public Business Meeting minutes.

The meeting minutes were approved during the Work Session.

PAYMENT RESOLUTION #22-06

The Payment Resolution was approved during the Work Session.

RESOLUTIONS FOR MEMORIALIZATION

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)

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)

The two (2) Resolutions were approved during the Work Session.

CONTINUATION OF A 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)

The application will be carried to the July 12, 2023 meeting at the request of the applicant.

CARRIED APPLICATION

Marino 147 Ridge Road Block 299 Lot 10

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

Chairman Fortunato reminded Ms. Marino that she was previously sworn and is still under oath.

Ms. Marino stated that she submitted photos of the fence she is now proposing which is the white vinyl 6' high fence consisting of 5' of solid fencing with 1' of lattice fencing material at the top.

Board Attorney Hanly marked the newly submitted fence option photo exhibit A-3, and the property photos A-4.

Chairman Fortunato asked if the fence will be installed behind the existing trees on the Godwin Avenue side of the property. Ms. Marino said the fence will be installed approximately 3' from her property line on Godwin Avenue and she believes at least one of the existing trees will be in front of the fence which will add screening. Ms. Marino stated that she is proposing skip laurels to screen the fence because they are evergreen and deer resistant. Mr. Sietsma said skip laurels will work fine there and recommended that they be 36" to 42" tall at time of planting. He added that if the fence panels are 8' wide, he would recommend that two (2) skip laurels be planted in front of each panel. Chairman Fortunato stated that the landscaping as mentioned should be included to the Resolution. He then asked for a motion.

Ms. Caprio made a motion to approve the application for a 6' white vinyl fence with lattice at the top, and the agreed to landscaping. Second, Mr. Homyachak. Voting in favor: Ms. Conlon, Mr. Sedita, Mr. Homyachak, Mr. Vander Plaat, Mr. Sietsma, Mr. Boonstra, Ms. Caprio, Mayor Madigan, and Chairman Fortunato.

NEW APPLICATIONS PUBLIC HEARING

Barrister Home Development 364 Smith Place (TBD 701 Frederick Ct) Block 433 Lot 6

(The applicant proposes to construct a new conforming single-family dwelling on a cleared lot Involving regrading, and soil movement in excess of 100 cubic yards)

Chairman Fortunato recused himself and stepped down from the dais.

Bruce Whitaker, the applicant's Attorney, provided the following information about the application: The applicant is seeking a soil moving permit because the project requires soil movement in excess of 100 cubic yards. The property is located in the RA-25 zone and is over the required 25,000 sf of lot area. The applicant is proposing to construct a new single-family home on the property. There are no bulk variances being requested; this is a soil movement application only. Mr. Andrew Missey of Lapatka Associates prepared the plan, and he will testify as to what is being proposed as far as the amount of fill and the drainage aspects.

Andrew Missey came forward and was sworn in. His professional affiliation is with Lapatka Associates in Paramus New Jersey. Mr. Missey provided his credentials as a Licensed Professional Engineer and was accepted as an expert in the field of Engineering. He then provided the following details of the plot plan dated 8/5/2022 (exhibit A-1) which he prepared:

The existing vacant lot consists of 29,330 sf in the RA-25 zone. The house that previously existed when the applicant purchased the property has been demolished. It is a somewhat low-lying lot compared to the surrounding properties particularly as you move to the east on Frederick Court and to the North on Smith Place. The previous house faced Smith Place and the address was 364 Smith Place. The applicant is proposing to construct a conforming home on the lot facing Frederick Court. We are proposing to raise the grade to pitch away from the foundation of the new construction which is what brings us before the Planning Board. The quantity of cut is 343 cubic yards of soil and the total fill to execute the grading as proposed is 1,231 cubic yards for a total import of 888 cubic yards of soil. We are proposing to raise the finisher floor about 3' on the dock from what previously existed. The prior house did have its basement inundated during Hurricane Ida. Two driveways are proposed; one in front and one on the side to contain and control the runoff from this developed property. We have received the Engineering memo from Mr. DiGennaro, and we will add the requested note to verify where the soil came from which is the property located at 753 Frederick Court. We do have a Bergen County Soil Conservation application now in place. What we are proposing with this drainage design meets the required zero net increase in runoff.

Mr. Sietsma asked about the gross build area of the previous dwelling and the proposed dwelling. Mr. Missey stated the previous home consisted of approximately 2,500 sf of gross building area, and proposed is 3,700 sf.

Ms. Caprio asked if there were drainage issues on the site prior to the new development other than what happened during Hurricane Ida. Mr. Missey stated that Ida was a storm that surprised a lot of people in a lot of different places that ordinarily would not have been inundated which is what happened with this property during that storm. The grade will now be pitched towards the street to the municipal storm drains which are built to handle the runoff. In addition, all of the adjacent properties are higher than what we are proposing so they will not be affected by any runoff from this site.

Regarding the landscape plan, Mr. Missey stated that he added landscaping to the plot plan however the applicant also obtained a landscape plan prepared by Landscape Designer Stephen Snyder (exhibit A-2). Ms. Mitchell stated that the landscape plan prepared by Mr. Snyder was not included in the sets that were submitted by the applicant for the Planning Board members. Mr. Missey explained what is being proposed as per Mr. Snyder's landscape plan.

Mr. Sietsma asked if someone is going to provide testimony regarding tree removal on the site. Mr. Whitaker stated that an arborist will submit a report as to the quality of the trees on the site. Mr. DiGennaro said that there are trees in the right of way that do not appear to be in good

condition and that he has asked for them to be evaluated by an arborist.

OPEN TO THE PUBLIC

John Brain, who resides at 707 Frederick Court, was sworn in. Mr. Brain said he is concerned about the grade of the subject property being raised as he regularly has to pump water out of his basement. Mr. Missy stated that the proposed grading plan will improve upon the existing drainage conditions. Mr. DiGennaro suggested possibly adding a berm between the properties as a creative solution. Ms. Caprio suggested locating the proposed drywell to the opposite side of the property than where it is proposed on the plan. Mr. DiGennaro said ideally you want to keep the drywell as far away from the foundations of the homes as possible. Mr. Brain said the whole area is like a swamp because the ground water table is high in that area so anything that can be done to mitigate the problems would be appreciated.

Rob Saunders, who resides at 351 Smith Place, was sworn in. He said that his house is directly across the street from the subject property and does not understand how the applicant can change the address from Smith Place to Frederick Court. He asked how this will affect his address. Mr. DiGennaro explained that when the applicant changed the location of the front of the house, he prematurely requested the address change thinking the house would be facing Frederick Court. However, realizing that the house directly across the street is 351 Smith Place, the applicant has represented that the address will be kept as 364 Smith Place.

CLOSED TO THE PUBLIC

In summation, Mr. Whitaker stated that the applicant has met the soil movement and stormwater management requirements of the Township Ordinances adding we will take into consideration the comments that were made this evening, adjust the plans, and move ahead from there.

Mr. Boonstra made a motion to approve the application for soil movement with the condition regarding runoff as discussed with the neighbor, and the submission of the landscape plan by Stephen Snyder. Mayor Madigan added the condition of the arborist report regarding the trees as discussed. Second, Ms. Caprio. Voting in favor: Ms. Conlon, Mr. Sedita, Mr. Homaychak, Mr. Vander Plaats, Mr. Boonstra, Ms. Caprio, Mayor Madigan, and Mr. Sietsma.

Chairman Fortunato returned to the dais.

Silva 431 Lafayette Ave. Block 483 Lot 30.01

(The applicant proposes to demolish the existing fire damaged principal building and construct a new conforming single-family dwelling on the property involving regrading, and soil movement in excess of 100 cubic yards)

Joseph Pisa, the homeowner, was sworn in. Mr. Pisa stated that he was the owner of the home when the fire occurred a couple of years ago. He said he previously appeared before the Zoning Board to construct a new home using the existing foundation which required a variance for the enhanced side yard setback. However, the existing foundation is deteriorating so they abandoned the original plans, and now propose to construct a conforming dwelling on the lot requiring soil movement to regrade the property.

David J. Egarian, the applicant's Engineer, was sworn in. Mr. Egarian provided his educational and professional credentials and was recognized as an expert in the field of Engineering. He then provided the following details of the site plan:

We have a set of site plans revised through May 30, 2023. The property is located at 431 Lafayette Avenue, block 483 lot 30.01. The lot is 60,596 sf in area and is located in the RA-25 zone. The dwelling has been damaged by fire, and the applicant is requesting that the plans be approved to demolish the existing dwelling and construct a new home on the site. The existing macadam driveway will be broken up and removed. The existing dwelling will be demolished. There are a two sheds on the property which will be removed and there are two trees that are to be removed. The existing structure on the property, being referred to as the barn, will remain. We are proposing a new driveway, new dwelling, new covered porch to connect the principal building to the existing barn structure, a new patio to the rear, and a tiered retaining wall. The overall topography of the site slopes from back to front. We are proposing to level off the property by constructing two tiered retaining walls. Drainage has been taken care of by collecting the stormwater from the driveway which will run down towards Lafayette Avenue, and be picked by a trench drain at the bottom of the driveway and taken to underground storage chambers to percolate back into the soil. The overflow will be tied into the existing inlet on Lafayette Avenue. The new building's runoff will be collected by roof leaders and piped over to six cultec recharge chambers where the water will percolate into the soil. The existing overland flow from above the property will be picked up by a curtain drain which consists of a bed of gravel and pipe which will send the water over to a swale. The impervious coverage will be reduced significantly from the existing 18% to a proposed 12.9%. There are no bulk variances required. The soil movement requirement was triggered because we are bringing in 376 cubic yards of fill.

Chairman Fortunato said he is aware that the property slopes significantly from front to back and asked where on the property the changes in topography are proposed with the soil movement. Mr. Egarian stated the changes will take place in and around the proposed dwelling and in the front of the proposed dwelling with no grade changes to the rear of the property.

Regarding the landscape plan, Mr. Egarian stated that a significant landscape plan has been proposed which includes 19 evergreen shrubs, 8'-10' in height at time of planting, to act as a buffer for the neighboring properties as well as numerous shrubs, bushes, groundcovers, grasses and perennials.

Mr. DiGennaro said a trench drain is proposed at the end of the driveway however there is no specification on the plan as to the size of the trench drain. He recommended a grate large enough to accommodate the volume of water coming down the driveway. Mr. Egarian stated he will provide that information to Mr. DiGennaro and ensure it is large enough to accommodate the flow. Mr. DiGennaro also stated that no fabric should be placed beneath the drywells because they tend to clog, and then the drywells don't function properly. He pointed out that the plan calls for fabric to be placed beneath the internal manifold feature and all inlet/outlet pipes for scour protection. Mr. Egarian stated he will take that off the plan detail.

Chairman Fortunato mentioned the well shown on the plans and asked if the applicant has received approval from Ridgewood Water for a water line to the property. Mr. DiGennaro said the applicant has already connected to Ridgewood Water and the well must be decommissioned as per NJDEP procedures. Mr. Egarian stated the well will be closed per DEP procedures.

Regarding Mr. DiGennaro's comment in his report about structural stability calculations of the proposed retaining walls, Mr. Egarian stated he will provide the calculations.

Mr. Boonstra asked for clarification on the proposed buffers and tree removal. Mr. Egarian stated that 2 trees are going to be removed, 10 evergreens are proposed for the northerly side of the property and 9 for the southerly side. Mr. Sietsma said he has no problem with the buffer plantings.

Mayor Madigan asked about the purpose of the structure, referred to as the barn, which is proposed to be connected to the principal building by a roof over a patio. Mr. Pisa stated the building will contain a playroom, a workout area, a wet bar, and a bathroom. He added that no one will be living in the building and there will be no kitchen in the building.

Ms. Caprio pointed out that the plan labels the separate building as a detached frame dwelling consisting of 1,092 sf and a principal building of 2,370 sf. Mr. Pisa stated the two structures will be connected by a roof covering over a patio. To that point, Mr. Boonstra said it's either an accessory structure or principal building adding that if it is detached, it is accessory. Mr. DiGennaro said the zoning table shows the proposed principal building is 4,246 sf which includes the barn structure which will be connected by a roof or breezeway and included in the principal building lot coverage.

Mr. Boonstra asked for clarification on the proposed improvements to the barn structure that Mr. Pisa testified to earlier. Mr. Pisa stated there will be a wet bar, a bathroom, a playroom, a workout area and a sink however there will be no stove. Ms. Caprio asked if there is a gas line to the structure to which Mr. Pisa replied yes.

Mr. DiGennaro mentioned that there is an existing deed restriction which states that the barn structure was to be converted to a garage. Bruce Whitaker, who was present on behalf of another applicant, previously represented Mr. Pisa when he went before the Zoning Board of Adjustment. Mr. Whitaker stated that the deed restriction stated that the barn structure could not be used as a second housekeeping unit and should be used as a garage because there was no garage on the property at the time and a garage is required as per the Township Ordinance. Mr. Whitaker said an attached garage is now proposed. Chairman Fortunato said the Resolution should reiterate that the structure shall not be used a second dwelling unit or contain a kitchen.

OPEN TO THE PUBLIC

Stephen Misovic, who resides at 415 Lafayette Avenue, was sworn in. Mr. Misovic stated that he lives next door to the right of the subject property and is extremely bothered by the amount of debris that has been left behind on the site and would like to see it removed. Mr. Pisa stated that the site will be cleaned up.

Joseph Solimini, who resides at 414 Lafayette Avenue, was sworn in. Mr. Solimini stated that he lives directly across the street from the subject property and has concerns about stormwater runoff which currently flows downhill from Mr. Pisa's property directly onto his property. Mr. Egarian stated there will be a decrease in runoff from the site due to the proposed trench drain at the end of the driveway which is designed specifically to collect the runoff and direct it away from the street and into subterranean chambers for percolation into the soil.

Mr. DiGennaro advised the applicant that he is responsible for making sure measures are taken to contain soil and water runoff by maintaining the required silt fencing during the construction process to keep the mud off the street. He added that a tracking pad for trucks and equipment is also required to clean the tires when they exit the site to keep as much dirt off the street as possible. He also recommended placing hay bales in strategic locations where water is running off the property. Mr. Solimini stated that an excavator that recently drove to the site damaged the street on Lafayette Avenue. Mr. DiGennaro said he will take a look at that.

CLOSED TO THE PUBLIC

Ms. Caprio said the proposed landscaping around the house looks great and asked what is proposed for the steep slope in front of the new house and how it will be maintained. Mr. Sietsma said the plan note proposes a new sod lawn.

Mr. Vander Plaat asked if we can require placement of a double row of silt fence lined with hay bales to help limit the runoff of water and dirt during the construction process. Mr. DiGennaro said we can consult with Mr. Egarian's office and get that on the plan.

Chairman Fortunato asked if any Board approval would be subject to Bergen County Soil Conservation District approval. Mr. DiGennaro replied yes, adding that no permits will be issued without Bergen County Soil approval.

The Chairman said if the application is approved, the Resolution should state that the Board approval is subject to Bergen County Soil Conservation District approval, a soil manifest certificate of origin shall be provided to the Township Engineer prior to the import of soil, and there shall be no second housekeeping unit in the one-story structure currently referred to as the barn.

Mr. Hanly marked the entire set of plans, sheets 1-5, exhibit A-1.

Mr. Sietsma made a motion to approve the application subject to the aforementioned conditions. Second, Mr. Homaychak. Voting in favor: Ms. Conlon, Mr. Sedita, Mr. Homaychak, Mr. Sietsma Vander Plaat, Mr. Boonstra, Ms. Caprio, Mayor Madigan, and Chairman Fortunato.

A five minute recess was taken.

FOR REVIEW AND RECOMMENDATION TO THE TOWNSHIP COMMITTEE

ORDINANCE #1985 AN ORDINANCE TO AMEND CHAPTER 186 (ZONING), SECTION 186-36.1 (SOLAR PANEL INSTALLATION) TO AMEND THE INSTALLATION REQUIREMENTS

Mr. Boonstra said we are trying to find a way for residents to take advantage of solar panels but yet recognize the Ordinance as it has been constituted for a couple of decades now. It is not easy to do so we may be looking at this further before we actually introduce and adopt the Ordinance at a Township Committee meeting.

Chairman Fortunato said the amended Ordinance expands the opportunity for people to have solar panels particularly with regard to installing the panels on a front facing roof because the Town thought they did not look good aesthetically on the front of a house. The Chairman said solar panels have changed so much that they can actually be incorporated into a roof without looking like the typical solar panels.

Mayor Madigan said there is a big concern for the safety of our Fireman who will need to access a roof in the front of a house, and the panels will be in the way. Mr. Vander Plaat said allowing solar panels on the front will present new challenges and we will have to come up with ways to get around it and adapt to the changes.

Chairman Fortunato said that if the amended Ordinance expands the opportunity for people to have solar panels it seems like a good thing although it sounds like the Ordinance may still need a little tinkering.

Mr. Sietsma made a motion to recommend Ordinance #1985 to the Township Committee. Second, Mr. Sedita. Voting in favor: Ms. Conlon, Mr. Sedita, Mr. Homaychak, Mr. Sietsma Vander Plaat, Mr. Boonstra, Ms. Caprio, Mayor Madigan, and Chairman Fortunato.

ORDINANCE #1986 AN ORDINANCE TO AMEND CHAPTER 186 (ZONING), SECTION 186-26 (OFF STREET PARKING) TO AMEND CERTAIN PARKING REQUIREMENTS

Brigette Bogart, the Municipal Planner, provided the following explanation of the Parking Ordinance: what we are looking to do is simplify the parking requirements. Instead of having parking regulations for each individual use, we are looking to do an overall amendment to include 1 parking space for every 200' of floor area. In discussing this new regulation with the Township Engineer and the Township Attorney, the new regulation seem to make sense from a planning and zoning perspective. We will look at this for 6 months and see how it goes but given the overall development of the municipality we believe this is the better alternative for developers to submit applications for redevelopment and reutilization of existing floor space.

Chairman Fortunato said this will make parking less restrictive for certain businesses which is a good thing. Ms. Bogart agreed with that statement.

Mr. Boonstra said landlords are in favor of the changes adding that one of the aims is to not have vacant stores and commercial properties in Town. We also learned during the pandemic, when outdoor dining came into effect, the outdoor tents took up a lot of parking spaces and we found that we still had plenty of parking, so we took a look at amending the parking Ordinance.

Chairman Fortunato said that under the existing Ordinance, every time a different business occupied a space, you had to reconfigure if you had enough parking on site or not and it made for a very confusing application process. He went on to say that he applauds the new regulations.

Mr. Sietsma made a motion to recommend Ordinance #1986 to the Township Committee. Second, Mr. Homaychak. Voting in favor: Ms. Conlon, Mr. Sedita, Mr. Homaychak, Mr. Sietsma Vander Plaat, Mr. Boonstra, Ms. Caprio, Mayor Madigan, and Chairman Fortunato.

ADOPTION OF THE 2023 MASTER PLAN AMENDMENT

Brigette Bogart, the Professional Planner for the Township of Wyckoff, provided the following presentation of the 2023 Amendment to the Master Plan:

The document is dated June 1, 2023. It addresses nine (9) Planning and Zoning issues that I and a number of other Professional have looked at based upon the changes in reality from covid forward. The Municipal Land Use Law allows the Planning Board to amend the Master Plan at any moment in time. The new goals and objectives are to upgrade and address Planning issues post-covid including the parking, and outdoor dining. To upgrade the Township's regulations regarding signage to account for changing technology. To encourage the use of green building techniques including policies on EV charging stations and solar panels. To analyze some of the underutilized sites in the Township so as to be in front of any future development which may occur. To create regulations addressing new cellular technology (5G) to ensure the greatest benefit of the technology while having the least amount of visual impact on the Township. Finally, to provide regulations that are consistent with the Municipal Land use Law regarding adult book stores and smoke shops.

Ms. Bogart continued by providing details of each of the nine (9) amendments.

1. Outdoor Dining: Governor Murphy has extended the outdoor dining through 2024. What we saw during covid is that we need to change some of our zoning regulations that currently exist, for example outdoor dining in a parking area which is not permitted under our existing ordinance. Outdoor dining in a parking area was permitted during covid with minimal to no effect on parking and circulation so we believe the ordinance should be revised accordingly to relax the regulations.
2. Parking Regulations: The parking regulations of the Township were last modified in the 1990's. We are recommending 1 parking space for every 200 square feet of floor area for all businesses which will make the process less tedious for new businesses to occupy space in Town.
3. Signage Regulations: similar to the parking regulations, the regulations pertaining to signage has not been updated since the 1990's. The ordinance should be updated to address the current signage technology and design concepts.
4. Rezoning Analysis: there are a number of sites that are currently underutilized and should be considered for a rezoning. This is particularly important to address the economic and affordable housing goals of the Township. One such site is the Squawbrook Road site which was previously utilized for a House of Worship. The site is extremely constrained by wetlands. The site consists of approximately five acres however only about half of it is developable due to the wetlands. We believe developing the site would provide an opportunity to provide a couple of units of affordable housing to assist the Township in meeting its affordable housing obligation. Another site is located on Franklin Avenue near the Walduick border which consist of two lots which back up to the J. A. McFaul Environmental Center. The natural buffer of the surrounding development pattern, and the fact that this site is underutilized, creates the perfect scenario for a rezoning to provide some affordable housing and recreational opportunities. From a planning perspective, these two sites seem to be appropriate for a rezoning or down zoning consistent with surrounding areas and development patterns.
5. Climate Change Plan: the Municipal Land Use Law now requires that when you adopt a land use element, you must put together a climate change plan. This will require coordination with the Fire Department, Police Department, Emergency Services, and Engineering Department to establish a plan to reduce the risks associated with natural disasters and hazards.
6. Electric Vehicle Charging Stations: Municipal Land Use Law now requires Municipalities and developers to provide EV charging stations in new developments. The Master Plan Amendment lists the requirements, and the Township's Land Use Ordinances and Zoning regulations must be amended to be consistent with the MLUL requirements.
7. Solar Panels: It is recommended that the existing ordinance be revised to permit front facing solar panels with certain specific criteria including where the panels may be located, permitted height, wiring, cables, conduit etc. There are a still a number of issues with the amended Ordinance #1985 from an Engineering and Planning perspective so we will continue to look at those issues and make changes to the Ordinance.
8. 5G Rollout: The Township Administrator has been contacted by multiple service providers who would like to install 5G facilities within the Municipality however, we currently do not have an ordinance in place for that. Currently, 5G facilities are located on Route 208 and County roads only. What we want to do is create regulations to ensure that they are placed in the appropriate locations to have minimal negative impact from a planning perspective.
9. Adult Book Stores/Smoke Shop Zoning: The Township does not currently have any ordinances in place to address adult book stores. There have been a number of cases which state that the Township cannot ban them completely. Therefore we need to create regulations pertaining to locations where the stores may be permitted, based upon the case law, in order to avoid a prohibition of free speech challenge.

Finally, Ms. Bogart said that the issues detailed in the Master Plan Amendment are important topics that should be considered further by the Planning Board and the Township Committee. It is recommended that the Planning Board adopt the document as an amendment to the current Master Plan document, and then as next steps, address these issues with proposed ordinance amendments.

OPEN TO THE PUBLIC

Dave Stern, who resides at 312 Camelot Court came forward to comment. Mr. Stern said he lives very close to the Squawbrook Road site and has concerns about the potential development of the site and his quality of life whether the land is developed for affordable housing or active recreation. He also expressed concerns about drainage if the site is to be developed since there are wetlands and there are already existing issues with water in that area.

Chairman Fortunato said this document is only a guideline for how the site could potentially be developed however, there are currently no plans to develop the site at this time.

Nick Damiani, who resides at 768 Hickory Hill Road came forward to comment. Mr. Damiani said his main concern is the potential for rezoning where the newly created lots will be smaller than what is required in the existing residential zones. Mr. Damiani said he previously lived in a town that had those smaller lots with houses close together and he does not want to see that happen across the street from his home.

Ms. Caprio mentioned the two sites that were identified, and asked if this is just a recommendation that they could possibly be developed or if this means they are the underutilized sites that will definitely be developed. Ms. Bogart stated that these are the two sites that have been identified and looked at as developable from the Township Committee's perspective, from the Engineer's perspective and potentially a Developer's perspective.

Chairman Fortunato asked if the Township needs to come up with more options to meet its affordable housing obligation by 2025. Mr. Boonstra said these two sites are very complicated especially the Squawbrook site due to the wetlands and easements. We have three areas in town that were created in the 1990's and designated SF-AH Single Family Affordable Housing zones. These came into being when developers were able to go into distressed areas and improve residences in those areas and they were able to get a reduction in lot sizes yet sell market rate homes on those properties. It actually works very well in Wyckoff. These two sites are similar to the sites that were designated in the 90's, and there is no reason to think it would not work well here again. We believe this is a reasonable solution.

Chairman Fortunato said it's better to have some control over the properties rather than leave it to the courts to decide.

Mayor Madigan said that he and Mr. Boonstra had an opportunity to visit with homeowners near the Squawbrook site to give them a heads up about what could possibly happen in that area. We are trying to stay ahead of it and the new affordable housing regulations that are coming in 2025. The Mayor went on to say that he does not think anyone in town wants to see massive developments of high density housing similar to what is happening in Franklin Lakes. This is a big challenge for us. We love this Town, and we love where our homes are and we are trying to do what is best. He added that if and when there is a plan for the site, members of the public will have an opportunity to come to the Planning Board to talk about what they want for the

neighborhood such as sewers or road widening etc. but we have to get past this first.

Mr. Boonstra said we have a situation in Wyckoff that some day will come to fruition on the Maple Lake property. We were able to purchase twenty-one acres of the Maple Lake property, but there are five or six acres there that are someday going to have sixty-one units, three stories tall built on that site. That was in large part due to the fact that we were in negotiations, and the people from fair share housing were there, and they are very persuasive when it comes to what they demand.

A member of the public asked for an explanation of what has to happen by 2025 with regard to the affordable housing issue. Ms. Bogart said no one knows the answer to that question. The last round that we had to address started in 2018 and it has been going through the court system for a number of years. The regulations have changed over and over again over the last several years as far as the number of units we need to provide, the income levels, and the size of the units. She likened it to a moving target. Ms. Bogart stated that what we are looking to do is prove to the court system, to Fair Share housing and to the State that we are being proactive in trying to provide affordable housing the best we can. We are trying to take control of the situation to ensure that we get the things we want as far as the buffers, setbacks, improvements, landscaping, and drainage requirements, while providing affordable housing at the same time.

Mayor Madigan stated emphatically that the State wants dense affordable housing, which is not in character with the small town charm we have here in Wyckoff. We want to do everything in our power to prevent dense, clustered housing here. He added that if we rezone the sites for single-family affordable housing by ordinance, we are protecting ourselves from high density housing.

Chairman Fortunato asked for a motion on the Master Plan Amendment. Mr. Sietsma made a motion to approve the 2023 Amendment to the Master Plan. Second, Mr. Homaychak. Voting in favor: Ms. Conlon, Mr. Sedita, Mr. Homaychak, Mr. Sietsma, Vander Plaat, Mr. Boonstra, Ms. Caprio, Mayor Madigan, and Chairman Fortunato.

Mayor Madigan announced that the intention is for this matter to be on the July 18, 2023 meeting agenda for of the Township Committee if any members of the public would like to attend and comment further.

There being no further business, a motion to adjourn the Public Business meeting was made, seconded, and passed unanimously. The meeting concluded at 10:40 p.m.

Respectfully submitted,
Maureen Mitchell
Land Use Administrator