

**WYCKOFF BOARD OF ADJUSTMENT  
OCTOBER 18, 2018 PUBLIC BUSINESS MEETING MINUTES**

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

The meeting commenced with the reading of the Open Public Meetings Statement by Carl Fry, Chairman:

"The October 18, 2018 Public Work Session of the Wyckoff Board of Adjustment is now in session. In accordance with the Open Public Meetings Act, notice of this meeting appears on our annual Schedule of Meetings. A copy of our Annual Schedule has been posted on the bulletin board of 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.

Chairman Fry read this statement into the record: *"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 was taken.  
Pledge of Allegiance.

**Board Member Attendance:** Carl Fry, Chairman; Erik Ruebenacker, Vice Chairman; Susan Yudin; Brian Tanis; Robert Ebel, Alt; Rich De Leo, Alt.

**Board Member Absent:** Mark Borst, Brian Hubert; Ed Kalpagian

**Staff Present:** David Becker, Board Attorney, Mark DiGennaro, Township Engineer; Susan McQuaid, Board Secretary, Denise Capparelli, Administrative Support Assistant.

The Board of Adjustment Meeting began with the Pledge of Allegiance.

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Chairman Fry stated that all phones, pagers and hand held electronic devices should be turned off or switched to silent mode in order to avoid interrupting the public session.

**OLD BUSINESS**

**APPROVAL OF MINUTES**

September 20, 2018 work session/public business meeting  
Board Member Tanis made a motion to approve September 20, 2018 work session/public

business meeting minutes. Second, Board Member DeLeo. Voting in favor: Mr. Ebel, Mr. DeLeo and Chairman Fry.

### **RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #18-10** Approval of vouchers from various escrow accounts.

Vice Chairman Ruebenacker made a motion to approve Resolution #18-10 for payment of vouchers. Second, Board Member Yudin. Voting in favor: Mr. Ebel, Mr. DeLeo, Mr. Tanis, Ms. Yudin, Mr. Ruebenacker and Chairman Fry.

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

**KOCHER, DAN & LAURIE** BLK 352 LOT 25 (RA-25); 274 Merlin Place. *(The applicant proposes to add an addition to the rear of the homes for a kitchen, great room and porch on the first floor and master bedroom on the second floor which will trigger the enhanced side yard setback requirement).*

**PERFORMANCE INVESTOR SERVICES (ALLEN STILES)** BLK 461 LOT 17 (RA-25); 434 Caldwell Drive. *(The applicant proposes to demolish the existing structure to construct a new conforming home which will meet all the bulk requirements).*

**KAVANAGH, MARK & LAUREN** BLK 510 LOT 8 (R-15); 501 Spencer Drive. *(The applicant proposes to construct a portico over the front door where the roof overhang will encroach into the front yard setback).*

**BARRETT, NICHOLAS & LINDSEY** BLK 269 LOT 8 (R-15); 107 Edison Street. *(The applicant proposes to construct a portico over the front door where the roof overhang will encroach into the front yard setback).*

Board Member Ebel made a motion to memorialize the above referenced resolutions. Second, Board Member Tanis. Voting favor: Mr. Ebel, Mr. DeLeo, Mr. Tanis and Chairman Fry.

### **APPLICATION(S) – CARRIED**

**MUSTO, ROBERT & MARY ANN** BLK 498 LOT 91 (R-15); 390 Hil-Ray Avenue. *(The applicant proposes to rebuild the existing deck and add a covering over the deck which will exceed total accessory structure coverage).*

Board Member Tanis recused himself from discussion and removed himself from the dais.

Chairman Fry reviewed additional information pertaining to the easement which was provided in the current packet. The deck roof height will be 18 feet and part of the driveway and garage encroach into the neighbor's property. A new survey dated October 5, 2018 was submitted to the Board along with a Grant of Easement by Necessity Deed dated 1982. There were no issues with the proposed construction. Board Attorney Becker said the variances are triggered due to the enhanced side yard setback ordinance and pre-existing conditions are current on this property.

OPEN TO THE PUBLIC

No one appeared.  
CLOSED TO THE PUBLIC

Board Member DeLeo made a motion to approve this application as presented. Second, Board Member Ruebenacker. Voting in favor: Mr. Ebel, Mr. DeLeo, Ms. Yudin, Mr. Ruebenacker and Chair Fry.

**CLEAVER, MARC & TINA** BLK 454 LOT 4 (RA-25); 221 Wyckoff Avenue. (The applicant proposes to enlarge the existing family room and add a new mud room addition which will encroach into the rear yard setback and exceed impervious coverage).

This application has been carried to the November 15, 2018 public hearing meeting at the request of the applicant.

### **APPLICATION(S) – NEW**

**ALEXANDER, DARREN & TRACY** BLK 483 LOT 42 (RA-25 CORNER); 92 Ravine Avenue. (*The applicant proposes to raise the roof of the accessory garage which is an expansion of a non-conforming use*).

Board Member Tanis rejoined the board.

Mr. Darren Alexander, 92 Ravine Avenue, Wyckoff, NJ was sworn. He explained he would like to remove the roof of detached garage and make it taller to accommodate his commercial vehicle as the Wyckoff zoning code does not allow him to park the commercial vehicle in his driveway overnight.

Chairman Fry noted that the side yard setback is at 2.6 feet and questioned if the garage could be moved forward. Mr. Alexander said by moving the garage it would interfere with the expansion tank located in the driveway for the roof leaders. He added that the proposed garage will match aesthetically with the existing house. Chairman Fry asked if there will be a second floor in the garage. Mr. Alexander said there will not be a second floor but just rafters for storage. Vice Chairman Ruebenacker said the roof height would be 19'. It was stated that this is a residential zone and business operations are prohibited in a residential zone. Township Engineer DiGennaro asked about the height of the side walls and the foundation. Mr. Alexander stated that he will maintain and keep the same footprint. He will take the foundation down to a 2 foot high perimeter and add a silt plate on top of the foundation. Cultured stone will be installed around the garage and an eyebrow roof line will be added to keep the garage consistent with the main house. Mr. DiGennaro said the current plan does not show the eyebrow and Mr. Alexander agreed to add this to the existing drawings. Mr. DiGennaro also asked that the applicant dedicate the right of way on Ravine Avenue and Lafayette Avenue to the township. Mr. Alexander said this easement is being drafted.

OPEN TO THE PUBLIC  
No one appeared.  
CLOSED TO THE PUBLIC

Vice Chairman Ruebenacker made a motion to approve this application subject to the following conditions: the eyebrow roof line be drawn on the existing site plan and an easement be drafted to dedicate the right of way at Ravine Avenue and Lafayette Avenue to the Township of Wyckoff.

**CALABRESE, MICHAEL & ERIN** BLK 230 LOT 9 (RA-25), 615 Woodfield Rd. *(The applicant proposes to enlarge existing garage and add a bedroom over garage which will encroach into the side yard setback).*

Fred Klenk, 684 Rt. 208, Franklin Lakes, the applicant’s architect, was sworn. Mr. Klenk said the applicant would like to request a hardship and flexible variance in order to renovate and expand the existing structure resulting in triggering the enhanced side yard setback requirements.

Board Attorney Becker asked that the following exhibit be marked for identification:

A-1 Application package

Mr. Klenk asked to mark his exhibit:

A-2 Four (4) photos

Mr. Klenk said the applicant will widen the existing garage by 4’ towards the front yard and adding a second floor master bedroom which will increase the square footage of the house over 3700 square feet and trigger the enhanced side yard setback. He opined that this addition will not impact the neighboring homes.

Chairman Fry stated that the existing square footage of the property is a conforming lot. After renovation this will be a 5 bedroom home. The shed is on the property line and will remain. He said the right hand side of the home is not being touched and the proposed left side addition is non-conforming due to the enhanced side yard setback requirement. Mr. Klenk said a mudroom will be attached to the existing garage.

The Board members were concerned with the addition looking like a rectangular box without a dormer. They suggested that the second floor be setback for a more appealing look to the house. Mr. Klenk said the applicant agrees to set the second floor back. The plans will be amended and presented at next meeting along with an enhanced landscape plan.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

This meeting will be carried to the November 15, 2018 meeting. All revisions along with enhanced landscape plan will need to be submitted 10 day before the next scheduled meeting. The applicant will not need to renote the neighbors or the newspaper.

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There being no further business, a motion to adjourn the meeting was made and seconded and passed unanimously. The meeting concluded at 9:21 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary  
Wyckoff Board of Adjustment