

**WYCKOFF ZONING BOARD OF ADJUSTMENT  
AUGUST 15, 2019  
PUBLIC WORK SESSION 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 Meetings Statement by Chairman Carl Fry:

"The August 15, 2019 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.

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."

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 time."*

**Board Members in attendance:** Carl Fry, Chairman; Erik Ruebenacker, Vice Chairman; Board Members: Brian Tanis, Ed Kalpagian, Brian Hubert, Rosa Riotto, Mark Borst, and Kelly Conlon.

**Board Members absent:** Louis Cicerchia

**Staff present:** Harold Cook, Substitute Board Attorney and Maureen Mitchell, Board Secretary.

**OLD BUSINESS**

Approval of the July 18, 2019 Work Session and Public Business meeting minutes.

Vice Chairman Ruebenacker made a motion to approve the July 18, 2019 meeting minutes. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Mr. Borst, Ms. Riotto, Ms. Conlon, Vice Chairman Ruebenacker and Chairman Fry.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #19-08** Approval of vouchers for Engineering and Professional Services.

Board Member Hubbert made a motion to approve Resolution #19-08 for payment of vouchers. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Ms. Riotto, Mr. Kalpagian, Mr. Borst, Ms. Conlon,

Mr. Hubert, Vice Chairman Ruebenacker and Chairman Fry.

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

#### **RAPPAPORT HOMES LLC** 300 Cedar Hill Ave. BLK 352 LOT 1

The applicant proposes to construct a second story addition.

Board Member Tanis made a motion to approve the Resolution for 300 Cedar Hill Avenue. Second, Mr. Ruebenacker. Voting in favor: Ms. Conlon, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Ruebenacker and Chairman Fry. Mr. Borst abstained.

#### **73 HARDING ROAD LLC** 73 Harding Road BLK 263 LOT 56

The applicant proposes to renovate the existing home and add a second story.

Vice Chairman Ruebenacker made a motion to approve the Resolution for 73 Harding Road, LLC with the stipulation that the proposed screening arborvitae on the right and left sides of the house are to 6-8 feet in height instead of 3-4 feet in height as reflected on the revised landscape plan. Second, Mr. Kalpagian. Voting in favor: Ms. Conlon, Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

### **APPLICATIONS CARRIED**

#### **PAMA WOOD WORK** 374 Oakwood Dr. BLK 250 LOT 40

The applicant proposes to utilize the existing foundation to construct a new home.

**The applicant requested that the application be carried to the September 19, 2019 meeting.**

#### **CAMACHO, JOSE AND DONNA** BLK 353 LOT 7 (RA-25) 200 Hillside Avenue.

The applicant proposes to construct an addition to the existing family dwelling.

Chairman Fry provided a summary of the revised project proposal by citing Township Engineer DiGennaro's detailed review of the following submitted items:

- Property Survey prepared by Andrzej Namyslak, PLS dated 3/19/18.
- Plot plan prepared by Houser Engineering revised thru 7/24/19.
- Landscape plan prepared by Horizon Landscape dated 7/16/19.
- Architectural plans prepared by Cathy Benson, Architect revised thru 7/22/19.
- Photographs and application.

The existing single family dwelling is situated in the RA-25 zone and is non-conforming due to frontage, front yard and side yard setbacks and accessory structure lot coverage. The applicant is proposing to expand the structure requiring variances. The Board heard the application on May 16, 2019 and provided comments to the applicant. The following is a detailed summary of the revised project proposal:

The property frontage is 100' where 125' is required. The existing front yard setback is 35.2' where 40' is required and proposed. Existing side yard #1 is 39.8' where 25' is required and 25.4' is proposed. Existing side yard #2 is 3.6' and will remain unchanged. The proposed lot coverage, accessory lot coverage, impervious coverage and building height will all be conforming. There are 4 sheds on the property which are all nonconforming. The applicant is

proposing to remove 3 of the nonconforming sheds and to leave the shed which is closest to conforming at 14.5' where 15' is required. The applicant has received approvals to install a new 5 bedroom septic system. The application satisfies the Township's stormwater management requirements. Additional findings and recommendations:

- The survey indicates there are improvements encroaching into the public right of way which include a pond and retaining walls which should be discussed to formally establish ownership and responsibility.
- The applicant should connect the roof leader downspout at the southerly corner into the proposed 2x2 storm inlet to prevent runoff onto the adjacent property.
- The Belgium Block curbing should wrap the entire driveway to tie into the house corner to ensure runoff is contained and directed it into the stormwater management system and not onto adjacent property as it does currently.
- The existing PVC fence along the southerly property line encroaches onto the adjacent property by 1.4 feet. This is likely due to the non-conforming patio wall being constructed on the property line without the appropriate setback. Code requires walls to be setback from property lines 1 horizontal foot for each vertical foot of wall, with a maximum wall height of 4 feet.
- Resolution to clearly state that the home to be constructed shall be a single housekeeping unit.
- Testimony on roof lines not connecting.

The applicant's Professionals will provide testimony during the Public meeting.

### **NEW APPLICATIONS**

#### **DANIEL TUBB** 260 Wyckoff Avenue BLK 352 LOT 35.01

The applicant proposes to install a pool patio resulting in a 12' side yard setback where 20' is required.

Chairman Fry provided a summary of the project proposal as reported by Township Engineer DiGennaro upon his review of the submitted application, photos, site, grading and landscape plan prepared by Houser Engineering; revised thru 7/8/19.

The existing single family dwelling is situated in the RA-25 zone on a corner lot and is non-conforming by way of lot area, front yard setback and rear yard setback. The applicant has been issued a permit to construct an in-ground swimming pool variance free. However, the applicant is now seeking to expand the surrounding pool patio into the rear yard setback requiring a variance. The accessory structure is required to be 20' from the rear property line however the proposed pool patio will create a 12' rear yard setback. The applicant will provide testimony during the Public meeting.

#### **GAF CONSTRUCTION, LLC** 770 Birchwood Drive BLK 430 LOT 4

The applicant proposes to construct a new single family home on a nonconforming lot.

Chairman Fry provided a summary of the proposed project as reported by Township Engineer DiGennaro upon his review of the following submitted items:

- Site Plan prepared by Rigg Associates dated 5/17/19.
- Architectural Plan prepared by Evans Architects, last revised 6/1/19.

- Landscape plan prepared by Larchstudio dated 5/23/19.
- Application and Photos

The existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area and frontage. The applicant is proposing demolish the existing structure and reconstruct a new dwelling on the property requiring relief for bulk deficiencies. In addition, the applicant seeks a soil moving approval to regrade the property resulting in an excess of 100 CY of soil being distributed on the property. The proposed new dwelling will be conforming however there are existing deficiencies in lot size which is 22, 595 SF where 25,000 SF is required and frontage of 112.98' where 125' is required. The property is served by sanitary sewer and the stormwater management design satisfies the Township Requirements.

Additional comments:

- Regrading of the property resulting in the placement of soil in excess of 100 CY.
- The existing retaining wall along the easterly property line encroach the required setback and is in failing condition. The plan must address how these walls will be addressed to conform. 186-29A-2b.
- An approximate 28" oak exists and is not shown on the site plan and will likely require removal.
- There exist dead trees along the rear line and one leaning into the property which are not shown on the site plan to be removed. How will these trees be addressed? All wall and fence encroachments on the property should be corrected.
- The property lines must be staked and maintained prior to, and during construction.

The Board Members discussed numerous items that will need to be addressed during the Public meeting including drainage issues, retaining walls and tree removal. The applicant will provide testimony during the Public meeting.

There being no further business, a motion was made to close the Work Session and the vote was passed unanimously. The Work Session was adjourned at 8:07 p.m.

Respectfully Submitted,

Maureen Mitchell, Secretary  
Wyckoff Board of Adjustment