

**WYCKOFF ZONING BOARD OF ADJUSTMENT
MAY 16, 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 May 16, 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"*

"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.

Staff present: David Becker, Board Attorney, Mark DiGennaro, Township Engineer; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the April 18, 2019 work session and public business meeting minutes.
Board Member Hubert made a motion to approve the April 18, 2019 meeting minutes. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Mr. Borst, Ms. Riotto, Mr. Ruebenacker and Chairman Fry.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #19-05 Approval of vouchers for Engineering and Professional Services.
Vice Chairman Ruebenacker made a motion to approve Resolution #19-05 for payment of

vouchers. Second, Mr. Borst. Voting in favor: Mr. Tanis, Ms. Riotto, Mr. Hubert, Mr. Kalpagian, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

RESOLUTION(S) TO BE MEMORIALIZED

CORDOVA, JOSE BLK 425 LOT 28.01 405 SICOMAC AVENUE. The applicant proposes to add a second story to the existing one story home. Approved.

UFFERFILGE, TED & BONNIE BLK 281 LOT 1 (RA-25) 558 Taunton Rd.
The applicant proposes to construct a Pool House addition onto the rear of the existing home. Approved.

COHEN, DAVID & LAUREN BLK 421 LOT 40 (RA-25) 783 Charnwood Drive
The applicant proposes to construct a master bedroom above the garage and construct an enclosed vestibule on the front of the house where an open porch exists. Approved.

The Cordova application for 405 Sicomac Avenue was approved on April 18, 2019 with the stipulation that a revised landscape be submitted to The Board for review. Chairman Fry stated that the revised landscape plan was submitted and found to be sufficient therefore the Resolution will be memorialized.

The Cohen application for 783 Charnwood was approved at the April 18, 2019 meeting with the stipulation that a revised, more substantial landscape plan be submitted to The Board for review. Chairman Fry stated that he has concerns with the revised landscape plan as it does not identify what needs to be identified. Mr. Borst stated that there appears to be a 10 to 15 foot area across the front of the house that does not show any plantings and there is no scale on the plan which is a necessity. Chairman Fry stated that more clarification is needed. That being said, he announced that the Resolution would not be memorialized at this time pending a revised landscape plan. The applicant, if present, may provide comments during the Public Session Meeting.

Mr. Borst made a motion to memorialize the Resolutions for the Cordova application and the Ufferfilge application. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Hubert, Ms. Riotto, Mr. Borst, Mr. Kalpagian, Mr. Ruebenacker and Chairman Fry.

APPLICATION CARRIED

FILA, GREG & DANIELLE BLK 291 LOT 10 (RA-25) 317 West Stevens Avenue
The applicant proposes to construct a 2 story addition/alteration to existing residence.

Chairman Fry stated that the application was carried from the April meeting due to the fact that the Architect was not present at that meeting to provide clarification of the plans. Board Attorney Becker stated that the applicant did not submit revised plans however the Architect will provide testimony during the Public Meeting.

NEW APPLICATIONS

ULMER, KEVIN AND CHRISTINA BLK 315 LOT 2 (RA-25) 392 Frances Place.

The applicant proposes to construct a one story addition onto the rear of the existing one story home.

Township Engineer DiGennaro provided the following detailed summary of the application: The existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area, frontage, front yard setback and side yard setbacks. The applicant is proposing to expand the existing structure requiring variance relief. The lot size is 15,751 square feet where 25,000 is required. Lot frontage is 110' where 125' is required. The existing front yard setback is 35.7' where 40' is required and this will remain unchanged. The existing side yard #1 setback is 13.2' and the applicant is proposing 41'. The existing side yard #2 is 13.9' where 30' is proposed. The required setback for each side yard is 20'. With regard to lot coverage, the maximum permitted principal building coverage is 15% where 13.7% exists and the applicant is proposing 15.6%. Any approval must be conditioned upon the installation of a new 3 BR septic system which must be designed and approved prior to release of any building permits. Stormwater management is not required per our Code. The applicant will provide testimony during the Public Session.

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.

Mr. DiGennaro gave the following detailed summary of the 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. There is an existing frontage of 100' where 125' is required. The existing setback for side yard #1 is 39.8' with 25.4' proposed. Side yard #2 has a setback of 23.6' which will remain unchanged. The existing accessory lot coverage is 5.7% where the maximum permitted is 5% and the applicant is proposing 6.4%. The applicant has received approvals to install a new 5 Bedroom septic system. The application satisfies the Township's storm water management requirements. 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. Mr. DiGennaro stated that typically in cases such as this we get a letter of acknowledgement stating that the maintenance and upkeep of any structures built in the right of way is the responsibility of the property owner. He also said that there have only been 2 permits pulled for sheds and there are 4 sheds on the property; all of which are non-conforming. There was also a fence permit issued in 2015 and as you can see on the survey, the fence seems to be encroaching onto the neighbor's property. It appears that when the fence was installed they deviated from the plan which depicted where the fence was supposed to be placed. There is a 4' high wall surrounding the patio which sits right on the property line when the wall should be 4' from the property line. Vice Chairman Ruebenacker suggested that the applicants and their professional representatives should consider the non-conforming structures that we just discussed and be prepared to explain to The Board how they came to be and how they plan to rectify the situation. Mr. Borst stated that he did not understand the plans for the addition when he reviewed them.

Mr. Ruebenacker agreed that the plans are very confusing especially with regard to the 5 or 6 different roof lines.

Chairman Fry stated that there is a lot going on with this application and we will hear testimony regarding these matters as well as the proposed addition during the Public Session.

BROWN, WILLIAM & DEBRA BLK 178 LOT 6 (B1-A) 241 Madison Avenue.

The applicant proposes to construct a 144 square foot addition to the second floor residence to permit a new bathroom and laundry area.

Township Engineer DiGennaro gave the following detailed summary:

The existing building is located in the B-1A zone, triangle business district, and is non-conforming due to frontage, front yard and side yard setbacks. The applicant is proposing to expand the second floor above the existing first floor to create a bathroom and laundry room in the second floor apartment. The existing frontage of the property is 50' where 60' is required. The front yard setback is 14' and will remain unchanged. The existing setback of side yard #1 is 18.8' and will remain. The existing setback of side yard #2 is 2.2' while the proposed second floor addition will have a setback of 5.2'.

Chairman Fry said that this is a seemingly simple proposal of a single story bump out on the second story in the back of the building. Mr. Hubert would like to know if the large tree on that side of the building will be impacted by the construction. The applicant will provide testimony during the Public Session.

SINOCCHI, ANTHONY & SALLY BLK 498 LOT 82 (R-15) 485 Baxter Ave.

The applicant proposes to construct a 2 story addition on the rear of the existing home resulting in a gross building area greater than 2700 square feet triggering the enhanced side yard setback.

Mr. DiGennaro gave the following detailed summary of the application:

The existing single family dwelling is located in the R-15 zone and is non-conforming due to deficiencies in frontage, front yard setback and accessory structure lot coverage. The applicant is proposing to expand and renovate the existing structure by requiring variances for enhanced side yard setbacks. The existing frontage is 86.07' where 100' is required. The existing side yard #1 setback is 17.7' and side yard #2 is 15.8' where 20' is required on each side. The side yard setbacks will remain unchanged. The proposed combined lot coverage is 16.44% where 20% is the maximum permitted. This application does not qualify for a Stormwater Management Plan review. The site is served by municipal sanitary sewer.

Chairman Fry stated that there are some issues with the shape of the property which is a pie shape. This creates a hardship because the property is very narrow in the back.

The applicant will provide testimony during the Public Session.

RUEBENACKER, ERIK & KATE BLK 338 LOT 7 (RA-25) 539 Chestnut Street.
The applicant proposes to expand the first and second story living space.

Mr. Ruebenacker announced that he will be recusing himself and will step down from the dais during the public Session.

Township Engineer DiGennaro provided the following summary of the proposal:

The existing single family dwelling is situated in the RA-25 zone and is conforming. The applicant is proposing to expand the structure triggering the enhanced side yard setback. The house is conforming in lot size, frontage, depth, front yard setback, rear yard setback, accessory structure setbacks, combined lot coverage, height and impervious coverage. The enhanced side yard setback is triggered by the expansion of the structure where 25' is now required and 20.8' exists and will remain unchanged.

Chairman Fry stated that it appears that the addition will be constructed outside of the side yard setback and the existing structure will remain at 20.8' to which the applicant will provide testimony during the Public Session.

There being no further business, a motion was made by Board Member Hubert to adjourn the Work Session Meeting and the vote was passed unanimously.
The Work Session was adjourned at 8:20 p.m.

Respectfully Submitted,

Maureen Mitchell, Secretary
Wyckoff Board of Adjustment