

**WYCKOFF ZONING BOARD OF ADJUSTMENT  
JANUARY 16, 2020  
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 Board Secretary Maureen Mitchell:

"The January 16, 2020 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."

Ms. Mitchell 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."*

Roll call was taken.

**ORGANIZATIONAL BUSINESS/MOTIONS**

1. Oaths of Office to be administered to the new and continuing members, where applicable.  
The Oath of Office was administered to new Board Member Kimberly Evans. The Oath was administered to new Board Member Timothy Shanley during the January 1, 2020 Reorganization Meeting.
2. Roll call of Zoning Board Members  
Board Members in attendance: Carl Fry, Erik Ruebenacker, Mark Borst, Brian Tanis, Ed Kalpagian, Rosa Riotto, Kelly Conlon and Kimberly Evans.  
Board Members absent: Brian Hubert  
Staff in attendance: David Becker, Mark DiGennaro, Township Engineer; and Maureen Mitchell.

3. Election of Officers: Chairman and Vice Chairman  
Mr. Borst made a motion to nominate Carl Fry as Chairman of the Zoning Board of Adjustment for the year 2020. Second, Mr. Ruebenacker. Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Mr. Borst, Ms. Conlon, Ms. Evans and Mr. Ruebenacker.

Mr. Ruebenacker made a motion to nominate Mark Borst as Vice Chairman for the year 2020. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Ms. Conlon, Ms. Evans, Mr. Ruebenacker and Chairman Fry.

4. Resolution #20-001 for: Appointment of Zoning Board Attorney  
Mr. Tanis made a motion to appoint Eric David Becker Esq. as the Zoning Board of Adjustment Attorney for the year 2020. Second, Mr. Ruebenacker, Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Mr. Borst, Ms. Conlon, Ms. Evans, Mr. Ruebenacker and Chairman Fry.

5. Appointment of Board Secretary  
Ms. Riotto made a motion to re-appoint Maureen Mitchell as the Secretary to the Zoning Board of Adjustment. Second, Ms. Conlon. Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Ms. Conlon, Ms. Evans, Mr. Ruebenacker, Mr. Borst and Chairman Fry.

6. Compliance with Open Public Meetings Act:
  - 6.1- Annual Notice of Meetings Has Been Posted
  - 6.2- Continuation of Current Rules and Regulations
  - 6.3- Official Newspapers – The Record, The Ridgewood News and The North Jersey Herald and News
  - 6.4- Acceptance of Annual Report

Mr. Kalpagian made a motion to accept and approve Compliance with the Open Public Meetings Act 6.1 – 6.4. Second, Mr. Ruebenacker. Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Ms. Conlon, Ms. Evans, Mr. Ruebenacker, Mr. Borst and Chairman Fry.

### **OLD BUSINESS**

Approval of the December 19, 2019 work session and public business meeting minutes. Mr. Borst made a motion to approve the December 19, 2019 work session and public meeting minutes. Second, Ms. Riotto. Voting in favor: Ms. Conlon, Mr. Tanis, Mr. Kalpagian, Mr. Borst, Ms. Riotto, Mr. Ruebenacker and Chairman Fry. Ms. Evans abstained.

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

**RESOLUTION #20-01** Approval of vouchers for Engineering and Professional Services. Mr. Tanis made a motion to approve the Resolutions for Payment #20-01. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Ms. Conlon, Ms. Evans, Mr. Ruebenacker, Mr. Borst and Chairman Fry.

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

#### **MOSERA, ROBERT 241 Eastview Terrace BLK 393 LOT 6**

(The applicant proposes to expand the first and second stories of the existing home. He is also proposing to construct a new 2 car detached garage in the rear yard 10' from the side yard

property line and 12.5' from the rear property line. The lot is nonconforming in area, width and depth.)

**WYCKOFF BARBER SHOP, LLC 637 Wyckoff Ave. BLK 235 LOT 3**

(The applicant is requesting a parking variance to permit a Barber Shop at this location.)

**377 DOROTHY LANE, LLC 377 Dorothy Lane BLK 285 LOT 16**

(The applicant (Turner Group) proposes to construct a second story addition to the one-story home. The lot is nonconforming in area, frontage and both side yard setbacks.)

Vice Chairman Borst made a motion to approve the three (3) Resolutions. Second, Mr. Ruebenacker. Voting in favor: Mr. Tanis, Mr. Kalpagian, Ms. Riotto, Ms. Conlon, Mr. Ruebenacker, Mr. Borst and Chairman Fry. Ms. Evans abstained.

**APPLICATION WITHDRAWN**

**PERGOLIZZI, JOHN 316 Calvin Court BLK 349 LOT 48**

(The applicant proposes to move his A/C units from the rear yard to the side yard.)

The applicant sent a letter to The Board stating that he is withdrawing his application.

**APPLICATION CARRIED**

**HALILI, SEMRA 11 Madison Heights BLK 334 LOT 2**

(The applicant proposes to expand the first floor and add a second story. The lot is nonconforming in area, frontage, depth, both front yard setbacks (corner lot) and side yard setback.)

Chairman Fry commented that there was no revised section J included with the revised plan that was submitted. Ms. Halili, the applicant, stated that she brought a copy of the section J to the meeting however it is the same as the section J that was previously submitted. Mr. Fry said that there were changes to the plans therefore the section J must need to be revised. The following comments were made by the Board Members during the Work Session discussion regarding the section J and the revised plan:

The lot coverage has increased from 12.5% to 13.5% as a result of adding the covered front porch.

According to the legend on the revised plan, the maximum coverage has increased to 18.03% where it was previously proposed at 16.76%. The section J still has it listed as 16.76%. The section J does not reflect an increase in gross building coverage. We will need clarification on the gross building area calculations.

Combined lot coverage, principle and accessory building, is listed on the revised plan legend as 22.96% where before it was 21.7% and is still listed on the section J as 21.7% so this is incorrect and will have to be clarified.

Front yard #1 setback is no longer 5.10' since the proposed front steps and entryway have been moved to front yard #2 on Elmwood Place. The legend on the revised plan still lists the front yard setback as 5.10' which is incorrect.

Front yard #2 remains unchanged at 29' and rear yard remains unchanged at the proposed 42.9'. The side yard setback is proposed at 12.4' to the second story addition and 9.40' to the first floor which is existing and will remain unchanged.

At the December 19, 2019 meeting, the applicant was asked to try to get below 2,700 sf to eliminate one of the variances. The gross building area was previously proposed at 2,840 sf and still shows 2,840 sf on the revised plan. We will need clarification on that since a covered front porch has been added to the revised plan.

Principal building area was previously proposed at 1,257 sf and is still listed as 1,257 sf although a covered front porch is now proposed. We will need clarification on this.

Accessory structure (garage) is proposed at 370 sf and will remain unchanged.

Impervious coverage, based on the revised plan, most likely has increased however it is unchanged on the section J. We will need clarification on this.

At the December 19, 2019 meeting, the applicant was asked to specify on the plans what materials would be used on the garage and this is not reflected on the revised plan.

At the December 19, 2019 meeting the Board requested that a more robust landscape plan be submitted. The applicant did submit a landscape plan however the plantings are not labeled, and the legend does not list quantities or sizes of the proposed plantings.

A/C units with screening are not identified on the plan as requested by the Board at the December 19, 2019 meeting.

The applicant and her professional will be asked to address these issues during the Public meeting.

### **NEW APPLICATION**

**ACOSTA, DANIELLE & RICH** 112 Hilltop Lane BLK 497 LOT 49

(The applicant proposes to construct a deck on the rear of the home into the rear yard setback requiring variance relief.)

Chairman Fry provided a summary of the application by citing Township DiGennaro's report as follows:

The existing single-family dwelling is situated in the MF/AH-5 zone and is nonconforming due to frontage and side yard setback. The applicant is proposing to construct a deck requiring variance relief to the rear yard. The existing frontage is 66' where 75' is required and the existing side yard setback #2 to the principal structure is 13.5' however the setback to the proposed deck will be 35'. The existing rear yard setback is conforming at 25.1' and the proposed setback to the new deck is 14.4'.

Mr. Borst stated that due to the close proximity of the neighbor in the rear, he was surprised that a landscape plan was not submitted, and that the applicant submitted a letter stating that a landscape plan is not needed for this proposal.

Chairman Fry stated that the applicant will provide testimony during the Public meeting.

There being no further business, a motion was made to adjourn the Work Session, seconded and passed unanimously. The meeting adjourned at 8:20 pm.

Respectfully Submitted,  
Maureen Mitchell, Secretary  
Wyckoff Board of Adjustment