

**WYCKOFF ZONING BOARD OF ADJUSTMENT  
FEBRUARY 20, 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 Chairman Fry:

"The February 20, 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."

Mr. 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."*

Roll call was taken.

Board Members in attendance: Carl Fry, Chairman; Mark Borst, Vice Chairman; Erik Ruebenacker, Brian Tanis, Ed Kalpagian and Kimberly Evans.

Board Members absent: Brian Hubert, Rosa Riotto and Kelly Conlon.

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

**OLD BUSINESS**

Approval of the January 16, 2020 work session and public business meeting minutes.

Mr. Ruebenacker made a motion to approve the January 16, 2020 work session and public meeting minutes. Second, Mr. Kalpagian. Voting in favor: Ms. Evans, Mr. Tanis, Mr. Kalpagian, Mr. Ruebenacker, Mr. Borst, and Chairman Fry.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #20-02** Approval of vouchers for Engineering and Professional Services.

Vice Chairman Borst made a motion to approve the Resolutions for Payment #20-02. Second, Mr. Tanis. Voting in favor: Ms. Evans, Mr. Tanis, Mr. Kalpagian, Mr. Ruebenacker, Mr. Borst and Chairman Fry.

### **APPLICATION WITHDRAWN**

#### **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.)

The applicant submitted a letter stating that she is withdrawing her 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 and side yard setback.)

Township Engineer DiGennaro stated that the applicant submitted revised plans with a revision date of February 11, 2020. He said that the revised plans show that the applicant has redesigned the front porch, keeping the existing front yard setback at 14.10'. The existing side yard setback is 9.1' and the proposed side yard setback to the new second story addition will be 12.4'. The proposed gross building area has been reduced to 2,700 SF and the principal building footprint has increased to 1,334 SF as a result of the redesigned front porch. The proposed principal building lot coverage has increased to 17.79% where 15% is the maximum allowed and the existing accessory structure lot coverage of 4.93% will remain resulting in a combined lot coverage of 22.72% where 20% is allowed. The A/C units are now shown on the revised plans in the proposed location in the left rear of the dwelling and the plans reflect that the siding on the garage will match the new siding on the house.

Chairman Fry stated that the applicant made some compromises to attain the gross building area of 2,700 SF, which the Board had strongly recommended at the last meeting. Doing so eliminated the need for one of the requested variances. The applicant's professional will provide testimony during the Public Business meeting.

### **NEW APPLICATION**

#### **HAN, JUDY & ABRAHAM 51 Midland Avenue BLK 265 LOT 117**

(The applicant proposes to install an inground pool and pool patio resulting in a 5' side yard setback where 15' is required)

Mr. DiGennaro provided the following summary of the application:

The existing single-family home is located in the RA-25 zone and is non-conforming due to frontage and side yard setback for which a variance was granted on 2007 to construct the home. The current owners desire to install an inground pool and pool patio requiring variance relief for the proposed patio side yard setback of 5' where 15' is required.

Chairman Fry stated that the proposed pool will be conforming at 15' however the proposed 10' wide patio will result in a 5' side yard setback. He commented that this is a very large lot of 41,957 SF where a minimum of 25,000 SF is required in the zone. He added that while the lot is non-conforming in width at 82.13', the pool could be shifted a few feet and it would

be zoning conforming. That considered, it will be a challenge for the Board to review and approve an application that can be zoning conforming. The Board Members agreed. The applicant will provide testimony as to the hardship during the Public Business meeting.

There being no further business, a motion was made to adjourn the Work Session, seconded and passed unanimously. The meeting adjourned at 7:55 p.m.

Respectfully Submitted,  
Maureen Mitchell, Secretary  
Wyckoff Board of Adjustment