

**WYCKOFF BOARD OF ADJUSTMENT
AUGUST 18, 2016 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 Erik Ruebenacker, Chairman:

"The August 18, 2016 Public Business Meeting 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.

Board Member Attendance: Erik Ruebenacker, Chairman; Carl Fry, Vice Chairman; Susan Yudin; Tim Shanley; Brian Hubert; Ed Kalpagian; Brian Tanis, Alt.; Rich DeLeo, Alt.

Board Member Absent: Mark Borst

Staff Present: David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Susan McQuaid, Secretary.

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

Chair Ruebenacker 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.

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Chair Ruebenacker 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"*

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OLD BUSINESS

APPROVAL OF MINUTES

July 21, 2016 work session/public business meeting
The minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #16-08- Approval of vouchers from various escrow accounts.
Resolution #16-08 was approved at the work session meeting.

RESOLUTION(S) TO BE MEMORIALIZED

SEIFERT, THOMAS & ROSEMARY BLK 255 LOT 12 (RA-25); 288 Morse Avenue. *(The applicant proposes to construct a new 2 car garage which will encroach into the rear and side yard setback for an accessory structure and exceed total accessory structure).*

DiMARTINO, RICHARD & BLACKMER, LAURA BLK 208.01 LOT 19 (RA-25 CORNER); 282 Sycamore Court. *(The applicant would like to construct a one story addition for the master bedroom).*

TEN KATE, PETER & BEVERLY BLK 256 lot 4 (RA-25); 268 Monroe Avenue. *(The applicant proposes to replace an undersized 87 year old deteriorated garage with a new garage which will exceed the minimum side yard setback for an accessory structure for side and rear yard setback and for maximum permitted lot coverage of principle and accessory buildings and maximum impervious coverage).*

The above referenced resolutions were memorialized at the work session meeting.

APPLICATION(S) - WITHDRAWN

PESCE, JAMES & MARY BETH BLK 312 LOT 5 (RA-25); 460 Carlton Road. *(The applicant is proposing to install a 10' x 12' shed which exceeds the allowable size requiring a variance).*

POLISE, JOSEPH & ALEXIS BLK 377 LOT 30 (RA-25) 541 Richard Place. *(The applicant proposes to install an in-ground pool and patio entertainment area which will exceed the impervious coverage).*

APPLICATION(S) – CARRIED

AMODEO, JOHN BLK 506 LOT 17 (R-15) 537 Franklin Terrace. *(The applicant proposes to construct a 2 story frame dwelling using the existing foundation with a new 2 car garage).*

Board Members Tanis, Kalpagian and Hubert said they have listened to the tape of the July 21, 2016 meeting at which they were absent. They are now eligible to vote on this application.

Board Attorney Becker reminded Mr. Amodeo that he was sworn at the last meeting and remains under oath. He then asked that the revised landscape plan be marked as identification. A-2 Landscaping plan with the revision date of 8/8/16

John Amodeo, contract purchaser of the property was present. Mr. Amodeo said he had submitted revised plans that show a buffer of the left side of the property. He said 9 staggered arborvitae will be planted along the left side of the house 7' to 8' in height.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC'

Board Member Yudin made a motion to approve this application as presented with the revised landscape plan. Second, Board Member Shanley. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr.

Shanley, Mr. Kalpagian, Mr. Hubert, Ms. Yudin and Vice Chair Fry.

DOMINGUES, STEVEN & MEREDITH BLK 352 LOT 5 (RA-25); 287 Newton Road. *(The applicant proposes to construct a new single family residential home on this vacant pre-existing non-conforming lot).*

Board Members Tanis, Kalpagian and Hubert said they have listened to the tape of the July 21, 2016 meeting at which they were absent. They are now eligible to vote on this application.

Ben Cascio, Esq., on behalf of the applicant Stephen & Meredith Domingues, was present. Bob Weissman, the applicant's engineer and the applicant's Steven & Meredith Domingues were present and were reminded by Board Attorney Becker that they were sworn at the last meeting and remain under oath. Board Attorney Becker asked that the revised plan be marked as identification at the time.

A-2 Engineering plan with a revision date of 7/22/16

Mr. Weissman said the applicant has moved the proposed house 12' from the right side of the property line which created a 16.4' side yard setback on the left side of the house thus creating an additional variance. The air conditioning units have been located along the driveway and the height of the house has been reduced by 1.3' for a total height of 32.6'. He added that 22 green giant arborvitae will be planted along the right side of the property line to the front plane of the house. Chair Ruebenacker noted that the utilities will be placed underground. Mr. Weissman said the utilities will be placed underground.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Shanley made a motion to approve this application as presented with revisions. Second, Board Member Hubert. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Ms. Yudin and Vice Chair Fry.

APPLICATION(S) – NEW

ROGOVICH, CHRISTOPHER BLK 250 LOT 46 (RA-25); 381 Oakwood Drive. *(The applicant proposes to expand the existing deck which will exceed lot coverage).*

Mr. Chris Rogovich, 381 Oakwood Drive, Wyckoff, NJ was sworn. He said that he was before the Board in 2009 to expand the kitchen but did not go forward with the proposed renovations. He said he is seeking approval this evening to expand the rear deck with a pergola. Chair Ruebenacker asked if the proposed pergola is the same design as the pergola in the front yard. Mr. Rogovich said the pergola is the same style as the pergola in the front yard. Board Member Shanley asked if the 2009 kitchen renovation plans have been abandoned. Mr. Rogovich agreed to this statement. Chair Ruebenacker said the landscape plan is adequate and the rear yard is heavily screened and wooded along the neighboring property lines. Chair Ruebenacker said the front yard pergola is an aesthetically pleasing and adds approximately 400 square feet to the accessory structure and if this pergola was removed the accessory structure would be reduced to 5.9%. This application stands on its own merits with a nice addition for the applicant.

OPEN TO THE PUBLIC

No one appeared

CLOSED TO THE PUBLIC

Board Member Hubert made a motion to approve this application as presented with the pergola and the abandonment of the 2009 kitchen variance approval. Second, Board Member Kalpagian. Voting in favor: Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Fry and Chair Ruebenacker.

FINE, PAUL/HAYWARD, ELIZABETH BLK 319 LOT 1 (RA-25 CORNER); 9 Neelen Drive.
(The applicant proposes to construct a second floor addition which will encroach into the front yard setback on this corner lot).

Paul Fine and Elizabeth Hayward, the owner and applicant's, were sworn. The applicant's architect, Fred Klenk, 684 route 208, Franklin Lakes, NJ was also sworn. Mr. Fine stated that he and Elizabeth are both Wyckoff residents and have found a property to merge our families into this location. He said he would like to add a vertical addition to the second floor of the existing home which already is encroaching into the front yard setbacks on this corner lot. Board Attorney Becker asked that the following exhibits we marked for identification:

A-1 Site Plan

A-2 Architectural Plans

Mr. Fred Klenk said the site plan indicates that the existing house is a split level from front to back. He added that this addition will not create any new variances. He said the existing house encroaches into the Neelen Drive front yard setback by 3.5'. The house will be extended in the front with the extension of a covered porch. Also a second floor will be added over the existing living room area and the house will be extended towards the rear. He said there is no information available on the existing pool but the pool will not be modified. Board Member Hubert questioned the basement activity. Mr. Klenk said there will be a sliding door to the outside. Township Engineer DiGennaro said this rear yard addition is not considered a 3 story addition. Board Member Shanley noted that from the garage there are steps leading to the basement. Vice Chair Fry asked what is the purpose of extending the roof line. Mr. Klenk said the garage level to the height of the house is 30'. He added the roof lines are drawn this way because the house is a split level house and there is a gable on the left side of the house to keep the roof line parallel. Vice Chair Fry asked if this is a 4 bedroom house. Mr. Fine said the 4 bedrooms will remain on the existing septic. Vice Chair Fry liked the design of the house. Chair Ruebenacker said the landscape and grandscape plan is more than satisfactory as submitted and noted that one cedar tree and one small crab apple tree will be removed from the front of the house.

OPEN TO THE PUBLIC

Cynthia Hebner, 133 Van Houten Avenue, Wyckoff, NJ was sworn. She said she lives across the street from the applicant and does not want to see the house any higher. Mr. Klenk said the house will remain a 2 story house and will not encroach any further into the Van Houten Avenue front yard. Ms. Hebner said she has no other objections.

CLOSED TO THE PUBLIC

Vice Chair Fry confirmed with the Board that structurally the applicant is just going up across the front of the house and expanding on the original footprint of the house. Mr. Klenk said the

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footprint of the house is increasing due to the addition to the rear of the house. He added that the architectural show the modification of the roofline due to the interior modifications.

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

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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 8:58 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment