

**WYCKOFF BOARD OF ADJUSTMENT
FEBRUARY 19, 2015 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 Carl Fry, Vice Chairman:

"The February 19, 2015 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: Carl Fry, Vice Chairman; Mark Borst; Susan Yudin; Brian Hubert; John Carolan; Ed Kalpagian, Alt.; Brian Tanis, Alt.

Board Member(s) Absent: Erik Ruebenacker, Chairman

Staff Present: John A. Spizziri, Sr. Esq., Board Attorney; Mark DiGennaro, Township Engineer; Susan Schilstra, Board Secretary.

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

Acting Chairman Fry stated that all phones, pagers, PDAs, etc. should be turned off or switched to vibrate in order to avoid interrupting the public session.

* * *

Board Attorney Spizziri said that during the recess the attorney for the Schwartz application, Mr. DelVecchio, has asked that their application be carried until the next meeting. The Board unanimously agreed to carry this application until the March 19, 2015 meeting. The applicant will not need to renotice the neighbors.

SCHWARTZ, PETER & DINA BLK 217 LOT 7 (RA-25); 88 Logan Lane. *(The applicant proposes to construct an in-ground pool, patio, spa and pool equipment which will result in an impervious coverage of 34.85% where 28.5% is allowed).*

The Schwartz application has been postponed at the request of the applicant and carried to the March 19, 2015 public hearing meeting.

* * *

OLD BUSINESS

APPROVAL OF MINUTES

January 15, 2015 work session/public business meeting
The minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #15-02- Approval of vouchers from various escrow accounts.
Resolution #15-02 was not voted upon due to lack of vouchers.

APPLICATION(S) - CONTINUED

OMLAND, ANDREW & KIERSTEN BLK 332 LOT 6 (R-15); 22 Madison Heights. *(The applicant proposes to expand the footprint of the existing home and add a second level which will trigger the enhanced side yard setback requirement of 20 feet requiring a variance application).*

This application has been carried until the March 19, 2015 public hearing meeting at the request of the applicant.

CHRISTIAN HEALTH CARE CENTER (CHCC) BLK 443 LOTS 49.03, 52.01 & 51; 301 Sicomac Avenue; Amended site plan/Variance/Use Variance. *(The applicant proposes to amend the previous variance and site plan resolution adopted by the Board of Adjustment on May 13, 2013. The application amends the prior approval to provide for a reduction of building coverage in; 1) Wyckoff from 126,587 sf to 118,132 sf for a net change of minus 8,455 sf; 2) a reduction of impervious surface in Wyckoff of 11,672 sf; 3) a reduction in building coverage in Hawthorne from 26,502 sf to 25,935 sf for a reduction of 567 sf, and 4) a total reduction of impervious surface in Hawthorne of 1,221 sf. The total reduction in both municipalities of building coverage is 9,023 sf and the reduction in impervious area is 10,452 sf. The total number of units previously approved at 199 remains unchanged with some redistribution of 1 & 2 bedroom units. The applicant is also seeking an adjustment of the construction materials required in the Wyckoff resolution of approval).*

This application has been scheduled for a special meeting on Monday, March 2, 2015 at 7:30 p.m.

HANNOUSH, PETER & GRETCHEN BLK 400 LOT 13 (RA-25); 516 Sicomac Avenue. *(The applicant proposes to occupy the existing home while a new home is being constructed. This new construction will trigger the enhanced side yard setback requirement of 25 feet requiring a variance application).*

Peter Hannoush and Gabriel Hannoush were reminded by Board Attorney Spizziri that they are still under oath.

Mr. Peter Hannoush, the applicant, said that the initial side yard setback variance has been removed. The only variance requested now is for the construction for the new home while the applicant lives in the existing home. He added that the new home will take approximately one year to construct and the existing home will then be demolished.

Acting Chairman Fry said that a performance bond will be required to guarantee the demolition of the existing home.

Board Attorney Spizziri said that a developer's agreement may need to be drafted and this request will be stated in the Resolution.

Board Member Borst noted that the front yard setback of the proposed house will be lined up with the rear of the neighbor's house. He also said a new landscaping plan will need to be submitted.

Acting Chairman Fry noted there is a circulating rock waterfall with night lights.

Township Engineer DiGennaro said this item will be removed from the site plan since it encroaches into the side yard setback. He added that no variance is needed for the pool because it already exists.

Board Member Carolan said he was concerned with the construction time line and when the existing home will be demolished.

Township Engineer DiGennaro said the 18 month time line starts the day the building permit is issued to the demolition of the house. He added that the temporary certificate of occupancy (TCO) will be good for 90 days during which furniture can be moved into the new house.

Board Member Tanis reiterated that a detailed landscaping plan will need to be submitted.

Township Engineer DiGennaro said he will review the landscaping plan with Board Member Borst.

Board Member Borst reiterated that the stone wall by the garage will be removed.

Mr. Hannoush said the stone wall will be removed and shrubs will be planted in this location.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Borst made a motion to approve this application as per revised plans dated 2/18/15 subject to the following conditions: a revised landscape plan will be submitted to be reviewed by Township Engineer DiGennaro and Board Member Borst; a performance bond in amount of \$25,000 cash bond will be secured and a developer's agreement will be drafted indicating the applicant has an 18 month timeline from the day the building permits are issued to the demolition of the existing home. Second, Board Member Kalpagian. Voting in favor: Mr. Kalpagian, Mr. Hubert, Mr. Tanis, Mr. Carolan, Ms. Yudin Mr. Borst and Acting Chairman Fry.

BARROS, NORMA BLK 266 LOT 20 (R-15); 198 Godwin Avenue. *(The applicant proposes to install an in-ground pool which will exceed lot coverage).*

Jose Cotty, 198 Godwin Avenue, Wyckoff, NJ was sworn.

Mr. Cotty said that they were able to reduce the impervious coverage and the variance being requested is for total accessory coverage of 10.14% where 5% is required.

Township Engineer DiGennaro said previously the pool coping was not included in the total accessory coverage.

Board Member Yudin said the applicant is under the percentage in maximum combined coverage.

Acting Chairman Fry said the applicant was able to relocate the gazebo to within 10' of the accessory structure setback of 10'; the pool remained at the same size and the pavers were eliminated from around the pool which reduced the impervious coverage.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TOT HE PUBLIC

Board Member Hubert made a motion to approve this application as presented. Second, Board Member Carolan. Voting in favor: Mr. Kalpagian, Mr. Hubert, Mr. Tanis, Mr. Carolan, Ms. Yudin Mr. Borst and Acting Chairman Fry.

APPLICATION(S) – NEW

DeSILVA, MICHAEL & KRISTI BLK 319 LOT 7 (RA-25); 15 Neelen Drive. *(The applicant proposes to construct a porch to the front of the house which will encroach into the front yard setback).*

Michael DeSilva, the applicant, 15 Neelen Drive, Wyckoff, NJ and Roger Schlict, the applicant's architect, 130 Sheridan Terrace, Ridgewood, NJ were sworn.

Mr. Schlict asked that photographs be marked as identification at this time:

A-1 Three (3) photographs

Mr. Schlict said the applicant would like to update the house and construct a front covered porch and entry portico, on the second floor the 2 bedrooms will be enlarged and the upper floor will be a totally new add a level master bedroom over the existing kitchen, living room and entry area. He said the variance the applicant is seeking is for a front yard setback of 34.7' to the roof overhang where 37.5' currently exists to the porch landing and 36.5' to the overhang of the existing porch where 40' is required. He added that a non-conforming shed will be relocated so it will now be conforming.

Acting Chairman Fry said the front porch already encroaches into the front yard and the applicant would like to extend it to 3'. He said this is a nice architectural feature being added to the house.

Board Member Borst asked what the height of the house is at the lowest point of the property.

Mr. Schlict said the height of the house at the lowest point is 29'.

Board Member Borst said that if there is any landscaping damaged during construction it will be replaced with the same kind.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Carolan made a motion to approve this application subject to the following condition: if the existing landscaping is damaged it will be replaced with the same kind. Second, Board Member Yudin. Voting in favor: Mr. Kalpagian, Mr. Hubert, Mr. Tanis, Mr. Carolan, Ms. Yudin Mr. Borst and Acting Chairman Fry.

STOLPER, JONATHAN BLK 423 LOT 18 (RA-25); 766 Albemarle Street. *(The applicant proposes to construct an in-ground pool which will result in an accessory lot coverage of 6.17% where 5% is allowed).*

Board Member Borst recused himself from discussion and removed himself from the dais since his business is the contract landscape designer for this project.

Jonathan Stolper, 766 Albemarle Street, Wyckoff, NJ and Victor Lahmann, pool contractor from Lahmann pools, were sworn.

Mr. Stolper said he would like to install a pool in the rear yard for recreational and therapeutic reasons. He said he received a permit from the NJDEP to determine the wetlands buffer area. He said he is seeking a variance for excessive accessory coverage from 3.76% to 6.17% where 5% is the maximum permitted.

Mr. Lahmann said he was only able to put the pool on the south side of the property due to the wetlands delineation. The pool measures 605 square feet with the coping and a modest patio area will surround the pool.

Acting Chairman Fry said this proposed pool and patio does not exceed the impervious coverage. He said a storm water chamber will be installed to collect some of the roof water in order to meet zero percent runoff.

Mr. Lahmann said LAN engineering designed this chamber to meet the zero percent runoff which cannot be located in the wetlands area.

Township Engineer DiGennaro said he reviewed the drainage calculations and finds them satisfactory.

Board Member Carolan asked if there was going to be any screening or landscaping provided.

Mr. Stolper said landscaping will be provided along the right side of the house between the neighbor's house which was left off the site plan.

Township Engineer DiGennaro said he would review the landscape plan before building permits are issued.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Hubert made a motion to approve this application as presented subject to the following condition: provide a screening plan satisfactory to the Township Engineer for his approval before building department permits are applied for. Second, Board Member Carolan. Voting in favor: Mr. Kalpagian, Mr. Hubert, Mr. Tanis, Mr. Carolan, Ms. Yudin and Acting Chairman Fry.

PRO-CONTRACTOR, LLC BLK 425.01 LOT 53 (RA-25); 723 Terrace Heights. *(The applicant proposes to demolish the existing house and construct a new house which will trigger the enhanced side yard setback requirement of 25 feet requiring a variance application and also create a 3 story dwelling due to the topography of the land).*

Acting Chairman Fry announced that the application for Pro Contractors has been carried to the March 19, 2015 meeting of the Zoning Board. The reason is due to the fact that the applicant has failed to provide to the Board as part of its application all necessary and required information. You will not be notified and no additional notice is required.

* * * * *

There being no further business, a motion to adjourn the meeting was made and seconded and passed unanimously. The meeting concluded at 9:21 p.m.

Respectfully Submitted,

Susan Schilstra McQuaid, Secretary
Wyckoff Board of Adjustment