

## **WYCKOFF BOARD OF ADJUSTMENT JANUARY 16, 2014 WORK SESSION 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 Susan Schilstra, Board Secretary:

"The January 16, 2014 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."

**Board Member Attendance:** Jim Donkersloot, Chairman; Eric Ruebenacker, Vice Chairman; Carl Fry; Susan Yudin; Mike Madigan; Brian Hubert, Alt. .

**Absent:** Mark Borst

**Staff Attendance:** John A. Spizziri, Board Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering Representative; Susan Schilstra, Board of Adjustment Secretary.

### **ORGANIZATIONAL BUSINESS/MOTIONS**

1. Oaths of Office to be administered to the new and continuing members, where applicable.

John Spizziri, Esq. administered Oaths of Office to Board Members: Michael Madigan and Brian Hubert.

2. Election of Officers: Chairman and Vice Chairman

Board Secretary Schilstra requested that a motion be taken to open the meeting up for nominations for Chairman of the Wyckoff Zoning Board of Adjustment. Board Member Ruebenacker made a motion to nominate Jim Donkersloot as Chairman of the Board of Adjustment. Board Member Fry seconded the motion. The Board Secretary asked if there were any other nominations. No other nominations were recognized. Voting in favor: Mr. Hubert, Mr. Madigan, Ms. Yudin, Mr. Fry and Mr. Ruebenacker.

Board Secretary Schilstra requested a motion be taken to open the meeting up for

nominations for Vice-Chairman of the Wyckoff Zoning Board of Adjustment. Chairman Donkersloot made a motion to nominate Eric Ruebenacker as Vice Chairman of the Board of Adjustment. Board Member Fry seconded the motion. The Board Secretary asked if there were any other nominations. No other nominations were recognized. Voting in favor: Mr. Hubert, Mr. Madigan, Ms. Yudin, Mr. Fry and Chairman Donkersloot.

3. Appointment of Secretary

Vice Chairman Ruebenacker made a motion to appoint Susan Schilstra as the Board Secretary for the year 2014. Second, Chairman Donkersloot. Voting in favor: Mr. Hubert, Mr. Madigan, Ms. Yudin, Mr. Fry, Mr. Ruebenacker and Chairman Donkersloot.

4. RESOLUTION #14-001: Appointment of Board of Adjustment Attorney

Chairman Donkersloot made a motion to appoint John A. Spizziri as the Board Attorney. Second, Vice Chairman Ruebenacker. Voting in favor: Mr. Hubert, Mr. Madigan, Ms. Yudin, Mr. Fry, Mr. Ruebenacker and Chairman Donkersloot.

5. Roll call of Board of Adjustment Members.

6. Compliance with the Open Public Meetings Act:

- Annual Notice of Meeting
- Continuation of Current Rules and Regulations
- Official Newspapers – The Record, The Ridgewood News and the North Jersey Herald and News
- Acceptance of Annual Report

Vice Chairman Ruebenacker made a motion to comply with the Open Public Meetings Act. Board Member Hubert seconded the motion. Voting in favor: Mr. Hubert, Mr. Madigan, Ms. Yudin, Mr. Fry, Mr. Ruebenacker and Chairman Donkersloot.

## **OLD BUSINESS**

### **APPROVAL OF MINUTES**

December 19, 2013 work session/public business meeting minutes

Board Member Fry made a motion to approve the December 19, 2013 work session and public hearing minutes. Second, Board Member Hubert. Voting in favor: Mr. Hubert, Mr. Madigan, Ms. Yudin, Mr. Fry, Mr. Ruebenacker and Chairman Donkersloot.

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

**RESOLUTION #14-01-** Approval of vouchers from various escrow accounts.

Vice Chairman Ruebenacker made a motion to approve voucher for payment. Second, Board Member Hubert. Voting in favor: Mr. Hubert, Mr. Madigan, Ms. Yudin, Mr. Fry, Mr. Ruebenacker and Chairman Donkersloot.

**RESOLUTION(S) TO BE MEMORIALIZED**

**BACH, CYNTHIA** BLK 254 LOT 2 (RA-25); 261 Monroe Avenue. *(The applicant proposes to amend the original approved plan in order to replace the existing foundation with footings).*

Board Member Hubert made a motion to memorialize this resolution. Second, Board Member Fry. Voting in favor: Mr. Hubert, Ms. Yudin, Mr. Fry and Chairman Donkersloot.

**ACKERMANN, ADAM & LAUREN** BLK 285 LOT 14 (RA-25); 371 Dorothy Lane. *(The applicant proposes to construct a second floor which will increase the principal building lot coverage by 1% on this substandard lot).*

Board Member Hubert made a motion to memorialize this resolution. Second, Board Member Fry. Voting in favor: Mr. Hubert, Ms. Yudin, Mr. Fry and Chairman Donkersloot.

**APPLICATION(S) - CARRIED**

**PENSALLORTO, FRANK & MARY** BLK 472 LOT 1.01 (R-15); 346 Dartmouth Street. *(The applicant proposes to expand the second floor, add an addition to the rear of the house and a front porch which will encroach into the front yard and rear yard setback).*

Township Engineer DiGennaro said that at the last meeting the board asked the applicant to reduce the front yard encroachment 4' which would produce a 26.1' front yard setback. The applicant has achieved that goal and have relocated the covered front porch and front door has been shifted to the right.

Board Member Fry said there are 3 variances that are being requested which are as follows: lot depth which is pre-existing; front yard setback where 22.1' was proposed and the setback was reduced to 26.1' for a front yard; and a 3 story variance due to the topography of the land.

Chairman Donkersloot said that a deed restriction will need to be drafted that this home cannot become a 2 family housekeeping dwelling unit due to the walkout in the rear of the house.

**EDWARDS, MICHAEL** BLK 427 LOT 2 (RA-25); 379 Durham Road. *(The applicant proposes to install an in-ground pool which will exceed impervious coverage of 35.5% where 28.5% is the maximum permitted).*

Township Engineer said the existing house is located in the RA-25 zone and is conforming. The applicant is proposing to construct an in-ground pool and patio resulting in excessive impervious coverage requiring a variance where 28.5% is allowed and 35.5% is proposed.

Board Member Ruebenacker said this variance request is a self-imposed hardship. He said the lot very large with a 3,700 square foot house and the applicant is proposing a 2,200 square foot patio area and in-ground pool.

Board Member Hubert said the Board would like to work with the applicant and try to make the impervious coverage more conforming due to the size of the conforming lot.

Board Member Yudin would also like to see the impervious coverage reduced.

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There being no further business, a motion to adjourn the meeting was made by Board Member Borst and seconded by Board Member Ruebenacker and passed unanimously. The meeting concluded at 8:10 p.m.

Respectfully Submitted,

Susan Schilstra, Secretary  
Wyckoff Board of Adjustment