

**WYCKOFF BOARD OF ADJUSTMENT  
JULY 17, 2014 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 Chairman Donkersloot:

"The July 17, 2014 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:** Jim Donkersloot, Chairman; Mark Borst; Susan Yudin, Carl Fry, Ed Kalpagian, Alt. Vice Chairman Ruebenacker arrived at 7:37 p.m.

**Board Members Absent:** Brian Hubert, Alt.

**Staff Present:** Joseph C. Perconti, Esq., Acting Board Attorney; Mark DiGennaro, Township Engineer; Susan Schilstra, Board Secretary.

**Staff Absent:** John A. Spizziri, Sr. Esq., Board Attorney

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

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

**OLD BUSINESS**

**APPROVAL OF MINUTES**

The June 19, 2014 public work session/public business meeting minutes were approved at the public work session meeting.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #14-07-** Approval of vouchers from various escrow accounts.

Resolution #14-07 was memorialized at the public work session meeting.

**RESOLUTIONS TO BE MEMORIALIZED**

**PIMLEY, INGRID** BLK 217.01 LOT 51.01 (RA-25); 240 Crescent Avenue. *(The applicant proposes to expand the second floor over the existing first floor and add a front porch which will encroach into the front yard setback).*

**MESSERY, CHARLES & PASQUALINA** BLK 440 LOT 10 (RA-25); 379 Holly Drive. *(The applicant proposes to add a second floor addition which will create 3 stories due to the topography of the property).*

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

#### **APPLICATION(S) – CARRIED FROM PREVIOUS MONTH**

**RAGONE, GRACE** BLK 497 LOT 2 (RA-25); 484 Grandview Avenue. *(The applicant proposes to add a second floor addition and rear addition to the existing house).*

Board Member Borst said that he had listened to the tape of the previous meeting and is eligible to vote on this application this evening.

Michael Ragone, 484 Grandview Avenue, was reminded by the Board Attorney, that he was previous sworn at the last meeting and remains under oath. He said that he complied with the suggestions from the Board and stepped in the cabana addition to 25.06' which eliminated a variance and the air conditioning units have been moved to the rear of the house. He said the existing side yard setback variances remain at 14.1' and 21.23'. He added that he has submitted a landscape plan.

Board Member Borst said that a complete landscaping plan has been submitted and is acceptable.

Township Engineer DiGennaro said that Section J will need to be revised to reflect the total accessory structure at 1.2% and total percentage of principal building and total accessory structures is at 14.46%. He added that the impervious coverage is 29.8% where 31.1% is permitted. He added that the installation of a pool would exceed impervious coverage.

Mr. Ragone said that the patio will need to be reduced in order to install an in-ground pool in the future.

OPEN TO THE PUBLIC

No one appeared

CLOSED TO THE PUBLIC

Board Member Fry made a motion to approve this application as presented with the revised plan. Second, Vice Chairman Ruebenacker. Voting in favor: Mr. Kalpagian, Ms. Yudin, Mr. Fry, Mr. Borst, Mr. Ruebenacker and Chairman Donkersloot.

**KOZLOWSKI, MARIUSZ** BLK 516 LOT 25 (R-15 CORNER); 522 Ravine Court. *(The applicant proposes to add a second floor addition which will encroach into the second front yard (Ravine Avenue) and also create 3 stories due to the topography of the property).*

Board Member Borst said that he had listened to the tape of the previous meeting and is eligible to vote on this application this evening.

Monica Kozlowski, 522 Ravine Court, was reminded by the Board Attorney, that she was previous sworn at the last meeting and remains under oath. She said that she took the Board's concerns and stepped in the proposed second floor addition by 6' and now there is a 20' setback from Ravine Avenue. She added that the existing retaining wall will be removed and the area will be re-graded with a 2.8' high retaining wall next to the house and 2.1' high at the lowest point. She said the landscaping along the wall will be replaced with the same kind if damaged during reconstruction of the new retaining wall. She added that the front yard will be graded higher to keep street water from entering the property and the mature trees will remain and will be pruned.

Township Engineer DiGennaro said a road opening permit will need to be acquired by the applicant in order to install the circular driveway. He asked that the retaining wall be moved 2' closer to the house and any wall over 2' in height will need to be certified by a professional engineer.

Chairman Donkersloot said that any landscaping damaged during the circular driveway construction will need to be replaced with the same kind.

Board Member Borst said that he will need to see a revised landscaping plan showing a more detailed plan of the property. He said that most of the mature landscaping will not survive the construction. He said this plan can be submitted after approval and reviewed by the Township Engineer and myself.

Chairman Donkersloot said the current landscape plan does not compliment the proposed new construction. He added that the air conditioning units are in the rear of the house and within the setbacks and do not need to be buffered.

OPEN TO THE PUBLIC

No one appeared

CLOSED TO THE PUBLIC

Vice Chairman Ruebenacker made a motion to approve this application subject to the following condition: the applicant will resubmit a revised landscape plan to be reviewed by the Township Engineer and Board Member Borst; the retaining wall will be moved back 2' away from Ravine Avenue; any retaining wall over 2' will need engineering certification; additional landscape screening will be planted along Ravine Avenue; any damaged shrubs will be replaced with same kind; circular driveway will be contoured so it does not encourage street run off; and if possible, underground utilities will be installed. Second, Board Member Yudin. Voting in favor: Mr. Kalpagian, Ms. Yudin, Mr. Fry, Mr. Borst, Mr. Ruebenacker and Chairman Donkersloot.

**FINE, PAUL** BLK 215 LOT 8 (RA-25 CORNER); 750 Wyckoff Avenue. *(The applicant proposes to construct a detached garage in the front yard setback of a corner lot).*

Board Member Borst said that he had listened to the tape of the previous meeting and is eligible to vote on this application this evening.

Paul Fine, who was previously sworn, was reminded that he remains under oath. He said he has moved the garage back further from the house in order to keep an existing tree on the lot. He said the garage has been turned and will now face Wyckoff Avenue and will be located 10' from the property line on Fern Avenue. He said the architectural design of the garage will remain the same.

OPEN TO THE PUBLIC

No one appeared

CLOSED TO THE PUBLIC

Board Member Yudin made a motion to approve the revised plan as submitted where the garage will face Wyckoff Avenue and will be located 10' off of Fern Avenue. Second, Board Member Fry. Voting in favor: Mr. Kalpagian, Ms. Yudin, Mr. Fry, Mr. Borst, Mr. Ruebenacker and Chairman Donkersloot.

**APPLICATION(S) – NEW**

**MURTHA, ERIC & LAURA** BLK 436 LOT 19.01 (RA-25); 685 Mountain Avenue. *(The applicant proposes to construct an addition to the first and second which will encroach into the side yard setback).*

Board Member Borst recused himself from discussion and removed himself from the dais since his landscape business designed the applicant's landscape plan.

Ken Porro, on behalf of the applicant's, Eric and Laura Murtha and Mr. JR Frank, the applicant's architect, were present. Mr. Frank, a licensed architect and planner in the State of New Jersey, was sworn. The Board accepted Mr. Frank's credentials.

Mr. Eric Murtha and Mrs. Laura Murtha, 685 Mountain Avenue, Wyckoff, NJ were sworn. They purchased the house last year and would like to expand house and add a 2 car garage with a master bedroom above the proposed garage.

Mr. Frank said he was retained to design an addition to the existing home for the Murtha's which would include a 2 car garage and a second floor addition. Marked as identification at this time were the following exhibits:

- A-1 Application
- A-2 Colored rendering of the site plan
- A-3 Aerial view of the property in question

Mr. Frank continued that this proposed addition triggers the enhanced side yard setback requirement of 25 feet requiring a variance application. He said the side yard setback for the garage is proposed at 23.7' where 25' is required and second floor has been stepped back by 3' over the proposed garage. He said the property to the east of this proposed addition is the rear yards of homes on Mulberry Drive. He added that the root structure of a mature tree on the property will be disturbed during construction and will need to be removed.

Board Member Kalpagian said the design of the proposed addition is not changing the look of the neighborhood. He said the applicant did the best that they could do with the angled location of the existing house on the property.

Board Member Fry said the house sits square to the road but not square to the property. He liked the idea that the second floor has been stepped back already. He said the mature tree leaning towards the house will need to be removed.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Chairman Donkersloot said the landscape plan is sufficient.

Board Member Fry made a motion to approve this application as presented subject to the submission of a storm water report. Second, Board Member Yudin. Voting in favor: Mr. Kalpagian, Ms. Yudin, Mr. Fry, Mr. Ruebenacker and Chairman Donkersloot. Abstain: Board Member Borst.

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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 9:24 p.m.

Respectfully Submitted,

Susan Schilstra, Secretary  
Wyckoff Board of Adjustment