

**WYCKOFF BOARD OF ADJUSTMENT  
MARCH 20, 2014 PUBLIC 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 March 20, 2014 Public 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.LL

**Board Member Attendance:** Jim Donkersloot, Chairman; Erik Ruebenacker, Vice Chairman; Carl Fry; Susan Yudin.

**Absent:** Mark Borst; Brian Hubert, Alt.

**Staff Attendance:** John A. Spizziri, Board Attorney; Mark DiGennaro, Township Engineer; Susan Schilstra, Board of Adjustment Secretary.

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.

Chairman Donkersloot announced that the Minieri, Giampietro and Fry applications were going to be carried this evening to the Thursday, April 17, 2014 public hearing meeting due to lack of quorum.

**OLD BUSINESS**

**APPROVAL OF MINUTES**

The February 20, 2014 work session/public business meeting minutes were approved at the work session meeting.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #14-03-** Approval of vouchers from various escrow accounts.  
Resolution #14-02 was memorialized at the work session meeting.

**RESOLUTION(S) TO BE MEMORIALIZED**

**EDWARDS, MICHAEL** BLK 427 LOT 2 (RA-25); 379 Durham Road. *(The applicant proposes to install an in-ground pool which will expand impervious coverage to 33.16% where 28.5% is*

*the maximum permitted).*

**BALLAN, NANCY** BLK 291 LOT 11 (RA-25); 319 West Stevens Avenue. *(The applicant proposes to construct a first and second floor to the existing dwelling which will encroach in the side yard setback and a portico that will encroach into the front yard setback).*

**APPLICATION(S) - CARRIED**

**PUCCIO, PHILLIP** BLK 436 LOT 7 (RA-25/CORNER); 339 Sicomac Avenue. *(The applicant proposes to construct a roofed deck which will encroach into the pre-existing non-conforming front yard setback).*

Mr. Jacob Solomon, the applicant's architect, who was previously sworn at last month's meeting, said the front door will be more decorative and in character with the renovation of the house. He said the landscaping will consist of foundation plantings in the front yard on Sicomac Avenue and the variance to have no front door on Sicomac Avenue has been removed from the application. He said that a symmetrical mulch planting bed on each side of the front door on Sicomac Avenue flanked by hydrangea's and boxwoods against the house and ground cover azalea's and flocks lining the entry path towards the front door. Also identified are the existing trees on the four (4) that will remain. No tree removal is anticipated.

Vice Chairman Ruebenacker asked if the applicant will install an underground sprinkler system to maintain the planting or to maintain the seed or sod for the lawn.

Mr. Solomon said the applicant will provide outdoor water faucets conveniently located to water the plantings.

Board Member Fry said the applicant has addressed the board's concerns with the look of the house and the landscaping. He said there is a need for the proposed circular driveway.

Township Engineer DiGennaro said there are site issues along with this application. He said the applicant will be tying into the sanitary sewer line on Mountain Avenue which will require a road opening permit. Also during a site visit today the sidewalk on both sides of this corner property is deplorable condition and will need to be reconstructed. He suggested these items be included in the memorializing resolution. He said that when the applicant is ready to repair the sidewalk that he meet with the township engineer to discuss the sidewalk and regarding to be done by the driveway.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Fry made a motion to approve this application subject to the revised plans and the landscape plan also inclusive of the comments made by the Township Engineer regarding the reconstruction of sidewalk improvements on Mountain Avenue and Sicomac Avenue and also the sewer tie in to the sewer main on Mountain Avenue. Second, Vice Chairman Ruebenacker. Voting in favor: Ms. Yudin, Mr. Fry, Mr. Ruebenacker and Chairman Donkersloot.

**MINIERI, DANIEL** BLK287 LOT 7 (RA25); 309 Voorhis Avenue. (*The applicant proposes to construct a first and second floor addition which will encroach into the side yard setback and exceed the principle building lot coverage limitation*).

This application will be carried to the Thursday, April 17, 2014 public hearing meeting due to lack of quorum.

**APPLICATION(S) – NEW**

**DEMING, BROOK** BLK 254 LOT 4 (RA-25/CORNER); 269 Monroe Avenue. (*The applicant proposes to install an in-ground pool on this corner lot which will exceed total accessory structure and lot coverage on this pre-existing undersized lot*).

Brooke Deming, 269 Monroe Avenue and Mr. Louis Longo, Aqua Pools Manager, were sworn. Mr. Longo said the applicant would like to install a 16' x 32' in ground swimming pool which is the smallest pool you can install for diving. The proposed spa is 6' x 8' and the pool equipment can be relocate as per the suggestion of the Board. He added that the rear yard is encased with a 6' vinyl fence.

Chairman Donkersloot asked what the length is of the shallow end.

Mr. Longo said the length of the shallow end of the pool is 8' long before it slopes down to the deep end. He added that a diving pool needs to be 16' wide and if the pool is shortened the shallow end of the pool would be reduced because the diving envelope will need to stay the same size. He said the overall dimensions of the pool is 36' which includes 4' for the steps into the pool.

Vice Chairman Ruebenacker asked if the patio can be reduced in order to reduce the total lot coverage. He was also concerned with the rear yard setback of 10' to the patio where 20' is required by township code.

Township Engineer DiGennaro said by shrinking the patio it will not drastically reduce the total lot coverage of 21.2% because the patio is not considered an accessory structure. He said the patio measures 10' to the rear property line where 20' is required and the pool is setback at 14' from the rear property line. He said the hardship is that this lot is a corner lot and there is a deficiency in lot size of 9,000 square feet where 25,000 square feet is required. He added that the proposed edge of the pool is 9' from the corner of the house, the existing side yard setback of the house is at 7.6' where 20' is required and the pool equipment will be setback at 8.5' where 15' is required.

Mr. Longo said the standard size pool for diving is 16' x 32'.

Chairman Donkersloot ask that the utilities be moved away from the side yard setback.

Mr. Longo said the utilities can be moved nearer to the seepage pit in the rear of the yard.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Vice Chairman Ruebenacker asked for guidance in order to reduce the rear yard setback and the proposed placement of the pool utilities from the rear property line and the setback from Woodland Avenue.

Township Engineer DiGennaro said the utilities can be placed 25' off the side yard setback or second front yard of Woodland Avenue and 5' from the rear yard property line.

Board Member Fry asked that the pool be reduced in length by 4' which would make the rear yard setback 14' to the patio and 18' to the edge of the pool. He said the 16' x 32' would include the steps into the pool.

Township Engineer DiGennaro said the pool utilities will now be located in the front yard setback on this corner lot which would trigger a variance in the front yard for an accessory structure. He said that revised plans will need to be submitted along with a new Section J sheet. He added that the existing fence will need to be moved behind the corner plane of the house.

Vice Chairman Ruebenacker made a motion to approve this site plan with the following conditions: the 16' x 32' pool, which will include the 4' steps into the pool, will be setback from the rear property line by 14' to the patio and 18' to the edge of the pool; the pool utilities will be located 25' from Woodland Avenue and 5' from the rear property line and the existing vinyl fence will be relocated behind the corner plane of the house. Second, Board Member Fry. Voting in favor: Ms. Yudin, Mr. Fry, Mr. Ruebenacker and Chairman Donkersloot.

**DELORME, ROBERT & CHRISTINE** BLK 476 LOT 6.01 (R-15/CORNER); 376 Dartmouth Street. *(The applicant proposes to add a one story family room and expand the existing kitchen which will encroach into the front yard setbacks on this corner lot and exceed principal building coverage).*

Mr. Robert Delorme, 376 Dartmouth Street, was sworn. He said he would like to construct a front foyer where the required setback is 40', 29.93 is existing and 23.95' is proposed. He added that the proposed family room addition will encroach into the second front yard facing Harvard Avenue where 27.33' is proposed and 40' is require on this corner lot. He said the proposed lot coverage is 18.1' where the maximum principal permitted is 15%.

Township Engineer DiGennaro asked if the shed is attached to the house.

Mr. Delorme said the shed is on a slab under the existing deck and is attached to the house.

Township Engineer DiGennaro said the shed is added as principle coverage since it is attached to the house.

Vice Chairman Ruebenacker asked how many trees will be removed.

Mr. Delorme said four (4) trees will be removed.

Chairman Donkersloot asked if the front foyer could be reduced to 4' which would lessen the front yard setback variance request.

Board Member Fry asked if the family room could be reduced to 20' x 20' which would reduce

the proposed principal building lot coverage from 18.1% closer to the maximum permitted of 15%.

Township Engineer DiGennaro asked the applicant to submit revised plans ten (10) days before the next meeting which is April 17, 2014. He also said that Section J will need to coincide with the revised plans.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

The Board unanimously agreed to carry this application until the Thursday, April 17, 2014 public hearing meeting. The applicant will not be required to re-notice the neighbors or the newspaper.

**SMITH, CARA & VINCENT** BLK 250 LOT 44 (RA-25); 375 Oakwood Drive. *(The applicant proposes to install an in-ground pool which will exceed principle building coverage limitation and total impervious coverage limitation).*

Cara Smith and Vincent Smith, 375 Oakwood Drive, Wyckoff, NJ were sworn. Mr. Smith said he would like to install a 20' x 30' in-ground pool with a 7' x 7' spa, pool equipment shed and a patio which will remain within the parameters of the property. He said he is requesting a variance for total lot coverage where 22.57% is proposed and 20% is the maximum allowed on this undersized lot.

Township Engineer DiGennaro said a dry well/seepage pit is required for the patio/pool alone and it cannot be tied into the roof leaders.

Mr. Smith said he will have his engineer address the drainage and possible remove the older seepage pit and install a larger one.

Chairman Donkersloot asked if the pool would be reduced to 16' x 32' instead of 20' x 30' that is proposed which would reduce the maximum allowed lot coverage and the impervious coverage.

Vice Chairman Ruebenacker said the existing lot coverage is at 17.06% where 15% is allowed and combined lot coverage will be increased to 22.57%.

Chairman Donkersloot asked if the patio could be reduced.

Mr. Smith said he is willing to reduce the patio area.

Board Member Fry noted the pre-existing non-conformities with regard to this lot dimensions which are undersized in this RA-25 zone. He asked if the application would consider a smaller pool. He also recommended that the pool equipment shed be moved 10' off the rear of the property and 15' from the neighbor's property since it currently sits in the center of the yard.

Mrs. Smith said she would like to keep the size of the pool because she has teenage children. She said on the plan the spa is listed as 8' x 8' and will be reduced to 7' x 7'. After further discussion the Smith's agreed to reduce the patio area and the pool to 16' x 32'.

Township Engineer DiGennaro said another variance will be created by moving the pool equipment 10' off the rear property line. He added that if a 4' mesh fence is installed the pool equipment will need to be screened from the neighbors.

Chairman Donkersloot opened the meeting to the public.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Yudin made a motion to approve this application with the following conditions: the pool will be reduced to 16' x 32', the spa will be reduced to 7' x 7', parts of the patio will be reduced, the pool equipment will be moved to 10' off the rear property line and 15' from the neighboring property owner and parallel from the rear of the property and the drainage will meet code. Second, Board Member Fry. Voting in favor: Ms. Yudin, Mr. Fry, Mr. Ruebenacker and Chairman Donkersloot.

**GIAMPIETRO, JENNIFER & ANTHONY** BLK 435 LOT 6 (RA-25); 675 Birchwood Drive. *(The applicant proposes to construct a first floor and second floor addition to the existing house with a 2 car garage. The garage will encroach into the side yard setback by 10' where 20' is required).*

This application has been carried until the Thursday, April 17, 2014 public hearing meeting due to lack of quorum.

**FRY, CARL** BLK 331 LOT 7.02 (RA-25); 139 Godwin Avenue. *(The applicant proposes to construct a first and second floor addition to the existing dwelling and construct a detached 3 car garage in the rear yard).*

This application has been carried until the Thursday, April 17, 2014 public hearing meeting due to lack of quorum.

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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 10:03 p.m.

Respectfully Submitted,

Susan Schilstra, Secretary  
Wyckoff Board of Adjustment