

**WYCKOFF BOARD OF ADJUSTMENT  
OCTOBER 16, 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 October 16, 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; Erik Ruebenacker, Vice Chairman; Carl Fry; John Carolan; Brian Hubert, Alt; Ed Kalpagian, Alt.

**Board Member(s) Absent:** Mark Borst; Susan Yudin.

**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.

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.

\* \* \* \* \*

Board Attorney Spizziri said that during the recess the attorney for the Beauchamp application, Mr. DelVecchio, has asked that their application be carried until the next meeting. The Board unanimously agreed to carry this application until the November 20, 2014 meeting. The applicant will not need to renotice the neighbors.

**BEAUCHAMP, DONALD** BLK 421 LOT 90 (RA-25); 698 Charnwood Drive. *(The applicant proposes to install an in-ground pool and patio which will exceed impervious coverage).*

The Beauchamp application has been postponed at the request of the applicant and carried to the November 20, 2014 public hearing meeting.

**OLD BUSINESS**

**APPROVAL OF MINUTES**

The September 18, 2014 public work session/public business meeting minutes were approved at the public work session meeting.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #14-10-** Approval of vouchers from various escrow accounts.

Resolution #14-10 was memorialized at the public work session meeting.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #14-10** - Approve vouchers for payment.

Vice Chairman Ruebenacker made a motion to approve Resolution 14-10 to pay vouchers. Second, Board Member Kalpagian. Voting in favor: Mr. Kalpagian, Mr. Hubert, Mr. Carolan, Mr. Fry, Mr. Ruebenacker and Chairman Donkerslout.

**APPLICATION(S) – CARRIED**

**SCHALK, JOSEPH & IRMA** BLK 241 LOT 7 (B1A); 256 Everett Avenue. *(The applicant proposes to expand the existing footprint of the house towards the rear of the property which will exceed principle building lot coverage and total lot coverage).*

The Schalk application has been postponed at the request of the applicant and carried to the November 20, 2014 public hearing meeting.

**THE TURNER GROUP, LLC – 90 EDISON STREET, LLC** BLK 270 LOT 15 (R-15 CORNER); 90 Edison Street. *(The applicant proposes to add a second floor level to the existing home which will encroach into the front yard setback and exceed principal building lot coverage and total lot coverage).*

Mr. Albert Martorano, the applicant's architect and Mr. Kevin Finnan, the applicant, were reminded by Board Attorney Spizziri that they had been previously sworn at the last meeting and remain under oath. Mr. Martorano said the second floor ceiling height has been reduced from 9' to 8' or a building height of 27' and that the second floor addition over the mechanical room has been removed. This fourth bedroom will become a den without a closet. He said that Section J of the application will need to be amended to show the building height of 27'.

Vice Chairman Ruebenacker noted for the record that the patio will be replaced as well as the rear yard fence.

Chairman Donkerslout noted the air conditioning units have been moved to the opposite side of the rear yard near the mechanic room.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Fry made a motion to approve the application for a 17' front yard variance on Edison Street and will exceed total lot coverage of 26% where 15% is required. Also a revised Section J will need to be submitted to the Township Engineer. Second, Vice Chairman Ruebenacker. Voting in favor: Mr. Kalpagian, Mr. Hubert, Mr. Carolan, Mr. Fry, Mr.

Ruebenacker and Chairman Donkersloot.

**APPLICATION(S) – NEW**

**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*).

Kirsten Omland, the applicant, and Charles Osterkorn, owner of the property and Ms. Omland's father and engineer, were sworn. Mr. Osterkorn said he is a licensed engineer, land surveyor and planner in the State of New Jersey with an office at 121 Godwin Avenue in Wyckoff, were sworn.

The Board accepted Mr. Osterkorn's credentials.

Ms. Omland said her application is for a hardship variance. She said she grew up in Wyckoff and would like to raise her family here. She would like to expand the existing house and make it fit their needs. She said the site is wooded and 14 trees and landscaping will be removed where the new structure will be located. She said that a tree in the front will supplement the removal of the landscaping, some screening will be planted around the air conditioning units and a buffer of shrubs will be planted along the property line.

Chairman Donkersloot said the Board would like to hear testimony as to the setbacks and the landscaping plan requires the name and size of the specie that will be planted.

Ms. Omland said the front porch is setback 27' from the street which will fit in with the neighborhood houses. The porch will add an architectural feature to the house and is not on the site plan since it will be a Phase II addition.

Vice Chairman Ruebenacker said 9 juniper shrubs and one (1) cherry tree are located on the site plan. He said the Board will need a front and side yard foundation landscaping plan as well as an architectural of the porch. He added that a 9' porch is proposed and would like to see a 4' porch.

Chairman Donkersloot also opined that the front porch is large and needs to be reduced. He added that there is also a deck in the rear of the house. He said the Board is also concerned with the size of the garage.

Ms. Omland said the garage is large because her husband's truck is large and he will be doing woodworking in the garage. She said she will use the second floor as an exercise room/storage and the bathroom on the first floor would be for both of us.

Chairman Donkersloot said the bathroom in the garage will need a deed restriction so that it will remain a single family use and not a second housekeeping unit. The garage cannot be used to conduct a commercial business.

Board Member Fry was concerned with the height of the accessory structure which will be 20' in height. He said he did not want it to loom over the neighboring property owner's rear yards.

Chairman Donkersloot said the garage dormers will make the garage stand very tall and a single gable could be used. He said the applicant is requesting a variance for exceeding accessory structure coverage.

Ms. Omland said the square footage of the second floor of the garage can be reduced.

Mr. Osterkorn said the roof could be lowered a little.

Vice Chairman Ruebenacker said the second floor mass of the garage needs to be reduced which would reduce the percentage of accessory structure.

Township Engineer DiGennaro said that currently the center of the road on Madison Heights not at the center of the right of way (ROW). Therefore, the alignment of the roadway is unique to this particular piece of property where the applicant's front lawn is diminished by 8'. He said the residential use garage is an accessory structure in this zone and is permitted 10' from the side and rear property line and needs to be less in 20' in height which is conforming. He said the garage is 5.7% and the rear yard accessory deck is at 1.2% which is 6.9%. If the deck were eliminated and reduce the square footage of the garage by 100 square feet then the garage would be conforming and the accessory structure variance would be eliminated. He said a gambrel style roof could be used on the garage.

Chairman Donkersloot directed the applicant that the front porch should be reduced to 4' in width and architectural should be provided; a full landscape plan is required; break the mass of the second floor of the garage and amend the first page of the application.

#### OPEN TO THE PUBLIC

Joseph Del Buono, 125 Godwin Avenue, Wyckoff, NJ was sworn. He said the addition to the existing house will improve the neighborhood. He said the location of the proposed garage will be setback away from the neighboring property owners and will not be a concern to him. He said his yard is diagonal to the applicant's property.

#### CLOSED TO THE PUBLIC

Mr. Osterkorn thanked the Board for their courtesies. The Board unanimously agreed to carry this application to the November 20, 2014 meeting. The applicant will not need to renote.

**STEIMEL, RICHARD & LISA** BLK 202.02 LOT 13 (RA-25); 444 Lake Road. *(The applicant proposes to make alterations to the existing first floor and expand the second floor which will trigger the enhanced side yard setback requirement of 25 feet requiring a variance application).*

Rich Steimel, the property owner, 444 Lake Road, Wyckoff, NJ and Mr. Fred Klenk, the applicant's architect were sworn.

Mr. Steimel said he currently sold his family home on Sparrowbush Road. He purchased this home on Lake Road since he and his wife would like to downsize. The site is challenging and he would like to have the master bedroom on the first floor. He will connect to the sewer line and will install an on-site seepage pit for roof run off. He said there is a berm on the right side of the house as he is aware of the lot's limitations.

Mr. Klenk said in his opinion this neighborhood is in a transition and the lots in this area are half the size required in this zone. He said the applicant would like to retain the existing footprint. He added that his client's vision is to have a master bedroom on the first floor with a garage, kitchen, dining room and family room. He said they cannot have a side load garage due to the berm located on the right of the property.

Chairman Donkersloot asked if the applicant was aware of the new town ordinance which enhances the side yard setback depending on the size of the house. He said the applicant is downsizing to a 4,200 square foot house on a 12,090 square foot lot with a request for a 14.9' side yard setback and an existing 0.9' side yard setback where 25 feet is required due to the enhanced side yard setback ordinance. He said the second floor walls should be stepped in to break the plane of the house.

Vice Chairman Ruebenacker suggested reducing the garage to a one car garage which would reduce the side yard variance request. He also noted that due to the width of the house there is no access to the rear yard except through the garage or the rear of the house.

Chairman Donkersloot opined that the second floor should be stepped in and the square footage of the house reduced.

Board Member Hubert said the proposed garage is too close to the side yard setback.

Board Member Fry said the shape of this lot is challenging. He also said the house should be reduced in size and the side porch removed to make this house more conforming to the dimensional requirements in this zone.

Board Member Carolan said this is a lot of house being proposed on a small lot.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

The Board unanimously agreed to carry this application until the November 20, 2014 meeting. The applicant will not need to renotece the public.

\* \* \* \* \*

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