

**WYCKOFF ZONING BOARD OF ADJUSTMENT
SEPTEMBER 18, 2014 PUBLIC WORK SESSION MINUTES**

Public Work Session: 7:30 p.m. Second Floor Court Room, Memorial Town Hall
Public Business Meeting: 8:00 p.m. Second Floor Court Room, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meetings Statement by Jim Donkersloot, Chairman:

"The September 18, 2014 Public 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; Erik Ruebenacker, Vice Chairman; Mark Borst; Susan Yudin, Carl Fry, John Carolan, Brian Hubert, Alt; Ed Kalpagian, 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

OLD BUSINESS

Approval of the August 21, 2014 Work Session and Regular Business Minutes
Board Member Fry made a motion to approve the August 21, 2014 public work session and public business meeting minutes. Second, Board Member Borst. Voting in favor: Mr. Hubert, Ms. Yudin, Mr. Fry, Mr. Borst and Chairman Donkersloot.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #14-09 - Approve vouchers for payment.

Vice Chairman Ruebenacker made a motion to approve Resolution 14-09 to pay vouchers. Second, Board Member Hubert. Voting in favor: Mr. Hubert, Mr. Carolan, Ms. Yudin, Mr. Fry, Mr. Borst, Mr. Ruebenacker and Chairman Donkersloot.

RESOLUTIONS TO BE MEMORIALIZED

KEHOE, ROBERT & FRANCINE BLK 500 LOT 1.01 (R-15 CORNER); 75 Colgate Avenue. *(The applicant proposes to aesthetically improve the existing home with a front porch portico and second floor dormers).*

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

* * * * *

Chairman Donkersloot said State Legislative Bill #2313 would permit the installation of automatic standby generators in certain residences without making an application to the local planning or zoning board for a variance. This bill would streamline the process by which an owner or occupant of a single or two-family residential property may install an automatic standby generator. The installation of such generators is beneficial to both residents and communities.

For the purposes of this bill, an automatic standby generator is defined as a natural gas or liquid gas propane fuel powered generator which is permanently connected to the electrical system of a one or two-family residential structure and only operates in the event of a power outage in order to provide backup power to the residential structure. The bill would classify such generator as an accessory use or structure to any residential structure or use authorized by the development regulations of a municipality, and as a permitted use in all residential zoning or use districts of a municipality. Such generator would hence not require a variance.

The bill would also require that local setback requirements be followed, if possible, while still installing the generator in compliance with the State Uniform Construction Code or manufacturer clearance specifications, whichever requires a greater distance from the residential structure. If the generator cannot be sited to meet the local setback requirements, the bill requires the approval of the municipal zoning officer subject to five foot side and rear yard setback requirements. The municipal zoning officer may not unreasonably withhold such approval.

The bill also prohibits siting an automatic standby generator in a front yard without the approval of the appropriate local authority, and requires that a front yard generator be sited in a manner that minimizes the visual impact on adjacent properties through the use of appropriate landscaping and architectural materials.

Lastly, the bill requires that the use of an automatic standby generator comply with any law or local ordinance regulating noise levels except during a state of emergency declared by the President of the United States or the Governor.

* * * * *

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.

APPLICATION(S) – NEW

THE TURNER GROUP, LLC – 90 EDISION 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, side yard setback and exceed principal building lot coverage and total lot coverage).*

Township Engineer DiGennaro said the existing single family dwelling is located on corner lot situated in the R-15 zone and is non-conforming due to bulk deficiencies including lot area, depth, front yard and rear yard setbacks. The applicant is proposing to renovate and expand the existing dwelling by adding an open porch to the first floor and adding a full second story above. The applicant is seeking relief from the code for front yard setback, rear yard setback and lot coverage. This application does not require a Storm water Management Plan review. The property is served by sanitary sewer.

Vice Chairman Ruebenacker said he struggles with this neighborhood and how many of the homes are expanding over the existing footprint straight up to the second floor. He noted that the site plan does not agree and it is inconsistent with the architectural drawings with the use over the mechanical room and that the landscaping plan states the existing deteriorating patio is to remain as well as the rear yard fence which is falling down.

Board Member Fry said the second floor ceiling heights are at 9'.

Chairman Donkersloot asked that the second floor on the Crescent Avenue side be stepped in.

* * * * *

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 8:00 p.m.

Respectfully Submitted,

Susan Schilstra, Secretary
Wyckoff Board of Adjustment