

**WYCKOFF PLANNING BOARD
NOVEMBER 9, 2015 PUBLIC BUSINESS MEETING 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 Meeting Statement by Richard Bonsignore, Chairman:

“The regular November 9, 2015 Public Business Meeting of the Wyckoff Planning Board is now in Session. In accordance with the Open Public Meeting Act, notice of this meeting appears on our Annual Schedule of Meetings. A copy of said Annual Schedule has been posted on the bulletin board in 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: Richard Bonsignore, Chairman; Rudy Boonstra, Township Committee Representative; Glenn Sietsma; Doug Macke; John Haboob, Alternate.

Board Members Absent: Robert Kane, Vice Chairman; Kevin Rooney, Mayor; Tom Madigan; Drita McNamara; Scott Fisher.

Staff Present: Joseph C. Perconti, Board Attorney; Mark DiGennaro, Township Engineer; Susan McQuaid, Board Secretary.

Chairman Bonsignore led the Pledge of Allegiance.

OLD BUSINESS

Approval of the October 14, 2015 Work Session and Regular Business Minutes
The minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #15-06

This resolution for payment of vouchers was adopted at the work session meeting.

FOR REVIEW AND RECOMMENDATION

ORDINANCE #1785 – AN ORDINANCE TO AMEND SECTION 186 “ZONING,” SECTION 186-23, “REGULATIONS APPLYING TO SPECIFIC ZONES” - For review and recommendation

Ordinance #1785 was reviewed and recommended to the Township Committee at the work session meeting.

PUBLIC HEARING - Continued

UFFERFILGE, TED & BONNIE BLK 281 LOT 1 (RA-25); 558 Taunton Road. *(The applicant proposes to move soil in excess of 100 yards).*

Township Committeemen Boonstra stated for the record that all of the Boards and Commissions in town are made up of resident volunteers. He said the expert testimony from last month's meeting was poorly prepared and presented for the Board for consideration. He added that when the applicant addressed the Board he started to drop names which is not considered in any way how Board Members review applications. He said he hoped the applicant is better prepared this evening. Board Member Sietsma stated for the record that he has listened to the tape from the previous meeting and is therefore eligible to act upon this application this evening.

Kevin G. Page, President of Page Engineering Consultants, Warren, NJ, the applicant's engineer, was reminded by Board Attorney Perconti that he was sworn at the previous meeting and remains under oath. Mr. Page said he performed a daytime inspection at the site and had the contractor uncover sections of the retaining wall to make sure what he represents here on the cross sections of the wall are in fact what has been built. He said a detailed report was given to the Board concerning the comments from the Township Engineer report dated October 6, 2015. He said it is his understanding that the township ordinance allows up to 100 CY of fill material to be placed on the lot, independent of the size of the lot and that the applicant is asking for permission for more than 100 CY per township ordinance. The proposed retaining walls are consistent with the ordinance. He said the applicant would like to establish a usable rear yard and 250 CY is required to achieve a 4% grade through the use of a series of retaining walls. He said revised plans have been submitted with a revision date of 10-28-15. Mr. Page's answers to the Township Engineer's report are as follows: the walls have been set back a minimum of 1' for each foot of wall height from the property line and no wall exceeds 4' in height; where we have two walls, the exposed wall has been setback a minimum of 1' for each foot of height; we will certify the structure and integrity of the wall prior to final approval; I have attached a separate certification regarding the increase in runoff that there will be no impact on drainage; and the proposed fence setback has been added to the boulder wall detail.

Board Attorney Perconti marked the following exhibit for identification:

A-7 Grading plan with a revised date of 10/28/15

Mr. Page continued by stating that the geometry of the walls has changed due to the property line which is along the drainage easement with a 36" pipe headed away from Covington Place. He said the range of stone wall heights will vary with the single bottom wall ranging between 27" to 44" and 24" to 27" to the top of the wall whether it is single or tiered. He said landscaping will be planted on the terraces to soften the walls and a row of evergreens will be planted along the easement but not on the drainage easement.

Chairman Bonsignore asked what is the hardship pertaining to this soil permit application.

Mr. Page said the applicant would like to have a flat usable yard with a 4% grade in the rear yard versus the existing 14% sloped backyard. Chair Bonsignore said the last 55' of the yard is sloped at 14%. He asked what the grade would have been using 100 CY of soil. Mr. Page said since the wall has been built and fill placed on the property approximately 6" would need to be removed which would make the pitch of the rear yard at 6% and we are still going to require 2 retaining walls and fill.

Chair Bonsignore said he is struggling with this application. Township Committee men Representative Boonstra said the applicant makes light of the fact that a permit had not been obtained first and was concerned that the retaining walls have been constructed right up to the

property line. Mr. Page acknowledged that the applicant had made a mistake and asked that the Board consider at the end of the day this rear yard will be useful, beautiful and a private space for the applicant's use. Board Member Haboob said the applicant was aware that they purchased this new house on a corner lot with a sloping rear yard.

Board Attorney Perconti marked the following exhibits for identification:

A-8 Letter to the Board from Kevin G. Page, P.E. dated 10/28/15 regarding amendments to the site plan

A-9 Letter to the Board from Kevin G. Page, P.E. dated 10/28/15 verifying the structure of the retaining walls and no net increase in runoff

OPEN TO THE PUBLIC questions of Mr. Page

No one appeared.

CLOSED TO THE PUBLIC

Bonnie Ufferfilge, 558 Taunton Road, Wyckoff, NJ, the homeowner, was sworn. She said that when they purchased the house they were concerned about the slope of the yard and the house being located on a corner lot. She said the builder had promised that he was going to make the rear yard flat. The builder did not keep to his promise and the homeowner's have hired their own experts to finish the job.

Board Attorney Perconti marked the following exhibit for identification:

A-10 Landscape plan

Mr. Tim Fox, landscape designer for Horizon Landscaping, Wyckoff, NJ was reminded by Board Attorney Perconti that he was previously sworn and remains under oath. Mr. Fox said that he will plant arborvitae along the property line and an evergreen hedge and flowering perennial material to cascade down the retaining wall. The goal of this project is to screen as much of the rear yard as possible from the street and the neighbors.

Board Member Sietsma said there will be full coverage and Mr. Fox has done an adequate job. He said that the applicant has incorporated a planting bed within the retaining wall and there will be a mulch bed along with a new lawn area. He added that the existing maple trees will be transplanted. Chair Bonsignore asked about the neighbors stockade fence along the property line with regards to drainage. Mr. Fox said he will create a swale along the fence line which will be graded towards the drainage easement to direct the surface water along the existing rubble wall to the existing storm drain. Chair Bonsignore asked what the height will be of the proposed rear yard fence. Mr. Fox said the fence will be a maximum of 5' in height in the rear yard.

OPEN TO THE PUBLIC for any questions of Mr. Fox

No one appeared.

CLOSED TO THE PUBLIC

Township Committee Representative Boonstra suggested that 6" of existing fill be removed from the rear yard which would reduce the amount of soil that was improperly imported to the property. Chair Bonsignore was disappointed that the neighbors impacted by this project did not attend the meeting this evening to speak about this application. Board Member Haboob said they were asked to attend by the Board at last month's meeting. Mr. Boonstra was also concerned with the proposed swale along Mr. Grubbs property and the surface water finding its way to the storm drain. Board Member Macke said if the soil was reduced by 6" how would that

affect the design of the rear yard and the wall. Mr. Page said he would create a step down in the patio area in order to obtain a flat back yard and the wall would be reduced by 1'. Bonnie Ufferfilge said she would like a flat backyard without a step down from the patio so her children can play in the rear yard.

Board Attorney Perconti said that if the application is approved tonight there is a 45 day appeal period. The application can be carried until the December meeting or withdrawn.

Marion Ufferfilge, 558 Taunton Road, Wyckoff, NJ, was sworn and stated she was concerned with waiting one more month for the neighbors to appear and whether that would be a guaranteed approval. Board Attorney Perconti said this was not a guarantee of approval if the neighbors attended next month's meeting. Township Committee Representative Boonstra also suggested that there may be a middle ground that the Board and applicant can agree on besides removing 150 CY of soil.

Bonnie Ufferfilge requested that a vote be taken this evening.

Board Member Macke made a motion to approve this application as presented. Second, Board Member Haboob. Voting in favor: Mr. Haboob, Mr. Macke and Mr. Sietsma. Voting in denial: Township Committee Representative Boonstra and Chairman Bonsignore.

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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 9:41 p.m.

Susan McQuaid, Secretary
Wyckoff Planning Board