

**WYCKOFF PLANNING BOARD  
OCTOBER 14, 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 October 14, 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; Kevin Rooney, Mayor; Rudy Boonstra, Township Committee Representative; Tom Madigan; Drita McNamara; Scott Fisher; Doug Macke; John Haboob, Alternate.

**Board Members Absent:** Robert Kane, Vice Chairman, Glenn Sietsma

**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 September 9, 2015 Work Session and Regular Business Minutes  
The minutes were approved at the work session meeting.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #15-05**

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

**APPROVAL OF RESOLUTION**

**SPOELSTRA, JONATHAN & SUSAN** BLK 285 LOT 1 (RA-25); 554 Wyckoff Avenue. *(The applicant requests a variance to install a privacy fence along property next to the road).*

This resolution was adopted at the work session meeting.

**COMPLETENESS REVIEW/PUBLIC HEARING**

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

The Board deemed this application complete by a roll call vote. Chairman Bonsignore asked the applicant to step forward and explain the application to the Board. Board Attorney Perconti stated that the applicant has provided proper notice except the work session time is listed as 7 p.m. and 7:30 is the actual time the work session is scheduled for which would not affect this hearing. He asked that the following application package be marked for identification:

A-1 Application package

Kevin G. Page, President of Page Engineering Consultants, Warren, NJ, the applicant's engineer, was sworn. He stated that he is a 1973 graduate of North Carolina College of Engineering and is licensed as a profession engineer and planner. The board accepted Mr. Page's credentials.

Mr. Page said he was contacted by Horizon Landscaping to review this project since it had been constructed the stone retaining wall without a permit. He said he was provided with a series of photographs, an as-built survey and grading plan. Marked as identification was the following exhibit:

A-2 Grading plan with a revision date of 10/6/2015

A-3 As-built with a revision date of 1/7/2015

Mr. Page said it is the intention of the homeowner to flatten the rear yard. At the rear of the property there is a 15' drainage easement and no construction is proposed within this easement. He said the newly constructed boulder wall on Covington Place will be moved back out of the right of way. He said there is a 7' drop or 3% change in elevation from the rear of the house towards the drainage easement. He said the rock wall will taper towards Taunton Road with a 3' wall and then a shelf with a 2' wall totaling 5' in height. When the project is completed as as-built will be provided. He said that a filter fabric lining will be installed behind the boulder wall to keep top soil from exiting the wall and water will be allowed to weep out of the gaps in the wall. He added that the rock wall is buried 1' deep into the earth and then backfilled as a base to the proposed retaining wall.

Mayor Rooney was concerned with how much of the rock base is currently exposed. Mr. Page said about 3½ feet is exposed. He said he is using the original condition plans from the original surveyor. He said that the surveyor will return once the boulder wall has been completed and take new elevations. Mayor Rooney said his concern is deeper than the soil since the wall was constructed without permits and that Mr. Page will be certifying the stability of the boulder walls.

Township Committee Representative Boonstra said this wall will be 100 linear feet in length and was concerned with the runoff onto the neighbor's property. Mr. Page opined that less water will leave the property. Currently the water runs off the property onto Covington Place and into the existing storm drain.

Board Member Madigan asked Mr. Page to explain the drop in elevation from the house. Mr. Page said the first 30' drops 2' from the house which is relatively flat and the last 50' of land drops 7' to the rear property line so there would be a total of a 9' drop from the house. The finished grade will be at 14%.

Board Member Haboob said the bottom of the wall should be on virgin ground. Mr. Page agreed with this. Chairman Bonsignore asked if the surveyor can establish if the current wall is

within the original conditions on site. He added that a maximum height and setback should be established according to the original as-built plan. Mayor Rooney was concerned with how the wall will be inspected in the future since the project has already been started. Mr. Page said he will return to the site and have the contractor uncover certain areas of the site to make sure the fabric and stone are present and to take his own measurements of the project in addition to the as-built.

Chairman Bonsignore said wall should have a maximum height established as well as the required setback and the boulder wall should be placed on virgin soil. He said the Board should rely on the as-built as the same grade. Mr. Page said the Board should also rely on the contractor's photos that were taken before the project began. Chairman Bonsignore noted that the second tier of the walls seems like it is going to end abruptly. Mr. Page said the elevation in the southeast corner start at 309% and will blend in at 309.5%.

OPEN TO THE PUBLIC for questions of Mr. Page

David Grubb, 554 Taunton Road, Wyckoff, NJ was sworn. He stated that he is the neighbor to the right of the subject property and opined that the construction of the new home changed the topography of the property and this project will exacerbate this condition.

CLOSED TO THE PUBLIC

Tim Fox, designer for Horizon Landscaping, Wyckoff, NJ was sworn. He said he received his landscape design degree from Rutgers University, has worked for the past 8 years in this field and 3 years employed as a landscape designer for Horizon Landscaping in Wyckoff. The Board accepted Mr. Fox's credentials. He said that it was a misstep on his part as to understanding the height of the walls, needing a variance and needing to go before the Planning Board.

Mayor Rooney asked what the height is of the wall closest to the neighboring property owner. Mr. Fox said there is 44" of exposed wall and approximately 8" of this wall is in the ground. He said that existing soil will be backfilled on the wall to lower the height of the wall to 36". He added that there will be a 2" to 3" lip of stone to retain the soil from washing over the wall. The entire top of the terrace area will be landscaped and sod will be installed. Mr. Fox added that landscaping will be planted in the drainage easement.

Marked as identification were the following exhibits:

- A-4 Photos of property before excavation began (5 photos)
- A-5 Landscape plan
- A-6 Animated illustrations of the proposed property (6 photos)

Mayor Rooney suggested planting a row of conifers along the easement to soften the wall for the neighbors. Mr. Fox said arborvitaes and viburnum will be planted. Board Member Madigan asked what the height of the wall will be. Mr. Fox said the wall will be 5' in height. Mr. Madigan said a 4" black fence will be installed on top of the wall. He asked if this fence is code compliant if a pool is installed in the rear yard.

Township Engineer DiGennaro said there is no issue with the fence since it is 4' fence in the front yard with 50% open. The applicant is before the Board for a soil movement permit and for the height of the retaining wall. He added that if the applicant is going to consider a pool in the future this fence is not compliant. He then read the town ordinance which states that "the height of the retaining walls shall not exceed 4' above normal grade. In the case of multiple retaining the height of any individual wall shall not exceed 4' and the total height of all walls

combined shall not exceed 12' within a horizontal distance of 20 feet".

Board Member Haboob said if the applicant follows the proposed plan the wall will not look as invasive as it does right now.

Mayor Rooney says he understands the homeowner is up against the weather with plantings. He said the applicant is unprepared. Board Member Madigan said he is not comfortable voting on this application this evening and recommended the applicant carried this application and return next month.

Board Member Fisher asked if the soil that has brought onto the site is certified as acceptable material. He also asked if the soil has been compacted correctly.

Township Engineer DiGennaro said that any soil brought to the site should be certified as to clean fill and the applicant should obtain that it is clean fill. He opined that Mr. Page will certify the retaining walls for structural integrity before the building department can issue final approval for the work. He said the wall will be constructed according to the town ordinance that any wall will not exceed 4' in height and any wall should be a minimum of one foot to one foot separation from the property line, no wall should be built in the right of way, the engineer certify that there will be a zero net increase in run off, the engineer will certify the structural integrity of the wall so it does not become a safety issue. He added that the applicant is here this evening for the retaining wall along Covington Place which is in the right of way and which will be corrected. He said the applicant has exceeded their fill limits of 100 CY and this is way the application is before the Planning Board. He said the landscaping plan will need to note the size, location, quantity and specie of the plantings that will be planted on the wall and screen the neighbors. He said that what is being proposed this evening is what should be constructed.

Chairman Bonsignore said the Board should give the applicant guidance.

Mr. Fox said in answer to Board Member Fisher's question about compacting the soil that an excavator that was on site consistently drove over the fill area.

Mayor Rooney said the easement should be screened and a developers agreement should be signed by the applicant that would bind the applicant and any future homeowners that if the plantings need to be removed by the DPW to access the drainage pipe that the area would be planted with the same kind if damaged. He added that this application will not need to go before the Shade Tree Commission for review. He then asked Mr. Fox how much work and time would it take to finish this project. Mr. Fox said it would take 10 working days to finish this job. He then suggested that the applicant that the Board would like to see: the boulder walls softened by increasing the landscaping; show where the fence is going to go; sign a developers agreement with the plantings in the easement and to replace landscaping with the same kind; sign a 2 year maintenance contract; and show the irrigation plan and where the water heads will be located on the property and the wall.

#### OPEN TO THE PUBLIC

David Grubb, 554 Taunton Road, Wyckoff, NJ was concerned with a swale being created along his property line due to the change in the topography of the property with the importing of soil, the massiveness of the boulder wall and losing his privacy since the property will now be higher than his stockade fence.

Mayor Rooney asked that additional conifers be planted to fill in the area along Mr. Grubb's

property line. Township Committee Representative Boonstra was concerned with protecting Lot 2 which is located directly behind the applicant and on the other side of the drainage easement from additional run off.

CLOSED TO THE PUBLIC

Ted Ufferfilge, 558 Taunton Road, Wyckoff, NJ was sworn. He thanked the Board for their time this evening. He said he will make sure we are prepared for the next meeting, he will ask the neighbor who owns Lot 2 to attend the next meeting and he assured Mr. Grubb that he will have no concerns when this project has been completed.

The Board unanimously agreed to carry this application to the Monday, November 9, 2015 Planning Board meeting. Any new submittal will be required to be received by October 30, 2015 in the Planning Board office.

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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 10:19 p.m.

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Susan McQuaid, Secretary  
Wyckoff Planning Board