

**WYCKOFF PLANNING BOARD  
MAY 8, 2019 PUBLIC WORK SESSION 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 Chairman Fortunato.

“The regular May 8, 2019 Public Work Session 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.

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.

Mr. Fortunato read this statement into the record: *“All applicants are hereby reminded that your application, if approved, may be subject to the terms, conditions and payment of the Affordable Housing Development Fee requirements of the Township. Information can be obtained from the Code of the Township of Wyckoff, Chapter 113-8 on the Township’s website, [www.wyckoff-nj.com](http://www.wyckoff-nj.com)”*

*“This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all times.”*

\* \* \* \* \*

**Board Member Attendance:** Robert Fortunato, Chairman; Kevin Hanly, Vice Chairman; Tom Madigan, Mayor; Rudy Boonstra, Township Committee Representative; Michael Homaychak and Sarah Caprio, .

**Board Members Absent:** George Alexandrou, Glenn Sietsma, Scott Fisher, Kevin Purvin and John An.

**Staff Present:** Joseph Perconti, Planning Board Attorney; Mark DiGennaro, Township Engineer; Pete Ten Kate, Boswell Engineering Representative and Maureen Mitchell, Board Secretary.

**OLD BUSINESS**

Approval of the April 10, 2019 Work Session and Regular Business Minutes

Board Member Homaychak made a motion to approve the April 10, 2019 Work Session and Regular Business Meeting minutes. Second, Mr. Hanly. Voting in favor: Ms. Caprio, Mr. Homaychak, Mr. Boonstra, Mayor Madigan and Vice Chairman Hanly. Chairman Fortunato abstained.

**RESOLUTIONS TO APPROVE VOUCHERS FOR PAYMENT**

Resolution #19-05

A motion was made by Mr. Homyachak to approve payment Resolution #19-05. Second, Mr. Boonstra. Voting in favor: Ms. Caprio, Mr. Homyachak, Mr. Boonstra, Mr. Hanly, Mayor Madigan and Chairman Fortunato.

**FOR REVIEW AND RECOMMENDATION****ORDINANCES #1875 and #1876**

ORDINANCE #1875 AN ORDINANCE TO CREATE NEW CHAPTER 40 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION COMMISSION" THEREBY CREATING A HISTORIC PRESERVATION COMMISSION WITHIN THE TOWNSHIP OF WYCKOFF.

ORDINANCE #1876 AN ORDINANCE TO CREATE NEW CHAPTER 123 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION", FOR THE PURPOSE OF PROTECTING HISTORIC LANDMARKS AND GUIDING THE ACTIONS OF THE HISTORIC PRESERVATION COMMISSION.

There was a lengthy discussion where multiple Board members expressed concerns that home buyers, who were not aware that they had purchased a historic building, would be restrained from renovating the home. Suggestions were made to have a system in place whereby potential buyers as well as current owners would be notified that they are purchasing a historical home and provided with the information established by Ordinances #1875 and #1876.

The Ordinances were unanimously recommended for approval by The Board with the suggestion that a system be in place whereby designated historic home buyers be made aware of the Historic Preservation Ordinances.

**FOR COMPLETENESS REVIEW**

**726 WYCKOFF NORTH, LLC** BLK 216 LOT 10.01 (RA-25) 726 WYCKOFF AVE.

Minor Subdivision

Vice Chairman Hanly lives within the 200' radius of the property therefore he recused himself and stepped down from the dais.

Boswell Engineer Peter Ten Kate stated that the applicant revised the subdivision line and the plans to reflect that both buildings on the property will be taken down. In light of the revisions, he recommends that the Board deem the application complete.

Chairman Fortunato asked if this application should go before the Shade Tree Commission. Mayor Madigan expressed concerns about tree removal and drainage issues. Mr. Ten Kate said that drainage issues will be handled by the building department once permits are issued. He added that if the Board is concerned about tree removal on the property he would recommend

having the application go before the Shade Tree Commission prior to the next Planning Board meeting.

Mr. Boonstra made a motion to deem the minor subdivision application for 726 Wyckoff Avenue complete subject to Shade Tree Commission review. Second, Mr. Homyachak. Voting in favor: Ms. Caprio, Mr. Homyachak, Mr. Boonstra, Mayor Madigan and Chairman Fortunato.

Once the voting was complete Vice Chairman Hanly returned to the dais.

**TEVLIN, BLK 269 LOT 4 (B-1) 314 Franklin Avenue (Corner lot at Ward Ave)**

The applicant proposes to install a parking lot ingress/egress apron and seepage tank to capture storm water from the parking lot.

Township Engineer DiGennaro gave the following summary of the application:

The subject property is located in the B-1 Business zone and contains 6611 SF of land area. The parcel is non-conforming due to lot width, front yard setbacks, parking lot access and configuration. The approved Site Plan of record dated 6/5/2001, identifies the parking lot to provide a total of 10 parking spaces which includes one ADA non- van accessible space. There is no change of use being proposed.

The applicant is proposing to improve the non-compliant parking lot and associated drainage by creating a defined ingress/egress with curbing and apron, installing compliant parking stalls and an onsite drywell, regrading and resurfacing the parking lot and additional concrete curb work.

In accordance with 168-5(E) the improvements require an amended site plan review and approval by the Planning Board. Mr. DiGennaro then made the recommendation the Board deem the application incomplete due to the following issues:

1. Based on a recent site inspection, it has been determined that the parking lot has a total of 9 effective parking spaces which includes one non-compliant ADA space, rather than the approved requirement of 10 spaces. One parking space is being utilized for the placement of the dumpster and waste oil and grease containers.
2. There is a failing rudimentary retaining wall on the property line made of broken concrete slab material supporting the parking lot and split rail fence. There is clear evidence of failure due to the overturning of the fence posts and "wall" itself. As this wall is supporting the subject parking lot, a proper wall design should be prepared by a NJPE and installed as part of this improvement together with replacement fencing.
3. Actual restaurant seating provided by the occupant is 36 seats which translates to a parking requirement of 12 spaces under ordinance. The maximum number of seating permissible for 10 spaces is 30 seats.
4. Concrete apron detail to be provided on the plan, minimum 6 inch thick with reinforcing.
5. Concrete apron width appears excessive at 43 feet and can be reduced to a minimum of 25 feet. Note the narrower apron width will further aid in preventing runoff from entering the parking lot from the roadway.
6. The plan shows limited concrete sidewalk replacement and the existing sidewalk surrounding the property is in poor condition as there are obvious trip hazards due to uneven joints. The sidewalk must be corrected.
7. Parking stalls to be numbered and clearly dimensioned.
8. One van size compliant accessible parking space is required per the ADA code.
9. Note to be added to plan which states a road opening permit must be obtained by the Township of Wyckoff prior to construction. Any work within the County right of way may require a permit from Bergen County.
10. ADA signage detail to be provided on the plan with installation detail and ADA symbol in the parking space.

11. 168-20(D) – Dumpster enclosure. The plan fails to show the existing non-compliant dumpster location which currently occupies a required parking stall. A proper dumpster location must be identified on the property and must be enclosed.
12. The waste oil and grease containers must be relocated away from the residential property line and must be maintained with sealed covers. The existing 3 drums are unsealed allowing water entry, odors and possible spillage.
13. Wheel stops should be located at all parking stalls.
14. The parking aisle width to be clearly dimensioned on the plan and shall be not less than 24 feet.
15. Due to the lower elevation of the property along the northeast side which gives rise to the flooding concerns, it is advised that the remaining length of curbing (approx. 45 feet) be replaced with concrete curb to contain roadway runoff permanently. Asphalt curbing cannot be considered reliable or permanent.
16. 168-20(F) – Where non-residential uses abut a residential area, a planting strip not less than six feet wide, consisting of suitable shrubbery or hedges maintained at a height of 10 feet and a density to shield effectively the year-round undesirable visual exposure so as to provide a natural protective screen from incompatible uses and surroundings. The plan does not propose a buffer and the site currently has no landscape buffer to abut the residential zone. It appears the applicant received a variance from this requirement by the Planning Board on 8/8/2001.
17. The wood privacy fence along the rear property is damaged as evidenced by it leaning into the adjacent property.
18. The plan indicates that all existing parking lot lighting to remain. The applicant must identify the location, type and wattage of the existing fixtures on the plan.
19. The ADA detectable warning ramp surface at the intersection appears to be in disrepair causing a potential trip hazard. This must be addressed and noted on the plan.
20. Parking calculations provided on the plan table are incorrect as the parking for restaurant use is based on 1 space for 3 seats, not building area.
21. Stormwater management design should consider the collection of any roof leaders which discharge onto the rear parking lot.
22. The portion of the building labeled enclosed shed should be shown as part of the principal building as it appears to be attached. As a result the principal building footprint increases to approximately 1147 SF with no accessory structure.

Based on the items required to be reviewed by the Township Engineer, the application is incomplete and the plan must be revised and resubmitted for further review. It is recommended that the Planning Board deem this application incomplete at this time.

Mr. Homaychak made a motion to deem the application for 314 Franklin Avenue incomplete based on Mr. DiGennaro's recommendation. Second, Mr. Hanly. Voting in favor of deeming the application incomplete: Ms. Caprio, Mr. Homaychak, Mr. Boonstra, Mayor Madigan, Mr. Hanly and Chairman Fortunato.

### **FOR COMPLETENESS REVIEW/PUBLIC HEARING**

**VAN ALSTYNE, ANITA & MICHAEL** BLK 214 LOT 95 (RA-25) 370 Harvey Court.

The applicant proposes to install a 37' length of 6' high solid fence from the end of the existing fence to the side of the home. The previously existing section of fence was knocked down by a truck.

Township Engineer provided the following summary:

The property is located in the RA-25 Zone and is a corner property having frontage on Godwin

Avenue and Harvey Ct. The applicant is proposing to install a 6 foot high privacy fence in the front yard perpendicular to Godwin Ave to enclose the yard requiring variance relief.

The following conditions of the Township Code apply to this application:

- **168-3** Minor site plan definition - An application for fence construction in nonresidential zones and for fence construction in front yards in residence zones shall constitute a "minor site plan." [Added 2-5-1980 by Ord. No. 816; amended 3-6-1984 by Ord. No. 918]
- **186-29 A-3(a)** The height of fences located in rear or side yards shall not exceed 6 feet above the normal grade.
- **168-20F(4)** In residential zones, fences installed in the front yard shall be landscaped along that portion facing a street with hedge or shrubs of a height equal to at least 1/2 the height of the fence and set on three-foot centers or closer. [Added 11-20-2000 by Ord. No. 1372] 168-20F(4)
- **186-29 A3(b)** The height of freestanding walls shall not exceed four feet above normal grade.
- **186-29 A4** Sight distance. On a corner lot, no fence or wall may be erected within 25 feet of the point of intersection of the front and corner side lot lines in order to maintain clear visibility for traffic at the corner. In addition, no fence or wall shall be located on any property in any way which interferes with necessary sight distance for either operators of vehicles or pedestrians.
- **186-29A6** Fences located within the front yard shall not be more than 50% solid and shall not be more than six inches thick. The measurement of solidity shall be made perpendicular to the side of the fence. Split rail fences which include chicken wire and/or mesh-type wire and chain link and/or similar style fences shall not be permitted in the front yard.

Mr. DiGennaro made the recommendation that the Board deem the application complete. A motion was made by Ms. Caprio to deem the application complete. Second, Mr. Boonstra. Voting in favor: Mr. Homaychak, Ms. Caprio, Mr. Boonstra, Mayor Madigan, Mr. Hanly and Chairman Fortunato. The applicant will provide testimony at the Public Hearing .

**CARAFELLO, KELLY & WILLIAM** BLK 455 LOT 34 (RA-25) 185 Fox Hollow Rd.

The applicant proposes to install a 6' white vinyl privacy fence on front yard #2 facing Fox Hollow Road and an address sign post on the corner of the property where the 2 front yards meet. Township Engineer DiGennaro provided the following summary:

The property is located in the RA-25 Zone and is a corner property having frontage on Weisch Lane and Fox Hollow Road. The applicant is proposing to install a 6 foot high privacy fence in the front yard along Fox Hollow to enclose the yard requiring variance relief. The following conditions of the Township Code apply to this application:

- **168-3** Minor site plan definition - An application for fence construction in nonresidential zones and for fence construction in front yards in residence zones shall constitute a "minor site plan." [Added 2-5-1980 by Ord. No. 816; amended 3-6-1984 by Ord. No. 918]
- **186-29 A-3(a)** The height of fences located in rear or side yards shall not exceed 6 feet above the normal grade.
- **168-20F(4)** In residential zones, fences installed in the front yard shall be landscaped along that portion facing a street with hedge or shrubs of a height equal to at least 1/2 the height of the fence and set on three-foot centers or closer. [Added 11-20-2000 by Ord. No. 1372] 168-20F(4)
- **186-29 A3(b)** The height of freestanding walls shall not exceed four feet above normal grade.

- **186-29 A4** Sight distance. On a corner lot, no fence or wall may be erected within 25 feet of the point of intersection of the front and corner side lot lines in order to maintain clear visibility for traffic at the corner. In addition, no fence or wall shall be located on any property in any way which interferes with necessary sight distance for either operators of vehicles or pedestrians.
- **186-29A6** Fences located within the front yard shall not be more than 50% solid and shall not be more than six inches thick. The measurement of solidity shall be made perpendicular to the side of the fence. Split rail fences which include chicken wire and/or mesh-type wire and chain link and/or similar style fences shall not be permitted in the front yard.

Mr. DiGennaro made the recommendation that the Board deem the application complete. A motion was made by Mr. Homaychak to deem the application complete. Second, Mr. Boonstra. Voting in favor: Ms. Caprio, Mr. Homaychak, Mr. Boonstra, Mayor Madigan, Mr. Hanly and Chairman Fortunato. The applicant will provide testimony at the Public Meeting.

### **FOR PUBLIC HEARING**

**FOUR GEMS** BLK 237 LOT 8 (B1A) 244 Everett Avenue.

Amended Site Plan. The applicant proposes to remove a portion of the building's brick foundation and replace it with cement block.

Chairman Fortunato explained that this applicant came before the Board on December 12, 2018 for variance approval to expand and renovate the existing building to be used for offices. The application was approved. As the project progressed it was determined that there are problems with the existing foundation requiring the entire building to be demolished in order to construct a new foundation of masonry block. It will be rebuilt in the same location with the same variances that were previously approved in December 2018. Mr. Boonstra stated that if the building is coming down, and it is a clean slate, you have to rebuild within the bulk requirements. If the entire building is coming down then this is a completely new application. Chairman Fortunato recommended that The Board pause the discussion until the applicant has an opportunity to provide testimony at the Public Meeting.

### **APPLICATION CARRIED**

**GALASSO ENTERPRISES, LLC** BLK 203 LOT 3.04 (L-2) 825 Windham Court North.

Amendment to Existing Site Plan. Applicant proposes to add 56 additional parking spaces to the site which currently has 50 parking spaces.

The applicant has requested that the application be carried until the July 10, 2019 meeting.

There being no further business, a motion to adjourn the Work Session meeting was made, seconded and passed unanimously. The meeting concluded at 8:10 p.m.

Respectfully submitted,

Maureen Mitchell, Secretary  
Wyckoff Planning Board