

**WYCKOFF PLANNING BOARD
AUGUST 14, 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 August 14, 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”*

“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; Tom Madigan, Mayor; Rudy Boonstra, Township Committee Representative; Michael Homaychak, Glenn Sietsma and Kevin Purvin.

Board Members Absent: Kevin Hanly, Vice Chairman; Scott Fisher, George Alexandrou, Sarah Caprio and John An.

Staff Present: Thomas Garlick, Acting Planning Board Attorney; Pete Ten Kate, Boswell Engineering Representative and Maureen Mitchell, Board Secretary.

Chairman Fortunato announced that Thomas Garlick is in attendance as Acting Planning Board Attorney for Joseph Perconti.

OLD BUSINESS

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

Board Member Sietsma made a motion to approve the July 10, 2019 Work Session and Regular Business Meeting minutes. Second, Mr. Homaychak. Voting in favor: Mr. Purvin, Mr. Homaychak, Mr. Sietsma, Mr. Boonstra, Mayor Madigan and Chairman Fortunato.

RESOLUTIONS TO APPROVE VOUCHERS FOR PAYMENT

Resolution #19-08

A motion was made by Mr. Homaychak to approve payment Resolution #19-08. Second, Mr. Sietsma. Voting in favor: Mr. Purvin, Mr. Homaychak, Mr. Sietsma, Mr. Boonstra, Mayor Madigan and Chairman Fortunato.

RESOLUTIONS TO BE MEMORIALIZED

VALENTA, MICHAEL BLK 308 LOT 7.01 (RA-25) 15 Lyons Place.

The applicant proposes to re-locate the existing side yard fence past the plane of the house. He is also proposing to extend the existing boulder wall along the side yard fence and fill in with 80 – 100 cubic yards of soil to level the side yard. Approved.

GRACE METHODIST CHURCH BLK 411 LOT 2 (RA-25) 555 Russell Avenue
Minor Subdivision approved.

Chairman Fortunato announced that the 2 Resolutions have not been finalized therefore the Resolutions of approval will be carried to the September 11, 2019 meeting pending completion of the Resolutions.

FOR REVIEW AND RECOMMENDATION**ORDINANCE #1885**

AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF WYCKOFF TO AMEND CHAPTER 186, ZONING, TO ADD ONE NEW INCLUSIONARY RESIDENTIAL ZONE AND ONE NEW OVERLAY ZONE WITH RESPECT TO LOT 10.02 AND A PORTION OF LOT 11 IN THE BLLOCK 320 CONSISTENT WITH AND DESIGNED TO EFFECTUATE THE TOWNSHIP'S ADOPTED 2018 THIRD ROUND HOUSING ELEMENT AND FAIR SHARE PLAN.

Board Member Boonstra provided a summary of Ordinance #1885 which details a settlement agreement which the Township of Wyckoff entered into on July 12, 2018 with Fair Share Housing Center and with Canterbury Development on August 3, 2018 in "The Matter of the Application of the Township of Wyckoff's Housing Element and Fair Share Plan".

Board Member Sietsma made a motion to approve Ordinance #1885. Second, Mr. Homaychak. Voting in favor: Mr. Purvin, Mr. Homaychak, Mr. Sietsma, Mr. Boonstra, Mayor Madigan and Chairman Fortunato.

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 requested an adjournment of the Public Hearing until the September 11, 2019 Planning Board meeting.

FOR PUBLIC HEARING

TEVLIN, BLK 269 LOT 4 (B-1) 314 Franklin Avenue.

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

This application was deemed complete during the July 10, 2019 Work Session. The Applicant will provide testimony during the Public meeting.

FOR COMPLETENESS REVIEW

CHRIST, IAN 742 Birchwood Drive BLK 430 LOT 8 (RA-25)

The applicant proposes to build retaining walls and move soil in excess of 100 cubic yards to level the property.

Board Member Sietsma recused himself and stepped down from the dais.

Engineer Pete Ten Kate provided a summary of the application by citing the following from Township Engineer DiGennaro's report:

The applicant seeks to construct a series of tiered modular block retaining walls along the south easterly corner of the property in order to level and regrade the yard area exceeding the 100 CY threshold. The applicant has submitted for review an engineering site plan including grading and retaining walls prepared by LAN Associates revised thru 7/31/19, sheets 1-3, soil movement application, photos and structural wall calculations.

1. The property is served by sanitary sewer.
2. The retaining walls do not exceed 4 feet and are setback from the property line as required.
3. The Applicant's Engineer shall certify the structural stability of the constructed retaining walls once completed.
4. The Applicant's Engineer to provide testimony as to the existing and proposed site drainage. Drainage calculations are to be provided for the proposed drywell sizing.
5. Bergen County soils erosion application is required.

Mr. Ten Kate stated that in consideration of the above, the application is complete adding that items #3 and #4, which are required of the Engineer LAN Associates, should not preclude the application from being deemed complete by the Board.

Board Member Homyachak made a motion to deem the application complete. Second, Mr. Purvin. Voting in favor: Mr. Purvin, Mr. Homyachak, Mr. Boonstra, Mayor Madigan and Chairman Fortunato.

The Applicant and his Professional Representative will provide testimony during the Public meeting.

KAYAL, GARY 225 Van Houten Avenue BLK 258 LOT 13 (RA-25).

The applicant proposes to import approximately 774 cubic yards of soil to raise the level of the rear yard and to construct a 3'-4' boulder retaining wall to contain the soil.

Mr. Ten Kate presented the following details of the application based on Township Engineer DiGennaro's report:

The applicant has performed work without prior approvals and has been instructed to file a soil moving application with the Planning Board to obtain proper approval for the soil moving and regrading of the property. The project consists of constructing boulder retaining walls along the property perimeter and to raise the level the property by importing soil in excess of the 100 CY threshold. The applicant submitted an engineering grading plan prepared by Onello Engineering revised thru 7/29/19 sheets 1-4, a soil movement application and photos.

Engineer findings:

1. The property is served by a private septic system in the rear yard.
2. The retaining walls do not exceed 4 feet and are setback from the property line as required.
3. Applicant's Engineer shall certify the structural stability of the constructed retaining walls once completed.
4. Applicant's Engineer to provide testimony as to the site drainage.
5. Applicant must sign the application and correct lot area minimum dimensions.
6. Bergen County soils erosion application is required.

Mr. Ten Kate stated that in consideration of the above, the application is complete adding that items #3 and #4, which are required of Onello Engineering, should not preclude the application from being deemed complete by the Board. He went on to say that the applicant has begun construction in the right of way without a permit and Mr. DiGennaro is addressing that matter with the applicant to make sure it meets the Town standards.

Mayor Madigan requested clarification on the soil movement asking if the 774 cubic yards has already been moved or is it yet to be imported. Chairman Fortunato said that upon visiting the site it appears that the all of the soil has been moved because the back yard is completely filled and the level has been raised. Mr. Ten Kate added that he does not believe it is 100% complete as a stop work order had been issued by Mr. DiGennaro when it was found that the project was well underway without permits. Mayor Madigan also said that he would like to hear testimony as to the origin of the soil which has unfortunately, already been imported to the site.

Chairman Fortunato stated that the applicant has already performed the work which is a technical violation. He announced that this application would be heard last during the Public meeting, time permitting, in fairness to the other applicants.

Mr. Ten Kate pointed out that the site plan is dated July 2019 therefore the applicant should provide testimony to clarify if the plan represents the "as built" conditions. If the work has been completed it is not proposed and should be accurately reflected on the plans.

Board Member Boonstra asked if the stop work order has been suspended because he observed workers at the site today constructing the retaining wall. The applicant will be asked to provide testimony during the Public meeting.

Board Member Sietsma made a motion to deem the application complete. Second, Mr. Homyachak. Voting in favor: Mr. Purvin, Mr. Homyachak, Mr. Sietsma, Mr. Boonstra, Mayor Madigan and Chairman Fortunato.

The Applicant and his Professional Representative will provide testimony during the Public meeting.

403 GOFFLE PARTNERS 403 Goffle Road BLK 491 LOT 11 (B-2)

The applicant proposes to add a free standing sign 5' from the property line, add 2 ADA compliant parking spaces and 3 additional parking spaces for a total of 5 new parking spaces.

Mr. Ten Kate reviewed the submitted applications for site plan approval and freestanding sign, site plan and construction details and presented his findings.

This is an existing site and structure. The applicant has permits to do perform some interior and exterior renovations to the building with the intent to acquire new tenants to lease the shops.

The applicant has submitted a site plan to update the parking and the flow of traffic on the site. Two ADA compliant parking spaces and an access ramp will be added, the lot and parking spaces will be restriped and a total of 5 new spaces will be added. He is also seeking a variance to install a freestanding directory sign. The applicant has requested the following checklist waivers:

1. Filing for soil erosion and sediment control plan. This is not required for this application as less than 5,000 sf of disturbance is proposed.
2. Landscape plan.
3. A copy of any protective covenants or deed restrictions, if any, affecting the property in question and if no such covenants exist, an affidavit from the owner certifying that no such covenants or restrictions exist shall be submitted.
4. A grading plan waiver has been requested however the submitted plan provides the existing grading of the site and no change in the grading is being proposed. The applicant has provided a letter from a Professional Engineer certifying that there will be a zero increase in stormwater runoff as a result of the proposed project.
5. All trees over 8 inches, diameter size, and type of planting are not noted on the site plan.
6. Existing and proposed site lighting.
7. Existing and proposed building floor plans and finished grade elevations.
8. Complete exterior building and elevation drawings.
9. Location of all catch basins and utilities.
10. Location of existing and proposed right of way and easements.
11. Stormwater management plan.
12. Photos of the existing structures on the site and the adjoining lots.

Mr. Ten Kate stated that based on his review and findings, the application can be deemed complete.

Board Member Homaychak made a motion to deem the application for 403 Goffle Road complete. Second, Mr. Purvin. Voting in favor: Mr. Sietsma, Mr. Boonstra, Mr. Purvin, Mr. Homaychak, Mayor Madigan and Chairman Fortunato.

There being no further business, a motion to adjourn the Work Session meeting was made, seconded and passed unanimously. The meeting concluded at 8:00 p.m.

Respectfully submitted,

Maureen Mitchell, Secretary
Wyckoff Planning Board