

**WYCKOFF BOARD OF ADJUSTMENT
FEBRUARY 16, 2017 PUBLIC BUSINESS MEETING MINUTES**

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

The meeting commenced with the reading of the Open Public Meetings Statement by Erik Ruebenacker, Chairman:

"The February 16, 2017 Public Business Meeting 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.

Board Member Attendance: Erik Ruebenacker, Chairman; Brian Hubert; Susan Yudin; Ed Kalpagian; Brian Tanis, Alt.; Rich DeLeo, Alt.

Board Members Absent: Carl Fry, Vice Chairman; Mark Borst;

Staff Present: David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Anna Coscia, Acting Board Secretary

Staff Absent: Susan McQuaid, Board Secretary.

The Board of Adjustment Meeting began with the Pledge of Allegiance.

Chair Ruebenacker stated that all phones, pagers and hand held electronic devices should be turned off or switched to silent mode in order to avoid interrupting the public session.

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Chair Ruebenacker 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"*

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OLD BUSINESS

APPROVAL OF MINUTES

January 19, 2017 work session/public business meeting
The minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #17-02- Approval of vouchers from various escrow accounts.
Resolution #17-02 was memorialized at the work session meeting.

RESOLUTION(S) TO BE MEMORIALIZED

WISPELWEY, CHRIS & MICHELE BLK 263 LOT 10 (R-15); 28 Shadyside Drive. *(The applicant proposes to increase the footprint of the first and second floor which will exceed gross building area and encroach into the sides yard setback, front yard setback and building coverage).*

BRIGANDI, JOHN & EVELYN BLK 474 LOT 15.01 (R-15 CORNER); 376 Auburn Street. *(The applicant proposes to increase the footprint of the existing house which will exceed the principle building and total combined lot coverage).*

The above referenced resolutions were memorialized at the work session meeting.

APPLICATION(S) – NEW

ALIMI, SINAN BLK 436 LOT 23.01 (RA-25); 688 Birchwood Drive. *(The applicant proposes to amend the previous approval to construct a conforming single family dwelling on a non-conforming lot).*

Harold P. Cook, III, the applicant's attorney was present. He said that Mr. Weissman, the applicant's engineer, submitted a revised site plan correcting the height of the dwelling. He said the revised site plan does not have a revision date on it but it stipulates the height of the roof will be 33.3'. He said this application is a pre-existing non-conforming lot with deficiencies in minimum lot frontage and lot area. He said the exterior of the building will be cedar shakes and natural stone.

Board Attorney Becker asked that the application package be marked as identification:
A-1 Application package

Matthew J. Evans, Architect/Planner, 473 Union Avenue, Paterson, NJ was sworn. He said the last revision of the plan are dated January 11, 2017. He added that the corrected height of the dwelling will be 33.3'. He said his client purchased the property with an existing set of approved plans. He said the applicant modified the design of the house and stayed within the constraints of the approved plans but shifted the house closer to the front yard and changed the aesthetic look of the house. He said there are no new variances just the 2 pre-existing non-confirming variances.

He said a previous septic design was approved for this house and will remain the same.

Sinan Alimi, 688 Birchwood Drive, Wyckoff, NJ was sworn. He said that the revisions to the landscape plan were to eliminate the half circle driveway and have a straight driveway in order to maintain more use to the front yard and to add irrigation. Board Member Yudin reminded the applicant that the air conditioning unit and generator will need to be screened with landscaping. Chair Ruebenacker said the curbing will remain Belgium block. Mr. Alimi said it will remain Belgium block curbing.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Hubert made a motion to approve this house as presented. Second, Board Member Kalpagian. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Mr. Ebel, Ms. Yudin and Chair Ruebenacker.

COCHRAN, MICHAEL & JULIE BLK 291 LOT 25 (RA-25); 306 Sunset Blvd. (*The applicant proposes to construct a portico over the front door which will encroach into the front yard setback*).

Bill Hemstead, the applicant's contractor, 276 Germantown Road, West Milford, NJ was sworn. Daniel Inteeld, Project Manager with Burton S. Landau Associates, 169 Ramapo Valley Road, Oakland, NJ, was sworn. Chair Ruebenacker said the Board has a technical issue since the homeowner is not present this evening, there is no legal counsel to represent the homeowner and the experts are not licensed. After reviewing the application package with Mr. Hemstead, the Board decided to move forward with the application since Mr. Hemstead's name was on the application. Mr. Hemstead said he would like to put a roof over the existing front stairs which will encroach into the front yard setback. He said the existing stairs are brick and he is going to reface them with stone veneer. Chair Ruebenacker questioned why the applicant would like a patio in the front yard. Mr. Hemstead said it is intended to look like an English Garden that will be 9' wide and 22' long with a 1' wide and 16" high wall to sit on. Chair Ruebenacker said he does want to see a table with chairs in the front yard on this large patio. Board Member Hubert said it is quite large. The Board was concerned with a car parking on this patio. Mr. Hemstead said the area is only 9' wide and the intent is not to park in this area. Chair Ruebenacker asked that the wall be extended towards the house so the opening will not be 9'. Mr. Hemstead that applicant would be agreeable to this but said the variance is for the front porch setback. He said the wall would be a block wall refaced with stone veneer. He added that the front of the garage is stucco and will be replaced with stone veneer. Board Member Tanis suggested that the homeowner shrink the width of the patio to 7' and add 2 foot planters on each side of the retainer wall. The Board agreed with this suggestion and also turn the wall towards the outside of the garage. The architectural will be updated on the garage to match the house. Chair Ruebenacker said there will be 15 boxwood plants and 15 hosta plants along with annuals in the front yard. Chair Ruebenacker asked for a professional landscape plan for the front of the house pending this submission from a licensed landscape architect. Township Engineer DiGennaro said the walkway will be turned in towards the house and Section J will need to be revised along with revised plans showing the change in the wall and professional landscaping.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Kalpagian made a motion to approve this application for a roof over the front porch subject to the following conditions: revised Section J and professional landscape plan be submitted; the planting area increased from 2' to 3' narrowing the patio from 9' to 7' in width with the addition of the wall extending from the proposed wall a minimum of 2' towards the home and stone veneer up to the windows on the front of the house and the garage to match the front of the structure. Second, Board Member DeLeo. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Mr. Ebel, Ms. Yudin and Chair Ruebenacker. If the applicant decides not to make the patio improvements the variance is granted for the roof over the front porch.

GUGALA, HUBERT BLK 288 LOT 41; 294 Voorhis Avenue. *(The applicant proposes to construct a one story open porch addition to the rear of the house which will encroach into the side yard setback due to the enhanced side yard setback requirement).*

Hubert Gugala, 294 Voorhis Avenue, Wyckoff, NJ was sworn. He said he purchased the house in 2011 and would like to construct a new open porch in the rear of the property along with a guest bedroom and bath and in-ground pool. He said he will be abandoning his septic system and connecting to the existing sewer in Voorhis Avenue. He said that due to the enhanced side yard setback ordinance the new open porch in the rear of the property will project on the corner by 20.76' where 25' is required and the corner piece of the overhang on the proposed porch will encroach into the side yard setback of 20.07' where 25' is required.

Thomasz Bona, Architect, 26 4th Street, Wood Ridge, NJ was sworn. He said he has been a licensed architect in the State of New Jersey since 2010 and has been before the Board on numerous occasions. The Board accepted Mr. Bona's credentials. He said that due to the house being on the curve of the street, the property lines are not perpendicular to the roadway and the house is skewed on the property which imposes development challenges. He said that what the applicant is proposing is consistent with the aesthetics of the existing house. He said the existing shed will remain.

Attorney Becker asked that the following exhibit be marked as identification:

- A-1 Site plan page 1
- A-2 Site plan page 2
- A-3 Site Plan page 3
- A-4 Photo of addition in the rear

Mr. Bona said A-4 shows the improvement of the rear façade of the house along with the addition of the bedroom, open porch and pool area. He said that there is natural planting along the right and left side property line along with a massive planting schedule along the left side of the house where the pool will be located and foundation plantings along the proposed bedroom addition. The pool equipment will be buffered with evergreens. Chair Ruebenacker said the proposed porch will be 14' x 10' wide. He asked if the porch could be reduced by a few feet in order to satisfy the 25' side yard setback. Mr. Bona said this would affect the roof line. Board Member Kalpagian and Board Member Hubert questioned reducing the width of the porch. Township Engineer suggested that the applicant clip the corner of the addition in order by 4'+ in order to reduce the side yard setback encroachment.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

The Board suggested that this application be carried to the Thursday, March 16, 2017 public hearing meeting. Township Engineer DiGennaro said revised plans will need to be submitted along with an amended Section J ten (10) days before the next scheduled meeting.

MESSINA, GERALD V. BLK 490 LOT 16 (R-15); 455 Louisa Avenue. *(The applicant proposes to reconstruct and alter an existing non-conforming accessory garage which will encroach into*

the rear yard setback and accessory side yard setback and exceed the total accessory structure lot coverage).

Gerry Messina, 455 Louisa Avenue, Wyckoff, NJ and Eric Kiellar, Blue Line Architectural, 397 Franklin Avenue, Wyckoff, NJ were sworn. Mr. Kiellar said he is a licensed architect since 2001 and has been before this Board on numerous occasions. The Board accepted Mr. Kiellar's credentials. Mr. Messina said that he moved into Wyckoff 20 years ago and would like to update and increase the size of the garage for the cars and storage. Mr. Kiellar said that the applicant is proposing an accessory garage slightly larger than the existing garage.

Board Attorney Becker asked that the following exhibit be marked for identification:

A-1 Architectural plan dated 1/23/17

Mr. Kiellar said the variances requested are for accessory rear yard setback 8.33', proposed is 6.17' where 10 feet is required; the side yard setback is 2' and the applicant is proposing 2' where 10' is required and accessory structure lot coverage where 5.91% exists, 7.65% is proposed where 5% is required. However, the principle building and accessory structure total was 16.38%, proposed at 18.12% and 20% is the maximum required. He said the size of the garage will be 22' x 22' on the outside with inside dimensions of 21' x 21' which is a substandard garage. The gable shaped roof will not impact the neighbors and a 12' overhang will be removed from the side yard setback. Board Member Hubert asked how the second floor storage will be accessed. Mr. Kiellar said the second floor will be a loft style storage area with no staircase. Board Member Hubert asked what the existing height is of the garage. Mr. Kiellar said the existing height is approximately 13' and the new height will be at 17'. Chair Ruebenacker noted there will be 6.3' distance between the rear corners of the back of the house to the front corner of the proposed garage. He said he is concerned with the total lot coverage of 7.65%. Mr. Kiellar said the garage itself is 6.5% and the existing deck is included as accessory structure. He said the applicant intends to use the garage for a vehicle and storage.

OPEN TO THE PUBLIC

No one appeared

CLOSED TO THE PUBLIC

Board Members Hubert made a motion to approve this application as presented. Second, Board Member DeLeo. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Mr. Ebel, Ms. Yudin and Chair Ruebenacker.

WERKLEY, TIMOTHY/ESTRELLA, ROSA BLK 483 LOT 16 (RA-25); 129 Starr Place. *(The applicant proposes to expand the first floor and add a level to the second floor with will encroach into the side yard setback due to the enhanced side yard setback requirement and will exceed principal building lot coverage).*

Fred Klenk, the applicants architect and professional engineer, was sworn. He referenced the site plan with a revision date of 10/24/16 and a plot plan prepared by Robert Weisman, P.E.

Board Attorney Becker asked that the following exhibit be marked for identification:

A-1 Application package

Mr. Klenk said the property fronts on a cul-de-sac in the RA-25 zone. He said the applicant's lot

is deficient in terms of lot size and frontage and the property lines are not perpendicular to the street. The house is perpendicular to the street and therefore skewed on the lot. The application would like to construct an addition to the existing dwelling with an attached 2 car garage which will exceed principal building lot coverage where 9.45% exists, 17.32% is proposed and 15% is required. He said the existing left front corner of the house currently exists at 13.6' and the left rear corner of the house currently exists at 4.5'. The variances triggered by the one story garage addition will encroach into the side yard setback by 11.2' in order to have a front loading 2 car garage. If the garage was moved further back it would affect the rear family room with a connecting link into the garage and proposed rear yard patio area. He said due to the gross building area the side yard setbacks are enhanced and 25' is required from the side yard setback instead of 20'. He added that the applicant would also like to enhance the front of the home with a 6' front porch. The existing first step which already has a roof covering encroaches into the front yard setback by 35.7' and this porch addition will be a continuation of the non-conformity. He said the majority of the property porch will be within the required front yard setback of 40'. He said that ground foundation plantings will be planted in the front of the house. He said the second floor addition will consist of another bedroom, laundry room, common bathroom and master bedroom suite. There will not be a second story addition over the proposed garage and rear yard family room.

Board Member Hubert said the challenge with this application is that it is an odd shaped lot with an enhanced side yard setback requirement. Board Member Tanis asked how far the neighbor's house is off their property line with regards to the proposed garage structure. Mr. Klenk said the proposed garage addition will not affect the neighbor's home. He added that there is an existing buffer along the property line. The Board said the side yard setback of the garage at 11.2' is an issue and that the side yard setback be increased closer to the 25' which is required.

Tim Werkley, 129 Starr Place, Wyckoff, NJ was sworn. He said that most of the homes on the street have been rebuilt with 2 car garages. He said he is the only home on the street without a 2 car garage. He said the position of the house on the skewed lot makes this the only area where a garage can be located. He said the existing garage was in this location before it was enclosed and used as part of the primary structure. He said he would not like to put the garage behind the house because of the wooded area behind the house and beautiful rear yard. Township Engineer DiGennaro suggested a detached garage which would eliminate the side yard variances. Mr. Werkley said he would like the garage attached to the house. The Board was acceptable of the proposed landscape plan. Townships Engineer DiGennaro said he would like to see protection around the existing trees during construction.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Chair Ruebenacker said the Board cannot grant a variance for 11' off the property line. He suggested the possibility of a 20' setback thus reducing the garage to a 1 ½ car garage. He suggested that this application be carried to the Thursday, March 16, 2017 public hearing meeting. He said revised plans will need to be submitted along with an amended Section J ten (10) days before the next scheduled meeting.

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02-16-17PM

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Board of Adjustment

There being no further business, a motion to adjourn the meeting was made and seconded and passed unanimously. The meeting concluded at 11:00 p.m.

Respectfully Submitted,
Susan McQuaid, Secretary
Wyckoff Board of Adjustment