

**WYCKOFF BOARD OF ADJUSTMENT
JANUARY 19, 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 January 19, 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; Carl Fry, Vice Chairman; Mark Borst; Brian Hubert; Susan Yudin; Ed Kalpagian; Brian Tanis Rich DeLeo, Alt.; Robert Ebel, Alt.

Staff Present: David Becker, Board Attorney; Mark DiGennaro, Township Engineer; 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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ORGANIZATIONAL BUSINESS/MOTIONS

1. Oaths of Office to be administered to the new and continuing members, where applicable.
2. Roll call of Board of Adjustment Members
3. Election of Officers: Chairman and Vice Chairman
4. Resolution #17-001 for: Appointment of Board of Adjustment Attorney
5. Appointment of Board Secretary
6. Compliance with Open Public Meetings Act:
 - Annual Notice of Meetings
 - Continuation of Current Rules and Regulations
 - Official Newspapers – The Record, The Ridgewood News and The North Jersey

Herald and News
- Acceptance of Annual Report

The above referenced organizational business was acted upon at the work session meeting.

OLD BUSINESS

APPROVAL OF MINUTES

December 15, 2016 work session/public business meeting

The December 15, 2016 work session/public business meeting minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #17-01- Approval of vouchers from various escrow accounts.

Resolution #17-01 was approved at the work session meeting.

RESOLUTION(S) TO BE MEMORIALIZED

ERTEN, ALI BLK 264 LOT 20 (R-15) 116 Wood Street. *(The applicant proposes to remove the detached garage and add an attached garage and mud room on the first floor with a second floor dormer and a master bedroom over the garage and a covered front porch with landing & steps which will exceed the principle building and total lot coverage).*

VIDAIC, MARK & STEFANIE BLK 466 LOT 6 (R-15 CORNER); 77 Mary Ann Lane. *(The applicant proposes to provide a canopy over the existing front step platform and install a new shed roof over the proposed paver patio which will encroach into the front and side yard setbacks).*

IULIANO, FABIO & VERONICA BLK 352 LOT 11 (RA-25); 317 Newtown Road. *(The applicant proposes to construct an addition to the rear of the garage and also an open rear yard porch which will encroach into the side yard setback due to the enhanced gross building area).*

The above resolutions were memorialized at the work session meeting.

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Chair Ruebenacker again announced that the Alimi application at 688 Birchwood Drive will not be heard this evening. The applicant will need to renotece the newspaper and the neighbors.

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APPLICATION(S) – CARRIED

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).*

Board Member Kalpagian recused himself from discussion and removed himself from the dais. Mr. Whitaker, from the law firm of McDonnell & Whitaker, the applicant's attorney, said this is a continuation of the hearing that we had in on December 15, 2016. The variance request is due to a substandard lot in lot size and lot width. The applicant is asking for a minor front yard setback for the porch area and also for a side yard setback. He said that he has provided resolutions from other applications for purposes of some historic background as to what was done on other properties with variance relief due to substandard lots. He said at the previous meeting the Board had heard comments from the neighbors that were supportive. He said the applicant will provide underground utilities, the applicant is over on building coverage but there would be a stipulation in the form and a deed restrictions that there would be no accessory structures added in the future. He said the garage was reduced by 2' with one garage door and on the right side the chimney was relocated to the rear. He said there is a differential on right side due to the lot line that ques a little bit. By reducing the garage the overall building coverage was reduced. He added that the Board was very supportive of the design of the house and with these revisions the applicant has not hurt the integrity of the architectural style of the house.

At this time the following exhibit was marked as identification:
A-4 Revised plan dated 1-3-17

Peter Cooper, the applicant's architect, was reminded by Board Attorney Becker, that he remains under oath. He said that the footprint of the garage has been reduced to 23' x 24' which is a loss of 2' in order to reduce the right side setback to 13.56' to the roof overhang and at the rear of the garage it is 13.77' to the overhang. He said the chimney has been moved to the rear of the house and the dormer over the garage has been centered. On the right side the closest encroachment is 13.8' to the overhang. He added that the first floor has been reduced from 5711.5 square feet to 5511.5 square feet. He concluded that the total principle coverage is at 19.6%.

Township Engineer DiGennaro said the underground electricity should be shown on the site plan. Vice Chair Fry said it would be the discretion of the utility company if the utilities can be placed underground. Chairman Ruebenacker said the applicant was asked to reduce the house on the left side so it was close as possible to 15' which is now at 14.5' or 13.5' to the overhang; second floor on the left remains stepped in at 2' now instead of 4' and also did ask them to look at stepping in the second floor on the right if it was pleasing to the board. Comments from the board on right hand second floor.

Board Member Borst said he liked that the chimney was placed in the rear of the house. Chair Ruebenacker said the front yard setback is due to the roof over the front porch. He liked the screening added to the left side of the house. Board Member Borst said he had no issue with the landscape plan. Township Engineer DiGennaro asked if any trees will be removed during construction. Mr. Cooper said an 18" oak and 24" maple will need to be removed. He added that tree protection will be installed to protect the remaining trees. Chair Ruebenacker reviewed the variances with the Board Members. They are as follows: front yard, side yard, principle building coverage of 15% to 19.6%, the accessory has been reduced since the shed will be removed and 2 variances are pre-existing. Vice Chair Fry said that schedule J will need to be corrected.

OPEN TO THE PUBLIC

No one appeared.
CLOSED TO THE PUBLIC

Chairman Ruebenacker said architectural plans, engineering plans and Section J need to be revised and resubmitted. Board Member Borst made a motion to approve this application with a front left side yard setback of 13.56' and a setback on rear right of the house to the overhang of 13.8', a front yard setback of 32.2' where 40' is required to accommodate the front porch overhang and 19.6% in total building lot coverage are the four (4) variances documented in T-1 dated 1/3/17 Second, Vice Chairman Fry. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Fry and Chair Ruebenacker.

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Board Member Kalpagian returned to the dais.

APPLICATION(S) – NEW

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).*

John Brigandi, 376 Auburn Street, Wyckoff, NJ, and Chris Blake, CB architect, were sworn. Mr. Brigandi said he is increasing the footprint of the house by expanding the bedroom and increasing the kitchen area. He said he and his family would like to stay in the house and redesign it so that they can stay in Wyckoff for a long time.

Chris Blake, CB Architect, 155 North Washington Avenue, was sworn. He said he has been licensed in NY and NJ since 1993 and has appeared before other Boards before. The Board accepted his credentials as an expert. He said the applicant would like to add a 1 story addition to the rear of the house. The property is undersized and located on a corner lot. He would like to enlarge kitchen and add a master bedroom to the rear center of the house. He added that landscaping is located along the rear of the property. Board Member Borst said he does not have an issue with this addition and understands the hardship that it is undersized and a corner lot. Chair Ruebenacker said there is a current bump out in the rear of the house for the existing den. He added that this addition does not warrant new landscaping. Vice Chair Fry said if the lot was 15,000 square feet than the proposed addition would be under the 15% in principle lot coverage. Board Member Tanis and Board Member Borst said a second story addition would be more imposing to the neighborhood. Township Engineer DiGennaro said the impervious coverage maximum allowed is 43% and this addition is at 38.18%. Chair Ruebenacker said the variances requested are for principle and total coverage.

OPEN TO THE PUBLIC
No one appeared.
CLOSED TO THE PUBLIC

Vice Chair Fry made a motion to approve this application as presented with 19.1% principal building coverage where 15% is required and a total principal build and accessory structure of 22.37% where 20% is required. Second, Board Member Yudin. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Fry and Chairman Ruebenacker.

01-19-17PM

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Board of Adjustment

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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 9:25 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment