

**WYCKOFF ZONING BOARD OF ADJUSTMENT
JULY 20, 2017 PUBLIC WORK SESSION 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 Meetings Statement by Erik Ruebenacker, Acting Chairman:

"The July 20, 2017 Public Work Session 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.

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."

Board Member Attendance: Erik Ruebenacker, Chairman; Carl Fry, Vice Chairman; Mark Borst; Susan Yudin; Brian Tanis; Rich DeLeo, Alt.

Board Members Absent: Ed Kalpagian; Brian Hubert; Robert Ebel, Alt.

Staff Present: David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Susan McQuaid, Board Secretary.

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Acting Chairman Borst 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

June 15, 2017 work session/public business meeting

Board Member Borst made a motion to approve the June 15, 2017 work session/public business meeting minutes. Second, Board Member DeLeo. Voting in favor: Mr. DeLeo, Mr. Tanis, Ms. Yudin, Mr. Borst and Chair Ruebenacker.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #17-07- Approval of vouchers from various escrow accounts.

Board Member Borst made a motion to approve Resolution #17-07 for payment of vouchers. Second, Board Member Tanis. Voting in favor: Mr. DeLeo, Mr. Tanis, Ms. Yudin, Mr. Borst, Mr. Fry and Chair Ruebenacker.

RESOLUTION(S) TO BE MEMORIALIZED

188 HILLSIDE AVENUE, LLC BLK 353 LOT 10 (RA-25); 188 Hillside Avenue. *(The applicant proposes to add a level and expand the footprint of the existing dwelling which will encroach into the front yard setback).*

Board Member Yudin made a motion to memorialize this resolution. Second, Board Member DeLeo. Voting in favor: Mr. DeLeo, Mr. Tanis, Ms. Yudin and Chair Ruebenacker.

APPLICATION(S) – CARRIED

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 which will encroach into the side yard setback due to the enhanced side yard setback requirement and will exceed principal building lot coverage).* This application has been carried until the Thursday, August 17, 2017 meeting at the request of the applicant.

SHOTMEYER, MARSHA BLK 314 LOT 64 (RA-25); 502 Helena Avenue. *(The applicant proposes to add a level and expand the existing footprint of the house which will encroach into the side yard setbacks).* This application has been carried until the Thursday, August 17, 2017 meeting at the request of the applicant.

MOROZ, CEZARY/GAWLE, DANUTA BLK 231 LOT 6 (RA-25); 516 Clinton Avenue. *(The applicant proposes to expand the footprint of the existing house and add a level to the second floor which will trigger the enhanced side yard setback and encroach into the side yard setbacks).* This application has been carried until the Thursday, August 17, 2017 meeting at the request of the applicant.

APPLICATION(S) – NEW

STOJKOVSKI, VESNA & DRAGAN BLK 436 LOT 26 (RA-25 CORNER LOT); 701 Mountain Avenue. *(The applicant proposes to live in the existing home while they construct a new dwelling which will be consistent with the bulk requirements).*

Township Engineer DiGennaro said the existing single family dwelling is situated on a corner lot in the RA-25 zone and is non-conforming due to lot area and front yard setback. The applicant desires to construct a new conforming single family dwelling on the existing property while continuing to reside in the existing dwelling during construction. Once the proposed structure is complete, the applicant proposes to demolish and remove the existing non-conforming dwelling and accessory garage. The Code permits one single family principal building on a lot, therefore, variance relief is required to temporarily allow two principal structures on the lot. The property is served by municipal sewer. The Township has granted approval to similar applications in the past using developer's agreements to ensure the district zoning is complied with. It is recommended that any Board approval be conditioned upon the execution of a developers agreement which includes the posting of a performance bond of sufficient sum to cover the demolition and disposal of the existing structure; a time of completion for the entire project; and

an understanding that a Final Certificate of Occupancy will not be issued until the demolition of the existing structure is complete and the property is stabilized and landscaped. In addition, an approval from the Bergen County Soil Conservation Service will be required prior to release of any permits.

Chair Ruebenacker said this will be new construction and concurred that a performance bond will need to be provided to remove the existing house. Board Member Borst said the applicant has submitted a revised landscaping plan with a buffer along the property line and on Mountain Avenue. He noted that the variance is required since the property is deficient in lot size and that two (2) principle structures will be situated on one lot. Vice Chair Fry was concerned with the existing house being stabilized during construction and excavation for the new house. He said the new home will be conforming in all dimensional requirements. Board Member Borst noted a discrepancy in building heights. Township Engineer DiGennaro said the height is 34.66' which is noted on the engineer's site plan.

PUCHALIK, JOSEPH & SARAH BLK 352 LOT 4 (RA-25 CORNER); 269 Cedar Hill Avenue. *(The applicant proposes an alteration to the front porch, addition of a deck off the family room, shed and fence which will encroach into the front and side yard setbacks on this corner lot).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the RA-25 zone on a corner lot and is non-conforming due to front yard and rear yard setbacks. The applicant is proposing to construct a deck in the front yard, expand the front door open porch which currently encroaches into the front yard, install an accessory shed in the front yard and install a 6 foot privacy fence in the front yard. The proposal does not require Stormwater management consideration. The property is served by an existing septic system and must be accurately located by qualified professionals to ensure that the proposed deck will not encroach into the septic disposal system. Any approvals for the deck shall be conditioned upon the applicant's professionals to satisfy the Township Engineer as to the location and separation distance between the proposed deck and the septic system. Board Attorney Becker said there had been a previous approval before the Board of Adjustment for a family room in 2016. Township Engineer DiGennaro said the front porch is being widened with the front step at 25.85' and front stoop at 30.33'. The remaining deck, shed and fence will all have variances for structures in the front yard of the corner lot. The Board Members noted that the shed will need to be moved to the side property line and the 6' privacy fence will need landscaping in front of the fence 3' on center $\frac{1}{2}$ the height of the fence.

KOCHER, DAN & LAURA BLK 352 LOT 25 (RA-25); 274 Merlin Place. *(The applicant proposes to construct a one and a half story addition to the rear of the house for a kitchen, great room, master suite and porch which will trigger the enhanced side yard setback and encroach into the side yard setbacks).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area, frontage, front yard and side yard setbacks. The applicant is seeking relief from the code to expand the structure to add a great room, kitchen, porch and master bedroom suite on the second floor. A Stormwater management plan is required for this application and must be submitted and approved prior to release of any permits. A new septic system to serve a 4 bedroom dwelling has been approved for construction. Board Member Borst said whatever landscaping is disturbed during construction will need to be replaced with the same kind. Vice Chair Fry said this house is skewed on the lot

which is a hardship. He added that the applicant will be working with the original footprint of the house.

LES, ALEXANDER & CHRISTINA BLK 314 LOT 72 (RA-25); 540 Helena Avenue. *(The applicant proposes to demolish the existing home and construct a new home which will exceed the building height and trigger the enhanced side yard setback requirement).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot frontage. The applicant is proposing to demolish the existing functionally obsolete dwelling and construct a new modern single family home. The proposed impervious coverage is 26.8 % which is less than the maximum allowed. The property will be served by new 5 bedroom septic which has been approved. This application also requires a soil moving permit to move soil in excess of 100 CY. The applicant shall also provide well permit information to the Board of Health. Chair Ruebenacker said he would like to hear testimony on the height of the structure due to the topography of the property. Board Member Borst noted that this dwelling will have 3 stories due to a walk out basement. Township Engineer DiGennaro said if the applicant wanted to construct a future pool it would be conforming. Also the Stormwater management plan has been designed to include a pool. Chair Ruebenacker said the applicant has tried to soften the side yard encroachment. Vice Chair Fry opined that the garage should be located underneath the right side of the house. Chair Ruebenacker would like a tree count on the landscape plan. Board Member Borst said the landscape plan needs to be addressed.

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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 8:10 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment