WYCKOFF BOARD OF ADJUSTMENT

NOVEMBER 18, 2021 PUBLIC BUSINESS 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 Meetings Statement by Chairman Fry:

"The November 18, 2021, 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."

Mr. Fry read the following 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."

ROLL CALL:

Board Members in attendance: Carl Fry, Chairman; Erik Ruebenacker, Brian Hubert, Brian Tanis, Ed Kalpagian, and Nekije Rizvani.

Absent: Mark Borst, Vice Chairman; Rosa Riotto, and Ian Christ.

Staff in attendance: David Becker, Board Attorney; and Maureen Mitchell, Board Secretary. Absent, Mark DiGennaro, Township Engineer.

PLEDGE OF ALLEGIANCE

OLD BUSINESS

Approval of the October 21, 2021 Work Session and Public Business meeting minutes. The minutes were approved during the Work Session.

RESOLUTION FOR PAYMENTS #21-11

Payment Resolution #21-11 was approved during the Work Session.

MEMORIALIZING RESOLUTIONS

Renshaw/Grossano 446 Radcliff St. Block 489 Lot 8 R-15

(The applicant proposes to connect the existing detached garage to the existing principal building requiring variance relief for principal building lot coverage)

The Resolution was approved during the work session.

NEW APPLICATIONS

Leach, James 304 Voorhis Ave. Blk 288 Lot 40

(The applicant proposes to construct a second story addition and an addition in the rear requiring variance relief for side yard setbacks and principal building lot coverage)

James and Jillian Leach, the applicants, were sworn in. Mr. Leach stated that he was born and raised in Wyckoff, and he has extended family members that live in Wyckoff as well. Mr. Leach said that he and his wife purchased the home in 2014 and reside there with their two (2) children. He added that they are outgrowing the house as it currently exists and desire to expand the home so they may continue to live in the neighborhood they love.

Mr. Ruebenacker inquired about the thought process behind the decision to expand the home rather than move into a larger home.

Mr. Leach stated that they wish to stay in their current neighborhood and would like it to be their forever home however they need more room.

Mrs. Leach stated that she loves the location of their home in the knolls section as it is convenient to walk her children to school, church and into town and those options are not available from other areas in Wyckoff.

Tyler Vandervalk, the applicant's Engineer was sworn in. His professional affiliation is with Houser Engineering. Mr. Vandervalk stated that he has a degree in civil engineering from NJIT and his license is current and in good standing. The Board recognized Mr. Vandervalk as an expert in his field.

Mr. Vandervalk provided the following details of the application:

The lot consists of 16,061 sf where 25,00 is required. The lot is also deficient in lot width and frontage. Both side yard setbacks are existing nonconforming at 11.2' and 17.3' The proposed building height is 31.25' where 35' is the maximum allowed. This is a cape cod style single family home with an attached garage. The applicant proposes to construct a series of additions including converting the upper half story into a full second story build out. There is a one story addition proposed in the rear of the existing home, an addition to enlarge the breezeway that connects the garage to the main structure of the home, and an addition of a covered front porch. Two (2) stormwater management recharge systems are proposed in the rear to capture all runoff from the roof leaders. A four (4) bedroom septic system was installed in 2014 and the home will remain a four (4) bedroom home. Mr. Vandervalk then pointed out that the plan he is presenting this evening, which is dated 11/18/2021, is different from the plan that was provided to the Board due to the elimination of a small bump out. The plan provided to the Board shows the bump out however the engineering plan dated 11/18/2021 shows the bump out, the principal

building coverage calculation must be corrected to 16.7% not 16.8%, which is listed on the section J.

Mr. Vandervalk stated that he heard the comments regarding the landscape plan during the work session. The correct number of plantings should be nine (9) azaleas not eight (8), the number of proposed laurels should be nine (9) not ten (10) and the viburnum should be removed from the plan.

Mr. Kalpagian and Mr. Ruebenacker inquired about placing the utility lines underground. Mr. Vandervalk stated that it is possible however it would be very difficult due to the fact that the septic is located in the front yard where the lines would typically be placed underground, and it would not be a straight run from the utility pole.

Chairman Fry stated that a hardship exists due to the undersized lot and the fact that the house is skewed to the lot. He added that when the setbacks are nonconforming the Board typically recommends lowering the roof line to soften the effects on the neighbor.

There was a discussion regarding the engineering plan that is being presented which is slightly different from the plan that was provided to the Board members. Mr. Vandervalk stated that the Layout, Grading, and Soil and Sediment Control Plan presented this evening which is dated 11/18/2021 is different in that it illustrates that a small bump out has been removed which therefore reduced the principal building lot coverage from 16.8% to 16.7%

Board Attorney Becker stated that the plan dated 11/18/2021 should be marked exhibit A-3.

Ms. Mitchell stated that should the application be approved, Mr. Vandervalk must submit five (5) copies of exhibit A-3, which has been presented this evening, to her office as the final approved plan.

Mark Braithwaite, the applicant's Architect, was sworn in. Mr. Braithwaite has appeared before this Board many times and his credential were accepted. Mr. Braithwaite stated that they are proposing a four (4) bedroom and three and a half (3 ½) bathroom house. The proposed house is a classic colonial style. The home fits the site and the neighborhood without expanding to a very large house. The roof over the garage will be raised to match the design of the rest of the house. The gross building area of the proposed home is 3,543 sf. Mr. Braithwaite said that all of the new construction will be outside of the setbacks. He went on to say that the entire front structure of the existing will remain and the rear will be removed and rebuilt.

Chairman Fry pointed out that the proposed gross building area is listed 3,839 sf on the section J of the application not 3,543 as stated by Mr. Braithwaite.

Mr. Braithwaite said that the first floor, second floor, and garage total 3,543 sf of gross building area. The 3,839 is in anticipation that a portion of the attic will be finished since there is a full walk up staircase to the attic.

Mr. Becker said that a finished attic will constitute a three (3) story house. Mr. Braithwaite disagreed stating that due to the size, it is not considered a third story. Mr. Becker asserted that in the Township of Wyckoff, if there is a full walk up staircase to a finished attic, it is considered a third story which requires another variance. The Chairman concurred. Mr. Braithwaite then stated that they will not finish the attic space which means the proposed gross building area is

3,543 sf and the enhanced side yard setback of 25' is no longer required. Chairman Fry stated that the architectural plan should be revised to remove the option to finish the attic.

Mr. Hubert inquired about the ceiling heights of the first and second floors. Mr. Braithwaite stated that the first floor ceilings will be raised to 9' by using a technique called "jumping the floor" and the second floor ceilings will be 8'. This will actually increase the height of the structure to 32.5' even though the section J states 31.5' because the jumping the floor idea just came up in the past week after the copies were distributed to the Board.

Mr. Ruebenacker asked if the roof pitch could be reduced to keep the proposed building height at 31.25. Mr. Braithwaite stated that the roof pitch could be reduced from a 10/12 to a 9 which will keep the height at 31.25'. Mr. Ruebenacker said the architectural plan will need to be revised to reflect the new roof pitch.

Mr. Ruebenacker asked about the proposed siding. Mr. Braithwaite stated the house will be sided with white hardy plank and black shutters.

Mr. Tanis pointed out that the plan illustrates a door leading to the space over the garage and the ceiling height is being raised. He asked if they are planning to use it as a bonus room. Mr. Braithwaite stated it will be unfinished space and possibly a mechanical room.

Chairman Fry summarized by stating that the roof pitch will be lowered to allow for a building height of 31.25', the option to finish the attic space will be removed from the architectural plan, the section J will be revised to reflect a proposed gross building area of 3,543 sf and a principal building lot coverage of 16.7%. The layout, grading and soil and sediment control plan will also be revised to eliminate the one small bump out and the landscape plan will reflect the correct quantities of plantings.

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NO ONE FROM THE PUBLIC COMMENTED
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Mr. Becker said the three (3) variances being sought are for the two (2) side yard setbacks and the principal building lot coverage.

Mr. Tanis made a motion to approve the application with the conditions that revisions will be made to the engineering plan and architectural plan to reflect correct zoning table, plant quantities, lowered ridge height, removing the option to finish the third floor attic, and correcting the section J gross building area and principal building lot coverage calculations. Second, Mr. Kalpagian. Voting in favor: Ms. Rizvani, Mr. Tanis, Mr. Kalpagian, Mr. Huber, Mr. Ruebenacker, and Chairman Fry

Wyckoff Cycle 398 Franklin Ave. Blk 250 Lot 1

(The applicant is proposing a 4th façade sign on Franklin Avenue requiring variance relief from the Code 186-28F which states only one sign is permitted for each retail business establishment)

Board member Kalpagian recused himself and stepped down from the dais.

Anthony Graceffo, the applicant's Attorney came forward and asked the applicant to provide the

application details.

Patrick Hunter, the applicant, was sworn in. Mr. Hunter is member of Wyckoff Cycle LLC, and his business address is 398 Franklin Avenue. Mr. Hunter stated that the original Wyckoff Cycle shop had one (1) sign over the entrance on Franklin Avenue. The business grew, and he was fortunate enough to take over the space previously occupied by Aldor's Cabinet Shop. Mr. Hunter said that Aldor's had three (3) façade signs therefore Wyckoff Cycle was permitted to place three (3) signs in the same locations due to the pre-existing nonconformity. He went on to say that he would like to place a new sign above the original entrance to the bike shop however a variance is required for the fourth sign as per the Township's Code. Mr. Hunter pointed out that when the cabinet shop and the bike shop were both occupying the location, there were four (4) signs on the building, and he would just like to replace the fourth sign over the original entrance to Wyckoff Cycle.

Mr. Graceffo presented photos of the signage on the front of the Wyckoff Cycle Shop marked exhibits A-2 through A-6. He stated that the business now has two (2) entrances, and the applicant would like to add the fourth sign over the original entrance. He added that presently, there is no sign over the entrance on Franklin Avenue. Mr. Graceffo said he believes it is a very tasteful sign and will give provide balance to the façade.

Chairman Fry inquired about the purpose of the original entry door since the main entrance of the cycle shop is now on the corner of Wyckoff and Franklin Avenues. Mr. Hunter stated that the entrance on Franklin will be utilized, in addition to the main entrance on the corner, during the busier seasons.

Chairman Fry said he likes the look of the sign and the gooseneck lighting adding that it is in character with the Town.

Mr. Ruebenacker asked if the fourth sign will match the three existing signs on the building in style, color, and finish. Mr. Hunter stated they will all be the same design and burgundy color with gold leaf lettering and edging.

Ms. Rizvani asked if the bike shop will utilize the window display to bring attention to the shop. Mr. Hunter said they will dress up the windows a little bit to make it more appealing.

Mr. Tanis asked if they plan to add branding or lettering to the store front windows. Mr. Hunter said they may put up seasonal temporary banners such as a holiday layaway advertisement, but no full window displays are planned for the shop.

Mr. Becker clarified that the applicant's letter, which was part of the submitted application, is marked exhibit A-1.

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NO ONE FROM THE PUBLIC APPEARED
CLOSED TO THE PUBLIC

Mr. Hubert made a motion to approve the application as submitted. Second, Mr. Ruebenacker. Voting in favor: Mr. Tanis, Ms. Rizvani, Mr. Hubert, Mr. Ruebenacker, and Chairman Fry.

Mr. Kalpagian returned to the dais.

Hamernick, Brittany 262 Morse Ave. Blk 254 Lot 1

(The applicant proposes to construct a first and second story addition and also construct a new one car garage requiring variance relief for principal building front and side yard setbacks, accessory setbacks, principal, and combined lot coverage)

Brittany Hamernick, the applicant, was sworn in. Ms. Hamernick stated that she purchased the home at 262 Morse Avenue in July and it is her first home purchase. She said that she has lived in Bergen County her whole life and purchased this home to put down roots in Wyckoff for many years to come.

Joseph Cestaro, the applicant's Architect, was sworn in. Mr. Cestaro's business address is 257 Everett Avenue in Wyckoff. Mr. Cestaro stated that he has a bachelor's degree in Architecture from NJIT. He is licensed in the State of NJ and his license is current and in good standing. The Chairman accepted Mr. Cestaro's credentials.

Mr. Cestaro provided the following details of the application:

The existing single family home needs updating inside and out. We are proposing a modest addition and the entire house will be renovated to bring it up to today's standards while preserving the scale, details, and design of the original home. The existing home sits on a very undersized lot. We are proposing to construct an addition to the second story above the first floor porch and also construct a new addition in excess of the footprint in the rear of the home. There is currently no onsite parking, so we are proposing to construct a one car detached garage with a double width driveway. The existing shed will be removed. We are seeking variance relief for six (6) nonconformities. The existing lot area is 6,250 sf where 25,000 sf is required in the zone. Lot depth is 125' where 150' is the requirement. The existing front yard setback on Morse Avenue is 22.5' and 5.3' on High Street, with both proposed to remain unchanged. We are proposing a principal building lot coverage of 16.4% where 15% is the maximum allowed and a combined lot coverage of 21% where 20% is the maximum allowed. The proposed garage is 13' by 22' which is just wide enough to accommodate one (1) car. The garage will have stone around the foundation, horizontal siding, and architectural lanterns. The impervious coverage will be well below the maximum allowed. The house will remain a three (3) bedroom house and we will increase the bathroom count from one (1) to two (2). Our goal is to maintain the original charm and character of the old house. We are keeping the porch and will update it with new columns. We will also maintain the character of the original home with boxed in gutters. The house will be sided with horizontal siding and a stone foundation.

Board Attorney Becker asked for clarification on the revision date of the submitted architectural plans. Mr. Cestaro stated the last revision date was 10/12/2021 and those are the plans that were provided to the Board members.

Mr. Ruebenacker said that what is being proposed is a very clean, straight forward design adding that the house is over 100 years old, and it is great that the applicant is not going to tear it down and start over. He added that the 5.3' setback on High Street is a challenge however it is facing a commercial parking lot, not a neighboring home, so he does not see it as a problem.

Mr. Kalpagian stated that the applicant is faced with the hardship pf an extremely undersized lot of 6,250 sf and what is proposed will be a vast improvement to what currently exists.

Mr. Tanis said he is very familiar with the neighborhood and loves the old houses adding the lot size is definitely a hardship. He asked Mr. Cestaro if he had considered any different designs for the roof line on the High Street side to lessen the impact of the second story addition.

Mr. Cestaro stated that he did consider other designs however they just did not fit with the character of the home, and he and the applicant prefer the simplicity of the design that has been presented.

Chairman Fry said this is a unique situation with the lot being extremely undersized at 6,250 sf where it should be 25,000 sf. Which is definitely a hardship. He lamented that he is not thrilled with the 5.3' setback on High Street and asked what the distance is from the house to the street.

Mr. Cestaro stated it is approximately 13' from the street to the house and there is a commercial building and parking lot across the street.

Mr. Fry said he thought they did as good a job as could be done on that small lot and keeping the 100 year old house. He then asked if the foundation has been inspected as it could present problems when they attempt to add additional mass to the old house.

Ms. Hamernick said that she had the house inspected and she was told the foundation is fine.

Chairman Fry said an extensive landscape plan has been submitted which will really clean up and improve this site. He pointed out that the plan proposes a 6' wood shadow board fence along the property line on High Street.

Mr. Tanis stated that he believes the fence must be installed behind the plane of the house or it will require another variance.

Mr. Cestaro said they will move the fence back to be in line with the plane of the house and put the plantings in front of the fence.

Mr. Fry advised that a revised landscape plan will have to be submitted to show the fence behind the plane of the house. He then asked about the trellis that is shown on the landscape plan which will be considered another accessory structure.

Ms. Hamernick and Mr. Cestaro said the proposed trellis will be removed from the plan.

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NO ONE FROM THE PUBLIC COMMENTED
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Mr. Ruebenacker pointed out that the shadow board fence is also depicted on the architectural plan so that plan will also need to be revised and resubmitted.

Finally, the Chairman cautioned the applicant to bear in mind that whatever is proposed on the landscape plan will have to be adhered to before the Building Department can issue a certificate of occupancy. He then asked for a motion on the application.

Mr. Kalpagian made a motion to approve the application with the condition that a revised

landscape plan and architectural plan will be submitted to reflect the natural wood shadow board fence on High Street will be placed behind the plane of the house with plantings on the street side of the fence, and the removal of the trellis. Second, Mr. Ruebenacker. Voting in favor: Mr. Tanis, Ms. Rizvani, Mr. Hubert, Mr. Kalpagian, Mr. Ruebenacker, and Chairman Fry.

Grano, Anthony 178 Cottage Rd. Blk 456 Lot 24

(The applicant proposes to construct 2 covered patios, a storage room, powder room and a pool requiring variance relief for accessory lot coverage and total combined lot coverage)

Santo Alampi, the applicant's Attorney came forward to provide an overview of the application.

Board Attorney Becker marked the application submission exhibit A-1.

Mr. Alampi stated that the lot is undersized for the RA-25 zone with 16,930 sf existing where 25,000 sf is the requirement. The lot width is 100' where 125' is required. The new variances we are seeking are for accessory lot coverage of 10% where 5% is allowed, and combined lot coverage of 22.8% where 20% is allowed. Both of the proposed structures will be out of the setbacks.

Robert Weissman, the applicant's Engineer was sworn in. Mr. Weissman has appeared before this Board many times and he was accepted as an expert in his field. Mr. Weissman provided the following details of the application:

We are proposing two (2) covered patio areas. One will be a covered dining area in the center of the back of the house and the other covered area will run along the right rear of the property. Attached to the structure on the right side of the rear yard we are also proposing a storage area and a powder room. A new outdoor kitchen will be constructed under the larger 55' by 16' covered area. The existing shed in the rear yard is to be removed. The impervious coverage will be conforming.

Chairman Fry questioned what accounts for the existing 0.76% accessory lot coverage and what the proposed 10% accessory lot coverage will encompass.

Mr. Alampi stated that the proposed pool, the two (2) proposed covered patio areas, and the storage room and powder room will make up the 10% accessory lot coverage.

Chairman Fry stated that he believes it is too much accessory coverage and the 55' by 16' size of the covered patio is excessive, not to mention the addition of the storage room and the powder room. He added that the larger structure almost looks like a banquet hall.

Mr. Tanis asked what the hardship is with this application.

Mr. Alampi said the undersized lot is the hardship.

Mr. Tanis stated that the applicant is seriously exacerbating the situation with the size of the structure that is proposed. He added that he does not see the hardship when the applicant is proposing over 1,250 sf of accessory structures on the lot which is undersized.

William Brown, the applicant's Architect was sworn in. Mr., Brown has appeared before the Board many times and was recognized as an expert in his field. Mr. Brown stated that the plan,

dated 10/8/2021, proposes a large, covered patio with a BBQ and seating area, powder room and storage room, and space for a tables and chairs. It will be a columned open air pavilion except for the powder room and storage room, which will be enclosed. The siding materials will match what is existing on the house.

Mr. Hubert said the accessory lot coverage is excessive and they need to get the number closer to the permitted 5%.

Chairman Fry said you are proposing a 55' long structure along the right side of the rear yard that looks like a resort or a catering facility. He went on to say that he does not see how the Board can see this as a hardship even though the lot is undersized as it is far exceeding the lot coverage. Something would have to be reduced and removing 300 sf or 400 sf off the accessory structure would be a good place to start. Mr. Fry stated that what is being proposed is unheard of and this Board has never seen anything like this before, adding that the hardship here is self-inflicted. Finally he advised getting the accessory coverage closer to the permitted 5%.

Mr. Kalpagian concurred stating the structure is very large and he does not see the hardship. He added that he certainly understands the need for a shaded area in the yard, however this can be accomplished with trees and cantilever umbrellas. With this proposal you are covering the entire back yard except for the pool and there is basically no usable space left in the yard.

Mr. Grano, the applicant, and homeowner, was sworn in. He stated that he is the patriarch of his family. He said that since the pandemic started, his home has become the gathering place for his large extended family. Mr. Grano said he designed the larger covered patio area to accommodate folding table and chairs for dining and to provide shade for his guests.

Chairman Fry reiterated that he is opposed to the 55' long structure running down that side of the property adding, if I was the neighbor, I would not be happy with that.

Mr. Ruebenacker said he doesn't get the concept of constructing two covered patio structures that are detached form the house as it just does not make any sense and is not practical.

The Chairman recommended building an attached covered patio across the back of the house instead of down the side of the yard and getting the combined lot coverage to 20%. He added that the perpendicular extension off the back is problematic, and we really don't want to see that.

Ms. Rizvani stated that she sees a lot of homes due to her profession and she really likes the proposed covered dining area in the center off the back of the house. She went on to say that home buyers want to see covered dining areas however the 55' structure on the side is just too large and will be confusing to buyers from a resale point of view.

The applicant and his professional will work on revising the plans.

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NO ONE FROM THE PUBLIC COMMENTED
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Mr. Becker stated the applicant will not need to re-notice for next month's meeting.

Fowler, David 310 Windham Ct. Blk 206 Lot 51

(Applicant proposes to construct an addition in the rear of the home requiring variance relief for enhanced side yard setback of 22.5' existing and proposed where 25' is required)

Anastasia Fowler, the applicant, was sworn in. Richard Bouchard, the applicant's Architect, was sworn in. Mr. Bouchard stated that he has worked as an architect for the last 40 years, he is licensed in the State of New Jersey and his license current and in good standing. The Chairman recognized Mr. Bouchard as an expert in his field.

Ms. Fowler stated that she has been a lifelong resident of Wyckoff. She is proposing an addition to her home so that her elderly mother-in-law can come to live with her and her husband.

Mr. Bouchard provided the following details of the application:

We are proposing a one story addition to the rear of the home consisting of a first floor bedroom, a sitting area, and a full bathroom. There will be no private entrance to the addition from the driveway. The new space will be accessed through a hallway from the kitchen. The addition requires no variances. We are here because the existing side yard setback on the opposite side of the house is 22.5' and the enhanced side yard setback of 25' is required. If we were to reduce the size of the addition to stay below 3,700 sf, the space would not be practical.

Chairman Fry stated that the proposed addition will be constructed behind the garage which is on the right side of the home and the side yard setback on that side is conforming. The existing side yard on the left side is 22.5' is on the opposite side of the house.

Mr. Kalpagian pointed out that there is also a privacy fence around the rear yard so the addition will essentially not be seen.

Ms. Fowler said they are also planning to reside the entire house with hardy plank siding and replace all of the windows.

Chairman Fry said the application is very straight forward and cut and dry.

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NO ONE FROM THE PUBLIC COMMENTED
CLOSED TO THE PUBLIC

Mr. Ruebenacker made a motion to approve the application as submitted. Second, Mr. Hubert. Voting in favor: Mr. Tanis, Ms. Rizvani, Mr. Hubert, Mr. Kalpagian, Mr. Ruebenacker, and Chairman Fry.

Schnurr, Michael 605 Buena Vista Dr. Block 247 Lot 7 RA-25

(The applicant proposes to construct an addition to connect the existing detached garage to the principal building requiring variance relief for the side yard setback)

Chairman Fry announced that this application will be heard at the December 16, 2021 meeting.

There being no further business, a motion was made to adjourn the Public Session, seconded and passed unanimously. The Public Business Meeting was adjourned at 11:20 p.m.

Respectfully Submitted, Maureen Mitchell, Secretary Wyckoff Board of Adjustment