

**WYCKOFF BOARD OF ADJUSTMENT  
MARCH 9, 2015 SPECIAL MEETING MINUTES**

Special Meeting: 7:30 p.m. – Wyckoff Memorial Town Hall, Second Floor Court Room, 340 Franklin Avenue, Wyckoff, NJ

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

This special meeting of the Wyckoff Board of Adjustment dated Monday, March 9, 2015 is now in session. In accordance with Section 8 of the Open Public Meetings Act, I wish to advise that notice of this meeting has been posted in the lower level of Memorial Town Hall since Thursday, March 3, 2014. A copy of the notice has been filed with the Township Clerk and copies were sent to the Ridgewood News, the Bergen Record and the North Jersey Herald and News all papers with general circulation throughout the Township of Wyckoff. This notice establishes a special meeting for the Christian Health Care Center application.

**Board Member Attendance:** Erik Ruebenacker, Chairman; Carl Fry, Vice Chairman; Mark Borst; Susan Yudin; John Carolan; Brian Hubert; Ed Kalpagian, Alt.; Brian Tanis, Alt.

**Absent:** John Carolan

**Staff Attendance:** John A. Spizziri, Board of Adjustment Attorney; Mark DiGennaro, Township Engineer; Peter TenKate, Boswell Engineering Representative; Susan McQuaid, Board of Adjustment Secretary.

Roll call was taken.  
Pledge of Allegiance.

**APPLICATION – NEW**

**CHRISTIAN HEALTH CARE CENTER (CHCC)** BLK 443 LOTS 49.03, 52.01 & 51; 301 Sicomac Avenue; Amended site plan/Variance/Use Variance. *(The applicant proposes to amend the previous variance and site plan resolution adopted by the Board of Adjustment on May 13, 2013. The application amends the prior approval to provide for a reduction of building coverage in; 1) Wyckoff from 126,587 sf to 118,132 sf for a net change of minus 8,455 sf; 2) a reduction of impervious surface in Wyckoff of 11,672 sf; 3) a reduction in building coverage in Hawthorne from 26,502 sf to 25,935 sf for a reduction of 567 sf, and 4) a total reduction of impervious surface in Hawthorne of 1,221 sf. The total reduction in both municipalities of building coverage is 9,023 sf and the reduction in impervious area is 10,452 sf. The total number of units previously approved at 199 remains unchanged with some redistribution of 1 & 2 bedroom units. The applicant is also seeking an adjustment of the construction materials required in the Wyckoff resolution of approval).*

Mr. Jerome Vogel, the applicant's attorney, Mr. Ken Karle, the applicant's architect, and Mr. Doug Struyk, the President and CEO of the CHCC were present.

Chair Ruebenacker said there was one open item from last week's discussion with regards to the NJ DCA letter from Mr. Hilzer. Board Attorney Spizziri said he contacted Mr. Hilzer from the

DCA and had a second conversation with him. Mr. Hilzer pointed out that his letter to the Board dated December 15, 2015 the New Jersey Administrative Code, which is part of which the Uniform Construction Code (UCC) Section 523-2.2, is the operative section of the law which he is relying upon. He said that based upon the statute and the case law this Board did not have jurisdiction to require that type of construction.

Chair Ruebenacker said he would like the Board to hire an independent fire engineer consultant to analyze the 2 sets of CHCC plans and fire safety enhancements and provide a written report on each proposed design from an overall fire and safety perspective. The consultant will meet with the Township Engineer, Boswell Engineering Representative and the applicant's engineer. Vice Chair Fry made a motion to hire an expert. Second, Board Member Hubert. The Board unanimously agree. A motion was made to carry this application to the Thursday, April 16, 2015 public hearing meeting at 7:30 p.m. The applicant will not need to renote the neighbors or the newspaper.

\* \* \* \* \*

Chairman Donkersloot made a motion to adjourn the discussion. All in favor. The meeting concluded at 8:02 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary  
Wyckoff Board of Adjustment