

**WYCKOFF ZONING BOARD OF ADJUSTMENT
MARCH 16, 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, Chairman:

"The March 16, 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; Brian Hubert; Susan Yudin; Ed Kalpagian; Brian Tanis; Rich DeLeo, Alt.

Board Members Absent: Robert Ebel, Alt.

Staff Present: David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Mike Kelly, Boswell Engineering Representative; Susan McQuaid, Board Secretary.

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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

February 16, 2017 work session/public business meeting

Board Member Kalpagian made a motion to approve the February 16, 2017 work session/public business meeting minutes. Second, Board Member Hubert. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin and Chair Ruebenacker.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #17-03- Approval of vouchers from various escrow accounts

Vice Chairman Fry made a motion to approve Resolution #17-03 for vouchers for payment. Second, Board Member Kalpagian. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Fry and Chair Ruebenacker.

RESOLUTION(S) TO BE MEMORIALIZED

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).*

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).*

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).*

Board Member Hubert made a motion to approve the above referenced resolutions. Second, Board Member Kalpagian. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin and Chair Ruebenacker.

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Chair Ruebenacker said the board is in receipt of a memo from the Mayor reminding them that the checklist for land-use applications requires a landscaping plan. The Township Committee's legislative intent is to save trees on private property from destruction during development and to require deciduous trees that grow tall provide shade for the larger neighborhood instead of ornamental trees. Board Member Hubert was concerned with how to balance the tree removal when the trees are dead or dying. Board Member Yudin said a lot of trees are removed before they come before the board for a variance. Vice Chair Fry said there should be a document in place to be given to the applicant before they apply for a permit or a variance application. Township Engineer DiGennaro said a landscape plan is required for on-site septic work and zero percent run-off reviews that do not trigger an application to a Wyckoff Land-Use board. He said the trees that will remain are to be fenced during construction as a tree protection detail plan. Township Committeeman Shanley expressed the Township Committees reference that deciduous trees be required to be planted in the front of homes when trees are removed to recreate a canopy of shade. Board Member Borst said that when we see a large tree removed it should be replaced with a deciduous shade tree.

APPLICATION(S) – CARRIED

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).*

Chair Ruebenacker said the rear patio has been stepped in to the 25 setback requirement. Vice Chair Fry said he listened to the tape from last month's meeting and noted that the depth of the porch was at 16' and now has been increased to 21' deep. He said the corner of the patio was the main issue which was reduced to the side yard setback of 25'.

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).*

This application has been carried to the Thursday, April 20, 2017 public hearing meeting at the request of the applicant.

FOR COMPLETENESS REVIEW/PUBLIC HEARING

CHRISTIAN HEALTHCARE CENTER (CHCC) BLK 443 LOT 49.03, 51 & 52.01 (RA-25) – Amended site plan/use variance. *The applicant proposes to install a chiller (AC) unit in an existing courtyard.*

Borst Member Borst recused himself from discussion.

Boswell Engineering Representative Kelly said the applicant is proposing a 281 square foot chiller. The Board will need testimony from the applicant as to the purpose of the chiller and the request of a few waivers, noise to be generator and landscaping. He said the chiller will be placed in a courtyard and the impervious area is within the allowable area permitted by the Township.

Board Member Yudin made a motion to deem this application complete so it can be heard at the 8:00 p.m. public hearing meeting. Second, Vice Chairman Fry. Voting in favor: Mr. Tanis, Mr. DeLeo, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Fry and Chair Ruebenacker.

APPLICATION(S) – NEW

TOSCANO, PETER & DONNA BLK 455 LOT 46 (RA-25); 470 Glendale road. *(The applicant proposes to construct a covering over the existing front porch which will encroach into the front yard setback).*

Township Engineer DiGennaro said the existing single family dwelling is situate in the RA-25 zone and is conforming. The applicant is proposing to add a covering over the existing front porch requiring variance for front yard setback of 33.8'. Testimony will be heard at the public hearing meeting at 8:00 p.m.

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).*

Board Member Borst and Board Member Tanis recused themselves from discussion and removed themselves from the dais.

Boswell Engineering Representative Kelly said this is an undersized lot in lot frontage of 75' where 125' is required and in lot area where 22,293.85 sf is existing and 25,000 sf is required. He said the applicant is proposing a second story addition and an addition to the first floor to the side and rear resulting in a side yard variance of 10.4' where 20' is required. He said there is an existing water main that runs from Helena Avenue to the north and down along the shared property line with the neighbor. He said a representative is present this evening from Ridgewood Water. The water main has been flagged on site but Ridgewood Water is researching the documentation for the deed to this easement. Chair Ruebenacker said that 10' is very close to the property line where 20' is required. He said a detached garage can be construction in the rear yard. Vice Chair Fry said the hardship is due to the undersized width of the property and also that the house is not square to the property line. He agreed that 10' is very close to the property line in an RA-25 zone. Township Engineer DiGennaro said there should be a discussion with Ridgewood water as to whether the applicant can connect to the Ridgewood water supply or use the existing well. Board Member Yudin suggested underground utilities. Testimony will be heard at the public hearing meeting at 8:00 p.m.

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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 8:14 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment