

**WYCKOFF ZONING BOARD OF ADJUSTMENT  
DECEMBER 19, 2019  
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 Chairman Fry:

"The December 19, 2019 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."

Chairman Fry 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](http://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 time."*

Roll call was taken.

**Board Members in attendance:** Carl Fry, Chairman; Erik Ruebenacker, Vice Chairman; Board Members: Mark Borst, Brian Tanis, Ed Kalpagian, Brian Hubert, Rosa Riotto and Kelly Conlon.

**Board Members absent:** Louis Cicerchia.

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

**OLD BUSINESS**

Approval of the November 21, 2019 work session and public business meeting minutes.

Board Member Hubert made a motion to approve the November 21, 2019 work session and public meeting minutes. Second, Mr. Kalpagian. Voting in favor: Ms. Conlon, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Mr. Borst, Ms. Riotto, Mr. Ruebenacker and Chairman Fry.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #19-12** Approval of vouchers for Engineering and Professional Services.

Vice Chairman Ruebenacker made a motion to approve Resolution #19-12 for payment of vouchers. Second, Mr. Tanis. Voting in favor: Ms. Conlon, Ms. Riotto, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

**RESOLUTION(S) TO BE MEMORIALIZED****CASTRO, HUGO** 43 Park Avenue BLK 278 LOT 24.01

(The applicant proposes to renovate the home and expand the second story.)

Mr. Kalpagian made a motion to approve the Resolution. Second, Mr. Ruebenacker. Voting in favor: Ms. Conlon, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Ruebenacker and Chairman Fry. Mr. Borst abstained.

**DISENSO, PHILLIP 58 Wyckoff Avenue** BLK 466 LOT 45

(The applicant proposes to construct an addition to the second story and renovate the first and second stories. The lot is nonconforming in area, frontage, depth, both front yard setbacks and side yard setback.)

Mr. Borst made a motion to approve the Resolution. Second, Ms. Riotto. Voting in favor: Ms. Conlon, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Borst, Mr. Ruebenacker and Chairman Fry. Mr. Tanis abstained.

**LEACH, TIMOTHY 416 Vassar St.** BLK 486 LOT 5.01

(The applicant proposes to expand the first and second stories of the existing home. The lot is nonconforming in area, frontage, depth and accessory structure side yard setback.)

Vice Chairman Ruebenacker made a motion to approve the Resolution. Second, Mr. Borst. Voting in favor: Ms. Conlon, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

**DE BOER, JEFFREY 494 Ivy Lane** BLK 421.02 LOT 17

(The applicant proposes to expand the first floor, add a second story, add a 3<sup>rd</sup> garage bay exceeding 3,700 sf thereby triggering the enhanced side yard setback of 25'. He is proposing 20.3'.)

Vice Chairman Ruebenacker made a motion to approve the Resolution. Second, Mr. Borst. Voting in favor: Ms. Conlon, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

**APPLICATIONS CARRIED****PERGOLIZZI, JOHN** 316 Calvin Court BLK 349 LOT 48

(The applicant proposes to move his A/C units from the rear yard to the side yard.)

The applicant requested in writing that his application be carried to the January 16, 2020 meeting.

**MOSERA, ROBERT 241 Eastview Terrace** BLK 393 LOT 6

(The applicant proposes to expand the first and second stories of the existing home. He is also proposing to construct a new 2 car detached garage in the rear yard 5' from both the rear and side yard property lines. The lot is nonconforming in area, width and depth.)

Township Engineer DiGennaro stated that he reviewed the revised plans prepared by RDS Architects dated 12/10/2019. At the last meeting the Board made suggestions regarding the location of the new, two car garage which was being proposed at 5' from the side property line and 5' from the rear property line. The revised plan shows that the applicant is now proposing the garage 10' from the side property line and 12.6' from the rear property line. A landscape plan has also been submitted. Twelve (12) green giant arborvitaes, 5'-6' tall, 5' on center are proposed around the side and rear of the proposed garage. The A/C units are shown to be located off the left rear corner of the house with screening consisting of ten (10) sky pencil hollies, 18"-24" in height. The applicant and his Architect will provide testimony during the Public hearing.

**NEW APPLICATIONS****HALILI, SEMRA 11 Madison Heights BLK 334 LOT 2**

(The applicant proposes to expand the first floor and add a second story. The lot is nonconforming in area, frontage, depth, both front yard setbacks (corner lot) and side yard setback.)

Mr. DiGennaro provided the following detailed report: the existing single-family dwelling is situated on a corner, non-conforming lot located in the R-15 zone. The property is non-conforming due to lot area, depth, front yard setbacks, side yard setbacks, accessory structure rear yard setback and accessory structure located in the front yard. The applicant is proposing to expand the structure by adding to the front and rear of the building and a new second story requiring variances. The existing lot is 7,499 sf where 15,000 sf is required. The lot depth is 100' where 125' is required and the existing side yard setback is 9.4' with 12.4' proposed where the enhanced side yard setback requirement is 20'. This corner lot has an existing front yard #1 setback of 14.10' where 40' is required and 5.10' to the front step is proposed. Existing front yard #2 has a setback of 29' and will remain unchanged. The existing 370 sf garage is located in front yard #2 with a rear yard setback of 1.5' where 10' is required. Finally, the applicant is proposing a principal building lot coverage of 16.76% where 15% is the maximum permitted and combined lot coverage of 21.70% where 20% is the maximum permitted in the zone. A Stormwater Management Plan is not required, and the property is served by sanitary sewer.

Chairman Fry pointed out that this is a hardship due to the lot size which is 50% of the square footage required in the zone. He added that often when applicants come before the Board with a similar hardship due to lot size, they will recognize that there are such restrictions and they build over the existing footprint to avoid further encroachment. This applicant is proposing to add a lot of mass to this small lot and the proposed 5' front yard setback is going to be a challenge for the Board.

Vice Chairman Ruebenacker stated that the applicant is proposing to construct a second story addition which will result in a height of 30' at a distance of 9' from the property line. There will be a lot of mass on a small lot. He added that the landscape plan is inadequate based on the substantial amount of construction being proposed and a more robust landscape plan should be submitted for this level of development. Mr. Borst emphatically agreed.

The applicant and her Architect will provide testimony during the Public hearing.

**WYCKOFF BARBER SHOP, LLC 637 Wyckoff Ave. BLK 235 LOT 3**

(The applicant is requesting a parking variance to permit a Barber Shop at this location.)

Mr. DiGennaro provided the following details of the Boswell Engineering report on the application dated 12/2/2019 and revised on 12/9/2019: The applicant is proposing to occupy an existing store front with a Barber Shop, requiring a parking variance. The 901 sf Barber Shop will increase the intensity of the parking requirement per The Township Code. The applicant is requesting waivers from Checklist B, Section 46-40B for a landscaping plan as no new landscaping is proposed. He is also requesting a waiver to provide a copy of any protective covenants or deed restrictions. Regarding Checklist E, Section 46-40E the following waivers are requested: Distances from existing buildings on the property or adjacent lots unless requested by the Board, exterior building and elevation drawings, interior floor plan layout, and photographs of existing structures and structures on adjoining properties. There are no proposed changes to the exterior building elevations or interior floor plan.

The existing number of parking spaces for the shopping center is 167 where 242 is required. The Barber Shop will require 18 spaces where currently only 6 are existing. This results in a deficit of 12 parking spaces for the proposed Barber Shop and brings the total number of required spaces for the shopping center to 259 where 167 parking spaces exist. Mr. DiGennaro went on to say that this presents an opportunity for the applicant to comply with the Federal ADA laws of bringing the parking up to compliance by providing the adequate and appropriate number of ADA parking spaces, signage and access to those spaces. As a result of that there is a requirement to comply with the number of ADA spaces required which

in this case would be 6 whereas only 1 ADA parking space currently exists on the property.

The applicant also submitted a Parking Assessment Report prepared by Stonefield Engineering. The applicant and his professionals will provide testimony during the Public hearing.

**377 DOROTHY LANE, LLC 377 Dorothy Lane BLK 285 LOT 16**

(The applicant (Turner Group) proposes to construct a second story addition to the one-story home. The lot is nonconforming in area, frontage and both side yard setbacks.)

Mr. DiGennaro provided the following detailed report on the application:

I have received and reviewed the Architectural plan prepared by Albert Martorano dated 11/4/19, property survey prepared by Christopher Lantelme dated 9/12/19, self-prepared plot plan drawn on the property survey, landscape plan prepared by Winks/Krug dated 11/20/19, application and photos. The existing single-family dwelling is situated in the RA-25 zone and is nonconforming due to lot area, frontage and side yard setbacks. The applicant is proposing to expand the existing structure requiring variance relief. The existing lot is 12,380 sf where 25,000 is required and the existing frontage is 68.7' where 125' is required. Existing side yard #1 is 15.9' with 14.9' to the overhang proposed. Existing side yard #2 is 12.5' with 11.5' to the overhang proposed where 20' is required on each side. A new 4-bedroom septic system has been approved and a storm water management plan is not required. The applicant will provide testimony during the Public hearing.

There being no further business, a motion was made to adjourn the Work Session, seconded and passed unanimously. The meeting adjourned at 8:15 pm.

Respectfully Submitted,

Maureen Mitchell, Secretary  
Wyckoff Board of Adjustment