

**WYCKOFF ZONING BOARD OF ADJUSTMENT
FEBRUARY 25, 2021
PUBLIC WORK SESSION MINUTES**

Public Work Session: 7:30 p.m. Via Zoom Video Conferencing and streaming live on the Township's YouTube channel

Public Business Meeting: 8:00 p.m. Via Zoom Video Conferencing and streaming live on the Township's YouTube channel

The meeting commenced with the reading of the Open Public Meetings Statement by Chairman Fry:

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act NJSA 10:4-6 et seq., and in consideration of Executive Order #103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency in the State of New Jersey, the Zoning Board of the Township of Wyckoff does hereby notify the public that to protect the health, safety and welfare of our citizens, the meeting of the Zoning Board of the Township of Wyckoff scheduled for Thursday February 25, 2021 will be conducted virtually through Zoom technology and it will be live-streamed on the Township of Wyckoff's YouTube channel. The Work Session is scheduled for 7:30 and the Public Business meeting will begin at 8:00 pm.

These measures are implemented to allow members of the public to observe the meeting via live streaming and to provide the ability to comment during the periods for public comment during the meeting through Zoom telephone call in technology. Joining the meeting by telephone will be utilized as security against the sharing of inappropriate video content.

General instructions regarding access to the meeting is posted on the Wyckoff web site's home page at www.wyckoff-nj.com as a "News" item.

"The February 25, 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 time."

ROLL CALL:

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

Absent: Mark Borst, Vice Chairman.

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

OLD BUSINESS

Approval of the January 21, 2021 work session and public business meeting minutes.

Board Member Kalpagian made a motion to approve the January 21, 2021 work session and public meeting minutes. Second, Mr. Hubert. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Ruebenacker, Mr. Christ, and Chairman Fry.

RESOLUTION FOR PAYMENTS #21-02

Mr. Ruebenacker made a motion to approve the Resolution for Payments #21-01. Second, Mr. Tanis. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Ruebenacker, Mr. Christ, and Chairman Fry.

MEMORIALIZING RESOLUTIONS**Makela, Ray 191 Henry Pl. Block 395 Lot 16**

(The applicant proposes to install an A/C condenser unit in the side yard requiring variance relief for a side yard setback of 8')

Hildebrandt, John 371 Oakwood Dr. Block 250 lot 43

(The applicant proposes to add second story loft/dormers to the existing detached garage requiring variance relief for side yard setback of an accessory structure and nonconforming lot area, frontage, and depth)

Nicol, John 123 Midland Ave. Block 302 lot 12.01

(The applicant proposes to construct a two-story addition to the existing home requiring variance relief for a side yard setback of 10.50' and nonconforming lot frontage)

Board Member Ruebenacker made a motion to approve the three (3) Resolutions. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Ruebenacker, Mr. Christ, and Chairman Fry.

Brouwer, Scott 375 Butternut Ave. Block 462 Lot 17

(The applicant proposes to construct an inground pool requesting variance relief for an accessory lot coverage of 11% where 5% is the maximum allowed and combined lot coverage of 22.7% where 20% is allowed)

Board Member Ruebenacker made a motion to approve the Resolution. Second, Mr. Hubert. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto, Mr. Christ, Ms. Rizvani, and Mr. Ruebenacker.

CARRIED APPLICATION**Quiroga, Walter 469 Cedar Hill Ave Blk 349 lot 70**

(The applicant proposes to construct an addition to the existing home requiring variance relief for a side yard setback of 16.2')

Mr. DiGennaro, the Township Engineer provided the following details of the revised plans submitted by the applicant:

At the last meeting, the Board expressed concerns with the proposed principal building side yard setback of 16.2'. The applicant revised the plans and is now proposing a side yard setback of 20.1'. The applicant has also reduced the principal building lot coverage from the previously proposed 12.87% to 12.74% and total combined lot coverage has been reduced from the previously proposed 16.06% to 15.94% where 20% is the maximum allowed. The applicant has reduced the size of the proposed rear yard patio and increased the sideline setback to the patio. The patio is now proposed at approximately 10' from the property line and the proposed pool is 12 ½' off the property line at the nearest corner.

Mr. Fry stated that the applicant removed a large amount of the patio that was previously proposed. They reduced the size of the first-floor covered porch and the second-floor balcony as well. The applicant or his professionals will provide testimony during the Public Business meeting.

NEW APPLICATIONS**Urban, Lauren & Richard 239 Cottage Place Blk. 461 Lot 13**

(The applicant proposes to demolish the existing home and construct a new conforming single-family residential dwelling on the existing lot requiring variance relief for a nonconforming lot frontage of 119.8')

Mr. DiGennaro provided the following technical details of the application:

The existing single-family dwelling is in the RA-25 zone and is non-conforming due to lot width, front yard setback, accessory structure lot coverage and impervious coverage. The applicant is proposing to completely remove the existing structures and reconstruct a new single-family home on the existing property. The applicant is seeking relief to construct upon an existing non-conforming lot in the zone. Except for bulk lot deficiencies, the proposed structure conforms to current code setbacks and coverage. The property is currently served by septic and the applicant has obtained approvals to construct a new 4 BR septic. A stormwater management review plan has been prepared and satisfies the Township Code. The lot frontage is nonconforming at 119.8' where 125' is required however the lot conforms with all other requirements and the applicant proposes to construct a new home that conforms to all setback, height, and lot coverage requirements.

Chairman Fry stated that this is proposed as a complete teardown and there is only one nonconformity being the lot frontage. He went on to say that a neighbor of the subject property submitted a memo to the Board listing some questions and concerns about the proposed demolition and new construction. Mr. Fry stated that the memo has been distributed to the Board Members as well as the applicants and their professionals for review in an effort to streamline the process.

Mr. Hubert said that he would like to hear testimony as to whether this is actually a complete teardown. He also said that the submitted plan shows four (4) mature trees marked for removal in the front on the right side of the property and he would like to know if the applicant is proposing to replace the four (4) mature trees somewhere on the lot.

Mr. Ruebenacker said that he did not see a formal landscape plan submitted with the application. Mr. Fry said that here are some plantings reflected on the engineering plan however it is not an extensive landscape plan.

The applicant will provide testimony during the Public Business meeting.

Messina, Charles 191 Hillside Avenue Blk 354 Lot 15

(The applicant proposes to construct an addition in the rear of the existing home requiring variance relief for the rear yard setback of 31.92 and principal building lot coverage of 17.15%)

Mr. DiGennaro provided the following technical details of the application:

The existing single-family dwelling is situated in the RA-25 zone and has existing non-conforming conditions due to deficiencies in lot size, frontage, depth, and principal building lot coverage. The applicant is proposing to add a single-story addition to the kitchen in the rear of the home, requiring variance relief for rear yard setback and principal building lot coverage. The existing lot is comprised of 10,200 sf where 25,000 sf is required. Lot frontage is 85' where 125' is required, and lot depth is 120' where 150' is required. The existing rear yard setback is conforming at 40' and the applicant is proposing 31.92' requiring variance relief. The existing principal building lot coverage is 16.25% and the proposed is 17.15% which exceeds the maximum allowed 15% however the total combined lot coverage is proposed at 17.15% where 20% is allowed. The application does not require a stormwater management plan and the property is served by sanitary sewer.

Chairman Fry stated that the applicant is proposing a small bump-out in the rear of the house to expand the kitchen. There was a previous variance granted in 2005 to construct the home on a nonconforming, undersized lot. He went on to say that there is tremendous screening across the rear between the subject property and the neighbor. Mr. Fry said that he is concerned that the garage was not included in the gross building area calculation and will need to hear testimony regarding that calculation.

Mr. Ruebenacker said that it appears that the proposed site plan shows a patio and fire pit in the rear and he asked if there is a setback requirement for this. Mr. DiGennaro stated that it is not an issue.

There being no further business, a motion was made to adjourn the Work Session, was seconded, and passed unanimously. The meeting concluded at 8:05 pm.

Respectfully Submitted,
Maureen Mitchell, Secretary
Wyckoff Board of Adjustment