

**WYCKOFF ZONING BOARD OF ADJUSTMENT  
MAY 17, 2018 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 Carl Fry, Chairman:

"The May 17, 2018 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

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

**Absent:** Robert Ebel, Alt.

**Staff Present:** David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering Representative; Susan McQuaid, Board Secretary.

**OLD BUSINESS**

**APPROVAL OF MINUTES**

April 19, 2018 work session/public business meeting

Board Member Borst made a motion to approve the April 19, 2018 work session/public business meeting minutes. Second, Board Member Kalpagian. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #18-05** Approval of vouchers from various escrow accounts.

Board Member Hubert made a motion to approve Resolution #18-05 for payment of vouchers. Second, Vice Chairman Ruebenacker. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

**RESOLUTION(S) TO BE MEMORIALIZED**

**SCHOENDORF, WILL & CHARLOTTE** BLK 393 LOT 9 (RA-25); 389 Newtown Road. *(The applicant proposes to expand the existing single car garage to a 2 car garage which will encroach into the side yard setback and add a covered front porch).*

**FORTUNATO, ROBERT & VERNA** BLK 348 LOT 17 (RA-25); 456 Victor Way. *(The applicant proposes to construct a second story addition which will encroach into the existing side yard setback).*

**SHULL, CAROL & JACQUELINE** BLK 319 LOT 5 (RA-25 CORNER); 25 Neelen Drive. *(The applicant proposes to add a covered front porch for protection from the weather which will encroach into the front yard setback).*

Vice Chairman Ruebenacker made a motion to memorialize the above reference resolutions. Second, Board Member Kalpagian. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Ruebenacker and Chairman Fry.

**APPLICATION(S) – CARRIED**

**309 SUNSET BLVD. LLC** BLK 290 LOT 8 (RA-25); 309 Sunset Blvd. *(The applicant proposes to add an addition and alterations for the construction of a new two car garage which will exceed building lot coverage).*

Township Engineer DiGennaro said the existing single family dwelling is located in the RA-25 Zone and is non – conforming due to lot area, frontage, front yard and side yard setbacks. The applicant is seeking to expand and renovate the existing dwelling requiring variances for front yard setback and side yard setbacks. The applicant has revised the application based on the Boards comments and has eliminated the lot coverage variance by reducing the footprint by 399 square feet and reduced the setback variances while lowering the overall building height to 30.5'. The existing 5 BR structure is served by a failed septic system. The plan proposal is to renovate and not demolish the existing 5 BR home to a renovated 4 BR home. Any approval shall be contingent upon the applicant installing a new code compliant 4 BR septic system prior to release of any construction permits. A Stormwater management plan is not required. He said he would like to hear testimony as to how much of the original house will remain.

**APPLICATION(S) – NEW**

**KALOGIANNI, MICHAEL** BLK 231 LOT 17 (RA-25); 503 Old Woods Road. *(The applicant proposes to construct a new two story dwelling which is conforming to setback requirements. The variance request is for median lot width).*

This application's public notice was deficient. The applicant will need to renote the newspaper and the neighboring property owners for the June 21, 2018 meeting.

### **DISCUSSION- CHCC**

Chairman Fry said that the first date for the special meeting was ok however something came up where he had to travel for work so the May 22, 2018 is not available for me. However, rather than have the applicant renote because they had already sent notice, at the May 22 meeting it will be opened and announced what the next meeting date the meeting will be held. Then the meeting will be closed. So we will not be entertaining anything from the public on the application. We will need four (4) board members to have a meeting. Attorney Becker said he will not be sitting as the Board Attorney for this application but will be at the special meeting on May 22 to announce that next meeting date. Board Attorney Becker said the next item is to get some dates on the calendar. May 30<sup>th</sup> was suggested as a date, but could not be confirmed or agreed upon at this time. Two of the attorneys in which the Board is considering for appointment as to this application, have already stated they are not available on May 30, 2018 (other attorneys are being considered). He then asked the Board members to advise of what dates are good for the Board. The suggested dates were in June, July and August. Secretary McQuaid said the next step is to determine what dates are good for CHCC and the attorney ultimately appointed by the Board. Chair Fry said he appreciates Mr. Becker recusing himself from this application. He said he apologizes for the confusion and the May 22 meeting was scheduled until he had to be away on business. He said this application may go a few meetings because we do not know what questions we will have and that is why 4 additional dates may be needed. Secretary McQuaid said by May 22 we will have the next meeting date set and it will be announced at that meeting. The CHCC will need to send out courtesy letters to the neighboring property owners. Vice Chair Ruebenacker commented that regarding the intersection a lot of discussion at the previous meetings were related to a traffic study. He said additional Information may be required from the CHCC and from the county. He suggested that the Board subpoena or request someone from the county to appear at the meeting and questioned whether the Board will need to do its own traffic study? He added that he is very interested in what the applicant has to say regarding this intersection. He is also interested in why the county has taken such a keen interest in this intersection. Board Member Kalpagian asked if there were initial traffic studies done? Secretary McQuaid reminded the Board Members to pick up their packet in the small conference room before they leave this evening. Board Member Borst said with regards to the traffic light the Board said if the county comes back and says the light has to go in we have to default with what the county approved. Secretary McQuaid said the Board cannot discuss the application details tonight. Vice Chair Ruebenacker said he does not want to get into the application. Chair Fry said the Board will get answers to its questions. Board Member Yudin asked how many original members were at the previous meetings. Secretary McQuaid said this submittal is a new application and all Board Members can participate in hearing the new testimony.

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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 7:55 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary  
Wyckoff Board of Adjustment