

**WYCKOFF ZONING BOARD OF ADJUSTMENT
AUGUST 18, 2022
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 Acting Chairman Ruebenacker:

"The August 18, 2022, 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."

"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 times."

ROLL CALL

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

Absent: Carl Fry, Chairman, Mark Borst, Vice Chairman, and Rosa Riotto.

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

OLD BUSINESS

Approval of the July 21, 2022 work session and public business meeting minutes.

Mr. Hubert made a motion to approve the July 21, 2022 work session and public meeting minutes. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Christ, and Chairman Ruebenacker.

RESOLUTION FOR PAYMENTS #22-08

Mr. Tanis made a motion to approve Payment Resolution #22-08 Second, Mr. Hubert. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Christ, and Chairman Ruebenacker.

RESOLUTIONS TO BE MEMORIALIZED**Peck 130 Wyckoff Ave. Blk 462 Lot 41 – Corner lot**

(The applicant proposes to construct a two story addition to the home in the second front yard on Annette Court requiring variance relief for a front yard setback of 26' where 40' is required)

Varisano, 53 Cully Lane Blk. 212 Lot 4

(The applicant proposes to construct a second story addition and a front vestibule requiring variance relief for front and side yard setbacks)

Mr. Tanis mentioned that the application for 53 Cully Lane was approved last month subject to revising the plan.

Mr. DiGennaro stated that as a condition of approval, the applicant was to revise the plans to reflect that the proposed second story addition will be stepped back to the 20' instead of the originally proposed 17.47' and the front yard setback is 37.53' to the first step. He said the applicant submitted revised plans 8/10/2022 with those changes.

Medfield Properties, LLC 586 Overlook Drive Blk. 247 Lot 9

(The applicant proposes to construct dormers on the front of the existing home requiring variance relief for the front yard setback)

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

REQUEST FOR EXTENSION OF TIME**Taggart & Jones 385 Frances Place Block 286 Lot 7**

In September of 2021, the homeowners received variance approval for the enhanced side yard setback for the to construct an addition of second story over the existing attached garage. For various reasons, they were unable to begin construction and have submitted a letter to the Board requesting a one year extension of time.

Chairman Ruebenacker said that if the Board approves the extension of time, Mr. Becker will draft a letter of approval to be sent to the homeowner.

Mr. Christ made a motion to approve the one year extension. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Christ, and Chairman Ruebenacker.

Chairman Ruebenacker announced that the applications for 394 Franklin Avenue and 381 Oakwood Drive will not be heard this evening. Both applications will be heard at the September 15, 2022 meeting.

Mr. Becker stated that 394 Franklin Avenue will not need to re-notice for the September meeting and 381 Oakwood drive will notice the public for the September meeting.

CARRIED APPLICATIONS**Gattoni 47 Dale Ave. Blk 277 lot 8**

(The applicant proposes to construct a detached garage requiring variance relief for an accessory structure side yard setback of 5' where 15' is the requirement)

Mr. DiGennaro provided the following details of the revised plan:

At the last meeting, the applicant was given guidance to move the proposed garage further away from the property line and to show the details of the septic location. The applicant submitted a plan by Thomas Skrable, PE dated 8/7/2022. The garage is now proposed 10' from the property line instead of 5' which was originally proposed. They are proposing sky rocket junipers of 4'-6' in height at planting between the garage and the property line. The septic field is shown measuring 27.2' from the corner of the garage and appears to be shown accurately on the plan. The plan also shows the proposed seepage pit has been relocated to the front of the home with the roof leaders to connect to the pit.

Mr. Tanis, Mr. Christ, and Mr. Hubert commented that having the Engineering plan, which shows the topography of the site and the location of the septic field, will be helpful to the Board in making a decision on the application.

94 Midland Avenue LLC 94 Midland Ave. Blk 304 Lot 1 – Corner lot

(The applicant proposes to construct additions to the home requiring variance relief for pre-existing nonconforming lot area, frontage, and both front yard setbacks as well as proposed nonconforming side yard setback and principal building lot coverage)

Mr. DiGennaro listed the recommendations made by the Board at the last meeting including underground electric, Hardie board siding, lowering the gable end of the roof facing Hurley Court, placing A/C units in the rear of the home, shifting new construction in 5' on the Hurley Court side of the home, and the submission of an irrigation plan. Mr. DiGennaro stated that the applicant submitted revised plans which addresses all of the items. He said that he does have concerns about what appears to be an area of wetlands on the adjacent property, which he mentioned at the last meeting, and he recommends that any approval be subject to a Letter of Interpretation from the Department of Environmental Protection regarding the presence or absence of wetlands. He added that if the DEP denies the new construction, based on the proximity of the wetlands, the applicant will have to come back before the Board with a revised plan.

Abbott Family Properties 394 Franklin Ave. Blk. 250 lot 3.01

(The applicant proposes to add a second story to the existing one-story building for the purpose of residential use in the B-1 zone requiring a Use variance, a parking variance, and variances for impervious coverage and front yard setback)

The Chairman announced that this application will be carried to the September 15, 2022 meeting.

NEW APPLICATIONS**Galgano 172 Wayfair Circle Block 428 Lot 19**

(The applicant proposes to renovate and expand the home requiring variance relief for the side yard setback)

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

The existing single family dwelling is situated in the RA-25 zone and is conforming. The applicant seeks relief from the code in order to construct a single story addition to the rear corner of the structure, triggering the enhanced side yard setback requirement. The existing side yard setback in question is 21.3' and will remain unchanged where the enhanced setback of 25' is required due to the gross building area which exceeds 3700 sf. The property conforms with all other bulk requirements. The application does not qualify for the Township's stormwater management requirements.

Chairman Ruebenacker said this is a very straight forward application in his opinion.

Roussos 9 Pace Dr. Block 320 Lot 8

(The applicant proposes to construct an addition and renovation requiring variance relief for front yard setback)

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

The existing single family dwelling is situated in the RA-25 zone and is conforming. The applicant is proposing an addition and renovation requiring variance relief for front yard setback. The existing front yard setback is 40.38' and 32.88' is proposed where 40' is the requirement. The existing pool has an accessory structure rear yard setback of 5.58' and will remain unchanged where 20' is the requirement. Stormwater management is not required, and the property is served by septic and the bedroom count will remain at three (3) bedrooms.

Chairman Ruebenacker said the point of discussion is the addition of the proposed front porch encroaching into the setback on a lot that is over 30,000 sf in area.

Mr. Kalpagian said he would like to hear testimony about the size of the proposed front porch since it is encroaching into the front yard setback requiring a variance.

Ortiz 201 Hillside Ave. Block 354 Lot 7

(The applicant proposes to demolish the existing home and construct a new home conforming to all bulk requirements except for the existing undersized lot area and depth)

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

The existing single family dwelling is situated in the RA-25 zone on a corner lot and is non-conforming as to lot size, front yard setback, depth, and side yard setback. The applicant is proposing to demolish the existing structure to construct a new home conforming to all bulk requirements except for the undersized lot and depth which are pre-existing nonconforming. The existing lot is 15,214 sf where 25,000 sf is the requirement and depth is 138.75' where 150' is the requirement. The proposed stormwater management plan satisfies the Township requirements, and the property will be served by sanitary sewer. Underground electric is proposed. The existing well will be converted to an irrigation only well for a future irrigation system. The applicant's Engineer provided structural calculations for the proposed retaining walls greater than 2' in height. Roof leaders will all connect to the proposed drywell, and the applicant's Engineer provided a zero net increase in runoff certification statement. I recommend that an ownership and maintenance agreement be executed for the portion of the proposed retaining wall in the right of way.

Mr. Ruebenacker said there are a lot of details to the application however, the applicant is only seeking two (2) variances for pre-existing nonconforming lot size and lot depth, everything else

will be conforming. The architectural design is very nice, and a substantial landscape plan has been submitted.

Mr. Kalpagian said he appreciates an application like this where the applicant has an undersized lot yet is proposing to build to meet all of the setback requirements.

Djoreski 172 Greenhaven Rd. Block 332 Lot 12'

(The applicant proposes to renovate and expand the dwelling requiring variance relief for lot area, frontage, front yard setback, and both side yard setbacks)

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

The existing single family dwelling is located in the R-15 zone and is non-conforming as to lot size, frontage, front yard setback, and side yard setbacks. The applicant is proposing to expand and renovate the dwelling requiring variances. The existing lot area is 8,750 sf where 15,000 sf is the requirement and frontage is 70' where 100' is required. Existing front yard setback is 31.67' and 26.98' is proposed where 40' is the requirement. Existing side yard setback #1 is 9.47' and will remain unchanged. Existing side yard setback #2 is 18.76' with 9' proposed to the steps, where the enhanced setback of 20' is required for both sides. The applicant is proposing a principal building lot coverage of 21% where 15% is the maximum allowed. Proposed total combined is 21% where 20% is the maximum allowed. The existing building height is 29' and 34.5' is proposed where 35' is the maximum allowed. The application satisfies the Township Stormwater Management requirements, and the site is served by municipal sewer.

Chairman Ruebenacker pointed out that the home fronts on Greenhaven Road and the applicant is proposing to construct a driveway out the rear of the property onto Madison Heights. He asked if there are any challenges in doing so from a zoning perspective.

Mr. DiGennaro stated that the rear of the property has frontage on Madison Heights, and they are proposing to add a driveway out to Madison Heights to serve the garage which is in the rear of the home. He added that he does not see any issue with doing so from a zoning perspective.

Chairman Ruebenacker said that in his opinion, the home that is being proposed is very large for the small lot. The side yard setback of 9.47' is being maintained and a second story is being added also at 9.47'. The side yard setback which is existing at 18.76' is now proposed to go to 11' to the second story when it should be at 20'. In addition, the proposed height of 34.5' is almost at the maximum allowed 35'.

Mr. Tanis said he would like to hear testimony about how much of the existing dwelling is going to remain. The application states this is a renovation however it appears they are doing extensive foundation additions and the plans don't show what portion of the foundation is existing and what is new.

Mr. Kalpagian stated that the Board is always very understanding about the hardship of an undersized lot however the home that is proposed is just too much for this small lot.

Mr. Hubert pointed out that what is being proposed requires seven (7) variances because the house is just too large for the lot.

Rogovich 381 Oakwood Dr. Block 250 Lot 46

(The applicant proposes to construct an inground swimming pool requiring variance relief for nonconforming lot area, frontage, side yard setbacks, principal building lot coverage, accessory structure lot coverage)

It was announced that this application would not be heard this evening. The applicant will notice for the September 15, 2022 meeting.

There being no further business, a motion was made to adjourn the Work Session, was seconded, and passed unanimously. The meeting concluded at 8:17 pm.

Respectfully Submitted,
Maureen Mitchell, Secretary
Wyckoff Board of Adjustment

WYCKOFF BOARD OF ADJUSTMENT

AUGUST 18, 2022 PUBLIC BUSINESS MEETING 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 Ruebenacker:

"The August 18, 2022, 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. Ruebenacker 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 times."

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: Carl Fry, Chairman, Mark Borst, Vice Chairman, and Rosa Riotto.

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

OLD BUSINESS

Approval of the July 21, 2022 work session and public business meeting minutes.
The minutes were approved during the Work Session.

RESOLUTION FOR PAYMENTS #22-08

The Payment Resolution was approved during the Work Session.

RESOLUTIONS TO BE MEMORIALIZED

Peck 130 Wyckoff Ave. Blk 462 Lot 41 – Corner lot

(The applicant proposes to construct a two story addition to the home in the second front yard on Annette Court requiring variance relief for a front yard setback of 26' where 40' is required)

Varisano, 53 Cully Lane Blk. 212 Lot 4

(The applicant proposes to construct a second story addition and a front vestibule requiring variance relief for front and side yard setbacks)

Medfield Properties, LLC 586 Overlook Drive Blk. 247 Lot 9

(The applicant proposes to construct dormers on the front of the existing home requiring variance relief for the front yard setback)

The Resolutions were approved during the Work Session.

REQUEST FOR EXTENSION OF TIME**Taggart & Jones 385 Frances Place Block 286 Lot 7**

In September of 2021, the homeowners received variance approval for the enhanced side yard setback for the to construct an addition of second story over the existing attached garage. For various reasons, they were unable to begin construction and have submitted a letter to the Board requesting a one year extension of time.

The extension of time was approved during the Work Session.

CARRIED APPLICATIONS**Gattoni 47 Dale Ave. Blk 277 lot 8**

(The applicant proposes to construct a detached garage requiring variance relief for an accessory structure side yard setback of 5' where 15' is the requirement)

William Gattoni, the applicant's Attorney, came forward on behalf of the applicant Michael Gattoni. He introduced the applicant's Engineer, Thomas Skrable, who was sworn in. Mr. Skrable stated that he is a licensed Professional Engineer in the State of New Jersey, his license is in good standing, and he has appeared before many Land Use Boards in the area. The Chairman recognized him as an expert in the field of Engineering.

Mr. Skrable provided the following details of the revised plan dated 8/7/2022 which was marked exhibit A-4:

The garage is now proposed 10' from the property line. The existing septic system is now shown on the plan in more detail which shows the proposed garage at a distance of 27.2' to the nearest corner of the septic field. The runoff from the garage will be collected in a seepage pit in the rear and runoff from the principal structure will be collected into a larger seepage pit being proposed in the front of the house. We are proposing a row of skyrocket junipers along the northerly property line between garage and neighbor to be planted 5' on center at a height of 4'-6' at planting.

Mr. Kalpagian asked what the challenge would be in moving the garage another 5' out of the setback.

Mr. Skrable stated that if the garage was moved another 5' from the property line to meet the setback requirement, there would only be approximately 9' between the garage and the house which in his opinion is tight. He added that he also feels it would not be as aesthetically pleasing.

Mr. Tanis asked about the topography of the lot and how much greater the slope of the driveway would be if the garage was pushed further back on the property.

Mr. Skrable stated the pitch of the existing grading is approximately 10% and if we were to push it back, the slope would increase adding that the design standard for parking a car is approximately 6%.

Chairman Ruebenacker asked Michael Gattoni, the applicant, if he had considered taking the guidance of the Board to try to meet the 15' setback.

Mr. Gattoni stated that he did consider the recommendations of the Board however after consulting with his Engineer and Attorney he determined that that the location he is proposing fits the most criteria and fits better aesthetically.

Mr. Hubert pointed out that the proposed garage is 27' from the septic field so he feels the structure could have been moved to meet the setback however the slope of the driveway would be an issue.

Mr. DiGennaro suggested moving the garage over another 5' and angling one side of the garage so that it is not parallel to the street creating a courtyard effect.

Mr. Skrable said it would be a good idea however doing that would make the garage significantly larger and we would lose the existing patio.

Mr. Kalpagian said that in lieu of the Engineer's testimony about the slope creating issues with the parking, the proposed screening, the low height of the proposed structure, he does not object to what is being proposed.

Chairman Ruebenacker said there is no hardship here due to the very large lot size however the slope of the property creates a problem in addition to the fact that a previous owner eliminated the existing garage by converting it into family room. Now the current owner is tasked with having to find a way to construct a new garage on the property.

OPEN TO THE PUBLIC

NO ONE FROM THE PUBLIC COMMENTED

CLOSED TO THE PUBLIC

Chairman Ruebenacker stated that the applicant is proposing the detached garage 10' from the property line with screening and asked for a motion.

Mr. Tanis made a motion to approve the application as revised with the 10' setback. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Christ, and Chairman Ruebenacker.

94 Midland Avenue LLC 94 Midland Ave. Blk 304 Lot 1 – Corner lot

(The applicant proposes to construct additions to the home requiring variance relief for pre-existing nonconforming lot area, frontage, and both front yard setbacks as well as proposed nonconforming side yard setback and principal building lot coverage)

Bruce Whitaker, the applicant's Attorney came forward on behalf of the applicant and provided the following details of the application:

This is a continuation of the public hearing at which time testimony was provided as to the lot deficiencies and the lawfully existing structures on the property. Based upon the previous presentation, revisions have been made which were pointed out by Mr. DiGennaro during the work session and we agree with his comments. As to the matter of review by the DEP, according to New Jersey Municipal Land Use Law, this Board has the right to approve this application subject to the approval of another Governmental Agency.

Christopher Blake, the applicant's Architect, was reminded that he was previously sworn and is still under oath. The revised plan with a revision date of 7/12/2022 was marked A-2. Mr. Blake stated that the proposed addition to the rear of the home was pushed back 5' from Hurley Court. We have also lowered the height of the structure from 34.5' to 33'. The siding will be Hardie board, A/C units have been relocated to the rear of the home, and a revised landscape plan with irrigation has been submitted.

OPEN TO THE PUBLIC

Vincent Buccisano, who resides at 7 Hurley Avenue, was sworn in. He stated that he feels the proposed size of the home is too large for the undersized lot in the existing nonconforming setbacks. He said that if the home is going to be demolished, the applicant should be required to meet the required setbacks.

Chairman Ruebenacker said the existing home is not being demolished, it is being renovated.

Mr. Whitaker stated that testimony was provided by the Architect at the last meeting, that approximately 70% of the existing structure will be built upon.

Mr. Kalpagian pointed out that if it is determined during construction that the walls cannot be built upon, and this becomes a demolition, the applicant will have to come back before this Board. He added that the corner lot is a hardship because 40' is required for both front yards and the Board tries to be understanding of that hardship.

Mr. Buccisano inquired about runoff from the home.

Chairman Ruebenacker stated that the applicant has provided a drainage plan with a proposed seepage pit to collect runoff.

Mr. DiGennaro affirmed that there is a proposed drywell to be installed on the property. It was designed by Houser Engineering and sized accordingly to capture runoff from the roof which will result in a zero net increase in runoff from the site during a rain storm event.

Marlene Belohoubek who resides at 47 Deerfield Road was sworn in. She also expressed concerns about drainage issue and the size of the home on the undersized lot.

CLOSED TO THE PUBLIC

Mr. Whitaker finalized by stating that he believes variance relief is warranted because trying to adhere to the zoning requirements in this instance creates a hardship. He went on to say that the benefits will far outweigh the detriments in the upgrade architecturally, aesthetically, and

with regard to drainage improvements which do not currently exist on the site.

Mr. Hubert made a motion to approve the revised application and plans. Mr. Kalpagian seconded the motion adding that the approval is subject to DEP approval. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Christ, and Chairman Ruebenacker.

Abbott Family Properties 394 Franklin Ave. Blk. 250 lot 3.01

(The applicant proposes to add a second story to the existing one-story building for the purpose of residential use in the B-1 zone requiring a Use variance, a parking variance, and variances for impervious coverage and front yard setback)

It was announced that this application will be carried to the September 15, 2022 meeting.

NEW APPLICATIONS

Galgano 172 Wayfair Circle Block 428 Lot 19

(The applicant proposes to renovate and expand the home requiring variance relief for the side yard setback)

Chloe and Richard Galgano, the homeowners and applicants, were sworn in. Ms. Galgano stated that they are seeking a variance for a portion of their home that is no longer conforming due to the enhanced side yard setback requirement. They are proposing to add a one-story addition of 262 sf to the right rear of the home for a mud room.

Ms. Rizvani pointed out that the plan shows a powder room is also proposed as part of that addition.

Ms. Galgano confirmed that the addition will contain a mud room and a powder room.

Mr. Kalpagian said other renovations are being done in addition to the mud room and he asked if the entire house will be resided.

Ms. Galgano said the entire house will be resided with Hardie board.

OPEN TO THE PUBLIC

NO ONE FROM THE PUBLIC COMMENTED

CLOSED TO THE PUBLIC

Mr. Kalpagian made a motion to approve the application as submitted. Second, Mr. Hubert. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Christ, and Chairman Ruebenacker.

Roussos 9 Pace Dr. Block 320 Lot 8

(The applicant proposes to construct an addition and renovation requiring variance relief for front yard setback)

Jaclyn and Dimitrios Roussos, the homeowners and applicants were sworn in. Joseph Cestaro, the applicant's Architect, was sworn in. Mr. Cestaro's Professional address is 257 Everett Avenue in Wyckoff. He stated that he is a licensed Architect in the State of New Jersey and has previously appeared before this Board. He was accepted as an expert in Architecture.

Ms. Roussos stated that she and her husband purchased the home thirteen (13) years ago and they wish to stay in Wyckoff to raise their family however they need more space. They are proposing to make improvements to the home while keeping the integrity of the house and the neighborhood. Ms. Roussos stated that she heard the Board's comments during the work session about the proposed front porch. She explained that neighbors in the area are always out walking and riding bikes so she would like an area for neighbors to stop by to visit which is why she designed the porch as proposed.

Mr. Cestaro provided the following details of the application and the variance request: The existing home is a split level home. We are proposing additions to the existing kitchen and living room in the front of the house as well as adding a covered front porch requiring a variance for a front yard setback of 32.88' to the overhang of the porch. The depth of the largest portion of the proposed porch will be 6'11" which will create a great usable outdoor space. We are keeping the elevation of the front of the house very low.

Mr. Christ asked Mr. Cestaro if it is his opinion that the kitchen is substandard without the expansion into the front yard setback.

Mr. Cestaro stated that the existing kitchen is not very large and will still be very modest in size even with the expansion.

Mr. Tanis inquired about the pitch of the roof and the height of the structure from the front of the house. He went on to say that the benefit is that this looks like a one-story house from the front. The 28.9' overall height is in the back of the house because the property slopes down. The house will still look like a ranch style home which fits in with the character of the neighborhood.

Mr. Hubert agreed stating that the two-story home is very deceiving. It looks like a ranch from the front and a full two-story in the back.

Mr. Cestaro said the pitch is eight (8) on twelve (12) and the height of the house from the front elevation is 24' to the ridge.

Chairman Ruebenacker expressed concern with the porch encroaching into the front yard setback on a lot that is over 30,000 sf in size. He suggested reducing the depth of the porch from 6'11" to 4' or 5'.

Mr. Cestaro said he would never recommend a 4' wide porch because it is just not practical adding that even 5' is tight if you want room for chairs.

Mr. Kalpagian pointed out that most of the homes in the neighborhood have a portico over the front entry which the Board is sympathetic to because of safety reasons however what is being proposed is a full front porch in the front yard setback. He said that in his opinion, a 4' or 5' deep porch is practical for accommodating chairs.

Chairman Ruebenacker said he understands the expansion of the kitchen and the living room however he does not see the hardship to justify the variance for the large front porch to impede into the setback unnecessarily on an oversized lot.

Mr. Cestaro suggested reducing the size of the porch by 1.5' to a depth of 5'6" resulting in a front

yard setback of 34.2' instead of 32.88'.

Mr. and Mrs. Roussos said they would be willing to reduce the size of the porch to 5'6".

OPEN TO THE PUBLIC

NO ONE FROM THE PUBLIC COMMENTED

CLOSED TO THE PUBLIC

Mr. Ruebenacker summarized by stating that the applicant has agreed to amend the proposed application by reducing the depth of the front porch by 1.5'.

Mr. Tanis made a motion to approve the application subject to the porch being reduced in depth by 1.5'. Second, Mr. Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Christ, and Chairman Ruebenacker.

Ortiz 201 Hillside Ave. Block 354 Lot 7

(The applicant proposes to demolish the existing home and construct a new home conforming to all bulk requirements except for the existing undersized lot area and depth)

Jose Ortiz was sworn in. Mr. Ortiz stated that he, his wife Rachel, and his brother-in-law Nathaniel Santos are the owners and applicants. He then provided the following overview of the application: We are seeking hardship variance relief for the rehabilitation of our family home. The property is a nonconforming lot in area and depth. The existing home encroaches into the front and side yard setbacks, and we will eliminate those nonconformities by constructing the new home outside of the setbacks. Our proposal will provide an aesthetic improvement to the neighborhood.

Matthew Evans, the applicant's Architect, was sworn in. Mr. Evans stated that he is licensed in the State of New Jersey, his license is in good standing, and he has previously testified before this Board. He was accepted as an expert in Architecture.

Mr. Evans provided the following details of the architectural plans:

We are proposing a new center hall colonial with a two-car garage on the left side of the home. There will be a dining room, living room, kitchen, powder room and in-law suite on the first floor and four (4) bedrooms, three (3) bathrooms, and a laundry room on the second floor. The siding will be Hardie plank.

Mr. Hubert pointed out that sheet A-6 has a note which states vinyl siding color to be selected by owner.

Mr. Evans stated the siding on the front will be Hardie cement board and the sides and rear will be a high grade vinyl.

Mr. DiGennaro said the house fronts two (2) streets so he would not recommend using Hardie board on the side fronting Hillside, and vinyl on the side fronting Evers.

Mr. Ortiz stated that he will side the entire house with Hardie board.

Mr. Hubert asked if this is a complete demolition with a new foundation proposed.

Mr. Evans said it is a complete knockdown. Mr. Ortiz stated that a small portion of the existing foundation that is within the conforming buildable area will be kept.

Omar Elsherif, the applicant's Engineer was sworn in. Mr. Elsherif stated that he is licensed in the State of New Jersey, and he has testified before numerous Land Use Boards in the area. He was accepted as an expert in Engineering.

Mr. DiGennaro asked if there is any way of eliminating the portion of the proposed retaining wall in the right of way to avoid the need for the owner and maintenance agreement.

Mr. Elsherif said he believes they may be able to modify the regrading to eliminate the portion of the wall in the right of way.

Mr. DiGennaro stated that this change can be addressed in the field at the time of construction and if it cannot be done due to the steep slope, we will move to have the maintenance agreement drafted by the Township Attorney. Mr. DiGennaro also advised that when the construction permit application for the retaining walls is submitted, the applicant must submit retaining wall stability calculations.

Mr. Ortiz summarized by stating that the hardship variances he is requesting, are for the pre-existing nonconforming lot area and pre-existing nonconforming lot depth.

Mr. Kalpagian asked Mr. Ortiz if he is planning to install a generator.

Mr. Ortiz replied no, adding that at some point in the future he may consider solar panels for his roof.

Mr. Hubert asked if any trees are going to be removed.

Mr. Ortiz stated that he is not planning to remove any trees.

OPEN TO THE PUBLIC
NO ONE FROM THE PUBLIC COMMENTED
CLOSED TO THE PUBLIC

Chairman Ruebenacker said the amendment to the proposal is that a decision will be made in the field as to whether the proposed retaining wall can be moved out of the right of way, or if a maintenance agreement will be entered into between the applicant and the Township.

Mr. Hubert added that the entire house will be sided with Hardie board.

Mr. Kalpagian made a motion to approve the application with the aforementioned conditions pertaining to the retaining wall and the siding. Second, Mr. Hubert. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Rizvani, Mr. Christ, and Chairman Ruebenacker.

Gjoreski 172 Greenhaven Rd. Block 332 Lot 12

(The applicant proposes to renovate and expand the dwelling requiring variance relief for lot area, frontage, front yard setback, and both side yard setbacks)

Darko Gjoreski, the owner and applicant, was sworn in. Mr. Gjoreski stated that his Engineer and

Architect were unable to attend the meeting. He said that he purchased the home in November 2021 and his intent is to renovate the property, and to move into the home with his parents and his brother. Mr. Gjoreski then reviewed the variances he is requesting including the lot area, frontage, front yard setback, both side yard setbacks, principal building lot coverage and total combined lot coverage. The hardship is the undersized lot which is 8,750 sf where 15,000 sf is required, and the frontage is also undersized by 30' which makes meeting the side yard setbacks a challenge.

Chairman Ruebenacker said he feels the proposed home consisting of 3,400 square feet of gross building area is very large for a lot area of 8,750 sf. He also pointed out that the gross building area triggers the enhanced side yard setback of 20' where the applicant is proposing 11' and 9'.

Mr. Gjoreski stated that the attached garage proposed the challenge with the gross building area adding that he felt a detached garage would be more of a detriment to the neighbors, and over burden the property which is why he decided to leave the garage where it is now. He said he is however going to keep the existing driveway on Greenhaven.

Mr. Tanis asked how much of the existing foundation will remain because it appears to be a substantial renovation. He also asked if the existing foundation has been checked by an engineer.

Mr. Gjoreski stated that the foundation has been checked by an Engineer. The front and both sides of the existing foundation will remain, and the rear of the foundation will be new due to the proposed expansion to the rear of the home.

Mr. Kalpagian asked how many of the existing walls are coming down.

Mr. Gjoreski said the entire first floor will be all new 2' x 4' framing.

Mr. Kalpagian stated that this is essentially a knock down and new build, going straight up to a height of 34.5' with proposed side yard setbacks of 11' on one side and 9.47' on the other. He advised the applicant to go back to the drawing board to find a way to make the house smaller, and step in the second story

Chairman Ruebenacker stated that 20' is required for both side yard setbacks based on the increased gross building area so he feels the second floor has to be stepped back to 15'. He also advised relocating the A/C condenser units from the side yard to the rear yard.

Mr. DiGennaro questioned the proposed platform and patio on the side of the house in the setback and suggested moving it to the rear.

Mr. Gjoreski stated that there is an existing doorway and patio on the side of the house, and he would like to keep it because of the location of the kitchen on that side of the house. He said if he eliminated the side door, he would have to add a deck or a steep stairway down from the kitchen to the back yard, or they will have to go out to the yard through the basement.

Mr. DiGennaro mentioned that the plan proposes a man door in addition to the garage door in the rear of the home which should really be eliminated because it will require a variance for a third story.

Mr. Tanis said the bottom line is that the home needs to be reduced in size to 2,700 sf or less, so

Adjustment

the enhanced setback does not come into play. He went on to say that the other houses on Greenhaven Road are cottages, bungalows, and smaller homes none of which are 34.5' tall and what is being proposed does not fit on this lot on this street. He also said that more detail needs to be provided as to how much of the foundation and framing is to remain because the submitted plans are not accurate based on the testimony. Finally Mr. Tanis said the applicant is proposing a large house with a very large entry foyer and a 30' x 30' family room which leaves plenty of room to reduce the size of the house to fit better on the lot.

Chairman Ruebenacker said the Board made a lot of comments about the side yard setbacks, reducing the overall size of the house, the foundation, maintaining the 20% lot coverage, removing the man door, moving the patio to rear, and reducing the height. He advised the applicant to revisit the plans with his Architect and Engineer and to also submit a landscape plan by a Professional Landscape Designer which shows which trees are to be removed and what new plantings are proposed.

Mr. Hubert said that most times, the applicants find they get a better product after a session like this where the Board makes recommendations to help the applicant. He added that we are trying to work with you but the lot size is a real challenge so some compromises will need to be made.

Mr. Gjoreski said he will take the Board's recommendations into account and come back with revised plans.

Mr. Becker stated that the application will be carried to the September 15, 2022 meeting without further notice to the public.

OPEN TO THE PUBLIC

The following members of the public came forward individually and were sworn in:

Kiersten Osterkorn of 22 Madison Heights

Priscilla Osterkorn of 121 Godwin Avenue

Eileen Breault of 178 Greenhaven Road

David Zakrzewski of 169 Greenhaven Road

Cynthia Strauch of 175 Greenhaven Road

Charles Osterkorn of 121 Godwin Avenue

These members of the public voiced objections to the proposed large size of the home on the undersized lot, the proposed driveway entrance on Madison Heights, the potential removal of the tree buffer in the rear of the property on Madison Heights, the proposed house being out of character with the neighborhood, and potential tree removal from the site.

CLOSED TO THE PUBLIC

Vesna Gjoreska, the applicant's mother, was sworn in. She asked if their rear property facing Madison Heights is considered a front yard if there is no driveway, and if they would be restricted from constructing an accessory structure in the rear yard because of that.

Mr. DiGennaro stated that a portion of the rear property line fronts on Madison Heights and that portion is considered a front yard. He added that only a portion of the rear yard is on Madison Heights and the rest of the yard abuts lot 7 which would allow an accessory structure such as a detached garage to be built in the area of the property adjacent to lot 7.

Adjustment

Mr. Becker pointed out that having frontage on two (2) streets is a hardship.

The Chairman stated that the Board reviews the applicant's requests and may make a decision to grant variances based on the hardship.

Mr. Kalpagian advised the applicant to consider the recommendations made by the Board regarding reducing the gross building area, the side yard setbacks, and stepping in the second story adding that the neighbors have expressed that they are not happy about the proposed driveway on Madison Heights.

Chairman Ruebenacker said the application will be carried to the September 15, 2022 meeting.

Rogovich 381 Oakwood Dr. Block 250 Lot 46

(The applicant proposes to construct an inground swimming pool requiring variance relief for nonconforming lot area, frontage, side yard setbacks, principal building lot coverage, accessory structure lot coverage)

It was announced that this application would not be heard this evening. The applicant will notice for the September 15, 2022 meeting.

There being no further business, a motion was made to adjourn the Public Session, seconded and passed unanimously. The Public Business Meeting was adjourned at 11:03 p.m.

Respectfully Submitted,

Maureen Mitchell, Secretary
Wyckoff Board of Adjustment