

**WYCKOFF PLANNING BOARD
JUNE 13, 2018 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 Meeting Statement by Robert Fortunato, Chairman:

“The regular June 13, 2018 Public Business Meeting of the Wyckoff Planning Board is now in Session. In accordance with the Open Public Meeting Act, notice of this meeting appears on our Annual Schedule of Meetings. A copy of said Annual Schedule has been posted on the bulletin board in 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.

Chairman Fortunato 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”*

“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.”

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Board Member Attendance: Robert Fortunato, Chairman; Kevin Hanly, Vice Chairman; Rudy Boonstra, Township Committee Representative; Glenn Sietsma; George Alexandrou; Michael Homaychak; Kevin Purvin.

Board Member(s) Absent: Brian Scanlan, Mayor; Scott Fisher; Drita McNamara, Alt.

Staff Present: Joseph Perconti, Planning Board Attorney; David Becker, Board of Adjustment Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering Representative; Susan McQuaid, Board Secretary.

OLD BUSINESS

Approval of the May 9, 2108 Work Session and Regular Business Minutes
The May 9, 2018 minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #18-06

Resolution #18-06 was approved at the work session meeting.

RESOLUTION(S) TO BE MEMORIALIZED

BOTTINO, WILLIAM & ALEXANDRA BLK 423 LOT 3 (RA-25); 715 Laurel Lane. *(The applicant proposes (The applicant proposes soil moving and grading in excess of 100 cubic yards).*

This resolution was memorialized at the work session meeting.

JERSEY MIKE'S BLK 219 LOT 17.02 & 18 (B1 & RA-25); 300 & 302 Godwin Avenue. *(The applicant proposes to construct a 2,000 square foot retail store on this property which will require 27 parking spaces and 27 parking spaces are provided. The variance is for the front yard setback of 2' for the monument sign).*

This resolution has been carried to the Wednesday, July 11, 2018 public hearing meeting.

FOR DISCUSSION

RIDGEWOOD WATER – Discussion occurred at the work session meeting.

INFORMAL

GRACE UNITED METHODIST CHURCH BLK 366 LOT 2 (RA-25); 555 Russell Avenue. Conceptual plan review.

This concept plan was discussed at the work session meeting.

FOR COMPLETENESS REVIEW

PETRO MECHANICS INC. (LUKOIL NORTH AMERICA) BLK 260 LOT 1.01 (B1); 276 Godwin Avenue. *(The applicant proposes to reconfigure the concrete islands and replace the fuel dispensers and dispenser pans and install an ADA parking space and ramp).*

This application was deemed complete at the work session meeting and is scheduled for a public hearing at the July 11, 2018 meeting.

FOR COMPLETENESS REVIEW/PUBLIC HEARING

ELA FINANCIAL GROUP, INC. BLK 236 LOT 7 (B1); 642 Wyckoff Avenue. *(The applicant proposes to install a ground sign in the front yard).*

Laura Morris, Operations Manager, 642 Wyckoff Avenue, Wyckoff, NJ was sworn. She said this business has been at this location for the past 6 years. She said she would like to install a 7.1 square foot ground sign setback 5' from the property line and 10' off the walkway which will be externally lit on each face by a ground mounted low voltage fixture until 10 p.m. Township Engineer DiGennaro said the variance request is for a ground sign where one façade sign is allowed in this business zone. He added that neighboring businesses have also requested approval for ground signs along with their façade signs on Wyckoff Avenue.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Alexandrou made a motion to approve this application as presented. Second, Board Member Sietsma. Voting in favor: Mr. Alexandrou, Mr. Purvin, Mr. Homyachak, Mr. Sietsma, Mr. Boonstra, Mr. Hanly and Chairman Fortunato.

PUBLIC HEARING – CARRIED

ROBERT A. MILANESE BLK 235 LOT 18.02 (B1); 406 Highland Avenue. Site plan. *(The applicant proposes to remove the existing garage, construct an addition to the side of the building and construct four (4) parking spaces).*

Chairman Fortunato said that the applicant has submitted a new notice that was served to the newspaper and the neighboring property owners.

Steven Sinisi, from the law firm of Stephen P. Sinisi, Esq., LLC, Two Sears Drive, Paramus, NJ said he represents an objector, Henry J. McNamara, an adjoining property owner. He said the jurisdictional issues have been decided. He said the open issue this evening is a subpoena for Mr. Milanese to testify. He said the other issue is incorporating opening requests based on jurisdictional issues which were made at the last meeting. He added that one additional variance has been called out in the review correspondence and not in the notice which is a side yard variance request.

Russell Huntington, from the law firm of Huntington Bailey representing Mr. Robert Milanese. He said this application is for site plan approval for an existing 2800 square foot lot with a small dwelling on this lot. The applicant proposes to put a small addition onto to the house for ADA bathroom compliance.

Robert Milanese, 406 Highland Avenue, Wyckoff, NJ was sworn. He said he has been the property owner since 2013 and is using the building for his office for Barrister Construction, Inc. After he moved in he realized the septic was located in the public ROW and he then connected to the sewer system. When he put the building on the market for sale he realized that the dwelling was in the B1 zone and a portion of the property was in the RA-25 zone. He said he is looking to obtain approval for a business use. The addition will consist of an ADA bathroom. He said there are 2 rooms on the second floor with a full bathroom. He said the front yard setback is 17' where 20' is required.

Chairman Fortunato said if this property is already being used as a business then why does the applicant need to come before the Board. Mr. Sinisi said that part of the examination is on what basis is the property being operated as a business. He said the applicant is there improperly and has not obtained a CO.

Marked as identification at this time was the following exhibit:

A-1 Application package

Mr. Milanese continued that he plans on removing the existing garage and add some steps with a small roof to the side of the house. He said the renovations will help to provide parking. He said there are 2 employees, himself and a secretary and a Remax broker stops by on occasion. He said his surrounding neighbors are a parking lot and a building to the right of the property line and to the east are all commercial and business uses owned by the objector, Senator McNamara. He said that 2 public parking spaces are currently located in the front of our building.

Chairman Fortunato said the variance request is for 2 parking spaces and for tandem parking. Mr. Sinisi said Mr. Milanese is occupying a property that he does not have permission to occupy. He said the use was a single family dwelling when Mr. Milanese purchased the property. Mr. Milanese said initially he was just going to renovate the house as a single family home. Then he decided to put his own business office space in the house. He said he would sell the building as a business use. Mr. Sinisi then went on asking to document non-conformities. Chairman Fortunato asked the applicant if he is operating his business without a CO. Mr. Milanese said he would like to get a CO and will comply with handicapped parking and ADA bathroom.

Mr. Sinisi said Mr. Milanese is occupying a property that he does not have permission to occupy. He said the use was a single family dwelling when Mr. Milanese purchased the property. Mr. Milanese said initially he was just going to renovate the house as a single family home. Then he decided to put his own business office space in the house. He said he would sell the building as a business use. Chairman Fortunato asked the applicant if he is operating his business without a CO. Mr. Milanese said he would like to get a CO and will comply with handicapped parking and ADA bathroom. Acting Board Attorney Becker said the applicant needed a CCO to use this space as a business. Mr. Milanese said the building is inspected for a business use. Township Committeeman Boonstra said the building was pre-existing non-conforming in bulk requirements as a single family home and continues to be pre-existing non-conforming in bulk requirements as a business.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Due to the lateness of the hour the Board unanimously agreed to continue this application at the July 11, 2018 public hearing meeting. Testimony will begin with the applicant's engineer.

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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 9:51 p.m.

Susan McQuaid, Secretary
Wyckoff Planning Board