

**WYCKOFF PLANNING BOARD
OCTOBER 14, 2020 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 was also streaming live on the Township of Wyckoff YouTube channel.

The meeting commenced with the reading of the Open Public Meeting Statement by Chairman Fortunato.

“The regular September 9, 2020 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.”

Pledge of Allegiance.

Board Members in Attendance: Robert Fortunato, Chairman; Kevin Purvin, Vice Chairman; Tim Shanley, Mayor; Rudy Boonstra, Township Committeeman; Michael Homyachak, Glenn Sietsma, Anthony Riotto, Kelly Conlon, Scott Fisher, George Alexandrou and John An.

Staff Present: Kevin Hanly, Board Attorney; Mark DiGennaro, Township Engineer; Pete Ten Kate, Boswell Engineering; and Maureen Mitchell, Board Secretary.

OLD BUSINESS

Approval of the September 9, 2020 Work Session and Public Business meeting minutes.

The September 9, 2020 Work Session and Public Business meeting minutes were approved during the Work Session.

PUBLIC HEARING

MERSE, RYAN 209 Zachary Court BLK 428 LOT 3.05
(Minor subdivision. The applicant proposes to acquire 21,098 sf of land from an adjacent property owner)

The application was deemed complete during the Work Session. Bruce Whitaker, the applicant’s

Attorney provided the following overview of the application:

This is a minor subdivision application. There is no new lot being created and no new development is proposed. It is merely to modify lot lines to add to Mr. Merse's property by obtaining it from the adjoining lot. The subdivision, if approved, will be perfected by deed and the deed descriptions will be submitted to an Engineering Company for approval before filing the deeds of the perfected subdivision.

Board Attorney Hanly stated that the Boswell Engineering report and the letter from the applicant's attorney, Matthew Rogers, both make reference to submission of the subdivision application to Bergen County. Mr. Whitaker stated that the process in this case is that the application will be submitted to the Bergen County Department of Planning and Economic Development, and the County will exempt the application for subdivision because the property does not front on a County Road, does not change or alter the drainage of any adjacent property or facility, and is classified as a Minor Subdivision. The County's response will be provided when received. Mr. Hanly said that the exemption by the County should be included in the Resolution as a condition of approval by this Board. He added that the applicant's request for a waiver for having to include on the Plat all existing structures, wells, septic, sewer and water connections on all adjacent lots within 200' should also be included in the Resolution.

Ryan Merse, the applicant, was sworn in. Mr. Merse stated that he is the owner of the property located at 209 Zachary Court and that he is under contract, subject to the approval of the subdivision, to purchase a portion of his neighbor's property which is depicted on the submitted survey as part of his application. Mr. Merse stated that he is not proposing any development on the property and that he only wishes to enlarge his property. He added that the area is wooded, and he would like the added privacy.

Mr. Boonstra stated that the plan shows a doghouse straddling the property line with his neighbor. Mr. Merse stated that the doghouse belongs to his neighbor and he does not object to the structure being partially on his property.

Chairman Fortunato announced that "the time for public questions and comments is now open. If you wish to ask a question of the witness or make a comment regarding the witness's testimony, please dial 201-891-7000, extension #222. We will take calls in the order in which they are received. If the line is busy, please wait a moment and then try again. You will be able to easily observe when a call has been completed, as you are watching the meeting live on YouTube. Once you are on the line, we will ask that you mute the device on which you are watching the live stream, as to minimize any interference with the audio."

OPEN TO THE PUBLIC
NO ONE APPEARED OR CALLED IN TO COMMENT
CLOSED TO THE PUBLIC

Mr. Boonstra asked for confirmation that the remaining lot in North Haledon will remain a conforming lot. Mr. Whitaker affirmed that the seller's lot in North Haledon will remain a conforming lot.

Mr. An commented that he would like the applicant's intentions of not developing the property to be part of the record. Chairman Fortunato stated that the applicant has already stated that he does not plan to develop the property, adding, Mr. Merse's statement of that cannot be a condition of approval.

Chairman Fortunato asked for a motion. Mr. Boonstra made a motion to approve the subdivision application. Second, Mr. Fisher. Voting in favor: Ms. Conlon, Mr. Homyachak, Mr. Riotto, Mr. Fisher, Mr. Sietsma, Mr. Boonstra, Mr. Purvin, Mr. Alexandrou, Mr. An, Mayor Shanley and Chairman Fortunato.

APPLICATIONS CARRIED

GALASSO ENTERPRISES, LLC BLK 203 LOT 3.04 (L-2) 825 Windham Court North. (Amendment to Existing Site Plan. Applicant proposes to add 34 additional parking spaces to the site which currently has 50 parking spaces, and 58 spaces are required)

Bruce Whitaker, the applicant's Attorney, came forward to present the continuation of this application. He stated that this is a continuation of the public hearing in connection with an amended site plan and variance relief request and waivers. At the last meeting, the applicants Engineer and Environmental specialist provided testimony. He added that the applicant, Amato Galasso, also provided testimony at the last meeting as to his intentions of developing the site. Mr. Whitaker stated that at the last meeting, the Members of The Board gave the applicant a list of items they would like to see addressed and those items will be addressed this evening as follows: a revised landscape plan has been submitted that will show adequate buffering around the property, the dumpster enclosure will be enlarged to accommodate one dumpster for garbage and one for cardboard, the obstruction over the brook will be removed, and a prototype of the proposed sign will be presented to The Board.

Richard Wostbrock came forward to provide testimony regarding the revised landscape plan. He was reminded that he was previously sworn and is still under oath. The revised landscape plan was marked as exhibit A-4. Mr. Wostbrock stated that he walked the subject property with residents who live on the adjoining properties. The revisions show that arborvitaes have been added to the north side of the property closest to where the trailers are parked. To facilitate this, a few older, more compromised trees will need to be removed from that area. Additional green giant arborvitaes will also be added along the south westerly side of the property. A total of 102 trees are now proposed which is 20 more than the 82 which was initially proposed. The neighbors have collectively requested this additional screening. These trees will serve as a very adequate natural buffer on the property.

Mr. Wostbrock then provided testimony regarding the proposed directory sign. He stated that the sign will be installed 20' from the property line at the cul-de-sac entrance on Windham Court North. The sign will be conforming in location and size, and will not be lit.

Mr. Sietsma requested that the new trees be balled and burlapped verses containers and that the new trees be irrigated. Mr. Boonstra asked for confirmation that any new trees that do not adapt well after planting will be replaced. Mr. Whitaker stated that the maintenance of the landscaping will be part of the developer's agreement.

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OPEN TO THE PUBLIC

Mike Riffard, who resides at 341 Brookside Avenue, came forward and was sworn in. Mr. Riffard asked if the proposed dumpster could be moved to a different location because he believes that it will be visible from his back yard. Mr. Wostbrock stated that this location was chosen based on the DEP restrictions in other areas of the property. He added that green giant arborvitaes are proposed around the dumpster enclosure, and these trees will grow tall enough to adequately screen the dumpsters from view. Mr. Riffard then asked that the dumpster not be used for any type of food refuse in the event that warehouse space is leased to a catering company or food supplier. Chairman Fortunato stated that the Board cannot place restrictions on the type of business that may lease space from the applicant if it is a permitted use in the zone. Mr. Riffard again asked if more arborvitaes could be planted between his property and the applicant's property. Mr. Wostbrock mentioned that he is aware that Mr. Riffard had trees removed from his own property which provided screening. Mr. Fisher stated that the applicant is proposing six, 6' tall arborvitaes to screen the dumpster enclosure, adding that in two years those trees will be 8' to 10' tall and will completely screen the enclosure. Mr. Alexandrou pointed out that Mr. Riffard can also plant trees on his own property to provide additional screening. Chairman Fortunato asked how far the proposed dumpster will be from Mr. Riffard's property line. Mr. Wostbrock stated the dumpster is approximately 50' from the property line and another 100' to Mr. Riffard's house.

Toni Anne Riffard came forward and was sworn in. Mrs. Riffard stated that she and her husband spoke with the applicant, Mr. Galasso personally and that he told them that he would plant more trees than what is shown on the plans, in her opinion. She also stated that she does not believe the proposed trees will adequately screen the dumpster. Mr. Wostbrock replied that the 5' high dumpsters are enclosed by a 6' high solid fence which will be surrounded by 5' to 6' tall arborvitaes which will quickly grow to 8' to 10'.

CLOSED TO THE PUBLIC

Amato Galasso, the applicant, came forward to provide testimony. He was reminded that he was previously sworn and is still under oath. Mr. Galasso provided a prototype drawing (exhibit A-5) of the proposed directory sign he is proposing for the entrance of the subject property. He stated that the sign will not be lit, and it will conform in size to the Township of Wyckoff Code. The sign will be a reader board which will identify the tenants who lease space in the building. Mr. Galasso then addressed the collapsed bridge on the property which was of concern to the Board Members. He stated that he will remove the obstruction and ensure that there are no further issues with the brook becoming obstructed. Mr. Whitaker said this can be a condition of the approval. There was a discussion about a timeline for the removal of the collapsed bridge. Mr. Fisher suggested a six-month timeline from the approval of the Resolution for the bridge to be removed. Mr. Whitaker stated that the six-month timeline can be a condition of approval. His client, Mr. Galasso, will be held to that timeline and will have the collapsed bridge removed. He added that it can be stated in the Resolution that the bridge will be removed in accordance with Mr. Fisher's recommendations.

Chairman Fortunato announced that “the time for public questions and comments is now open. If you wish to ask a question of the witness or make a comment regarding the witness's testimony, please dial 201-891-7000, extension #222. We will take calls in the order in which they are

received. If the line is busy, please wait a moment and then try again. You will be able to easily observe when a call has been completed, as you are watching the meeting live on YouTube. Once you are on the line, we will ask that you mute the device on which you are watching the live stream, as to minimize any interference with the audio.”

OPEN TO THE PUBLIC

Timothy Brackett, who resides at 358 Crescent Avenue came forward and was sworn in. Mr. Brackett wanted clarification on when the planting of the screening arborvitaes will commence. Mr. Whitaker stated that if the application is approved, his client will begin planting the trees immediately. Mr. Brackett thanked Mr. Galasso for working with and accommodating the neighbors regarding the screening plantings.

NO ONE FROM THE PUBLIC CALLED IN TO COMMENT CLOSED TO THE PUBLIC

Mr. Boonstra said, on behalf of the Board Members, he would like to thank Mr. Galasso for reaching out to the owners of the adjoining properties and working with them to come up with a solution for the screening which has been an ongoing issue since the application first came before this Board almost one year ago. He went on to say that the removal of the collapsed bridge over the brook will be a significant improvement to the property and to the Township of Wyckoff.

Chairman Fortunato said that if the application is approved it will be subject to the planting of the balled and burlapped green giant arborvitaes shown on the revised landscape plan, the irrigation of the trees, and the removal of the collapsed bridge within six months' time. He then asked for a motion.

Board Member Sietsma made a motion to approve the application for 825 Windham Court North subject to the planting of the landscape screening with irrigation as soon as possible, and the removal of the collapsed bridge within six months. Second, Mr. Fisher. Voting in favor: Ms. Conlon, Mr. Riotto, Mr. Homaychak, Mr. Sietsma, Mr. Fisher, Mr. Boonstra, Mr. Purvin, Mr. Alexandrou, Mr. An, Mayor Shanley and Chairman Fortunato.

A motion to adjourn the Public Business Meeting was made, seconded, and passed unanimously. The meeting concluded at 9:15 p.m.

Respectfully submitted,
Maureen Mitchell, Secretary
Wyckoff Planning Board