

WYCKOFF PLANNING BOARD
MARCH 10, 2021 PUBLIC BUSINESS MEETING MINUTES

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

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

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

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 Planning 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 Planning Board of the Township of Wyckoff scheduled for Wednesday March 10, 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 regular March 10, 2021 Public Work Session 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.

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."

The meeting began with the Pledge of Allegiance.

ROLL CALL

Board Members present: Rudy Boonstra; Township Committeeman, Rob Fortunato; Chairman, Kevin Purvin; Vice Chairman, Kelly Conlon, Frank Sedita, Mike Homyachak, Glenn Sietsma, and Mae Bogdansk.

Board Members absent: Melissa Rubenstein, Mayor; Scott Fisher, and George Alexandrou.

Staff present: Kevin Hanly; Board Attorney, Mark DiGennaro; Township Engineer, and Maureen Mitchell; Board Secretary.

OLD BUSINESS

Approval of the February 10, 2021 Work Session and Regular Business Minutes

The Work Session and Business Meeting minutes were approved during the Work Session.

RESOLUTIONS TO BE MEMORIALIZED**Awad, Reda & Mary 490 Vance Avenue, Block 337 Lot 14**

(The applicant demolished the existing residential structure and proposes to alter the grading of the property resulting in soil movement in excess of 100 cubic yards in order to construct a new residential dwelling on the lot)

Dimitrakiou, Nick 802 Albemarle Street, Block 429 Lot 32

(The applicant proposes to demolish the existing residential structure and alter the grading of the property resulting in soil movement in excess of 100 cubic yards in order to construct a new home on the lot)

The two (2) Resolutions were approved during the work session.

COMPLETENESS REVIEW**Township of Wyckoff Maple Lake Minor Subdivision Block 320, Lots 10.02 and 11**

The application was deemed complete during the Work Session.

PUBLIC HEARING**Township of Wyckoff Maple Lake Minor Subdivision Block 320, Lots 10.02 and 11**

Robert Landel, the Township Attorney, stated that the Township of Wyckoff is the contract purchaser of proposed lot 10.02 in block 320. It is a variance free minor subdivision. The two existing lots will be merged, reconfigured, and subdivided. Property owners within a 200' radius have been notified and a legal notice of the minor subdivision was published in the Record although notice of a minor subdivision is not required as per Municipal Land Use Law. The plan has been out in the open and public as it has been part of the process of a settlement agreement since 2015. The township will acquire a lot of approximately 21 acres to be preserved as open space and a County grant will pay for a large portion of it.

Mr. Landel recapped the procedural history by stating that the acquisition is consistent with a settlement agreement made with the property owner and Fair Share in 2018 and was endorsed by the Planning Board of the Township of Wyckoff in November of 2018. The subdivision will complete the project that was started back in 2018. This application is a minor subdivision only. There is no site plan at this time. If the developers decide in the future to develop newly proposed

lot 10.02A, they will have to come back before the Board with an application for development.

Paul Couvrette was sworn in. Mr. Couvrette stated that he is a licensed Professional Engineer and the Vice President of the Nader Group, LLC. located at 111 Mill Street in Hackettstown New Jersey. Mr. Couvrette affirmed that his license is in good standing and that he has appeared before many Land Use Boards over the past 30 years. Chairman Fortunato said the Board will recognize Mr. Couvrette as an expert in the field of engineering.

Mr. Couvrette stated that he played a role in preparing the subdivision plan, pages C-01 thru C-04, with a revision date of 12/30/2020. The plan was marked exhibit A-1. Mr. Couvrette provided the following details of the subdivision plans:

Existing 25.7-acre lot 10.02, and existing 0.79-acre lot 11 are being merged, reconfigured, and subdivided to create proposed lot 10.02B of approximately 21 acres and 10.02A of approximately 5 acres. A 20' wide sanitary sewer easement will be retained in the event that if development is proposed for new lot 10.02A in the future, there will be a means to connect to the existing sanitary sewer line. The purpose of the land swap between the two (2) existing lots is to provide access to a street for both lots.

Chairman Fortunato asked Mr. Boonstra to comment on what the plans are for the 21 acres to be acquired by the Township of Wyckoff. Mr. Boonstra said that one of the main purposes of acquiring the 21 acres, other than to shield it from development, is to add it to the 5-acre wetlands buffer the Township has already acquired which begins at Demarest Avenue and runs behind The Brick House and along the railroad tracks. Eventually the tract of land crosses over the railroad tracks and will meet up with this new 21 acres of land once the Township acquires it. The area will be a significant wetlands buffer for wildlife. There are no plans for the land other than to clean it up over time by removing the debris and old foundations on the property. There will not be any ballfields or recreational facilities on the property. The land will be preserved for passive open land as a wetlands buffer.

Chairman Fortunato stated that the developer who will retain the 5-acre lot (proposed lot 10.02A) has not submitted any plans for development at this time. Any future plans for development will have to come before the Board under a separate application.

OPEN TO THE PUBLIC

Kenneth Porro, who resides at 15 Pace Drive, telephoned into the meeting. His lot abuts the subject wetlands area of lot 11 (proposed lot 10.02B). Mr. Porro stated that he thinks this is an overall great plan and he asked if the aforementioned sanitary sewer line could be extended to Pace Drive to allow the residents in his neighborhood to hook into the sewer system as their homes are currently served by septic systems.

Mr. Couvrette stated that it would be possible to obtain a permit to cross the wetlands to get into the trunk line however without looking at it and understanding the grades in that area, he could not provide a definitive answer. He added that with the location of the existing trunk line, he believes the chances are good that it could be done.

Mr. DiGennaro said that if the residents of Pace Drive want to pursue a privately funded sewer extension, there would have to be an easement dedicated for the cause, most likely by lot 9, and a wetlands state permit to get across the wetlands would be required. A sewer extension permit would be routed through his office and he would guide them along however it would be privately funded by the homeowners. Mr. DiGennaro added, if the Township wished to pursue

assistance with that, it could be discussed at that time.

Susan Fuhr, who resides at 121 Cumberland Court, telephoned into the meeting. She inquired about the presence of a dotted line that is shown on the plans on proposed lot 10.02A asking what the line signifies. Mr. Couvrette stated that the dotted line represents the 40' setback line from the property line to any building that may be proposed on that lot.

Kevin Fuhr, who resides at 121 Cumberland Court telephoned into the meeting. He asked if any trails are proposed for the lot acquired by the Township. He also asked about a parking lot that appears on the plans. Chairman Fortunato stated that the parking lot is conceptual only adding that there are currently no plans to develop at this time. Mr. Landel stated that if the developer decides to develop proposed lot 10.02A, he will have to come back before the Board with a development plan and members of the public will receive notice.

CLOSED TO THE PUBLIC

Board Attorney Hanly referred to the letter from Police Chief Murphy regarding the renaming of Maple Drive and stated that the letter will be marked exhibit B-1.

Mr. Boonstra stated that the grant that has been approved will expire at the end of March and the County has granted a 190-day extension therefore time is of the essence.

OPEN TO THE PUBLIC

Kenneth Porro thanked the Board and Mr. Landel for planning to preserve the land that will be acquired by the Township for open space. He said that he and his wife are in support of the subdivision.

Charles Cronly, who resides at 1 Pace Drive, telephoned into the meeting. He asked for clarification on the sewer easement that is shown on the plans. Chairman Fortunato stated that the easement has been set aside in case the developer wishes to connect to the sanitary sewer line.

Kurt Grube, who resides at 174 Packard Avenue, telephoned into the meeting. Mr. Grube thanked the Board for the plans to preserve the land at Maple Lake.

Chairman Fortunato read aloud the following email submitted by Adam Kwoka who resides at 202 Maple Drive:

Maple Drive – One of our biggest concerns ever since moving to this home in 2019 has been the dirt road. We have put in requests to the town to pave the road and they did come and regrade it with dirt to get rid of the potholes. The road has become yet again filled with potholes. Regardless of what happens with the Maple lake property, we would love to see this road fixed, widened, and paved especially if there will be more car traffic.

Use of the land – If the town buys this property, we are hoping it will be the section closest to our house. There are multiple old broken structures, cement foundations, steps, and dead trees that we would love to see removed so it can become a nice nature park with lighting so that kids don't hang out there late at night drinking. It is currently unsafe.

Curfew – If this property is to be improved and potentially used for a nature park, we would like to see a curfew. One of the reasons we bought this house is the privacy that we have. I wouldn't want to have to worry about crime from people hanging out in the park at late hours.

Parking – If the property is improved by the town it will draw more people to come. The road is

already a one lane dirt road, so addressing the previous concern about the road as well as lighting would be great. Would there be a plan to put in a parking area? If so, where exactly would that be? We wouldn't want cars lined up along our road and potentially blocking us from getting out.

Nature - It would be great to get rid of the hundreds of dead trees and structures, but will nature be preserved? Will you touch the old lake area and river? There is a ton of garbage and junk throughout. There are also dozens of deer that live in the area.

Chairman Fortunato reiterated that there are currently no plans for development however should the owner of proposed lot 10.02A decide to develop the property in the future, the Kwokas and other homeowners with the 200' radius will be notified in advance.

Mr. Boonstra stated that Mr. Kwoka is currently the only address and residence on Maple Drive. He went on to say that it is the Township's intention to reach out to Mr. Kwoka and his wife to go over the street renaming with them and to make it as seamless as possible.

CLOSED TO THE PUBLIC

Mr. Boonstra asked if it becomes more difficult to obtain a sewer easement across a property once County money has been used. Mr. Landel said that the installation of sanitary sewers is a positive public health factor and that he does not believe there will be any constraints as a result of using the grant money to acquire the property.

Mr. Boonstra recommended extending the easement to Pace Drive at this time, prior to acquiring the land with the grant. Mr. Landel said that if the Board approves the minor subdivision, the Resolution can state that an easement has been granted from the existing 20' wide utility easement towards the north and Pace Drive, with the details to be worked out with the Township Engineer.

Mr. DiGennaro pointed out that the existing easement will be on Township owned property therefore an additional easement does not need to be granted.

Chairman Fortunato recommended that, if the application is approved, Mr. Hanly can include in the Resolution language pertaining to contemplating a future connection or extension of the existing sewer line to provide connection access to the properties on Pace Drive should those homeowners wish to self-fund a connection to the sanitary sewer.

Mr. Homyachak made a motion to approve the minor subdivision application. Second, Mr. Sietsma. Voting in favor: Ms. Conlon, Mr. Sedita, Mr. Homyachak, Mr. Sietsma, Ms. Bogdansk, Mr. Boonstra, Mr. Purvin, and Chairman Fortunato.

There being no further business, 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