

**WYCKOFF PLANNING BOARD  
FEBRUARY 9, 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 Meeting Statement by Chairman Fortunato.

“The regular February 9, 2022 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.

*“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 times.”*

The meeting began with the Pledge of Allegiance.

**ROLL CALL**

Board Members in attendance: Rudy Boonstra, Mayor; Rob Fortunato, Chairman; Kevin Purvin, Vice Chairman; Frank Sedita, Mike Homyachak, Glenn Sietsma, Mae Bogdanskyy, and Sarah Caprio. Absent: Pete Melchionne, Township Committeeman; Kelly Conlon, and Scott Fisher. Staff in attendance: Kevin Hanly, Board Attorney; Mark DiGennaro, Township Engineer; and Maureen Mitchell, Board Secretary.

**OLD BUSINESS**

Approval of the January 12, 2022 Work Session and Regular Business Meeting minutes

The January 12, 2022 Work Session and Regular Business Meeting minutes were approved during the Work Session.

**PAYMENT RESOLUTION #22-02**

Payment Resolution #22-02 was approved during the Work Session.

**RESOLUTION FOR MEMORIALIZING**

Canterbury Development/Township of Wyckoff Block 320, Lots 10.02 and 11  
A Resolution of approval for an extension of time to record the perfecting deeds for the minor subdivision.

The Resolution was approved during the Work Session.

**FOR REVIEW AND RECOMMENDATION TO THE TOWNSHIP COMMITTEE**

ORDINANCE #1954 – AN ORDINANCE TO VACATE A PORTION OF LEBANON STREET LOCATED IN BLOCK 498 LOT 23.02, BLOCK 498 LOT 18.01, BLOCK 500 LOT 1.01, AND BLOCK 500 LOT 18 WITHIN THE TOWNSHIP OF WYCKOFF.

The Ordinance was reviewed and voted on during the Work Session.

**COMPLETENESS REVIEW**

**T-Mobile Northeast, LLC 340 Franklin Ave.** Blk 258 Lot 1.01

(The applicant proposes to install a 25KW diesel emergency backup generator within the fenced in equipment area for the existing cell tower on the Wyckoff Town Hall campus)

Chairman Fortunato announced that this application will be carried to the March 9, 2022 meeting. The applicant will not need to re-notice the public.

**APPLICATION FOR PUBLIC HEARING**

**Rosen, Richard 474 Ivy Lane** Blk 422 Lot 8

(The applicant proposes to import soil in excess of 100 cubic yards and construct a retaining wall)

Richard Rosen, the applicant, was sworn in. Robert Costa, the applicant's Engineer was sworn in. Mr. Costa's business address is 325 South River Street in Hackensack New Jersey. He stated that he is a licensed Engineer in the State of New Jersey. Chairman Fortunato recognized Mr. Costa as an expert in Engineering.

Board Attorney Hanly requested to mark the following submitted documents as exhibits: A-1 Application, A-2 retaining wall calculations, A-3 Engineering drawings consisting of four pages, A-4 and A-5 photos of the existing conditions.

Mr. Costa provided the following details of the application: the applicant wants to level out the back yard of his property to create a play area for his children and an entertainment space. We will import approximately 240 cubic yards of soil to level the yard. The soil will be certified clean and free of debris and contaminants. The proposed retaining walls are tiered, keystone, mortarless walls and will be 4' or less in height. A fence will be installed on top of the retaining wall. If we need to install seepage pits, we will do so.

Chairman Fortunato asked Mr. DiGennaro to confirm if the requested items in his Engineering technical review report have been satisfied. Mr. DiGennaro stated that the ten (10) items listed in his report have been satisfied.

The Chairman asked Mr. DiGennaro for clarification on the setback requirements for the retaining walls. Mr. DiGennaro said the ratio is 1' off the property line for every 1' of height of the wall. The applicant is proposing the lower wall of 4' in height so it must be 4' off the property line. The upper retaining wall must also be stepped in because you cannot have a continuous retaining wall greater than 4' in height.

Mark Rosen, the applicant's father, was asked to be sworn in since he was making comments on the application from the audience.

Ms. Caprio inquired about the proposed fence type. Mr. Costa stated that the fence on top of the retaining wall will be chain link. There will be a section of PVC fencing on the right side from the house to the retaining wall.

Mr. Homyachak asked what type of finish is on the block wall. Mr. Costa said the retaining wall will be keystone block which has a stone like finish, and it is commonly used because of its stability. He added that he uses this type of block all the time and has never had any problems.

Mr. Sietsma said the landscape plan proposes Emerald Green arborvitaes and he recommended changing the species to Green Giant, 5' to 6' tall at planting, because they are more deer resistant.

#### OPEN TO THE PUBLIC

Phyliss Schreier, who resides at 730 Albemarle Street, was sworn in. Ms. Schreier said the back corner of her property is adjacent to the back yard of 474 Ivy Lane, the subject property. Ms. Schreier said that Mr. Rosen's property slopes downhill to hers and she is concerned about water runoff and drainage issues. She said that she has problems with water on her property during heavy rain storms and recently had to have a sump pump installed in her home.

Mr. Costa said the property currently slopes, so the water naturally drains downhill. The plan is to level the property with a series of retaining walls which should slow the flow of water, allowing it to seep down into the ground instead of running downhill.

Mr. DiGennaro agreed that the conditions should greatly improve once the retaining walls are constructed, and the lawn is established. He said however that drainage pipes are sometimes installed and if they are, they should not be directed towards any adjacent properties.

Mr. Costa stated that with the type of materials being proposed, he believes drainage pipes are not necessary. He added that if the contractor feels drainage pipes are needed, they will not be directed towards the adjacent properties.

David Kalter, who resides at 726 Albemarle Street, was sworn in. Mr. Kalter stated that his property is not adjacent to the Rosen's however his property is downhill from theirs. He said he has major drainage issues on his property every time it rains. He went on to say that so much water drains onto his property that his pool overflows during heavy rain events and the runoff gushes through the drainage pipes that run under his house.

Chairman Fortunato asked Mr. Kalter if he heard what Mr. Costa and Mr. DiGennaro said about the runoff and how the retaining wall system should help reduce the flow of runoff downhill. The Chairman also said that Mr. Costa has testified that if drainage pipes are installed, they will be pointed away from adjacent properties.

Finally, Mr. Costa said we are not here to cause problems for any of the neighbors adding that he will stand by everything he has testified to this evening.

#### CLOSED TO THE PUBLIC

Chairman Fortunato asked for a motion on the application. Mr. Hodaychak made a motion to approve the application subject to the conditions that 5' to 6' Green Giant arborvitaes will be planted, and all drainage pipes, if installed, will not be directed towards any of the adjacent properties. Second, Ms. Caprio. Voting in favor: Mr. Sedita, Mr. Hodaychak, Mr. Sietsma, Mr. Purvin, Ms. Bogdanskyy, Ms. Caprio, Mayor Boonstra, 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 8:40 p.m.

Respectfully submitted,  
Maureen Mitchell, Secretary  
Wyckoff Planning Board