

WYCKOFF PLANNING BOARD
OCTOBER 10, 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 October 10, 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, Township Committee Representative, Rudy Boonstra, Glenn Sietsma; John An, Alt.

Board Members Absent: Brian Scanlan, Mayor; George Alexandrou, Kevin Purvin, Michael Homaychak, Scott Fisher; Drita Haznedari-McNamara, Alt.

Staff Present: David Becker, Acting Planning Board Attorney; Mark DiGennaro, Township Engineer; Gary Ascolese, Boswell Engineering Representative; Susan McQuaid, Board Secretary; Denise Capparelli, Administrative Support Assistant.

OLD BUSINESS

Approval of the September 12, 2018 Work Session and Regular Business Meeting Minutes.

The work session and public hearing minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #18-10

Resolution #18-10 for payment of vouchers was approved at the work session meeting.

RESOLUTION(S) TO BE MEMORIALIZED

CJM PROPERTIES CORP. BLK 498 LOT 96.20 (R-15); 28 Ravine Avenue. (The applicant proposes to subdivide the existing single lot into two proposed lots where one lot will be conforming in lot size and the second lot will require a minor variance for minimum lot depth).

This application was memorialized at the work session meeting as amended.

FOR COMPLETENESS REVIEW

DAIRY QUEEN BLK 219 LOT 14 (B1-CORNER); 299 Franklin Avenue. *(The applicant proposes to install a generator in the second front yard along Godwin Avenue)*

This application was deemed complete subject to the receipt of a landscape plan and affidavit that there exists no deed restriction or protective covenants to be provided in advance of the scheduled public hearing on Wednesday, November 14, 2018.

INTERNATIONAL CENTER FOR MINIMALLY INVASIVE SURGERY BLK 492 LOT 18.01 (B2); 461 Goffle Road. *(The applicant proposes to erect an 8' x 20' storage shed in the rear yard within the setback line).*

This application was deemed complete at the work session meeting subject to any testimony regarding lighting changes if any and has been scheduled for public hearing on Wednesday, November 14, 2018

FOUR GEMS, LLC BLK 237 LOT 8 (B1A CORNER); 244 Everett Avenue. *(The applicant is proposing to expand the current building and to completely renovate the exterior and interior of the enlarged building for office use).*

This application was deemed complete at the work session meeting subject to review by the Design Review Board and Shade Tree Commission prior to the next meeting and has been scheduled for public hearing on Wednesday, November 14, 2018.

PUBLIC HEARING – NEW

143 ELMWOOD PLACE, LLC BLK300 LOT 9.01 (R-15); 143 Elmwood Place. *(The applicant is proposing to subdivide the property and to retain the existing single family home on one lot and to build a new single family home on the created lot).*

Sophy Sedaret, from the law firm of Sophy Sedaret, LLC, 684 Route 208, Franklin Lakes, NJ, on behalf of Bruce Whitaker, Esq., said the proposed subdivision conforms to the standards of all applicable ordinances. She said that no variances are being sought and the conditions of preliminary approval have been met. Ms. Sedarat provided verification from an October 2, 2018 letter to the Township stating that applicant is in the process of obtaining a will serve letter from the water utility to serve both lots; any subdivision approval will be subject to government approvals. Ms. Sedarat also stated the applicant requests a waiver for a landscaping plan since the approval is for a minor subdivision which will be perfected by deed.

Mr. Steven L. Koestner, Land Surveyor/Engineer, 61 Hudson St. Hackensack NJ was sworn. Marked for identification at this time was the following exhibit:

A-1 Site plan July 24, 2018 and revised on October 1, 2018

Mr. Koestner confirmed there are no variances being requested by the applicant, and the lots are conforming and comply with requirements. The revised plan was modified to move the lot line for proposed Lot 9.011 12 feet further to the west toward Godwin Avenue to accommodate an existing sewer line. The sewer line was located by a plumber using an x-ray. Each lot area will remain in excess of 15,000 square feet in the R-15 zone, and there will be no easements on the new lot. Township Engineer DiGennaro stated that the plans did not show the existing stone driveway and he would like to see the impervious coverage maintained at 28.5%. Mr. Koestner responded there was approximately an additional 4.5% of impervious coverage. Mr. DiGennaro asked if calculations can be provided so as not to trigger a variance. Mr. Koestner and Ms. Sedarat confirmed they will stipulate conditions to be included in the approval and resolution. The applicant will abandon the existing gravel driveway on the new proposed lot so as not to trigger any easements. Township Engineer DiGennaro stipulated the driveway apron is in the public right of way and must be paved or surfaced with concrete. He explained there should be some consideration of drainage. Mr. DiGennaro requested the installation of a trench drain or a seepage pit. Mr. Koestner recommended adding a swale along the property line for drainage.

Chairman Fortunato confirmed no variances are being sought. Township Committeeman Boonstra mentioned this application is for lot approval only and Board Member An confirmed the driveway is not part of the approval for this meeting. Board Secretary McQuaid mentioned the property will require a new lot and house number to be provided by the Tax Assessor.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Township Committeeman Boonstra made a motion to approve the minor subdivision application subject to the following conditions: new calculations on impervious driveway coverage to be provided, the apron on the driveway in the right of way paved or surfaced with concrete, revised plans relating to drainage improvements. Board Secretary McQuaid will contact the Tax Assessor's office for new lot numbers for both lots and house number for the new lot. Second, Mr. An. Voting in favor: Mr. An, Mr. Sietsma, Mr. Boonstra, Mr. Hanly and Chairman Fortunato.

FOR PUBLIC HEARING AND CONSIDERATION

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).*

Russell B. Huntington, from the law firm of Huntington Bailey representing Mr. Robert Milanese. He said the applicant is requesting a special meeting in November. He said an extension of time letter has been provided to the Planning Board office by the applicant. He said this application is for site plan approval for an existing 2800 square feet lot with a small dwelling on this lot. The applicant proposes to put a small addition onto to the house for ADA bathroom compliance.

Stephen P. Sinisi, from the law firm of Stephen P. Sinisi, Esq., LLC, said he represents the

objector, the Estate of Henry J. McNamara, an adjoining property owner. He said at the work session meeting this evening there was a discussion of the Certificate of Occupancy (CO) issue. Chairman Fortunato said a CO was issued for a continued residential use. Mr. Sinisi wanted to put on record the CO for the right to use the premises for business use was not issued. Chairman Fortunato said the Board is unaware of any changes since the last meeting.

Mr. Andrew H. Missey, the applicant's Engineer, was sworn. He introduced a few new exhibits. Marked as identification were the following exhibits:

- A-3 An aerial photo view of 406 Highland Avenue was submitted into record. This is in addition to the previous Exhibits A1 (site plan) and A2 (photos).
- A-4 Front elevation of the proposed dwelling
- A-5 Left side view of the proposed dwelling
- A-6 Right side view of the proposed dwelling
- A-7 Rear yard view of the proposed dwelling

Mr. Missey gave a review of the site of the proposed construction. The property lies within the B1 zone and RA-25 zone. The existing site plan includes a garage which is located in the RA-25 zone and the house is located in the B1 zone. The applicant proposes to construct a 611 sq. ft. addition to the east side of the building and remove the existing 255 sq. ft. garage. A 6.5' x 15.3' rear yard addition will be added to the west side of the house to add an ADA compliant bathroom. The parking will be ADA compliant and a handicap ramp will be added. A parking area with 4 spaces will replace the current garage. A sidewalk will be created. On the west side, a stockade fence will act as screen. A planter area in the front and leaders which run into rain barrels will be included. The proposed addition will be included and will required a setback variance.

Chairman Fortunato questioned if parking in the RA-25 zone was a concern. Mr. Missey confirmed they are not proposing use as a residence, just for business. Township Committeeman Boonstra explained that parking at night is prohibited in a business zone. Mr. Missey explained there are no off sight impacts and they will be connected to the public sewer system. Vice Chairman Hanly inquired if cars will be parked behind each other or stacked. Mr. Missey stated that a photo shows an existing condition where you can park and drive a car through the garage into the rear yard. The garage is 4.6 ft. from the property line. Mr. Missey confirmed it will be stacked parking and the garage will be removed. Chairman Fortunato inquired if street parking is permitted on Highland Avenue and Mr. Missy confirmed there are 6 parking spaces with 4 onsite and 2 in the street.

Mr. Sinisi, the objector's attorney, questioned the applicant's engineer about disclosing or identifying proper ordinances for the piece of the property in the RA-25 zone and applicant replied ordinances were supplied in August 2017. Mr. Sinisi commented about parking requirements for other than business use (residential) and Mr. Missey stated that his examination does not include the interior. Township Committeeman Boonstra stated that residential use is not permitted in the B1 zone. Mr. Sinisi inquired if the parking is ADA compliant and if there is any encroachment into the public right of way. Mr. Missey stated if ADA is not workable in parking space #4 they would make parking space #3 ADA compliant and yes a portion of parking space #4 is in the right of way. He said the applicant is providing on-site parking and a minimum of one space is required for ADA compliance. Mr. Sinisi inquired if tandem or stack parking is prohibited in the B1 zone, do you need a variance if prohibited and what happens if more than one car in the driveway and any safety issues? Mr. Missey proposes business parking in the RA-25 zone and B1 zone which is allowable under Wyckoff ordinance and suitable for a small business. Tandem parking for

business is prohibited and Mr. Milanese is applying for a variance for this specific parking. Mr. Sinisi also inquired about the amount of space a passenger has to exit the car and Mr. Missey confirmed it is the same as in a parking lot. Mr. Sinisi asked about the applicant's drainage plan and runoff onto adjoining property. Mr. Missey explained they would install rain barrels as an alternate source of irrigation and discharge would be directed to a swale if necessary ultimately running off onto Highland Avenue. He confirmed there would be a slight increase in runoff. Boswell Engineering Representative Ascolese read a May 9, 2018 memo from Dr. Pazwash regarding storm water management revisions as satisfactory. Mr. Sinisi questioned Mr. Missey about sight lighting and proposed signage. Mr. Missey commented that the applicant can meet lighting requirements and the proposed signage is on the site plan, is not illuminated and is per Wyckoff Code. Mr. Sinisi finally asked if the applicant identified all the variances that this application requires based on the R-25 and B-1 requirements to the best of his knowledge and Mr. Missey replied yes.

Board Attorney Becker stated that last meeting was in June 2018 and that a special meeting was previously requested. A special meeting date was discussed but not confirmed.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

The Board unanimously agreed to carry this application to the Wednesday, November 14, 2018 public hearing meeting. The applicant will not need to renote the newspaper or neighbors.

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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 10:43 p.m.

Denise Capparelli,
Administrative Support Assistant
Wyckoff Planning Board