

**WYCKOFF PLANNING BOARD
DECEMBER 13, 2016 SPECIAL MEETING MINUTES**

Public Meeting: 7:30 p.m. Second Floor, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meeting Statement by Richard Bonsignore, Chairman:

This special meeting of the Wyckoff Planning Board dated Tuesday, December 13, 2016 is now in session. In accordance with Section 8 of the Open Public Meeting Act, I wish to advise that notice of this meeting has been posted on 2 bulletin boards in the main level of Memorial Town Hall and posted on the Wyckoff Township website since Friday, September 23, 2016. This notice establishes a special meeting for the review of the RS Builder, LLC application. A copy of the notice has been filed with the Township Clerk and copies were mailed to the Ridgewood News, Bergen Record and the North Jersey Herald and News all papers with general circulation throughout the Township of Wyckoff.

Board Member Attendance: Richard Bonsignore, Chairman; Rudy Boonstra, Township Committee Representative; Scott Fisher; Drita McNamara; Glenn Sietsma; Kevin Hanly; George Alexandrou.

Board Member(s) Abstain: Robert Fortunato, Vice Chairman; Justin Hoogerheyde

Staff Attendance: David Becker, Acting Board Attorney; Mark DiGennaro, Township Engineer; Mike Kelly, Boswell Engineering Representative; Susan McQuaid, Board Secretary.

Chairman Bonsignore 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"*

Roll call was taken.

The Planning Board meeting began with the Pledge of Allegiance.

Acting Board Attorney David Becker swore in new board member, Kevin Purvin, as alternate #2.

PUBLIC HEARING

RS BUILDERS, LLC (Estate of Alfred A. Siss) BLK 436 LOT 20.01, 19.01 & 19.02 (RA-25); 363 Smith Place, 685 Mountain Avenue & 689 Mountain Avenue. Preliminary major subdivision/variance. *(The applicant proposes a preliminary major subdivision with a new cul-de-sac street to create 4 new building lots of which 2 lots require lot frontage variances).*

Chair Bonsignore said the Board has received a revised site plan. Harold P. Cook, III, 886 Belmont Avenue, North Haledon, NJ on behalf of R.S. Builder said the applicant's engineer, Mark Palus, will explain the revisions to the Board. Mr. Palus was reminded by Board Attorney Becker that he was sworn at the previous meeting and remains under oath. He then asked that the following exhibit be marked as identification:

A-4 Revised site plan

Mr. Palus said a series of spruce trees are proposed along the southern edge of the property with the 2 houses on Mountain Avenue that have sold a small portion of their rear yards to the developer. The developer has now added a buffer around the entire subdivision property line where 24 - 6' to 8' in height blue and Norway spruce trees were to be planted and now 90 - 6' to 8' in height blue and Norway spruce trees will be planted by the developer around the entire perimeter of the property as seen on exhibit A-4.

Mr. Cook said that at the last meeting Board Member Boonstra raised an issue as to the front and side yard setback on proposed Lot 1, which is a corner lot. Mr. Palus said Lot 1 is a corner lot and the front yard is on Siss Court. Boswell Engineering Representative Kelly asked what is the frontage width on Smith Place. Mr. Palus said the frontage on Smith Place is 149.65' and the frontage on Siss Court is 147.94. He said the frontage will exceed the required 125' frontage on both streets. Mr. Kelly noted that on the conceptual plan the dwelling will fit in either direction. Township Engineer DiGennaro said front yard #1 on the proposed new cul-de-sac (which has not been named by the board of Fire Commissioners) will be the front yard.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Mr. Cook said that he has the real estate expert, Mr. Medici, present this evening to testify. He added that the Planner, Michael Kauker, will testify another time due to a sudden illness this evening. Mr. Cook said the developer would like to construct 5,000 square foot homes on 4 lots. He said Mr. Medici will testify as to the current market conditions.

Joseph A. Medici, a licensed real estate broker and licensed appraiser in the State of NJ for 35 years, and also a real estate developer and consultant, was sworn. He said he has appeared at numerous boards throughout the State as an expert. The Board accepted Mr. Medici's credentials. He said he was given the task of analyzing the project. He said the board needs to address whether they want to keep that neighborhood in the same status as it presently exists. He said he did a survey of the area homes and 9 of the 13 houses within 200' of the proposed subdivision are non-conforming due to lot area, lot frontage and bulk variances. He provided a list of homes in other areas of Wyckoff that are deficient in lot frontage on cul-de-sacs. He said this proposed subdivision would be a major improvement and will raise the value of the neighboring property owners. He then gave examples of oversized homes in Wyckoff.

The following exhibits were marked as identification:

A-5 House at 490 Ackerson Avenue – 16,684 sf home

A-6 House at 677 Charnwood Drive – 11,867 sf home

A-7 House under construction at 709 Highview Drive – 13,000 sf home

A-8 List of lots deficient in frontage on cul-de-sacs in Wyckoff

Mr. Medici said as the land value increases the size of the homes increase. He said the way to control development is keep this proposed subdivision similar to the surrounding homes in the neighborhood and not have a 12,000 sf house looming over the 3,400 sf colonials and ranches which is what surrounds this property. He said the burden of this project is due to the shape of the cul-de-sac where the lots become pie-shaped.

Mr. Cook read into the record the Kaufman vs. Planning Board of the Township of Warren 1988 case that will shed light on this application. He said that Mr. Kauker, the applicant's planner, would rely on this case for the granting of a 4 lot subdivision since these proposed lots will blend

in with the existing neighborhood rather than 3 lots with no variances. Mr. Cook added that the 4 proposed lots are in conformance with lot area.

Board Member Hanly said he would like to see the list of houses on a cul-de-sac that are deficient in lot frontage. He also was concerned with the material to be used on the exterior of the houses and once the subdivision approval is granted the Board would have no further jurisdiction as to the types of houses that can be constructed. Mr. Cook said the developer would agree to restrict the exterior material and colonial architectural design of the houses and if the developer decided to sell a lot the new developer would need to follow these same restrictions. Also, there would be a deed restriction and/or developers agreement that these lots cannot be merged. Township Committee Representative Boonstra noted that the non-conforming lots the applicant is showing the Board were created prior to the zoning ordinance and the applicant is asking the Board to compare these lots to the proposed subdivision lots which use today's zoning requirements. Mr. Medici said the developer would like to be consistent with the character of the neighborhood. He said that the 2 proposed lots that are deficient in lot frontage will need to go before the Zoning Board of Adjustment when these 2 lots are developed. Board Member Alexandrou reviewed the lot sizes of Exhibits A-5, A-6 & A-7 of which they are 1.2 acres, 1.8 acres and 1.2 acres. He noted that the proposed subdivision is 2.6 acres and on 3 lots, 10,000 sf houses each could be built.

OPEN TO THE PUBLIC for questions of Mr. Medici

No one appeared.

CLOSED TO THE PUBLIC

The Board agreed to carry this application to the Tuesday, January 31, 2017 special meeting at 7:30 p.m. The applicant will not need to renotice the public.

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There being no other business permitted to be considered, a motion to adjourn the meeting was made and seconded and passed unanimously. The meeting concluded at 8:28 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Planning Board