

# CAPIZZI LAW OFFICES

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Reply to New Jersey Office

October 3, 2022

## Submittal for the October 12, 2022 Hearing

### Via Overnight Mail

Maureen Mitchell – Secretary

Township of Wyckoff Planning Board

340 Franklin Avenue

Wyckoff, NJ 07481

Re: Zarzar – Wyckoff PB (the “Applicant”)  
551 Overlook Road, Block 245; Lot 42.02 (the “Property”)

Dear Ms. Mitchell:

As you are aware, this office represents the above Applicant regarding their soil movement application before the Wyckoff Planning Board seeking to construct a basketball court at the Property. To that end, enclosed please find the following for consideration at the October 12, 2022 hearing:

1. Township of Wyckoff Bergen County, New Jersey Application for Site Plan Approval/Soil Movement with Completeness Checklist B and Checklist C attached hereto (14 copies);
2. Township of Wyckoff Prior Planning Board Resolution dated September 12, 2018 (14 copies);
3. Photo Exhibit (14 copies);
4. Final As-Built Survey prepared by Schwanewede/Hals Engineering dated May 19, 2003 (14 copies); and
5. Sports Court and Grading Plan prepared by DJ Egarian & Associates Inc., dated August 25, 2021 consisting of one (1) sheet (14 copies).

Maureen Mitchell – Secretary

October 3, 2022

Page 2 of 2

This letter shall also confirm this matter is scheduled to be heard before the Wyckoff Planning Board, in-person, on Wednesday, October 12, 2022 at 7:30pm.

Thank you.

Very truly yours,

*Gloria Duby*

Gloria Duby, Paralegal

MGC/gd  
Enclosures

TOWNSHIP OF WYCKOFF  
BERGEN COUNTY, NEW JERSEY

APPLICATION FOR SITE PLAN APPROVAL / SOIL MOVEMENT

Date filed \_\_\_\_\_ Fee \_\_\_\_\_ Block 245 Lot(s) 42.02

A. APPLICATION IS HEREBY MADE FOR:

- Minor site plan  
 Preliminary/final major site plan  
 Waiver, modification or amendment of an existing site plan  
 Fence permit  
 Soil movement

B. OWNER: Nancy Zarzar c/o Matthew G. Capizzi, Esq. Tele # 973-698-5459

Address: 551 Overlook Road, Wyckoff NJ 07481

Applicant's Name (if other than owner):  
Same as Owner Tele# \_\_\_\_\_

Address: \_\_\_\_\_

Name and address of person presenting application:

Name: Matthew G. Capizzi, Esq. Profession Attorney

Address: 11 Hillside Avenue, 2nd Floor, Tenafly NJ 07670 Tele # 201-266-8300

Name of development: \_\_\_\_\_

C. PROPERTY DESCRIPTION

Location: 551 Overlook Road, Wyckoff NJ 07481 Zone: RA-25

Lot size: 107,816 Sq. Ft. Tax Map #: \_\_\_\_\_ Block 245 Lot(s) 42.02

Size of building in square feet: 4,763 Sq. Ft. Stories: 2

D. YARD DIMENSIONS - PROPOSED DEVELOPMENT APPLICATION

Zone: RA-25 Minimum lot requirements: Area (sq. ft.): 107,816 Sq. Ft.

Frontage: 74' Depth: 431'

Proposed yard dimensions: Principal building Front \_\_\_\_\_ Rear \_\_\_\_\_

Side: One \_\_\_\_\_ Both \_\_\_\_\_

Accessory buildings: Rear 261.2' Side 30'

Maximum building height: Stories \_\_\_\_\_ Feet \_\_\_\_\_

Minimum habitable floor area per dwelling unit \_\_\_\_\_

Maximum lot coverage 13.8%

Principal building %: 4.8% Principal & accessory building %: 7.6%

As to Proposed  
Basketball Court

E. IF APPLICATION IS FOR WAIVER, MODIFICATION OR AMENDMENT OF AN EXISTING SITE PLAN, EXPLAIN REQUEST:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

F. PROPOSED LAND USE:

Single-family residence

G. DESCRIPTION OF PROPOSED OPERATIONS, INCLUDING DAYS AND HOURS OF OPERATION:

N/A

H. IF PROPOSAL IS FOR RESIDENTIAL CONSTRUCTION, STATE NUMBER OF DWELLING UNITS AND TYPE OF OWNERSHIP:

Single-family dwelling proposed to remain

I. ESTIMATED COST OF CONSTRUCTION: TBD

J. ARE ANY DEED RESTRICTIONS APPLICABLE TO THE PROPOSED USE KNOWN OR CONTEMPLATED?

Yes \_\_\_\_\_ No XX If yes, attach copy.

K. IS DEDICATION OF LAND FOR ROAD OR OTHER REASON REQUIRED? Yes \_\_\_\_\_ No XX

If yes, complete the following:

Name of roads: \_\_\_\_\_  
Number of feet: \_\_\_\_\_ Remarks: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

L. PREVIOUS ACTION BY PLANNING BOARD: Date \_\_\_\_\_ Details: \_\_\_\_\_

Yes, please see the attached prior resolution.

Amendment requested: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

M. DOES THIS DEVELOPMENT PLAN INCLUDE OR REQUIRE A SIMULTANEOUS APPLICATION FOR ANOTHER TOWNSHIP APPROVAL? Yes \_\_\_\_\_ No XX

If yes, state type of additional approval being sought: \_\_\_\_\_

N. LIST OF MAPS AND OTHER MATERIAL ACCOMPANYING THE APPLICATION AND THE NUMBER OF EACH ITEM:

ITEM	NUMBER
1. Sports Court Grading Plan prepared by DJ Egarian & Associates Inc., dated August 25, 2021 (2 copies)	
2. Final As-Built Survey prepared by Schwanewede/Hals Engineering dated May 19, 2003 (2 copies)	
3. _____	
4. _____	
5. _____	

O. DOES THE FINAL PLAT FOLLOW EXACTLY THE PRELIMINARY PLAT IN REGARD TO DETAILS AND AREA COVERED? Yes XX No \_\_\_\_\_

If no, indicate changes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

P. SIGNATURE OF APPLICANT:  \_\_\_\_\_

SIGNATURE OF OWNERS: \_\_\_\_\_

DATE OF APPLICATION: \_\_\_\_\_

*Matthew G. Capizzi, Esq.*  
*Attorney for Applicant*

**TOWNSHIP OF WYCKOFF  
BERGEN COUNTY, NEW JERSEY**

**APPLICATION IS HEREBY MADE FOR:**

- Appeal from Building Officer based on or made in the enforcement of the Zoning Ordinance. N.J.S.A. 40:55D-70a
- Zoning map interpretation N.J.S.A. 40:55D-70b
- Hardship variance N.J.S.A. 40:55-70c-1
- Flexible variance N.J.S.A. 40:55-70c-2
- Variance for use or principal structure N.J.S.A. 40:55D-70d-1
- Expansion of a nonconforming use N.J.S.A. 40:55D-70d-2
- Deviation from standard of conditional use N.J.S.A. 40:55-70d-3
- Soil movement in excess of 100 cubic yards

**PROPERTY HISTORY:**

A. Owner: Nancy Zarzar c/o Matthew G. Capizzi, Esq.  
Address: 551 Overlook Road, Wyckoff NJ 07481  
Telephone: 973-698-5459  
Applicant name (if other than owner): Same as Owner  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

B. Property Description:  
Location: 551 Overlook Road, Wyckoff NJ 07481  
Zoning district: RA-25 Block: 245 Lot: 42.02  
Existing use of building or premises: \_\_\_\_\_  
Single-family residence

C. Type of variance requested: \_\_\_\_\_  
None.

D. The variance requested is for the purpose of: \_\_\_\_\_  
N/A

E. Does the attached survey reflect the property as it presently exists? Yes  No \_\_\_\_\_  
If no, explain \_\_\_\_\_

F. Is the property sewered or septic? Sewer Locate on survey.

G. Is this request connected with the simultaneous approval of another application before a Township board?  
Yes \_\_\_\_\_ No   
If yes, explain \_\_\_\_\_

H. Have there been any previous applications before a Township board involving the premises: Yes  No \_\_\_\_\_  
If yes, state the date and disposition: \_\_\_\_\_  
Please see the attached prior resolution.

I. If this application is for an appeal of a decision of the Building Officer or a zoning map interpretation, explain the appeal or question:  
N/A

ALL APPLICANTS COMPLETE SECTION J

J. ZONING DISTRICT – RA-25

		DIMENSIONS			
		Zoning			
		Requirement	Present Layout	Proposed Layout	**See Note
1.	LOT SIZE (sq. ft.)	25,000 min.	<u>107,816</u>	<u>NO CHANGE</u>	()
	Frontage	125 min.	<u>74.0</u>	↓	()
	Depth	150 min.	<u>231</u>	↓	()
2.	SETBACKS				
	Principal Building				
	Front Yard (ft.)	40 min.	<u>62.01</u>	_____	()
	Rear Yard (#2) (ft.)	40 min.	<u>323.8</u>	_____	()
	Side Yard (#1) (ft.)	20 min.	<u>68.81</u>	_____	()
	Side Yard (#2) (ft.)	20 min.	<u>N/A</u>	_____	()
	* Accessory Structure(s) (deck, garage, shed, pool, etc.)		(Attach a separate sheet if necessary)		
	Rear Yard (ft.)	20 min.	<u>293.14-</u>	_____	()
	Side Yard (ft.)	15 min.	<u>107.34-</u>	_____	()
	<b>*ALL ACCESSORY STRUCTURE SETBACKS SHALL BE INDICATED ON SURVEY</b>				
3.	GROSS BUILDING AREA (GBA) per 186.65**				()
	Over 3,700 (sq. ft.) Side yard setbacks increase	25 min.			()
	Garage faces side yard setback increases to	27 min.	<u>68.81</u>	_____	()
4.	BUILDING AREAS (footprint)				
	Principal Building (sq. ft.)	.....	<u>4,763</u>	_____	
	Accessory Structures (sq. ft.)	LIST			
	<u>POOL</u>	.....	<u>612</u>	<u>612</u>	
	<u>SPORTS COURT</u>	.....	<u>2400</u>	<u>2400</u>	
5.	LOT COVERAGE				
	A. Principal Building (%)	15 max.	<u>4.9</u>	<u>4.9</u>	()
	B. Total Access. Structures (%)	5 max.	_____	<u>2.8</u>	()
	C. Total (%) (A & B)	20 max.	_____	<u>7.6</u>	()
6.	DWELLING AREA (Total sq. ft.)	1,200 min.			()
	First Floor	.....			
	Second Floor	.....			
7.	BUILDING HEIGHT (ft.)	35 max.			()
	Number of stories	2 ½ max.			()
8.	IMPERVIOUS COVERAGE (Calculation)				
	For lots over 25,000 sq. ft., the maximum allowable impervious coverage shall be 28.5% of the lot area. For lots between 10,000 and 25,000 sq. ft., the maximum allowable impervious coverage shall be equal to 45 divided by the square root of the lot area. Lots less than 10,000 sq. ft., the maximum allowable impervious coverage shall be 45% of the lot area.				
	* Structures/Buildings	Sq. ft.	<u>5245</u>	<u>Space reserved for calculation</u>	
	* Driveways (paved or gravel)	Sq. ft.	<u>3707</u>		
	* Patios and/or paved areas	Sq. ft.	<u>2760</u>	<u>EQUIV PADS = 44</u>	
	* Walkways and brick pavers	Sq. ft.	<u>312</u>		
	* Tennis Court	Sq. ft.	<u>2400</u>		
	* Swimming Pool Water Surface	Sq. ft.	<u>495</u>		
	* Decks w/o free drainage	Sq. ft.	_____		
	TOTAL IMPERVIOUS COVERAGE:	Sq. ft.	<u>14,965</u>	Calculated % <u>= 13.9</u>	()

\*\*GROSS BUILDING AREA – Is defined as the gross building floor area of the buildings on the property. The gross building area shall include all enclosed floor areas on all floors for residences, accessory buildings and garages. The gross building area shall not include open porches, unfinished attics, basements, decks or patios.

K. OTHER REQUIREMENTS

1. PARKING: Spaces required N/A provided \_\_\_\_\_  
Actual area to be utilized (each floor): \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_

Buffer required \_\_\_\_\_  
Buffer provided \_\_\_\_\_  
Comments: \_\_\_\_\_  
\_\_\_\_\_

2. SIGN: (Also fill out separate Application for Sign Construction Permit)  
Dimensions: N/A \_\_\_\_\_  
Height: \_\_\_\_\_  
Location: \_\_\_\_\_  
Lighting: \_\_\_\_\_  
Setbacks: \_\_\_\_\_

3. FENCE:  
Height: N/A \_\_\_\_\_  
Style: \_\_\_\_\_  
Location: \_\_\_\_\_

**IF APPLICATION IS FOR A HARDSHIP OR FLEXIBLE VARIANCE, COMPLETE SECTION L**

L. 1. How will the benefits of the proposed application outweigh any detriments? \_\_\_\_\_  
N/A- no variances required

2. What are the exceptional circumstances or conditions applicable to the property involved or to the intended use of development of the property that do not apply generally to other properties in the same zone or neighborhood?  
N/A- no variances required

3. Explain what efforts have been made by the applicant to acquire adjoining lands so as to reduce the extent of the variances or eliminate such?  
N/A- no variances required

4. State how the proposed variance: N/A- no variances required

a. Will not cause substantial detriment to the public good \_\_\_\_\_

b. Will not substantially impair the intent and purpose of the zoning plan and ordinance \_\_\_\_\_

N/A

IF APPLICATION IS FOR A USE VARIANCE, COMPLETE SECTION M.

M. 1. Explain how the proposed use can be granted without substantial detriment to the public good or how the proposed use would tend to minimize the discordant effect of the use, be less harmful to adjacent properties or tend to bring the use into closer conformity with the zoning ordinance.

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2. Explain how the proposed use can be granted without substantially impairing the intent and purpose of the zoning plan and the zoning ordinance.

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3. List any "special reasons" related to the request.

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4. List any "hardship" related to the nature of the land and/or the neighborhood which presents reasonable utilization of the property for any permitted use.

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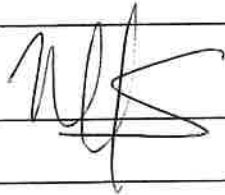
N. Itemize material accompanying application:

Item

Number submitted

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_

Signature of Applicant:



Matthew G. Capizzi, Esq.

Signature of Owner(s):

Attorney for Applicant

Date of Application:

\_\_\_\_\_



9/19/22

Date

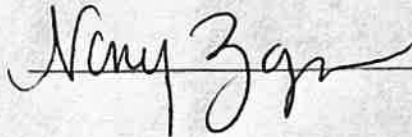
The property owner grants permission for the Board and any of its experts to enter the subject premises for purposes of inspection in relation to a development application that is presently before the Wyckoff Planning Board.

551 Overlook Drive, Wyckoff, NJ

Address/Premises

Nancy Zarzar

Print name



Signature

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Block \_\_\_\_\_ Lot \_\_\_\_\_ Date: \_\_\_\_\_

**B**  
**FOR USE**  
**WITH ALL**  
**APPLICATIONS**

## SECTION 46-40 COMPLETENESS OF APPLICATIONS

### SECTION 1 – Section 46-40. Completeness of Applications.

#### B. DEVELOPMENT APPLICATION REVIEW CHECKLISTS.

(1) General requirements. No application for development shall be deemed complete unless the following items, information and documentation, where applicable, are submitted to the Administrative Officer.

Yes    No

- |                                     |                          |   |
|-------------------------------------|--------------------------|---|
| <input type="checkbox"/>            | <input type="checkbox"/> | (a) Application form properly completed [sixteen (16) copies].  |
| <input type="checkbox"/>            | <input type="checkbox"/> | (b) Correct filing fee and escrow deposits.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (c) Filing for soil erosion and sediment control.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (d) Required variance or conditional use application.   |
| <input type="checkbox"/>            | <input type="checkbox"/> | (e) Certification that property tax payments and assessments are current.   |
| <input type="checkbox"/>            | <input type="checkbox"/> | (f) Proof that proper notice and publication of the application pursuant to N.J.S.A. 40:55D-12 has been made.   |
| <input type="checkbox"/>            | <input type="checkbox"/> | (g) Ownership disclosure statement, where required by law.  |
| <input type="checkbox"/>            | <input type="checkbox"/> | (h) Appropriate number of plat maps submitted.  |
| <input type="checkbox"/>            | <input type="checkbox"/> | (i) Flood-fringe application, where required.   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (j) Landscaping Plan including the location and description of existing and proposed landscaping. Information on proposed landscaping shall include the numbers and type of any trees or plants existing on the property that are being removed as well as the common and botanical names, number of trees and/or plants, planted size and root specifications of all trees and plants to be added to the property. The plan shall include the method by which existing trees shall be protected during construction. |

**B -- ALL  
APPLICATIONS**

Yes    No

- ( ) ( ) (k) A statement from the property owner granting permission for the Board and any of its experts to enter the subject premises for purposes of inspection in relation to a development application.
- (✓) ( ) (l) A copy of any protective covenants or deed restrictions, if any, affecting the property in question, provided that if none exist, an affidavit from the owner certifying that no such covenants or restrictions exist shall be submitted.
- (✓) ( ) (m) Details of all proposed retaining walls over two (2) feet in height, signed and sealed by a licensed professional engineer.
- ( ) ( ) (n) Any additional information deemed necessary by the municipal agency.
- (✓) ( ) (o) A grading plan prepared by a professional engineer, which indicates topography, an ingress egress stone pad adjacent to the roadway consisting of, at a minimum of 10 feet wide by 30 feet long six (6) inch deep of two (2) and one half inch crushed stone, silt fenced located adjacent to all areas of new construction or renovation, elevations, draining patterns and all proposed seepage pits and/or dry wells. In addition, the application shall include a written certification from a professional engineer certifying that there will be a zero increase in storm water runoff as a result of the project.
- (✓) ( ) (p) Detailed drawings depicting all existing structures and proposed structures on the site. The drawings must include all portions of existing structures which the applicant proposes to remove.

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Block \_\_\_\_\_ Lot \_\_\_\_\_ Date: \_\_\_\_\_



## SECTION 46-40 COMPLETENESS OF APPLICATIONS

### SECTION 1 – Section 46-40. Completeness of Applications.

**C. NO APPLICATION FOR SITE PLAN REVIEW AND APPROVAL SHALL BE DEEMED COMPLETE UNLESS THE FOLLOWING ITEMS, INFORMATION AND DOCUMENTATION, WHERE APPLICABLE, ARE SUBMITTED TO THE ADMINISTRATIVE OFFICER.**

(1) Site plan submission details and requirements.

(a) Scale: one (1) inch = ten (10) feet; twenty (20) feet; thirty (30) feet; forty (40) feet; fifty (50) feet.

(b) Plan legibility: Satisfactory ( ) Unsatisfactory ( )

Yes No

- |           |   |
|-----------|---|
| ( ) ( )   | (1) Sixteen (16) copies of plat.  |
| ( ) ( )   | (2) Name, title, address, telephone number of applicant, owner, person preparing plan, maps and accompanying date.  |
| ( ) ( ✓ ) | (3) Place for signatures of the Chairman and Secretary of the Planning Board.   |
| ( ) ( ✓ ) | (4) Place for signature of Township Engineer.   |
| ( ) ( ✓ ) | (5) Current Tax Map lot and block numbers of the premises affected.   |
| ( ) ( ✓ ) | (6) Date, scale, North sign and key map at one (1) inch = two hundred (200) feet scale.   |
| ( ✓ ) ( ) | (7) Zone district of premises and the zone districts of all the immediately adjoining properties.   |
| ( ✓ ) ( ) | (8) All existing/proposed setback dimensions, landscaped areas, trees over eight (8) inches, fencing, diameter size/type of planting/plan material on premises. |
| ( ) ( ✓ ) | (9) Existing and proposed signs, their size, type of construction.  |

**C -- SITE PLAN  
REVIEW**

Yes No

- (  ) (  ) (10) Location, existing and proposed exterior lighting, including size, height, area, direction of illumination, lumen power, including building security lighting plan, isolux drawing where required.
- (  ) (  ) (11) Existing and proposed principal building, accessory structures with dimensions, present/ finished grade elevations, floor plans, area measurements.
- (  ) (  ) (12) Complete exterior building and elevation drawings of proposed structure(s).
- (  ) (  ) (13) The location, type, size of existing/proposed catch basins, all utilities, above and below ground.
- (  ) (  ) (14) The location, type, size of all existing/proposed curbs, sidewalks, driveways, fences, retaining walls, parking spaces. All off-street parking and loading areas, dimensions and schedules.
- (  ) (  ) (15) Location, size, type of all existing/proposed rights-of-way, easements, other encumbrances which may affect premises, location, size, description of lands contemplated for dedication to township.
- (  ) (  ) (16) Location, size, nature of property and contiguous property owned by the applicant or in which the applicant has direct or indirect interest.
- (  ) (  ) (17) Location, size, widths of all existing/proposed streets abutting premises and structures, property lines of all abutting properties with names, addresses of owners per Tax Map rolls.
- (  ) (  ) (18) Existing/proposed topography of site contour interval not less than two (2) feet.
- (  ) (  ) (19) Stormwater management plan.
- (  ) (  ) (20) Soil erosion and sediment control plan.
- (  ) (  ) (21) Soil removal application, where applicable.
- (  ) (  ) (22) Traffic study, where required by Board.
- (  ) (  ) (23) Environmental impact study, where required by Board.

**C - SITE PLAN  
REVIEW**

- | Yes | No                                      |   |
|-----|---|---|
| ( ) | ( <input checked="" type="checkbox"/> ) | (24) Traffic signage and safety plan.   |
| ( ) | ( <input checked="" type="checkbox"/> ) | (25) Design review of building plans, where required.   |
| ( ) | ( )                                     | (26) Escrow agreement, where required.  |
| ( ) | ( <input checked="" type="checkbox"/> ) | (27) Description of proposed use(s) and estimated number of employees.  |
| ( ) | ( <input checked="" type="checkbox"/> ) | (28) Any/all other information/dates necessary to meet any requirement of the Article/zoning/<br>subdivision ordinances not listed above. |
| ( ) | ( <input checked="" type="checkbox"/> ) | (29) Parking stalls shall be numbered for identification and handicap stalls shall be in<br>compliance with ADA requirements.             |
| ( ) | ( <input checked="" type="checkbox"/> ) | (30) Compliance with ADA Code for parking spaces as to dimensions, signage, \$250 penalty<br>placard, and striping.                       |
| ( ) | ( <input checked="" type="checkbox"/> ) | (31) Developer's Agreement, if required by the Board.   |

**LEGAL NOTICE  
PLANNING BOARD  
TOWNSHIP OF WYCKOFF**

NOTICE IS HEREBY GIVEN that, at a regularly scheduled public meeting of the Wyckoff Planning Board held on September 12, 2018 the following decision was given:

MICHELE A. GUIFFRE-SHORE BLK 245 LOT 42.02 (RA-25); 551 Overlook Drive. The applicant propose to install a fence along the second front yard along Franklin Avenue. AP-PROVED

The complete resolution as adopted may be inspected in the office of the Planning Board in Memorial Town Hall during regular business hours.

Susan McQuaid  
Administrative Officer  
Planning Board

Ridgewood News-4289325  
Fee: \$11.63  
September 21, 2018

**MEMORIALIZING RESOLUTION**

**MICHELE A. GUIFFRE-SHORE**

Block 245 Lot 42.02  
551 Overlook Drive  
Wyckoff, New Jersey 07481  
Zone (RA-25)

WHEREAS, the applicant, MICHELE A. GUIFFRE-SHORE, the owner of property located at 551 Overlook Drive, known as Block 245 Lot 42.02, on the Tax Assessment Map of Township of Wyckoff, has applied to the Planning Board of the Township of Wyckoff for the approval of minor site plan to install a six 6' high acoustic lined solid stockade fence located in the front yard along Franklin Avenue. This applicant is requesting two (2) minor variances, namely a C-1 hardship variance and a C-2 variance for the evergreen plantings; and

WHEREAS, the application for Minor Site Plan Approval was heard by the Planning Board on August 8, 2018 at the regular meeting of the Planning Board of the Township of Wyckoff, in compliance with the Open Public Meeting Act; and

WHEREAS, during the course of the hearing, the following exhibits were marked into evidence;

- A-1 Application package with photos dated July 23, 2018;
- A-2 Plot Plan prepared by David J. Egarian, P.E., dated July 30, 2018;
- B-1 Township Engineer's Memorandum dated July 31, 2018

WHEREAS, Anthony Garrett, a professional planner and principle of Bilow Garrett Group, appeared on behalf of the applicant and the applicant Michele A. Guiffre-Shore, appeared at the meeting; and

**ANTHONY GARRETT PLANNER'S TESTIMONY**

1. Anthony Garrett, was sworn and accepted as an expert in the field of Architecture and Planning and confirmed to the Board that he is appearing as a Planner for this application.
2. Planner Garrett testified that the applicant would like to replace the existing aluminum fence with a six (6') high acoustic lined solid stockade fence. The proposed fence will be located in the front yard along Franklin Avenue. The purpose of the fence is to shield the rear yard from the traffic noise from Franklin Avenue.
3. The existing rock retaining wall will be removed and the area will be re-graded. The existing Hemlocks are dying and the applicant proposes to heavily landscape this area with 10' to 12' green giant arborvitae 4' on center.

4. Mr. Garrett further testified that this is an odd shaped property consisting of 2 ½ acres with a pond that fronts Overlook Drive and backs up on Franklin Avenue. That is the reason for requesting C-1 variance together with the placement of the evergreens along the fence on Franklin Avenue.

5. Chairman Fortunato inquired as to the color of the proposed fence. The fence will be the same color as the existing cedar stockade fence. Mayor Scanlan asked if the existing stockade fence is in the Township Right of Way. Mr. Garrett replied that the existing stockade fence is on the applicant's property line and the proposed fence will be installed 8' inside the applicant's property line and will be 6' in height.

6. Mayor Scanlan asked if the asphalt sidewalk continues the length of Franklin Avenue. Mr. Garrett responded that the asphalt sidewalk ends by the pond portion of the subject property.

7. This matter was opened to the public. No one appeared and the application was closed to the public.

WHEREAS, the hearing was concluded with respect to the application and the Board deliberated and carefully considered the evidence presented by the applicant.

NOW, THEREFORE, BE IT RESOLVED by the Wyckoff Planning Board that it hereby makes the following findings of facts and conclusions:

8. Anthony Garrett is authorized to present this application for the property owner. .

9. The granting of the requested C-1 variance is the result of the property's lot shape uniquely affecting a specific piece of property.

10. The newly constructed stockade fence is replacing the existing aluminum fence, which will be uniform in style and more aesthetically pleasing to the applicant and the surrounding neighborhood.

11. The granting of a C-2 variance for the placement of the evergreens along the fence on Franklin Avenue; relates to a specific piece of property; the purpose of the Municipal Land Use Law will be advanced from a deviation from the zoning ordinance requirement; the variance can be granted without a substantial detriment to the public good; the benefits of the deviation will substantially outweigh any detriment; and the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The applicant has consented to a two (2) year irrigation maintenance plan, effective upon the referenced plantings being planted.

12. This application will be a substantial benefit to the property owner and the surrounding neighborhood.

13. The Planning Board finds that positive criteria in granting a C-1 and C-2 variance



greatly exceeds any negative criteria. The variance requests are minor in nature and the granting of same will not result in any substantial detriment to the public or surrounding neighborhood.


BE IT FURTHER RESOLVED that the Planning Board of the Township of Wyckoff hereby grants approval of the minor site plan/front yard fence variances by a vote of 5 in favor and 0 against subject to the following conditions; and

- A. No construction shall take place on any land without the proper permits, if necessary.
- B. The applicant will provide a two (2) year irrigation maintenance plan.
- C. The proposed fencing will match the existing cedar stockade fence and will not exceed six feet (6') in height.
- D. The asphalt sidewalk will be maintained by the applicant/property owner in accordance with the Township ordinance.
- E. The Township Engineer will assist in the field regarding the planting location of the arborvitae to be planted farther away from the sidewalk in a healthy planting pattern.

BE IT FURTHER RESOLVED that the Planning Board Secretary shall mail a copy of this Resolution within ten days from the date of adoption thereof to the applicants or to their attorney, if any, without charge; and to all other persons who request the same and pay the required fee therefore. The Secretary shall also file a copy of this Resolution in the offices of the Township Clerk, Building Inspector, Construction Code Official, Tax Assessor and the Township Attorney and shall publish a brief notice of the decision in the official newspaper, the cost of which shall be paid for by the applicants.

**PLANNING BOARD  
TOWNSHIP OF WYCKOFF**

  
Susan McQuaid, Secretary

  
Robert Fortunato, Chairman

Adopted: September 12, 2018

Photo Exhibit

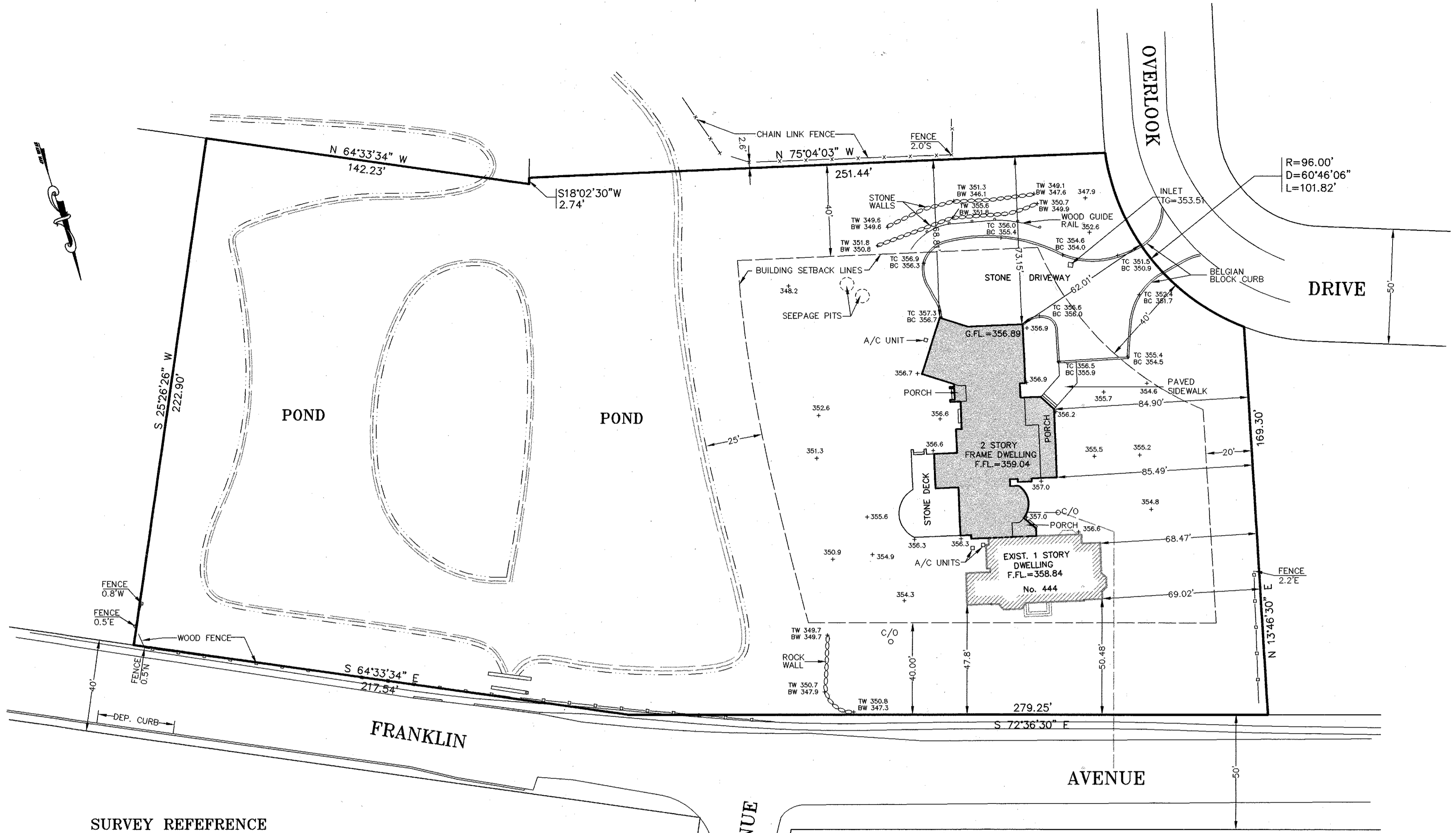
Nancy Zarzar

551 Overlook Road, Wyckoff NJ

Block: 245, Lot: 42.02



Photo Showing Proposed Location of Basketball Court



**SURVEY REFERENCE**

PROPERTY LINE INFORMATION FROM :

-PROPERTY KNOWN AS LOT 42.02 IN BLOCK 245 ON SHEET NO. 15 OF THE CURRENT TAX MAP OF THE TOWNSHIP OF WYCKOFF.

-A MAP ENTITLED "MAP OF KNOLLCROFT GARDENS, WYCKOFF, BERGEN CO., N.J." PREPARED BY FRANK M. EVANS, N.J.L.S. LIC. NO. 398 DATED MARCH 27, 1929.

-DEED BOOK 7993, PAGE 195.

-A FIELD SURVEY BY SCHWANEWEDE/HALS ENGINEERING ON MAY 13, 2003 AND MARCH 31, 2004.

TOTAL LOT AREA : 107,816 S.F. = 2.475 Ac.

CERTIFIED AS MY PROFESSIONAL OPINION TO:

MLCC,  
RONALD SHORE & MICHELE GUIFFRE-SHORE,  
CARROL TITLE AGENCY INCORPORATED.

"A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS, HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO N.J.A.C. 13:40-5.1(d).

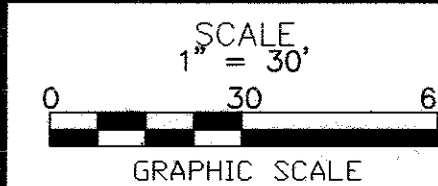
**FINAL AS-BUILT SURVEY**  
**BLOCK 245 - LOT 42.02**  
FOR  
**RONALD & MICHELE GUIFFRE-SHORE**

TOWNSHIP OF WYCKOFF, BERGEN CO., N.J.

**SCHWANEWEDE / HALS ENGINEERING**  
PROFESSIONAL ENGINEERS & LAND SURVEYORS  
9 POST ROAD - SUITE M11 - OAKLAND, N.J. - 07436  
(201) 337-0053

*David A. Hals* DATE MAY 19, 2003  
**DAVID A. HALS, P.E., L.S., P.P.**  
N.J. PROFESSIONAL ENGINEER AND LAND SURVEYOR LIC. NO. 29994

DATE	BY	DESCRIPTIONS
4/02/04	SN	1. FINAL AS-BUILT
REVISIONS		



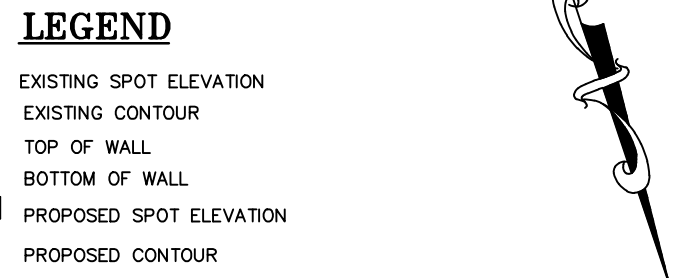
SHEET NO: 1 OF 1  
JOB NO: 3107-1063

ZONING DATA-SPORTS COURT			
Zone: R-25			
Block 245 Lot 42.02			
Owner: Zarzar			
	REQUIRED	PROPOSED	Variance Req'd
Side Yard Setback to Basketball Court	20'	30.0'	No
Rear Yard Setback to Basketball Court	20'	261.2'	No
Principal Building Coverage(%)	15%	4.8%	No
Total Accessory Structures (%)	5%	2.8%	No
Principal Building & Accessory Structures (%)	20%	7.6%	No
Impervious Coverage (%)	28.5%	13.8%	No

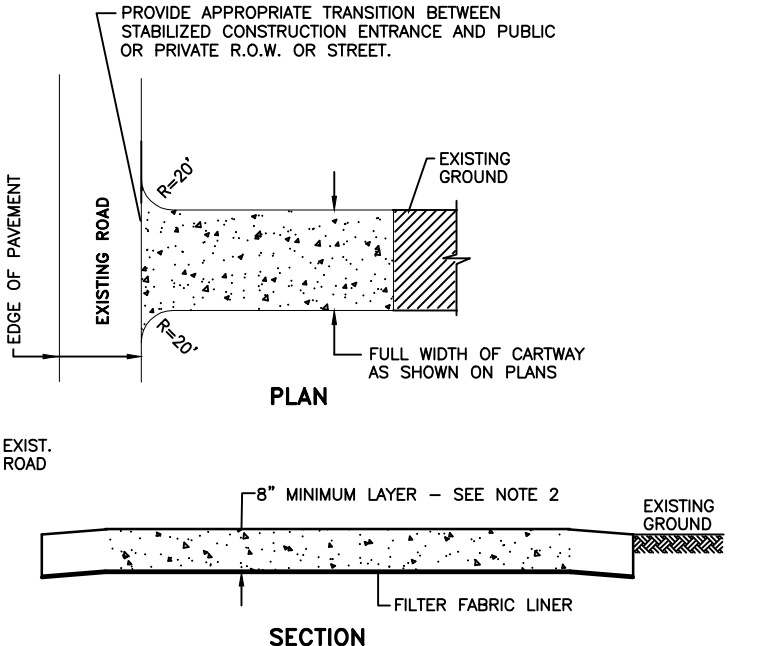
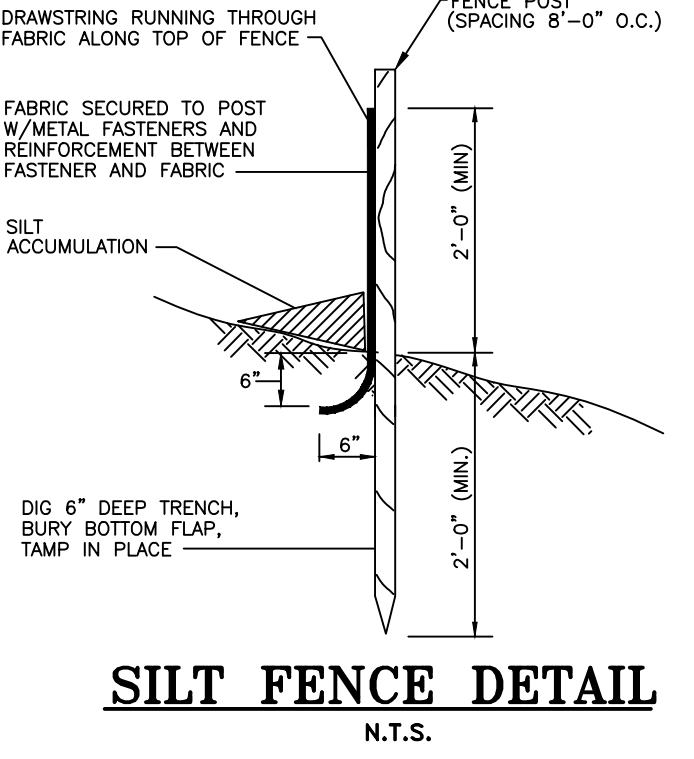
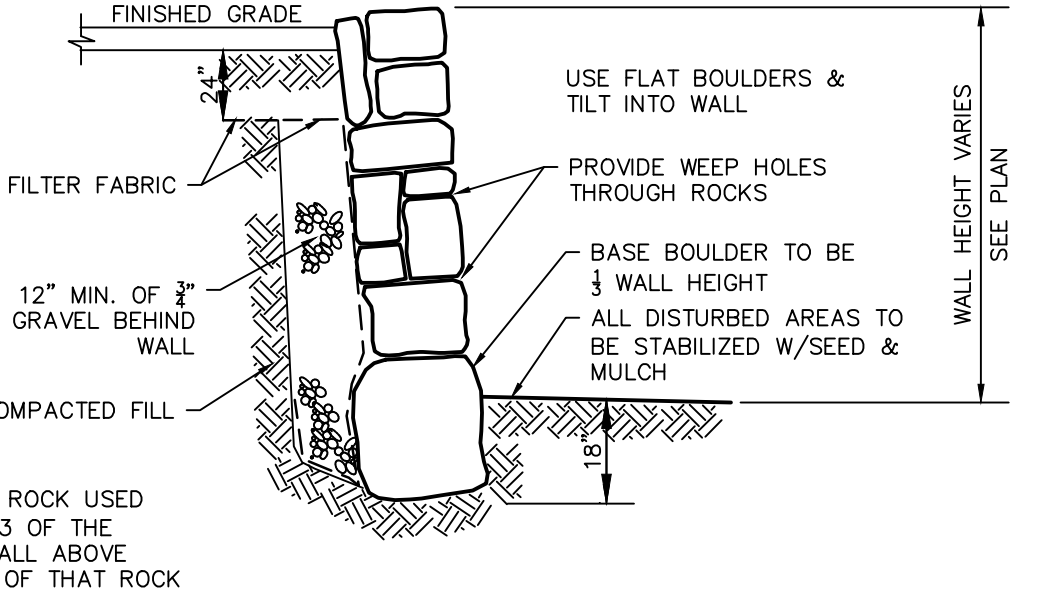
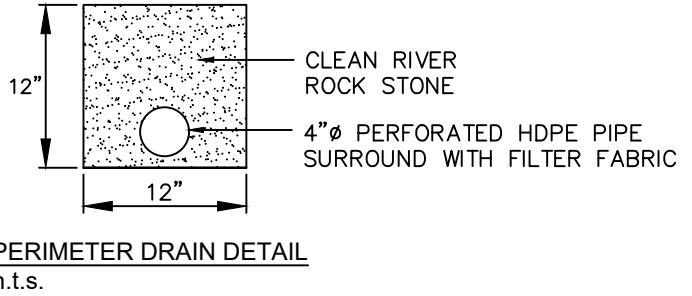
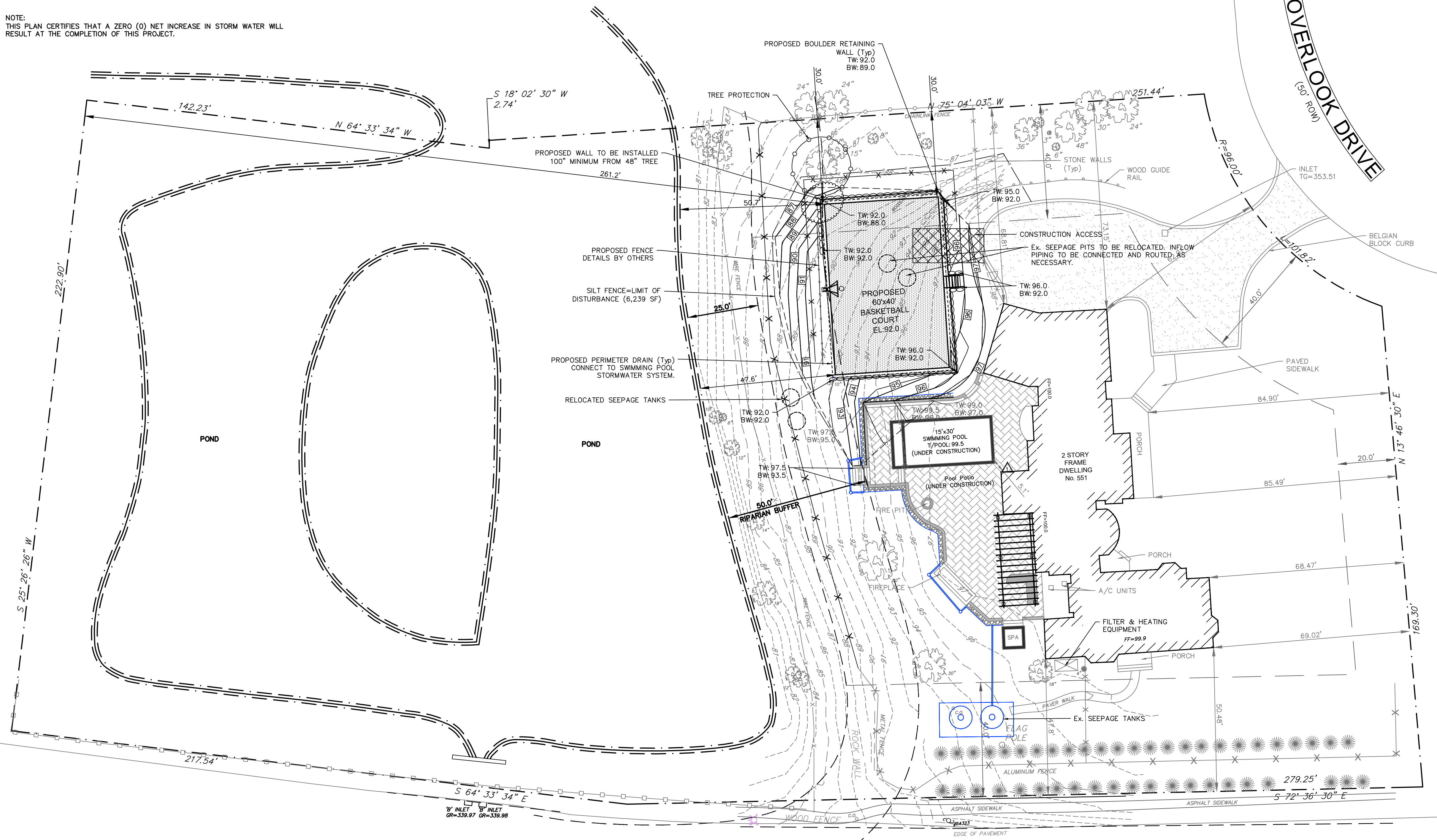
LOT COVERAGE CALCULATIONS				
Item	Area (sf)			
TOTAL LOT AREA (SF)	107,816			
Item	Required	Existing	Proposed	Variance
House	4,763	4,763		
Porches	482	439		
Front Walk	163	163		
Driveway	3,709	3,709		
Rear Patio	675	0		
Sidewalk Walkway	149	149		
A/C Units	12	12		
Pool/Coping		612		
Spa		64		
Pool Patio		2,579		
Prop. Basketball Court		2,400		
Pool Equipment		32		
Principal Building	15%	5,245	5,202	No
		4.8%	4.8%	
Total Accessory Structures	5%	0	3012	No
		0.0%	2.8%	
Principal Building & Accessory	20%	5,245	8,214	No
		4.8%	7.6%	
Impervious Coverage	28.5%	9,953	14,922	No
		9.2%	13.8%	

- NOTES:
- EXISTING BOUNDARY INFORMATION TAKEN FROM A SURVEY PREPARED BY DAVID HALS DATED 05.19.03.
  - TOPOGRAPHIC SURVEY PREPARED BY SOLSTICE SURVEYING 05.17.17.
  - OWNER OR CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY SHOULD ACTUAL CONDITIONS DIFFER FROM THOSE SHOWN ON THE PLAN.
  - IF ANY TREES OR ROOT STRUCTURES ARE DAMAGED DURING CONSTRUCTION, IT IS THE RESPONSIBILITY OF THE HOMEOWNER/CONTRACTOR TO CONTACT ALMSTEAD TREE, SHRUB & LAWN CARE AT 973.636.6711.
  - DRIVEWAY TO BE UTILIZED FOR CONSTRUCTION ACCESS.
  - THIS PROJECT CERTIFIES THAT THERE WILL BE A ZERO (0) NET INCREASE IN STORM WATER AS A RESULT OF THIS PROJECT.
  - EXISTING WALL ELEVATIONS TAKEN FROM THE "POOL LOCATION & GRADING PLAN" PREPARED BY THIS OFFICE DATED 08.25.21 LAST REVISED 05.11.22.
  - PROPOSED RETAINING WALL FOR SPORTS COURT SHALL BE PLACED A MINIMUM 100" FROM THE 48" OAK TREE.

Cut/Fill Summary						
Name	Cut Factor	Fill Factor	2d Area	Cut	Fill	Net
Sports Court	1.000	1.000	5220.48 Sq. Ft.	226.53 Cu. Yd.	114.46 Cu. Yd.	112.07 Cu. Yd.<Cut>
Totals			5220.48 Sq. Ft.	226.53 Cu. Yd.	114.46 Cu. Yd.	112.07 Cu. Yd.<Cut>

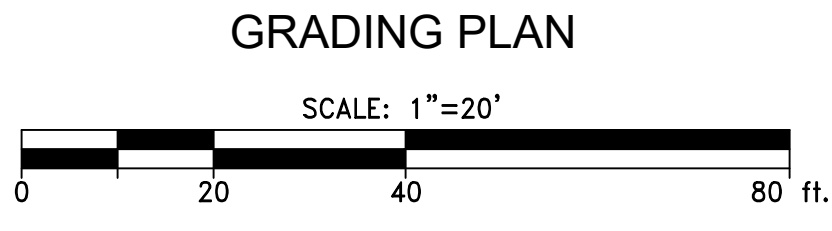


NOTE:  
THIS PLAN CERTIFIES THAT A ZERO (0) NET INCREASE IN STORM WATER WILL RESULT AT THE COMPLETION OF THIS PROJECT.



- REQUIREMENTS FOR SILT FENCE:
- FENCE POSTS SHALL BE SPACED 8 FT. CENTER-TO-CENTER OR CLOSER. THEY SHALL EXTEND AT LEAST 2 FEET INTO THE GROUND AND EXTEND AT LEAST 2 FEET ABOVE GROUND. POSTS SHALL BE CONSTRUCTED OF HARDWOOD WITH A MINIMUM DIAMETER THICKNESS OF 1 1/2 INCHES.
  - A METAL FENCE WITH 6 INCH OR SMALLER OPENINGS AND AT LEAST 2 FEET HIGH MAY BE UTILIZED, FASTENED TO THE FENCE POSTS, TO PROVIDE REINFORCEMENT AND SUPPORT TO THE GEOTEXTILE FABRIC WHERE SPACE FOR OTHER PRACTICES IS LIMITED AND HEAVY SEDIMENT LOADING IS EXPECTED.
  - A GEOTEXTILE FABRIC, RECOMMENDED FOR SUCH USE BY THE MANUFACTURER, SHALL BE BURIED AT LEAST 6 INCHES DEEP IN THE GROUND. THE FABRIC SHALL EXTEND AT LEAST 2 FEET ABOVE THE GROUND. THE FABRIC MUST BE SECURELY FASTENED TO THE POSTS USING A SYSTEM CONSISTING OF METAL FASTENERS (NAILS OR STAPLES) AND A HIGH STRENGTH REINFORCEMENT MATERIAL (NYLON WEBBING, GROMMETS, WASHERS ETC.) PLACED BETWEEN THE FASTENER AND THE GEOTEXTILE FABRIC. THE FASTENING SYSTEM SHALL RESIST TEARING AWAY FROM THE POST. THE FABRIC SHALL INCORPORATE A DRAWSTRING IN THE PORTION OF THE FENCE FOR ADDED STRENGTH.

- NOTES:
- PLACE STABILIZED CONSTRUCTION ENTRANCE AT LOCATION
  - STONE SIZE SHALL BE ASTM C-33, SIZE NO. 2 OR 3, CLEANED CRUSHED ANGULAR STONE.
  - THE THICKNESS OF THE STABILIZED CONSTRUCTION ENTRANCE SHALL NOT BE LESS THAN 6".
  - WIDTH - NOT LESS THAN FULL WIDTH OF POINTS OF INGRESS OR EGRESS.
  - THE STABILIZED CONSTRUCTION ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO THE R.O.W./PAVEMENT. THIS REQUIRES PERIODIC TOP DRESSING WITH ADDITIONAL STONE OR ADDITIONAL LENGTH AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURE USED TO TRAP SEDIMENT.
  - ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO THE PUBLIC ROADWAY MUST BE REMOVED IMMEDIATELY.



THIS DRAWING AND ALL INFORMATION CONTAINED HEREIN IS AUTHORIZED FOR USE ONLY BY THE PARTY FOR WHOM THE WORK WAS CONTRACTED OR TO WHOM IT IS CERTIFIED.  THIS DRAWING MAY NOT BE COPIED, REUSED, DISCLOSED, DISTRIBUTED OR RELIED UPON FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF D.J. EGARIAN & ASSOCIATES, INC.  CERTIFICATE OF AUTHORIZATION: 24GA28060300	DESIGNER: JDE DRAWN BY: JDE CHECK BY: DJE DATE: 08.25.21 SCALE: 1" = 20' PROJECT NO.: 21266	<b>DJ EGARIAN &amp; ASSOCIATES Inc.</b> Civil/Mechanical/ Environmental Engineering Services 271 Route 46 Suite G208, Fairfield, NJ 07004 Ph:(973)898-1401 Fax:(862)702-3017 www.djegarian.com	<b>SPORTS COURT GRADING PLAN FOR THE ZARZAR RESIDENCE</b> 551 OVERLOOK DRIVE BLOCK 245 LOT 42.02 TOWNSHIP OF WYCKOFF, BERGEN COUNTY, NJ	DRAWING NO: 1 SHEET 1 OF 1
	REVISION DATE APPROVED	DAVID J. EGARIAN, P.E. N.J. LIC. NO. 24GE0262900		