

## **WYCKOFF BOARD OF ADJUSTMENT JANUARY 18, 2018 PUBLIC BUSINESS MEETING MINUTES**

Work Session: 7:30 p.m. Second Floor, Memorial Town Hall

Public Meeting: 8:00 p.m. – Court Room, Second Floor, Memorial Town Hall

The meeting commenced with the reading of the Open Public Meetings Statement by Carl Fry, Chairman:

"The January 18, 2018 Public Work Session of the Wyckoff Board of Adjustment is now in session. In accordance with the Open Public Meetings Act, notice of this meeting appears on our annual Schedule of Meetings. A copy of our Annual Schedule has been posted on the bulletin board of 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.

**Board Member Attendance:** Carl Fry; Mark Borst; Susan Yudin; Brian Hubert; Ed Kalpagian; Brian Tanis;

**Board Member(s) Absent:** Erik Ruebenacker; Rich DeLeo, Alt; Robert Ebel, Alt.

**Staff Present:** David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Susan McQuaid, Board Secretary.

The Board of Adjustment Meeting began with the Pledge of Allegiance.

Roll call was taken.

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Carl Fry, Chairman 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](http://www.wyckoff-nj.com)"*

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Chairman Fry stated that all phones, pagers and hand held electronic devices should be turned off or switched to silent mode in order to avoid interrupting the public session.

### **NEW BUSINESS**

1. Oaths of Office to Board Members
2. Roll call of Board of Adjustment Members
3. Election of Officers: Chairman and Vice Chairman
4. Resolution #17-001 for: Appointment of Board of Adjustment Attorney
5. Appointment of Board Secretary
6. Compliance with Open Public Meetings Act: Annual Notice of Meetings, Continuation of Current Rules and Regulations, Official Newspapers – The Record, The Ridgewood News and The North Jersey Herald and News and Acceptance of Annual Report

Organization business took place at the work session meeting.

### **OLD BUSINESS**

#### **APPROVAL OF MINUTES**

December 21, 2017 work session/public business meeting  
The minutes were approved at the work session meeting.

### **RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #18-01** Approval of vouchers from various escrow accounts.  
Resolution #17-12 was approved at the work session meeting.

### **RESOLUTION(S) TO BE MEMORIALIZED**

**CAPRIO, MICHAEL** BLK 293 LOT 9.01 (R-15); 161 Godwin Avenue. *(The applicant proposes to expand the first floor with a new kitchen and second floor master bedroom which will encroach into the side yard setback).*

The above referenced resolutions were memorialized at the work session meeting.

### **APPLICATION(S) – NEW**

**JAMESON, CHRISTOPHER** BLK 352 LOT 17 (RA-25); 246 Wilson Place. *(The applicant proposes to install a decorative aluminum fence along the top of an existing wall).*

Christopher Jameson, 246 Wilson Place, Wyckoff, NJ was sworn. He said he wanted to level the rear yard for a swing set for his young child. He removed and replaced an old 5' chain link fence and put up a decorative fence on top of the retaining wall for safety reasons. He said the chain link fence was originally located on the property line. Board Member Kalpagian asked what the height is of the wall and fence combined? Mr. Jameson said the wall is 3' in height and the fence is 54" in height which is over 7.5' in total height. Chairman Fry said the applicant built a retaining wall and filled in the rear yard. Mr. Jameson said the rear yard was sloped and the retaining wall enabled the rear yard to be filled with soil and become level. Chairman Fry said the applicant can put the fence on the property line and the other option is moving the fence back off the face of the retaining wall. Mr. Jameson said he contracted a company to install the fence and they said the permit was filed and approved for the fence when in reality they had started the project without permits. Board Member Borst noted that the fence is located on the wall for safety reasons of someone jumping off that wall. Board Member Kalpagian said the fence would look horrible behind the retaining wall. He said that according to town ordinance if the retaining wall and fence is 90" in height then the setback should be 90" off the property line and 48" is provided. Board Member Hubert said he liked the decorative fence and the natural screening of arborvitaes inside the fence

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Borst made a motion to grant relief from Section 186-29 A(3) d.4, which stipulates the maximum height walls and required setbacks for fences located atop of walls. Second, Board

Member Yudin. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst and Chairman Fry.

**LIZZI, JOSEPH & JULIE** BLK 290 LOT 23 (RA-25); 318 Martom Road. *(The applicant proposes to expand the existing single car garage to a two car garage and a covered front porch which will encroach into the front yard setback and also expand the master bedroom and master bathroom which will exceed principle building lot coverage).*

Lawrence Skott, 422 Caldwell Drive, Wyckoff, NJ, was sworn. He said he is a licensed architect in the State of New Jersey and New York and has been practicing architecture for 40+ years. He said he has testified in front of many boards and has an office in Ridgewood, NJ. The Board accepted Mr. Skott as a professional architect.

At this time the Board Attorney marked the following exhibit for identification:

A-1 Application package

A-2 Sketch of front load garage

Mr. Skott said the applicant is seeking relief for 3 bulk variance which are for front yard setback of 35.2' to 29' where 40' is required; side yard setback of 15' where 20' is required in order to extend the master bedroom to the rear of the property; and principal building coverage of 17.29' where 15' is allowed. The existing lot is undersized in lot frontage and lot area in the RA-25 zone. Mr. & Mrs. Lizzi would like to age in place in the family home in Wyckoff and are trying to accomplish this with the following construction:

1. They would like to keep both cars in the attached garage by extending the garage 6' into the front yard setback. They would still maintain the 27' side yard setback where 20 is required. The front of the garage and covered porch will be buffered with foundation landscaping;
2. They always wanted a front porch;
3. They would extend the existing side yard setback to the rear of the house by 11' in order to enlarge the master bedroom and master bathroom needed a larger bathroom

Mr. Skott said this addition will give their house more curb appeal and there will not be any negative impact on the neighbors.

Chairman Fry said he appreciates the applicant wanting to maintain a single story ranch style house and the covered front step is a good idea. Board Member Kalpagian said the master bedroom expansion will remain within the existing 15' side yard setback. Chairman Fry said the applicant could use the first bedroom off the hallway and expand that room to the rear of the house. Mr. Skott said he needs to keep the expansion to a minimum and keep the plumbing where it current is. He also will need to be aware of the septic in the rear yard. Township Engineer DiGennaro said the septic will need to be 10' from the house. Board Member Borst asked how far the garage is coming forward. Mr. Skott said it will encroach 6' into the front yard setback. He said the setback to the edge of the steps is at 29'. The main driving force of this addition is the attached 2 car garage. Board Member Borst said if there was another home on the street that extended in the front yard with a garage he would have no problem with this application. Chairman Fry said the garage is the issue and the largest impact is going from 35' to 29'.

Julie Lizzi, 318 Martom Road, Wyckoff, NJ was sworn. She said they would like to age in place in this family home. She said she would like to keep themselves safe with an attached garage and was not concerned with the garage encroaching further towards the street since she stated

"it would not be an eyesore". Board Member Borst said the existing front yard setback is at 35' and why would the Board agree to increase a non-conformity. Mr. Skott said most of the homes in the neighborhood are setback 35' from the street and 15' off the side yard setback. Chairman Fry suggested the applicant carry this application to the next meeting in order to review the architectural plans and see if the encroachments can be reduced. Township Engineer DiGennaro said Martom Road is narrow and there is a 15' grass right of way which makes it appear that the house is setback further from the road.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

The applicant agreed to carry this application until the Thursday, February 15, 2018 public hearing meeting. Any revised plans will need to be submitted to the board office 10 days before the next scheduled meeting. Board Member Borst suggested the applicant review and detail the landscaping plan since some of the plantings are low and not usually used as a foundation planting.

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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 9:50 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary  
Wyckoff Board of Adjustment.