

**WYCKOFF BOARD OF ADJUSTMENT  
FEBRUARY 15, 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 February 15, 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.

Chairman Fry 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)"*

*"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 time."*

Roll call was taken.

Pledge of Allegiance.

\* \* \* \* \*

**Board Member Attendance:** Carl Fry, Chairman; Erik Ruebenacker, Vice Chairman; Mark Borst; Susan Yudin; Brian Hubert; Ed Kalpagian; Brian Tanis

**Board Member(s) Absent:** 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.

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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.

**OLD BUSINESS**

**APPROVAL OF MINUTES**

January 18, 2018 work session/public business meeting

The minutes were approved at the work session meeting.

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

**RESOLUTION #18-02** Approval of vouchers from various escrow accounts.  
Resolution #18-02 was approved at the work session meeting.

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

**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).*

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

### **APPLICATION(S) – CARRIED**

**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).*

*This application has been carried to the Thursday, March 15, 2018 Board of Adjustment meeting at the request of the applicant.*

### **APPLICATION(S) – NEW**

**FOX, CHRISTOPHER** BLK 443 LOT 2 (RA-25); 764 Hickory Hill Road. *(The applicant proposes to add a level which will exceed the building height).*

Peter Carlock, the applicant's contractor and Christopher Fox, the applicant, 764 Hickory Hill Road, Wyckoff, NJ were sworn. Mr. Carlock said the applicant would like to add a level to the main structure. He said that due to the topography of the land there is a significant fall off to the rear which creates a third story and increases the height of the house to 37.17' on the garage side which creates the need for a height variance. He added that the rear of the house is in North Haledon and the neighbors will not be able to see the third story. Chairman Fry said the first floor ceiling height is 8' and second floor ceiling height is 9'. He asked if there is any room to reduce the height of the second floor ceilings in order to reduce the height variance request. Mr. Carlock said the dormers are part of the front façade of the house. Mr. Fox said if he stays within the roof height limits the front of the house will look squat. Board Member Yudin asked the age of the existing pool. Mr. Carlock said the pool is as old as the house, sits 8' from the property line and is 16' to the pool surface. Vice Chairman Ruebenacker asked what the height of the house at grade is. Mr. Carlock said the house is 22' from grade at the front of the house. Board Member Borst said he does not have an issue with the height of the house and noted that if it is reduced the roof will look squatty. Mr. Fox said he will reduce the second floor by 1' but keep the pitch of the roof. Chairman Fry said the roof height will then be reduced to 36.17'. Township Engineer DiGennaro said there are stairs to the attic noted on the architectural plans. Mr. Fox said the plans have been changed for a pull down stairs to the attic since stairs are not allowed. Township Engineer DiGennaro asked what the height of the collar ties are in the attic. Mr. Carlock said there are 5' collar ties in the attic. Township Engineer DiGennaro said a stairway to the attic may

be allowed since there are 5' collar ties and the attic is unable to be finished for living space pursuant to codes. The applicant would need to speak with the Wyckoff Building Inspector. Chairman Fry asked what exterior walls will remain during construction. Mr. Carlock said the first floor exterior walls will remain with an open concept plan. Mr. Fox said the family will be living in the house during construction. Board Member Borst asked what the exterior siding will be. Mr. Carlock said the exterior will be changed to hardie plank siding. Vice Chairman Ruebenacker said he would like to see a full landscape plan. Mr. Carlock said there will be minimal disturbance to the original plantings. He said protection will be placed around the existing trees on the property. The Board all agreed that a full landscape plan will need to be provided and reviewed by Board Member Borst and Chairman Fry. Mr. Fox said he will deliver revised plans to the Board office.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Vice Chairman Ruebenacker made a motion to approve this application subject to the following conditions: the second floor ceiling height will be reduced by 1' from 9' to 8'; the height of the house will be reduced to 36.17'; the staircase to the attic will be reviewed with the building inspector and possibly added to the architectural plan; revised architectural plans will be submitted; revised landscaping plan will be submitted. Second, Board Member Kalpagian. Voting in favor: Mr. Tanis, Mr. Kalpagian, MR. Hubert, Ms. Yudin, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

**ALTONAGA, RAYMOND & CECELIA** BLK 320 LOT 105 (RA-25 CORNER LOT); 286 West Stevens Avenue. *(The applicant proposes to remove the rear porch and construct a rear family room which will exceed principle building lot coverage).*

Board Member Kalpagian recused himself from discussion and removed himself from the dais.

Raymond Altonaga, 286 West Stevens Avenue, Wyckoff, NJ and Kent Rigg, the applicant's engineer, 24 Godwin Avenue, Midland Park, NJ were sworn. The Board accepted Mr. Rigg's credentials since he has appeared before this board on numerous occasions. Mr. Altonaga said that due to the lot size he is requiring a variance for the addition of a mudroom extended kitchen and family room in the rear yard. He said that seepage pits will be installed for the roof leaders. Vice Chairman Ruebenacker said the principal building coverage is 19.86% where 15% is permitted and 20% is the maximum combined. He said that any other addition can never be added due to the increased lot coverage. Chairman Fry noted that the square footage of the property is 15,788 square feet where 25,000 square feet is required.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Hubert made a motion to approve this application as presented. Second Board Member Tanis. Voting in favor: Mr. Tanis, Mr. Hubert, Ms. Yudin, Mr. Borst Mr. Ruebenacker and Chairman Fry.

**SCHOENDORF, WILL & CHARLOTTE** BLK 393 LOT 9 (RA-25); 389 Newtown Road. *(The applicant proposes to expand the existing single car garage to a 2 car garage which will encroach into the side yard setback and add a covered front porch).*

Will Schoendorf and Charlotte Schoendorf, 389 Newtown Road, Wyckoff, NJ were sworn. Mr. Schoendorf said he would like to add a 2 car garage in front of the existing garage and add a level on the second. He said he will remove the closet out of the first floor den so that room is not considered another bedroom. Mrs. Schoendorf said the lot is irregular in shape and they are aware of the setback requirements. She said the existing rear of the corner of the house is at 10.9' and we are asking for a 9' setback from the rear corner of the proposed 2 car garage. She added that the footprint of the house is not changing except for the garage addition. Chairman Fry noted that this lot is a pie-shaped lot. He said the existing left rear corner of the garage is at 10.9' on the left side of the property. Ms. Schoendorf said this side of the property is wooded and they are requesting a 9' side yard variance. Chairman Fry said a 9' variance is hard to grant. He said the gross building area exceeds 3,700 square feet and increases the side yard setback from 20' to 25'. Mr. Fry said hardship is due to shape of the lot and lot area. He said the second floor addition will go straight up and suggested a possible setback the second floor to reduce the impact. Board Member Borst said another obstacle is the 18.09% principle building coverage where 15% is required and the total coverage of 20.8% where 20% is required. Vice Chairman Ruebenacker said the side yard setback should be increased by 3'. Board Member Kalpagian said the garage should be reduced to a 1 ½ car garage. Board Member Tanis suggested shifting the garage towards the front of the yard. Mr. Schoendorf said the septic is located in the front yard. Board Member Yudin asked that the principle combined and accessory lot coverage be reduced to 20%. Board Member Borst suggested the applicant leaving the center height of the house and shrinking down each side. He added that the landscape plan is adequate. Chairman Fry also suggested reducing the house to below 3,700 square feet which would reduce the side yard setback requirement. Township Engineer DiGennaro suggested removed the deck and replace it with a patio since the deck is right on the property line. He also asked if the architect would locate the existing trees on the lot and consider placing the electrical utilities underground. He added that the trees should be protected during construction with silt fencing.

#### OPEN TO THE PUBLIC

No one appeared.

#### CLOSED TO THE PUBLIC

The Board unanimously agreed to carry this application until the Thursday, March 15, 2018 public hearing meeting. New plans will need to be submitted ten (10) days before the next meeting. The applicant will not need to re-notice the property owners or newspaper.

**SIMONE, MICHAEL & DANA** BLK 367 LOT 10 (RA-25); 522 Eder Avenue. *(The applicant proposes to add a small addition to the second floor master bedroom to align with the footprint of the existing structure and a front porch addition which will encroach into the side yard and front yard setbacks).*

Bruce Whitaker from the law firm of McDonnell & Whitaker, presenting the applicant, said this single family home with an existing front loading garage and would like to add an 11' addition to the second story over the existing breezeway, center the front door and put a modest overhang over the front door. He said the lot is non-conforming with a lot size of 12,300 square feet where 25,000 is required and the lot width of 82' where 125' is required in this RA-25 zone. The front

yard setback will be 23.6' to the steps. The new addition on the second floor will be 16.4' side yard setback and the existing garage will remain at 6' from the side yard setback. He added that a shed also encroaches in the accessory setback requirements.

Joseph Javier, 26 North Oak Avenue, Iselin, NJ was sworn. He said he is a registered architect in the State of New Jersey since 2004 and has testified in front of other board. The board accepted Mr. Javier as an expert in architecture. Mr. Javier said the existing house is 28.6' setback from the front yard, the existing right side of the house is 22.5' from the side yard setback and the garage side yard setback is 8.2'. He added that currently the house has 2 floors with nothing constructed over the garage. The applicant proposes to bump out the second floor over the existing breezeway by 11'. This will increase the area on the second floor. The first floor front door entrance will be moved to the center of the house and a front door open porch or portico will be added over the front steps. The front yard setback will be at 23.6' to the front steps and 28.6' to the roof element. Board Member Hubert asked if anything is being done in the basement. Mr. Javier said nothing will be done in the basement except additional structural support if needed. Mr. Hubert also asked how much of the house will be under construction. Mr. Javier said there will be a full and complete gut on the second floor.

Michael Simone, 522 Eder Avenue, Wyckoff, NJ was sworn. He said he and his wife purchased this home in 2013. He added that the shed was in its current locations and cannot be moved due to the septic area. Township Engineer DiGennaro said the shed should be 20' from the rear yard and 15' from the side yard. Currently the shed exceed the allowable shed size. Mr. Whitaker said the applicant is requesting a variance from the size and location of the existing shed. Township Engineer DiGennaro said there is an existing well with no municipal water line to the house. He said he will would like a record of the well depth to be placed in the applicants file. Mr. Whitaker said the well water has been tested before closing.

Marked as identification at this time were the following exhibits:

- A-1 Application package
- A-2 Copy of deed
- A-3 Certificate of occupancy
- A-4 Survey of location of the shed
- A-5 Current location of the shed and fence behind the shed

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Kalpagian made a motion to approve this application as presented. Second, Vice Chairman Ruebenacker. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

**NUGENT, WILLIAM** BLK 314 LOT 53.01 (RA-25); 519 Wyckoff Avenue. *(The applicant proposes to install a pool with spa which will exceed the accessory lot coverage).*

Bruce Whitaker from the law firm of McDonnell & Whitaker, presenting the applicant, said the applicant would like to install a modest 608 square foot in ground swimming pool & spa in the rear yard. The swimming pool will meet all the bulk requirements. The impervious coverage is at 27.2% where 29% is the maximum permitted. The concrete slab in the middle of the driveway

island will be removed. The pool (608 sf) and 2 car garage (859.5 sf) that already exists you get 1,467.5 sf of total accessory structure or 6.1% where 5% is the maximum permitted. If the garage were attached to the house the applicant would not be before the board this evening.

Tyler VanderValk, Civil Engineer with Houser Engineering, LLC, 1141 Greenwood Lake Turnpike, Ringwood, NJ was sworn. He said the pool will be located in the western part of the property. He said the principle structure is 7.6% where 15% is required and the accessory structure are 6.1% where 5% is the maximum. He said the pool filter will be placed in the garage. He said the landscaping provided will be 6 green giant arborvitae for privacy from the pool and the applicant's driveway. Board Member Borst said the applicants' house is higher than the pool and the garage is lower than the pool. Township Engineer DiGennaro said the seepage pit will need to be relocated from the side corner of the house 50' away from the neighbors septic and also a distance from the applicant's septic system.

Marked as identification was the following exhibit:

A-1 Application package

William Nugent, 519 Wyckoff Avenue, Wyckoff, NJ was sworn. He said he hired an arborist to look at the large tree by the patio. Mr. Nugent said the tree is in healthy condition and will remain. The garage is 60 to 70 years old and he will locate the pool equipment inside the garage. The house was built in 1918. Township Engineer DiGennaro wanted to confirm that the construction of the pool will not compromise the root structure of the existing tree. He said 2 septic tanks are located along the driveway. He also asked that the trees be stacked with tree protectant. Vice Chairman Ruebenacker said the existing fencing is black aluminum. Mr. Nugent said a 4' high iron fence will be placed along the driveway to match the existing fencing.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Vice Chairman Ruebenacker made a motion to approve this application subject to the following conditions: trees will be protected during construction and the seepage pit will be relocated to the rear yard. Second, board Member Hubert. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

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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 10:45 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary  
Wyckoff Board of Adjustment.