

**WYCKOFF BOARD OF ADJUSTMENT  
MAY 17, 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 May 17, 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 times."*

Roll call was taken.

Pledge of Allegiance.

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

**Board Member Absent:** Robert Ebel, Alt.

**Staff Present:** David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering Representative; 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**

April 19, 2018 work session/public business meeting

The minutes were approved at the work session meeting.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #18-05** Approval of vouchers from various escrow accounts.  
Resolution #18-05 was memorialized at the work session meeting.

**RESOLUTION(S) TO BE MEMORIALIZED**

**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).*

**FORTUNATO, ROBERT & VERNA** BLK 348 LOT 17 (RA-25); 456 Victor Way. *(The applicant proposes to construct a second story addition which will encroach into the existing side yard setback).*

**SHULL, CAROL & JACQUELINE** BLK 319 LOT 5 (RA-25 CORNER); 25 Neelen Drive. *(The applicant proposes to add a covered front porch for protection from the weather which will encroach into the front yard setback).*

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

**APPLICATION(S) – CARRIED**

**309 SUNSET BLVD. LLC** BLK 290 LOT 8 (RA-25); 309 Sunset Blvd. *(The applicant proposes to add an addition and alterations for the construction of a new two car garage which will exceed building lot coverage).*

Jeffrey Zenn, from the law firm of Cullen and Dykman, LLP, Hackensack, NJ representing the LLC, said this application has been revised and the variances requested have been reduced to two (2). They are front yard setback and existing side yard setback.

Eric Kiellar, Blueline Architect, 397 Franklin Avenue, Wyckoff, NJ was reminded by Board Attorney Becker that he was sworn at the previous meeting and remains under oath. Marked as identification at this time was the following exhibit:

A-3 Revise site plan dated 5-18-18

Mr. Kiellar said that side yard #1 has been reduced from 11.7' to 19.58' which is the existing rear corner of the home with an overhang measurement of 21.83'. He said side yard #2 has been removed from 13.8' to 27.25'; the front yard setback has been reduced from 33.17' to 35.2'. Also, the portion of the existing front structure is being removed so the house will now conform to the dimensional setback requirements but the applicant is still requesting relief for the proposed 70 sf front porch which will provide protection from the elements. He said principle building coverage was reduced from 15.3% to 13.5%; total lot coverage was reduced from 17.6% to 13.5%; and impervious coverage has been reduced from 36.64% to 23.75%. He said the side portions of the house were removed and due to the irregular shape of the lot there is 23 square feet of the rear corner of the house that protrudes into the side yard setback. He concluded that the building height has been reduced from 34.9' to 30.5' and the first floor and second floor framing will remain during construction. Chairman Fry said that the rear left corner will remain and the 2 side wings will be removed.

Board Member Borst again asked the applicant why the applicant doesn't tear the existing house down and start over. Mr. Zenn said Stormwater management is an issue if the house is torn down. Township Engineer DiGennaro said the applicant may want to collect more runoff and should provide some sort of retention or dry wells. Vice Chairman Ruebenacker suggested some seepage pits for the roof leaders be installed. Township Engineer DiGennaro said the septic system will be installed in the rear yard. Chairman Fry said the applicant has reduced the overall mass of the house by removing the 2 side wings and 400 sf has been removed from the gross building area of the house and have reduced the height of the house. He said the current variances are for: 1) Left rear corner is at 21.83' where 25' is required due to the enhanced side yard setback triggered by the gross building area; and, 2). 35.2' front yard setback to the porch. He said the right side yard setbacks of the house are now conforming and the accessory structure will be removed. Board Member Hubert said the garage will not be screened from the neighbor's property and macadam will be right to the property line. Vice Chairman Ruebenacker asked if a fence could be installed but he would prefer a 2' natural buffer of plantings. Township Engineer DiGennaro said a 3' planting bed is achievable and the 27.17' setback is adequate for a side load garage. Board Member Borst recommended a fence be installed from the front plain of the house to the garage area. Board Member Tanis said the hammerhead turnaround of the driveway would then be screened. Township Engineer DiGennaro recommended that the driveway be pitched towards the street and curbed with Belgium block.

#### OPEN TO THE PUBLIC

Christopher Cima, 305 Sunset Blvd, Wyckoff, NJ was sworn at the previous meeting. He said he is the neighbor to the right and his main concern is safety and privacy in his rear yard and would like a cedar fence installed which would match the cedar fence that he installed on the other side of his property. He said his house is 13' from the property line.

Tim Shanley, 565 Burritt Place, Wyckoff, NJ was sworn. He said he commends the board with working with the applicant and the public regarding this application. He suggested a cedar fence be installed that would fit with the neighborhood. Chair Fry thanked Mr. Shanley for his comments.

Josh Schwartz, Principle of the LLC, 523 Lydia Lane, Wyckoff, NJ was sworn. He said he will work with the neighbors request and install a 40' fence along the side property line to screen the garage and turnaround area. Board Member Borst also suggested that the driveway be straightened when entering from the street. Mr. Kiellar said a 40' long and 4' in height cedar fence will be installed along the property line and a 4' wide landscape buffer will be installed from the front plain of the house to the beginning of the fence.

#### CLOSED TO THE PUBLIC

Board Member Borst said the landscape plan is acceptable. Chair Fry said the landscape plan will be planted in the front of the house to the garage area. Vice Chairman Ruebenacker asked if the cherry tree and beech tree will remain. Mr. Kiellar said the cherry and beech tree will remain.

#### OPEN TO THE PUBLIC

Lisa Brefach, 300 Martom Road, Wyckoff, NJ was sworn. She asked if the 30" red oak on the right side of the house and 30" beech tree are remaining. Mr. Kiellar said these 2 trees will remain and will have a tree protection fence around them during construction.

#### CLOSED TO THE PUBLIC

Board Member Yudin made a motion to approve this application subject to the following conditions: a 4 bedroom septic system will be installed; a 4' high cedar fence will be installed along 40' of the garage area and 4' wide screening will be planted along the driveway from the front plain of the house to the beginning of the fence by the garage; Belgium block curbing will be installed along both sides of the driveway; the driveway will be straightened and pitched towards the street. Second, Vice Chairman Ruebenacker. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

**APPLICATION(S) – NEW**

**KALOGIANNI, MICHAEL** BLK 231 LOT 17 (RA-25); 503 Old Woods Road. *(The applicant proposes to construct a new two story dwelling which is conforming to setback requirements. The variance request is for median lot width).*

This application's public notice was deficient. The applicant will need to renote the newspaper and the neighboring property owners for the June 21, 2018 meeting.

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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 9:10 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary  
Wyckoff Board of Adjustment.