

**WYCKOFF BOARD OF ADJUSTMENT  
OCTOBER 20, 2016 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, Vice Chairman:

"The October 20, 2016 Public Business Meeting 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, Vice Chairman; Mark Borst; Tim Shanley; Brian Hubert; Ed Kalpagian; Brian Tanis, Alt.; Rich DeLeo, Alt.

**Board Member Absent:** Erik Ruebenacker, Chairman; Susan Yudin

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

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

Vice Chair 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.

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Vice Chair 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)"*

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**OLD BUSINESS**

**APPROVAL OF MINUTES**

September 15, 2016 work session/public business meeting

The minutes were approved at the work session meeting.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #16-09-** Approval of vouchers from various escrow accounts.

Resolution #16-09 was approved at the work session meeting.

**RESOLUTION(S) TO BE MEMORIALIZED**

**JUNG, PENNY** BLK 267 LOT 10 (R-15); 105 Linden Street. *(The applicant proposes to construct a 16' x 16' deck off the rear of the house which will exceed lot coverage).*

This Resolution was memorialized at the work session meeting.

**APPLICATION(S) – CARRIED**

**KOZLOWSKI, MARIUSZ** BLK 516 LOT 25 (R-15 CORNER); 522 Ravine Court. *(The applicant proposes to modify the previous approved application to add a second floor addition which will encroach into the second front yard (Ravine Avenue) and also create 3 stories due to the topography of the property).*

Monica Kozlowski, 522 Ravine Avenue, Wyckoff, NJ was reminded by Board Attorney Becker that she was sworn at the previous meeting and remains under oath. Ms. Kozlowski said that after the last meeting she spoke with her architect and decided to keep the chain link fence and the shed. She said the concrete patio will become a paver patio and the asphalt in the driveway and by the shed will remain. She received professional advice from Jacobson Landscape and have provided the Board with a copy of the revised landscape plan. She said the existing landscape will remain and will be enhanced with additional plantings. Vice Chair Fry said the applicant is keeping the same footprint of the driveway and the impervious coverage will remain the same. He said there was also some previous discussion on the fence and the revised site plan shows that the fence will remain in its exact location. He noted that the existing concrete patio will be removed, a paver patio will be installed in the exact location and there will not be a future deck as noted on the site plan. Ms. Kozlowski agreed with Vice Chair Fry. Board Member Borst asked that 2 additional cherry laurels be planted around the air conditioning units which are located behind the boulder wall on the right side of the property. Board Member Borst suggested that the 4 transplanted 15-18" boxwoods be replaced with 4-36" new boxwoods. Ms. Kozlowski agreed to plant 2 additional cherry laurel plants for a total of 5 cherry laurel plants and 4 – 36" new boxwood plants on the right side of the house.

Open to the public.

No one appeared.

Closed to the public

Board Member Borst made a motion to approve this application subject to the following conditions: plant 2 additional cherry laurel plants for a total of 5 cherry laurel plants around the air conditioning units and 4 – 36" new boxwood plants on the right side of the house . Second, Board Member Kalpagian. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Mr. Borst and Vice Chair Fry.

**BAYKOWSKI, ROBERT** BLK 310 LOT 1 (RA-25); 530 Carlton Road. *(The applicant proposes to modify the previous approved application to expand the existing house with a second floor addition and first floor front and rear addition which will exceed gross building area and encroach into the side yard setback).*

Mark Steffanelli, the applicant's Architect, Rutherford, NJ was reminded by Board Attorney Becker that he remains under oath. Mr. Becker asked that the revised plans be marked as identification.

A-1 (10/20/16) Architectural plans with a revision date of 9/21/16

Mr. Steffanelli said that he has not changed any of the design elements that were discussed at the previous meeting. He said that he reviewed and recalculated his numbers and have updated the zoning table on the architectural plans and Section J of the application. He said the applicant was before the Board for setback, 36' height and 3 story structure variances which were approved on May 16, 2016 and memorialized on June 16, 2016. He then said that changes were made to the architectural drawings which did not affect the variance granted however the applicant came before the Board on September 15, 2016 to illustrate the changes to the plans presented. The Board did not have an issue with these changes that occurred however there were some discrepancies with the square footage numbers that were presented regarding the non-variance issue. The front foyer and second story bay window were reconfigured which affected which increased the dwelling unit square footage by 105 square feet which then affected the gross building area from 4,312 SF to 4,417 SF. The other 3 numbers that were affected by the extension of the front porch with a roof by 132 SF were the building area footprint, the lot coverage which is the principal building with the roof and in turn affected the impervious coverage. He opined that the recalculated numbers presented to the Board this evening are correct and how the dwelling will be constructed. He asked the Board if the height of the ceiling on the first floor and second floors could be reversed.

Michael A. Padano, the applicant's builder, was sworn. He said that 2 oak trees are dead off the back porch and the 2 smaller oak trees need to be pruned because there are carpenter ant's eating the house. Vice Chair Fry said that the Board does not have an issue with the removal of the trees. Township Engineer DiGennaro said he will stop at the work site and review the trees with the builder.

Open to the public.  
No one appeared.  
Closed to the public

Board Member Borst made a motion to approve this application as presented. Second, Board Member Hubert. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Mr. Borst and Vice Chair Fry.

#### **APPLICATION(S) – NEW**

**JACKSON, EUGENE & COURTNEY** BLK 259 LOT 9 (R-15); 7 Ward Avenue. *(The applicant proposes to expand the existing house with a single story 400 square foot rear addition and a 220 square foot accessory deck which will encroach into the side yard and exceed principle building and total accessory coverage).*

Eugene Jackson, 7 Ward Avenue, the applicant and Richard Vollmar, the applicant's engineer, were present. Mr. Jackson said he would like to extend the rear of the house back 12' and the width of the house which is 32' so as to extend the kitchen and take the existing rear bedroom and include it into the design of the new family room. There will be a sliding door onto the proposed deck. One bedroom/playroom will remain on the first floor. There are 3 existing

bedrooms on the second floor. Mr. Jackson said the basement and garage area will also be extended. He added that the existing garage located under the house will remain. Vice Chair Fry said the applicant is requesting a hardship variance due to the size of the lot which is 6,200 SF where 15,000 SF is required. He noted that the existing side yard setback is proposed to remain at 6' where 15' is required and the principal building coverage will be 18.4% where 15% is the maximum and the total lot coverage will be at 22.6% where 20% is the maximum. Mr. Jackson said the addition will be 12' and will be hard to downsize this proposed addition. He said that a precast concrete dry well will be installed at the grade patio. Board Member Borst questioned the knee wall under the deck. Mr. Jackson said the knee wall or retaining wall will remain.

Mr. Richard Vollmar, 16 Lake Lenore Road, Denville, NJ was sworn. He said that he is a licensed engineer in the State of New Jersey since 1996 with a bachelor degree in civil engineering and a master's degree in environmental engineering. The Board accepted Mr. Vollmar's credentials. Mr. Vollmar said there is a 2' retaining wall proposed for the site due to the topography of the land which slopes towards the rear. Vice Chair Fry said his concern is the closeness of the deck to the neighbor's home. Mr. Vollmar said the neighbor's house is at the same plane as the proposed addition. The Board requested that the applicant recess the deck an additional 4' from the side yard setback for a total of 10'. The deck will remain the same size and the stairs will be in the same location. The addition will remain at 6' along the plane of the existing house. The garage will remain under the house but the driveway to it will not be paved. It was noted that a vehicle cannot get past the 6' side door entrance to the house due to the existing lot width of the property. The side yard setback on the right side of the house is at 5.7'. The Board asked the applicant to reduce the side door entrance area to a 4' wide stoop and increase the side yard setback to 7.7'.

Open to the public.

No one appeared.

Closed to the public

Board Member Shanley made a motion to approve this application subject to the following condition: the driveway right of the house stairwell will be reduced from 6' to 4' with a 7.7' side yard setback from the property line; the accessory structure deck will be located 10' from the left side property line which will eliminate the variance for the accessory structure; the deck will be 15' wide by 14' deep with the deck stairs being reduced from 6' to 4'; a 6' privacy fence will be installed on the left side of the house. Five (5) sets of revised plans and Section J will need to be provided to the Board Office. Second, Board Member DeLeo. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Mr. Borst and Vice Chair Fry.

**VASQUEZ, JAMIE & MARIA** BLK 324 LOT 19 (RA-25); 343 Lakeview Drive. *(The applicant proposes to increase the footprint of the first floor and add a second level addition which will exceed gross building area and encroach into the side yard setback).*

Maria Vasquez and Angelo Jamie Vasquez, 343 Lakeview Drive, Wyckoff, NJ were sworn. Mr. Vasquez said they currently live at 459 Meer Avenue and have started to outgrow this house. They purchased the house on Lakeview Drive to accommodate the needs of their growing family. She said the renovations will affect the side yard setback since the house does not sit square on the lot. Mr. Fred Klenk, 684 Route 208, Franklin Lakes, NJ and Mr. Kent Rigg, 24 Godwin Avenue, Midland Park, NJ were sworn. The Board acknowledged that the 2

representatives for this application have been before the board on numerous occasions. The Board accepted their credentials. Board Attorney Becker asked that the application be marked for identification.

A-1 Application package

Mr. Rigg said this particular lot is conforming with all aspects of the zoning requirement in this RA-25 zone except that's the house sits angled on the lot which creates a side yard variance of 19.1' where 20' is required. However, due to the gross building area exceeding 3,700 square foot the side yard setback is enhanced to 25'. An addition will be added to the existing home and 2 – 1,000 gallon seepage pits will capture the roof runoff. He said that lot coverage is conforming and the existing shed will be removed. He added that solar panels will be added to the roof in accordance with code. Mr. Klenk said the existing home will be expanded and conforms to all setbacks except for the southeast corner where the house does not sit perpendicular to the street. The proposed open front porch encroaches into the side yard setback by about 1'. He said the existing house has a mansard look and will be turned into a colonial style house. Landscaping will be provided around the entire property line and foundation plantings around the house. Board Member Shanley asked how much of the existing walls will remain during construction. Mr. Klenk said the original house will be taken down to the first floor deck. Vice Chair Fry reiterated that the existing foundation will remain and the deck to the first floor. Mr. Klenk said the first floor will have a 9' ceiling height and the basement ceiling height will remain the same. Another course of block will not be added to the basement. Mrs. Vasquez said she hopes to keep as much of the existing house as possible but if it is going to be an uneven attachment to the new section of the house then the first floor deck will have to be removed. Mr. Klenk said it may be more practical to remove the first floor deck but will work with the existing foundation. He added that the existing foundation is in good condition.

Open to the public.

No one appeared.

Closed to the public

Board Member Hubert made a motion to approve this application as presented subject to the approval of the side yard setback #1 at 19'. Second, Board Member Shanley. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Mr. Borst and Vice Chair 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 10:52 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary  
Wyckoff Board of Adjustment