

**WYCKOFF BOARD OF ADJUSTMENT  
APRIL 29, 2015 SPECIAL MEETING MINUTES**

Special Meeting: 7:30 p.m. – Wyckoff Memorial Town Hall, Second Floor Court Room, 340 Franklin Avenue, Wyckoff, NJ

The meeting commenced with the reading of the Open Public Meetings Statement by Erik Ruebenacker, Chairman:

This special meeting of the Wyckoff Board of Adjustment dated Wednesday April 29, 2015 is now in session. In accordance with Section 8 of the Open Public Meetings Act, I wish to advise that notice of this meeting has been posted in the lower level of Memorial Town Hall since Friday, April 17, 2015. A copy of the notice has been filed with the Township Clerk and copies were sent to the Ridgewood News, the Bergen Record and the North Jersey Herald and News all papers with general circulation throughout the Township of Wyckoff. This notice establishes a special meeting for the Christian Health Care Center application.

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

**Absent:** Brian Hubert.

**Staff Attendance:** John A. Spizziri, Board of Adjustment Attorney; Mark DiGennaro, Township Engineer; Peter TenKate, Boswell Engineering Representative; Susan McQuaid, Board of Adjustment Secretary.

Roll call was taken.  
Pledge of Allegiance.

**APPLICATION – NEW**

**CHRISTIAN HEALTH CARE CENTER (CHCC)** BLK 443 LOTS 49.03, 52.01 & 51; 301 Sicomac Avenue; Amended site plan/Variance/Use Variance. *(The applicant proposes to amend the previous variance and site plan resolution adopted by the Board of Adjustment on May 13, 2013. The application amends the prior approval to provide for a reduction of building coverage in; 1) Wyckoff from 126,587 sf to 118,132 sf for a net change of minus 8,455 sf; 2) a reduction of impervious surface in Wyckoff of 11,672 sf; 3) a reduction in building coverage in Hawthorne from 26,502 sf to 25,935 sf for a reduction of 567 sf, and 4) a total reduction of impervious surface in Hawthorne of 1,221 sf. The total reduction in both municipalities of building coverage is 9,023 sf and the reduction in impervious area is 10,452 sf. The total number of units previously approved at 199 remains unchanged with some redistribution of 1 & 2 bedroom units. The applicant is also seeking an adjustment of the construction materials required in the Wyckoff resolution of approval).*

Mr. Jerome Vogel, the applicant's attorney, Mr. Ken Karle, the applicant's architect, and Mr. Doug Struyk, the President and CEO of the CHCC and John Horton, Senior Fire Protection Consultant with Jensen Hughes, were present.

Chair Ruebenacker stated that Board Member Carolan and Board Member Tanis have listened to the CD or read the transcript from the previous meetings and are eligible to vote this evening. He said that the Board will review the findings of Mr. Gary Montroy who works for the firm Professional Code Consultants and who has been contracted by the Wyckoff Board of Adjustment to review the CHCC application with regards to fire protection and advise the Board.

Mr. Gary M. Montroy, PO Box 86, Ramsey, NJ was sworn by Board Attorney Spizziri. Mr. Montroy said that he has a bachelor's degree in civil engineering from NJIT and a master's degree in public Administration from Rutgers University. He said he is a licensed Construction Official, building sub code official, fire sub code official, building inspector High-Rise Hazardous Specialist (HHS); Fire Inspector HHS, Fire Official, Fire Prevention Official, Housing Official and Housing Inspector. He added that he has been a code official since 1970 and has acted in these capacities since 1977 when the Uniform Construction Code (UCC) was initially adopted. He added that he has testified before the Board of Adjustment in Teaneck and the Planning Board in Mahwah along with the Bergen County Court and Passaic Superior Court. He said that he had met with the applicant, the township engineer and the applicant's engineer with regards to non-combustible and combustible forms of construction. Marked as identification was the following exhibit:

B-1 April 26, 2015 memorandum from Gary Montroy

Mr. Montroy said in accordance with the Board's request this analysis includes a review of the proposal made for this application and if the construction would be compliant. The New Jersey Uniform Construction Code and the 2009 International Building Code is the applicable document for this review. He has reviewed all of the documents and performed a plan review of the drawings in order to answer the question proposed to him. The original proposal was for a larger structure which was to be constructed of non-combustible type 2B construction. After a number of years and reviews in several communities the current proposal was presented to the Board. This proposal is for a three story structure divided into several different buildings. These buildings are separated by way of fire walls as defined by the building code. A parking structure constructed of non-combustible material is under a portion of the building. The remainder of the building is proposed to be constructed of type 5A protected frame construction. The Board is dealing with three different use groups in the structure. They are; A-2 use is located in the lobby area where the residents will eat; view movies, and other uses where residents will congregate. This portion of the structure is type 2-B noncombustible construction which is one story in height. The second use group is S-2 for the parking structure and is constructed of type 2-B noncombustible construction. This portion is underground and is dealt with in the code very specifically. The third use is R-2 and is proposed to be three stories in height and is constructed of type 5-B protected frame construction. One portion of this structure is to be built on top of the parking structure. The applicant is proposing to install a complete NFPA 13 fire sprinkler system throughout this structure. The code permits an applicant to gain tradeoffs and reduce fire ratings when this type of system is installed. There are three types of fire sprinkler systems available to a construction project. The applicant is suggesting the most complete type of system. I would suggest that the system be upgraded to a quick response type head as shown in section 903.3.2. This will make the system more responsive to a fire. The applicant is also suggesting a number of additional items which will reduce the potential for a fire to impact the entire structure. The dividing of the structure into a number of different sections by way of fire walls will provide safe areas which will dramatically reduce the potential of a fire expanding into one which would

be out of control. These fire walls are designed to be masonry and extend from the footings through the roof and be self-supporting. One of the suggestions I would recommend is the creation of safe area by the elevator lobbies so that wheel chair bound residents will have a place to go which is safe until they can be rescued by the fire department. The proposal includes the installation of one hour rated assemblies between floors; walls, and ceilings. All stairs are required to have a two hour fire rating. This means that a fire will take at least one hour before it will impinge on the wood making up the structure elements of the construction. It is very important that these fire rated assemblies are complete and that no penetrations occur which will allow fire or smoke to migrate in these spaces. All of the items proposed by the designers in addition to the creation of a safe area, the change of the sprinkler heads from regular heads to a quick response type and the insuring that the required fire ratings are constructed will insure that the building is constructed in accordance with the codes and are safe. In summary the project you are reviewing can be accomplished with the installation of required fire separation assemblies; a fire alarm warning system; emergency lighting and a fire extinguishing system alarmed to notify occupants in the case of a fire. These separations are needed in order to keep the fire to the apartment where it starts. I believe that if the building is constructed in compliance with the 2009 International Building Code and all of the required systems are maintained than the building will be safe.

OPEN TO THE PUBLIC for questions of Mr. Montroy  
No one appeared to question Mr. Montroy's testimony.  
CLOSED TO THE PUBLIC

Mr. Vogel said that the applicant will commit to all the suggestions and recommendations offered in the summary resulting from Mr. Montroy's review.

OPEN TO THE PUBLIC for final questions  
No one appeared.  
CLOSED TO THE PUBLIC

Board Member Borst made a motion to amend the previous resolution and the previous variances and site plan adopted by the Board of Adjustment on May 13, 2013 subject to the following conditions: the upgrade of the sprinkler heads; fire safety doors installed around the elevators, reduction of square footage and impervious coverage in Wyckoff, and any other reference in the LAN letter dated February 24, 2015 and previous resolution of approval. Also included is the COAH Developmental Fees. Second, Board Member Carolan. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Carolan, Ms. Yudin, Mr. Borst and Chair Ruebenacker. Voting in denial: Mr. Fry.

Mr. Vogel thanked the Board for the time spent on this application and the devotion it gave to not just the CHCC but to the people of Wyckoff and for performing what is a difficult task.

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Chair Ruebenacker made a motion to adjourn the discussion. All in favor. The meeting concluded at 8:45 p.m.

Respectfully Submitted,  
Susan McQuaid, Secretary  
Wyckoff Board of Adjustment