

**WYCKOFF ZONING BOARD OF ADJUSTMENT
FEBRUARY 16, 2017 PUBLIC WORK SESSION MINUTES**

Public Work Session: 7:30 p.m. Second Floor Court Room, Memorial Town Hall
Public Business Meeting: 8:00 p.m. Second Floor Court Room, Memorial Town Hall

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

"The February 16, 2017 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.

Members of the public are welcome to be present at this meeting. However, in accordance with Section 7 (A) of the Open Public Meetings Act, participation on the part of the public at this meeting will not be entertained."

Board Member Attendance: Erik Ruebenacker, Chairman; Susan Yudin; Brian Hubert, Ed Kalpagian; Brian Tanis; Rich DeLeo, Alt.; Robert Ebel, Alt.

Board Member(s) Absent: Carl Fry, Vice Chairman; Mark Borst

Staff Present: David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Anna Coscia, Acting Board Secretary

Staff Absent: Susan McQuaid, Board Secretary.

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Chair Ruebenacker 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"*

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OLD BUSINESS

APPROVAL OF MINUTES

January 19, 2017 work session/public business meeting

Board Member Hubert made a motion to approve the January 19, 2017 work session/public business meeting minutes. Second, Vice Chairman Kalpagian. Voting in favor: Mr. Ebel, Mr. DeLeo, Mr. Tanis, Mr. Kalpagian, Ms. Yudin and Chair Ruebenacker.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #17-02- Approval of vouchers from various escrow accounts.

Board Member Kalpagian made a motion to approve Resolution #17-02 for vouchers for payment. Second, Board Member DeLeo. Voting in favor: Mr. Ebel, Mr. DeLeo, Mr. Tanis, Mr. Kalpagian, Ms. Yudin and Chair Ruebenacker.

RESOLUTION(S) TO BE MEMORIALIZED

WISPELWEY, CHRIS & MICHELE BLK 263 LOT 10 (R-15); 28 Shadyside Drive. *(The applicant proposes to increase the footprint of the first and second floor which will exceed gross building area and encroach into the sides yard setback, front yard setback and building coverage).*

Board Member Yudin made a motion to memorialize the above referenced resolution. Second, Board Member Hubert. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Hubert, Ms. Yudin and Chair Ruebenacker. Abstain: Mr. Kalpagian

BRIGANDI, JOHN & EVELYN BLK 474 LOT 15.01 (R-15 CORNER); 376 Auburn Street. *(The applicant proposes to increase the footprint of the existing house which will exceed the principle building and total combined lot coverage).*

Board Member Yudin made a motion to memorialize the above referenced resolution. Second, Board Member Hubert. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin and Chair Ruebenacker.

APPLICATION(S) – NEW

ALIMI, SINAN BLK 436 LOT 23.01 (RA-25); 688 Birchwood Drive. *(The applicant proposes to amend the previous approval to construct a conforming single family dwelling on a non-conforming lot).*

Township Engineer DiGennaro said the applicant is proposing to demolish the existing dwelling and erect a new 5,521 SF dwelling on the existing non-conforming lot. The existing lot is non-conforming due to deficiencies in lot area and lot width. This property is the subject of a prior zoning board approval granted to a different owner on 6/16/16. The property will be served by a new 4 bedroom septic. The septic plan previously approved to serve the property was for a 5 bedroom house. The Stormwater management plan satisfies the Township Code. He added that the applicant has changed the front yard setback from the original approval of 52.9' to 45.7' which exceeds the minimum requirement of a 40' setback. In addition he has reduced the side yard setback on the garage side of the house from 29.6' to 27.4' where the minimum requirement is 27'. On the right side of the house the applicant has reduced the side yard setback from 28.1' to 25.1' where a minimum of 25' is required. The applicant has relocated the front driveway and has reduced the impervious coverage. There is now an increase in the rear yard setback from 64.2' to 70.3' and the septic system has been approved for a 5 bedroom house which remains unchanged. The total lot coverage went from 29.15% down to 27.06% but the principle building increased from 14.66% to 14.96% which is still under the maximum allowable 15%. The square footage of the house increased from 5,459 sf to 5,521 sf and the building height increased from 32.79' to 34.48'. The only variance request for this property is

the deficient front yard lot width and the lot size where 25,000 square feet is required and 22,029 square feet exists.

COCHRAN, MICHAEL & JULIE BLK 291 LOT 25 (RA-25); 306 Sunset Blvd. *(The applicant proposes to construct a portico over the front door which will encroach into the front yard setback).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area deficiency, frontage, side yard setback and accessory structure setback. The applicant is proposing to construct a covered front porch requiring variances. The front yard setback currently is at 43.8' and the applicant is proposing 38'. The side yard setbacks remain unchanged. The application does not require a Stormwater management plan.

GUGALA, HUBERT BLK 288 LOT 41; 294 Voorhis Avenue. *(The applicant proposes to construct a one story open porch addition to the rear of the house which will encroach into the side yard setback due to the enhanced side yard setback requirement).*

Township Engineer DiGennaro said the applicant is seeking to expand the existing dwelling to construct a single story guest bedroom, covered rear porch and an in-ground swimming pool on the existing lot which is conforming. The existing dwelling is non-conforming with respect to existing side yard setback as a result of a recent code change requiring enhanced side yard setbacks of 25 feet when the gross building area exceeds 3,700 SF. Therefore, the new addition requires variances for side yard setbacks which are less than the enhanced setback requirement. A Stormwater management plan has been provided and satisfies the requirements of the Township Code. The property is served by municipal sanitary sewer. He said that the covered porch overhang is triggering the side yard setback variance of 21.47' where 25' is required. He added that all other aspects of the application are all conforming.

Chair Ruebenacker said the landscaping plan is adequate. He said he struggles with the 25' setback with regards to the proposed porch. Board Member Hubert said the challenge is the position of the proposed porch and the angle of the porch overhang. Township Engineer DiGennaro said the hardship with this property is the location of the house on this property which is not square to the side yard.

MESSINA, GERALD V. BLK 490 LOT 16 (R-15); 455 Louisa Avenue. *(The applicant proposes to reconstruct and alter an existing non-conforming accessory garage which will encroach into the rear yard setback and accessory side yard setback and exceed the total accessory structure lot coverage).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the R-15 zone and is non-conforming due to lot area deficiency, depth, frontage, front yard setback, accessory structure setback and coverage. The applicant is proposing to reconstruct and expand the detached garage requiring variances. This application does not qualify for a Stormwater Management Plan. Impervious coverage proposed is 34.57 % where a maximum of 45% is permitted.

Board Member Hubert said the challenge is the square footage of the lot. Chair Ruebenacker said his concern was the height of the garage and the 6.3' between the corner of the house and the corner of the garage which will be a tight fit to get into the back yard.

WERKLEY, TIMOTHY/ESTRELLA, ROSA BLK 483 LOT 16 (RA-25); 129 Starr Place. *(The applicant proposes to expand the first floor and add a level to the second floor with will encroach into the side yard setback due to the enhanced side yard setback requirement and will exceed principal building lot coverage).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the RA-25 zone and is non-conforming due to lot area deficiency, frontage, and side yard setback. The applicant is proposing to renovate and expand the existing structure requiring variances. The applicant's Stormwater management plan satisfies the Township's requirements and the property is served by municipal sewers.

Board Member Yudin said she would like to hear testimony as to why the applicant cannot reduce the impervious coverage. Board Member Kalpagian said he agrees with the garage location but is concerned with the left side of the house addition which if placed at 25' would remove a side yard setback variance request. Board Member Hubert said the challenge of this application is the position of the house on an odd shaped lot. Chair Ruebenacker said he likes the design of the house but struggles with the garage at 11' off the property line where 25' is required regardless of the hardship of an odd shaped. He said the house will be a 4,700 square foot house which triggered the side yard setback variance request. He said the impervious coverage will also need to be reduced. He added that the landscape plan is also limited.

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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 8:14 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment