

**WYCKOFF PLANNING BOARD**  
**July 14, 2021 PUBLIC WORK SESSION MEETING 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 Meeting Statement by Chairman Robert Fortunato.

“The regular July 14, 2021 Public Work Session Meeting of the Wyckoff Planning Board is now in Session. In accordance with the Open Public Meeting Act, notice of this meeting appears on our Annual Schedule of Meetings. A copy of said Annual Schedule has been posted on the bulletin board in 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 emailed to said newspapers.”

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.

*“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.”*

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Board Attorney, Kevin Hanly, stated that he received an email from Mayor Rubenstein stating that she is unable to attend this meeting and that she has named Committeeman Peter Melchionne to act as designee in her absence which is permitted under NJSA40:55D-23.

**ROLL CALL**

Board Members present: Rudy Boonstra; Township Committeeman, Peter Melchionne, Township Committeeman as Proxy for Ms. Rubenstein; Rob Fortunato; Chairman, Kelly Conlon, Mike Homaychak, and Glenn Sietsma.

Board Members absent: Melissa Rubenstein, Mayor; Kevin Purvin, Vice Chairman; Scott Fisher, Frank Sedita, Mae Bogdansk, and George Alexandrou.

Staff present: Kevin Hanly; Board Attorney, Mark DiGennaro, Township Engineer, and Maureen Mitchell; Board Secretary.

**OLD BUSINESS**

Approval of the May 12, 2021 Work Session and Regular Business Minutes

Mr. Homaychak made a motion to approve the May 12, 2021 Work Session and Regular Business Meeting minutes. Second, Mr. Sietsma. Voting in favor: Ms. Conlon, Mr. Homaychak, Mr.

Sietsma, Mr. Boonstra, and Chairman Fortunato. Mr. Melchionne abstained.

**PAYMENT RESOLUTION #21-07**

Mr. Hodaychak made a motion to approve Payment Resolution #21-07. Second, Mr. Sietsma. Voting in favor: Ms. Conlon, Mr. Hodaychak, Mr. Sietsma, Mr. Boonstra, and Chairman Fortunato. Mr. Melchionne abstained.

**FOR REVIEW AND RECOMMENDATION TO THE TOWNSHIP COMMITTEE**

**ORDINANCE #1941**

AN ORDINANCE AMENDING CHAPTER 186 "ZONING", SECTION 186-22, "REGULATIONS APPLYING TO ALL ZONES", OF THE CODE OF THE TOWNSHIP OF WYCKOFF TO PROHIBIT THE OPERATION OF ANY CLASS OF CANNABIS BUSINESS WITHIN THE TOWNSHIP OF WYCKOFF

Mr. Boonstra said this is an Ordinance that preserves the option of the Township to regulate, and permit or prohibit cannabis businesses and distribution within the Township of Wyckoff at this time.

Committeeman Melchionne, acting as proxy for Mayor Rubenstein, stated that the Ordinance will allow the Township to opt out of having to comply with all of the sections of the new State laws pertaining to the sale and distribution of cannabis within the Township at this time. He went on to say that a committee was formed by the State to provide more guidance to municipalities on each of the individual components of the law, so we are choosing to opt out until we can obtain additional information about the guidelines.

Chairman Fortunato stated that at the time of the last review of the Master Plan, there was no contemplation of the legal distribution or sale of cannabis within the Township therefore it is his opinion that the prohibition of it, by Ordinance #1941, will not conflict with the Master Plan of the Township of Wyckoff as it currently exists.

Mr. Hodaychak made a motion to recommend Ordinance #1941 to the Township Committee. Second, Mr. Sietsma. Voting in favor: Ms. Conlon, Mr. Hodaychak, Mr. Sietsma, Mr. Boonstra Mr. Melchionne, and Chairman Fortunato.

**NEW APPLICATION FOR COMPLETENESS REVIEW**

G.S.A. LLC 511 Goffle Road Block 498 Lot 104.01

(The applicant is requesting a modification to conditions in the Resolution of Approval dated November 9, 2009. The request is to allow the existing building to be used for all of the permitted uses in the B-1 zone. The applicant is also proposing to install a ground mounted directory sign in the front of the building)

Mark DiGennaro, the Township Engineer, provided the following technical details of the application: the applicant submitted a site plan prepared by Conklin Associates titled "Sign Plan" dated 6/30/2021, site plan sheet #1 prepared by Conklin Associates last revised 5/10/2010 approved by the Wyckoff Planning Board on 11/9/2009, application, photos, and summary addendum prepared by Bruce Whitaker, Esq. The applicant received approval from the Wyckoff Planning Board on November 9, 2009 to construct a 10,333 sf commercial building with 48 parking spaces. The applicant is now seeking approval to erect a ground mounted sign requiring setback variance as well as a parking variance to accommodate a change of tenancy. The proposed

tenancy has been identified as an academic tutoring center which is a permitted use in the zone, however, has an increased parking demand under Township Code. The property is in the B-1 Central Business Zone and appears conforming with no proposed changes to the structure or site, except for the ground mounted sign. There are 48 parking spaces currently on the site. The tenancy use of an academic tutoring center triggers an increase to 54 parking spaces required as calculated by the Township Code. The applicant is requesting a variance for the deficiency of 6 parking spaces. With regard to the ground mounted sign, the applicant is proposing a front yard setback of 30" from the property line where 20' is the requirement. The existing setback of the building from the property line makes conforming to the 20' requirement for the sign impossible. The applicant is also requesting that the building be permitted to be used for all the permitted uses set forth in the B-1 Central Business Zone. It is recommended that in considering this request, the Board should recognize that the parking requirements vary for many of the permitted uses in the zone thereby impacting the building's parking demand based upon the specific use. 186-26C(2) specifically requires a Site Plan approval for any change of use or occupancy of a building which would result in a change in the parking requirements, except where a parking variance has previously been granted. Based on the information provided for engineering review, I am satisfied with the application as submitted should the Board wish to deem the application complete for public hearing and notice.

Mr. Hanly stated that as per Township Code, each time there is change in tenancy or use of the building, where the parking requirements are increased beyond what is existing, the applicant will have to come back before the Board for approval.

Mr. Sietsma made a motion to deem the application complete. Second, Mr. Homaychak. Voting in favor: Ms. Conlon, Mr. Homaychak, Mr. Sietsma, Mr. Boonstra, Mr. Melchionne, and Chairman Fortunato.

Mr. Boonstra stated that back in June, enforcement of a denied application began on the property located at 225 Van Houten Avenue. Daily summonses and fines have been issued which continues to date. Chairman Fortunato inquired about the current status of the work on the property related to the denied application. Mr. DiGennaro stated that work began shortly after the first summons was issued. The retaining wall around the perimeter of the property has been reduced from 4' to 2' in height, sections of the wall have been removed, approximately 35 truck loads of soil have been removed and a drywell has been installed. The applicant is now planning on seeding and adding topsoil and returning the property to the pre-existing grade. Mr. Boonstra said the summonses are answerable in Wyckoff Municipal Court.

There being no further business, a motion to adjourn the Work Session meeting was made, seconded, and passed unanimously. The Work Session concluded at 7:55 p.m.

Respectfully submitted,

Maureen Mitchell, Secretary  
Wyckoff Planning Board