

**WYCKOFF BOARD OF ADJUSTMENT
FEBRUARY 20, 2014 PUBLIC 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 Chairman Donkersloot:

"The February 20, 2014 Public 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: Jim Donkersloot, Chairman; Erik Ruebenacker, Vice Chairman; Carl Fry; Susan Yudin; Mike Madigan; Brian Hubert, Alt.

Absent: Mark Borst

Staff Attendance: John A. Spizziri, Board Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering Representative; Susan Schilstra, Board of Adjustment Secretary.

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

Chairman Donkersloot stated that all phones, pagers, PDAs, etc. should be turned off or switched to vibrate in order to avoid interrupting the public session.

OLD BUSINESS

APPROVAL OF MINUTES

The January 16, 2014 work session/public business meeting minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #14-02- Approval of vouchers from various escrow accounts.
Resolution #14-02 was memorialized at the work session meeting.

RESOLUTION(S) TO BE MEMORIALIZED

PENSALLORTO, FRANK & MARY BLK 472 LOT 1.01 (R-15); 346 Dartmouth Street. *(The applicant proposes to expand the second floor, add an addition to the rear of the house and a front porch which will encroach into the front yard and rear yard setback).*

APPLICATION(S) - CARRIED

EDWARDS, MICHAEL BLK 427 LOT 2 (RA-25); 379 Durham Road. *(The applicant proposes to install an in-ground pool which will expand impervious coverage to 35.5% where 28.5% is the maximum permitted).*

Mark Palus, Map Engineering, on behalf of Mike and Toni Edwards was present. He said that the applicant has reduced the lot coverage from 35.5% to 33.16%. He said that when the initial plan was drawn he utilized the as-built survey from the construction in 2001 of the new home. When the issue of the lot coverage came up with the Board he reviewed the site again and said the small covered porches were not included in the building coverage and are included now which had cause a miscalculation on the lot coverage. He said the applicant has decreased the patio, walkways and waterfall feature which reduced the lot coverage to 33.16%.

Township Engineer DiGennaro said the total principle building coverage is 15.22% on Section J of the application page and the total building coverage is 15.54% on the zoning table.

Mr. Palus said the total building coverage should be 15.22% and he will correct this on the zoning table. He added that the landscaping plan and the drainage improvements will not change due to the reduction in the lot coverage.

Township Engineer DiGennaro asked that the Section J page be revised to reflect the changes made this evening and the proposed accessory coverage of 4.1% and the combined coverage of 19.32% where 20% is the maximum.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Fry made a motion to approve this application with the revised 15.2% for principle building coverage and 4.1% on accessory coverage for a total of 19.32%, the total lot coverage will be 33.16%, and the proposed landscape plan will be followed. Second, Vice Chairman Ruebenacker. Voting in favor: Mr. Hubert, Mr. Madigan, Ms. Yudin, Mr. Fry and Vice Chairman Ruebenacker. Voting in denial: Chairman Donkersloot.

APPLICATION(S) – NEW

DEMING, BROOK BLK 254 LOT 4 (RA-25/CORNER); 269 Monroe Avenue. *(The applicant proposes to install an in-ground pool on this corner lot which will exceed total accessory structure and lot coverage on this pre-existing undersized lot).*

DELORME, ROBERT & CHRISTINE BLK 476 LOT 6.01 (R-15/CORNER); 376 Dartmouth Street. *(The applicant proposes to add a one story family room and expand the existing kitchen which will encroach into the front yard setbacks on this corner lot and exceed principal building coverage).*

SMITH, CARA & VINCENT BLK 250 LOT 44 (RA-25); 375 Oakwood Drive. *(The applicant proposes to install an in-ground pool which will exceed principle building coverage limitation and total impervious coverage limitation).*

The above referenced applications were required by the Board to re-notice in order to be placed

on the March 20, 2014 Board of Adjustment agenda since their original notices were deficient.

BALLAN, NANCY BLK 291 LOT 11 (RA-25); 319 West Stevens Avenue. *(The applicant proposes to construct a first and second floor to the existing dwelling which will encroach in the side yard setback and a portico that will encroach into the front yard setback).*

Mark Braithwaite, AIA, 17 Sheridan Avenue, Hohokus, NJ, the applicant's architect and Ms. Nancy Ballan, 319 W. Stevens Avenue, Wyckoff, NJ were sworn. Mr. Braithwaite said he has been licensed in the State of New Jersey since 1993 and has appeared before this Board on several other occasions over the years.

The Board accepted Mr. Braithwaite's credentials.

Mr. Braithwaite said that in the RA-25 zone the lot frontage is 100' where 125' is required. He added that if the applicant's property was in conformance with the RA-25 dimensional requirements then they would not be here this evening. He said the applicant would also like to continue the 19.8' setback on the left of the house when the renovation is done on the second floor carrying the corner straight up; the existing bottom front step of the front portico is 34.2' and the applicant is asking to enlarge the portico 2' to the west as an architectural feature; and the front right corner where 20' is required the applicant is asking for a 17' side yard setback or 3' in order to enlarge the existing garage and make it a 2 car garage. The 3' variance is being requested for the first floor only since the second floor will be stepped back and will be conforming to the side yard setback requirements of 20'. He said that the improvements that are being made to this property are modest and tasteful and more into the needs of today's life style. He opined that the variance can be granted without substantial detriment to the neighborhood or the public good and will not impair the intent and purposes of the ordinance in this zone.

Board Member Yudin asked if the applicant was going to install a generator

Ms. Ballan said yes they would like to install a generator.

Board Member Hubert asked how many bedrooms are in the house today.

Ms. Ballan said that currently it is a 3 bedroom house and the existing septic is 15 years old and sized for 4 bedrooms.

Chairman Donkersloot was concerned with the right side yard encroachment of 3'.

Vice Chairman Ruebenacker said this is a self-imposed hardship.

Ms. Ballan said she would like a 2 car garage with 2 doors to hold 2 cars plus bikes and enough room to get a car seat out of the car.

Board Attorney Spizziri said the applicant may want to come back next month and see if they can satisfy this setback issue.

Mr. Michael Ballan, 319 West Stevens Avenue, Wyckoff, NJ was sworn. He asked if by reducing the garage he would need to resubmit the plans and attend another meeting.

Chairman Donkersloot said the applicant would need to submit revised plans for the next months scheduled meeting.

Township Engineer DiGennaro said the lot is non-conforming in the RA-25 zone and the house is not built square on the property which creates a side yard variance. He said that the second floor has been stepped in where no variance is being requested. He said a 1.8' variance in this zone is not unreasonable to be able to place 2 cars in the garage.

Board Member Fry said this lot can be viewed as a hardship since the lot area is undersized. He said that each bay in the garage is an average size for this 24' garage width. He said that from an aesthetic and functionality standpoint he does not have an issue with the variance that is being requested.

Vice Chairman Ruebenacker asked the applicant to explain the request for a front yard setback variance.

Mr. Braithwaite said the front of the house will consist of an 8' wide by 4 ½' open portico with 2 columns and a gable peak roof over the front door. He added that the front door will be relocated and the variance is for 34.2' to the first step which is existing. He said the square footage of the house will be 3,664 which does not include the garage.

Chairman Donkersloot opened the meeting to the public.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Chairman Donkersloot said he would like revised plans submitted for the next month's meeting.

Township Engineer DiGennaro asked the applicant to specify hardiplank on the plans to be used on the exterior of the house with a rack overhang on the right side

Board Member Yudin said if the side yard setback was reduced by 1 ½' then the Board could vote on this application tonight.

Vice Chairman Ruebenacker made a motion to approve the application with a side yard setback of 19.7' verses 18.2' and 18.5' verses 17' because of the skewed property line; the architectures will need to be amended and a revised site plan that shows the revised footprint with a straight plan on the right of the house showing hardiplank as the exterior material. Second, Board Member Yudin. Voting in favor: Mr. Hubert, Mr. Madigan, Ms. Yudin, Mr. Fry, Mr. Ruebenacker and Chairman Donkersloot.

PUCCIO, PHILLIP BLK 436 LOT 7 (RA-25/CORNER); 339 Sicomac Avenue. *(The applicant proposes to construct a roofed deck which will encroach into the pre-existing non-conforming front yard setback).*

Jacob Solomon, principle of Jacob Solomon Architect, LLC, Fair Lawn, NJ was sworn. He said that he received his Master's Degree in Architecture from NJIT and is licensed in the State of New Jersey. Mr. Solomon said that the applicant has applied for another variation to remove

the front door facing Sicomac Avenue since that room will now be the dining room. It the Board was adamant that the front door should remain than the applicant will keep the front door. He said this property is located on the corner of Sicomac Avenue and Franklin Avenue. He said the existing front yard setback on this corner lot is 35.4' where 40' is required off of Sicomac Avenue and on Mountain Avenue the front yard setback is 1.2' where 40' is required. The existing accessory structure is also non-conforming where the rear yard setback is 6.5' where 20' is required for an accessory structure. The purpose of the application is for the construction of a porch in the rear of the dwelling. The applicant would like to install a driveway and have the entry of the house from the rear facing the garage where most of the circulation will occur. The new variance is for the side porch setback requirement of 40' and the applicant is proposing 12.9' setback for the front porch.

Chairman Donkersloot was agreeable with the change in the existing driveway pattern and the removal of the curb cut closest to the house. He added that he was concerned with the look of the front of the house on Sicomac Avenue without a front door. He recommended that the front door remain.

Board Member Yudin recommended that French doors be used as a front door which would bring more light into the dining room.

Mr. Solomon said the applicant could install French doors as a front door with the overhang.

Vice Chairman Ruebenacker said a new set of revised plans will need to be submitted along with a full landscape plan along the front yard on the Sicomac Avenue side of the house.

Mr. Solomon said that no existing trees will being removed.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

The Board unanimously agreed to carry this application to the March 20, 2014 meeting at 7:30 p.m. They requested revised plans to include a front door and a full landscape plan on the Sicomac Avenue side of the house be submitted within 10 days of the next meeting.

MINIERI, DANIEL BLK287 LOT 7 (RA25); 309 Voorhis Avenue. (*The applicant proposes to construct a first and second floor addition which will encroach into the side yard setback and exceed the principle building lot coverage limitation*).

Daniel Minieri and Annie Minieri, 309 Voorhis Avenue, Wyckoff, NJ were sworn. Mr. Minieri said the house is going to be demolished to the foundation or the first floor walls. He said a 2.2' side yard setback variance is being requested for a 2 car garage with one door. He said the existing porch is at 27.7' to the first step where 40' is required. He said the total building lot coverage is 19.80% where 15% is the maximum. He added that the height of the structure will be 34.1' where 35' is the maximum. He said he is mimicking the construction of the house across the street.

Chairman Donkersloot said he is concerned with the encroachment into the side yard setback and asked the applicant to step in that side of the house. He added that the landscape plan

should include the buffering the AC unit as well as landscaping in the front of the house. He said that the front porch and steps are aesthetically pleasing.

Mr. Minieri said the septic system in the rear yard is sized for a 4 bedroom house.

Board Member Fry was also pleased with the design of the house. He said he would like the applicant to keep the 2 car garage.

Chairman Donkersloot asked the applicant to step in the second floor by 2' and submit a full detailed landscaping plan.

Vice Chairman Ruebenacker opined that the second floor be stepped in by 2' and the garage stepped in 1' which would be a good compromise.

OPEN TO THE PUBLIC

Robert Stocklosa, 301 Voorhis Avenue, Wyckoff, NJ was concerned with the runoff from a significant rain fall from the neighbor's house that is located between Mr. Stocklosa's house and Mr. Minieri's house. He said that he has no objection to this application.

Township Engineer DiGennaro said this application has submitted a storm water management plan so there will be no increase in runoff from the proposed addition. He said area houses have seasonal water conditions in their basement that occur naturally from an underground stream.

CLOSED TO THE PUBLIC

The Board unanimously agreed to carry this application until the March 20, 2014 public hearing meeting. The applicant will not need to re-notice the public.

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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 9:55 p.m.

Respectfully Submitted,

Susan Schilstra, Secretary
Wyckoff Board of Adjustment