WYCKOFF ZONING BOARD OF ADJUSTMENT
SEPTEMBER 17, 2015 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 August 20, 2015 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.
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> 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; Carl Fry, Vice Chairman; Susan Yudin; Tim Shanley, Mark Borst; Brian Hubert; Ed Kalpagian, Alt.; Brian Tanis, Alt.

Staff Present: David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Susan McQuaid, Secretary.

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Chairman 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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APPOINTMENT OF PROFESSIONAL

RESOLUTION #15-003: Professional Service Appointment of a Board of Adjustment Attorney.

Chair Ruebenacker read the professional service resolution into the record. Ms. Yudin reiterated her opinion that she does not agree with the process used, and said that the position should have been advertised and not announced through word of mouth. Mr. Hubert said that he has no problem with the eight candidates, but added that he thought it would have been more prudent to publish notice given the opportunity for transparency.

Board Member Shanley made a motion to hire David Becker as the Zoning Board of Adjustment Attorney for the completion of the 2015 year. Second, Vice Chair Fry. Voting in favor: Mr. Tanis, Mr. Shanley, Mr. Kalpagian, Mr. Borst, Mr. Fry and Chair Ruebenacker. Ms. Yudin abstained and Mr. Hubert voted in denial.

The Board welcomed Mr. DeLeo as an Alternate #2 member, Mr. Tanis moved to the Alternate #1 status and Mr. Kalpagian became a full member of the Wyckoff Board of Adjustment. Board Attorney Becker gave the oath of office to these 3 Board Members.

OLD BUSINESS

APPROVAL OF MINUTES
July 16, 2015 work session/public business meeting

Board Member Shanley made a motion to approve the July 16, 2015 work session/public hearing business meeting minutes. Second, Vice Chair Fry. Voting in favor: Mr. Hubert, Mr. Shanley, Mr. Borst, Mr. Fry and Chair Ruebenacker.

August 20, 2015 work session/public business meeting

Board Member Shanley made a motion to approve the August 20, 2015 work session/public hearing business meeting minutes. Second, Board Member Hubert. Voting in favor: Mr. Tanis, Mr. Hubert, Mr. Shanley, Ms. Yudin, Mr. Kalpagian, Mr. Borst, Mr. Fry and Chair Ruebenacker.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #15-08- Approval of vouchers from various escrow accounts.

Board Member Shanley made a motion to approve Resolution #15-08 vouchers for payment. Second, Board Member Hubert. Voting in favor: Mr. Tanis, Mr. Hubert, Mr. Shanley, Ms. Yudin, Mr. Kalpagian, Mr. Borst, Mr. Fry and Chair Ruebenacker.

RESOLUTION(S) TO BE MEMORIALIZED

BELSKE, MICHAEL BLK 351 LOT 18 (RA-25) 383 Cedar Hill Avenue. *(The applicant proposed to construct a 2 car garage, where none presently exists, which will encroach into the side yard accessory structure setback by 6' where 15' is required).*

PARKER, ERIC SEAN & AMY BLK 516 LOT 16 (R-15 CORNER); 19 Ravine Avenue. *(The applicant proposes to expand the current one car garage and to construct a first floor addition above the garage and a smaller second floor addition which will not encroach any further into the front yard setback).*

MINATELLI, JARED & AMY BLK 476 LOT 4 (R-15); 368 Dartmouth Street. *(The applicant proposes to construct an addition to the existing house which will encroach into the front yard setback).*

MUNGIELLO, ANTHONY & ASHLEY BLK 483 LOT 2 (RA-25); 147 Wyckoff Avenue. *(The applicant proposes to add a level to the existing home which will encroach into the front yard setback and exceed principal building lot coverage).*

Board Member Shanley made a motion to memorialize the Belske, Parker, Minatelli and Mungiello Resolutions. Second, Vice Chair Fry. Voting in favor: Mr. Shanley, Ms. Yudin, Mr. Fry and Chair Ruebenacker.

The following four (4) resolutions will be memorialized at the public hearing meeting after review by the Board Members.

HAIG, ROBERT & EILEEN BLK 320 LOT 94 (RA-25); 310 West Stevens Avenue. *(The applicant proposes to demolish the existing residential dwelling and construct a new home which will encroach into the side yard setbacks and exceed principle building lot coverage).*

SPAROZIC, MICHAEL BLK 349 LOT 62 (RA-25); 319 Calvin Court. *(The applicant proposed to install a rear yard canopy over an existing patio which will encroach into the side yard setback).*

DAMATO, RICHARD BLK 394 LOT 6 (RA-25); 371 Newtown Road. *(The applicant proposes to add a second story level to the existing house which will not encroach any further than the existing side yard setbacks).*

CHU, KING-YUEN & PRISCA BLK 265 LOT 125 (RA-25); 44 Wild Duck Road. *(The applicant proposes to add a second story level over the garage which will increase the gross building area beyond 3,700 square feet which will trigger the enhanced side yard setback requirement of 25 feet requiring a variance application).*

APPLICATION(S) – CARRIED

FLORES, RADLEY BLK 376 LOT 3 (RA-25); 482 William Way. *(The applicant proposes to install solar panels on the front portion of the roof which is non-conforming according to Ordinance #1675).*

The Board will review the material that was submitted and listen to testimony at the public hearing. Board Member Shanley said that solar use could be considered an inherently beneficial use according to Chapter 40:55D-4 and D-7 as positive criteria.

DiSCOLA, EMILIO BLK 436 LOT 23.01 (RA-25); 688 Birchwood Drive*. (The applicant proposes to demolish the existing home and construct a new home that is conforming to all setback requirements).*

Chair Ruebenacker said a revised landscape plan has been provided to the Board and 3 windows have been added to the rear of the garage along with Belgium block curbing. Board Member Borst said screening has not been provided in the rear yard. Board Member Shanley said this is a very large house on a non-conforming lot; concerning with the side of the house facing the front yard. Township Engineer DiGennaro said the covered porch has been removed which reduced the impervious coverage.

APPLICATION(S) – NEW

BERTELLI, JOSH BLK 434 LOT 19 (RA-25); 747 Mountain Avenue. (*The applicant proposes to expand an existing bedroom and bathroom, and adding a new master bedroom suite which*

includes a bedroom, bathroom, and closets all on the second floor of the existing non-conforming residence).

Township Engineer DiGennaro said the existing single family dwelling is situated in the RA-25 zone on a corner lot and is non-conforming due to lot area, front yard setback, principal and accessory structure side yard setbacks. The applicant is proposing an addition to expand an existing bedroom and bathroom, add a new master bedroom suite with closets on the second floor and add a front porch. The property is served by sewer and the application does not qualify for storm water management requirements. The Board liked how the applicant stepped in the second floor and that this is a very unique application due to the shape of the lot.

GLEN BROOK INC. BLK 483 LOT 12 (RA-25); 130 Starr Place. (*The applicant proposes to renovate the existing structure and add to the first and second floors utilizing the existing foundation).*

Board Attorney Becker advised the applicant and the Board that this applicant will need to be represented by council in order to be heard at the public hearing meeting since he is a corporation. The Board decided to withhold discussion until the public hearing meeting.

TODE, MICHAEL & JILL BLK 491 LOT 31 (RA-25); 549 Lafayette Avenue. (*The applicant proposes to add a family room and adequate storage and closet space, which extends into the side yard setback and triggers the principal building maximum lot coverage.)*

Township Engineer DiGennaro said the existing single family dwelling is situate in the RA-25 zone and is non-conforming due to lot area deficiency, frontage, front yard setback, and both side yard setbacks. The applicant is proposing a single story addition to the rear of the structure requiring variances for side yard setback and principal building lot coverage. A storm water management plan is not applicable and the property is served by sanitary sewers.

Vice Chair Fry said the applicant has made an effort to step the addition away from the neighbor and it is tastefully done. Board Member Yudin noted that an accessory building is being removed. The Board will hear testimony at the public hearing meeting.

SCHWARTZ, PETER & DINA BLK 217 LOT 7 (RA-25); 88 Logan Lane. (*The applicant proposes to construct an in ground pool, patio pool, spa and pool equipment; the lot coverage variance was previously granted, but applicant proposes to change the manner of achieving compliance by not removing portion of existing driveway and instead, by removing or decreasing impervious coverage in the rear yard.)*

Chair Ruebenacker said this application is back before the Board for an amendment to the existing approval. Township Engineer DiGennaro said that during construction of the pool the applicant was able to reduce the size of the area in the rear yard and would like to swap this impervious coverage in order to keep the width of the driveway in the front yard. He added that there will be slight changes in the final grading which will not affect the neighbors. He added that due to this amendment the impervious coverage has been reduced from 31.39% to 31.36%. The Board will hear testimony at the public hearing meeting.

MOORE, CHRISTOPHER BLK 224 LOT 15.01 (RA-25); 441 Clinton Avenue*. (The applicant seeks to amend a previous approval for purposes of relocating the driveway entrance to the property).*

Township Engineer DiGennaro said this application will not be heard tonight since the applicant has failed to provide proper notification.

DEGELMAN, CRAIG BLK 259 LOT 7 (R-15); 11 Ward Avenue. *(The applicant proposes to construct a garage which will encroach into the side and rear yard setbacks, exceed combined lot coverage, exceed impervious coverage and exceed height requirements).*

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, frontage, front and side yard setbacks. The applicant is proposing to construct a detached garage where currently there is no garage serving the property. The property is served by municipal sanitary sewer. The applicant must provide a storm water management plan for approval. Board Members noted that the garage is a very large structure and were concerned with water runoff, the rear overhead door due to the grading of the property and that it was proposed at 5' off the property line. The Board will hear testimony at the public hearing meeting.

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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 8:10 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment