

**WYCKOFF BOARD OF ADJUSTMENT  
OCTOBER 15, 2015 PUBLIC BUSINESS 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 Erik Ruebenacker, Chairman:

"The October 15, 2015 Public Business 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:** Erik Ruebenacker, Chairman; Carl Fry, Vice Chairman; Tim Shanley, Mark Borst; Brian Hubert; Ed Kalpagian; Brian Tanis, Alt.; Rich DeLeo, Alt.

**Board Member(s) Absent:** Susan Yudin

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

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

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

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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](http://www.wyckoff-nj.com)"*

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**OLD BUSINESS**

**APPROVAL OF MINUTES**

September 17, 2015 work session/public business meeting

The minutes were approved at the work session meeting.

**RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT**

**RESOLUTION #15-09-** Approval of vouchers from various escrow accounts.

Resolution #15-09 was memorialized at the work session meeting.

**RESOLUTION(S) TO BE MEMORIALIZED**

**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).*

**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).*

**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).*

The above referenced resolutions were memorialized at the work session meeting.

**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).*

Chairman Ruebenacker asked if Mr. Flores was present this evening. Hearing no response the Board unanimously agreed to carry this application to the Thursday, November 19, 2015 meeting.

**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).*

Noel Holland, from the law firm of Anderson & Holland, Midland Park, NJ and Mr. Bob Weissman, Weissman Engineering, were present. Mr. Holland said this application is a continuation from the August 20 & September 17 meeting and is conforming except for pre-existing non conformities in lot size and lot frontage.

Marked as identification was the following exhibit:

A-5 Entire revised application package

Mr. Weissman said the changes include the reduction in width and depth of the dwelling, 2.2' reduction in the height of the dwelling, reduction in the gross building area. The gross floor area was reduced from 5,625 to 4,011 square feet, principle building coverage reduced by 157', total lot coverage reduced by 298 feet and a building reduction of 814 square feet. He added that the first floor is 1,750 SF, the second floor is 2,050 SF and the garage 1,011 SF for a total gross building area of 4,811 square feet.

Chairman Ruebenacker noted an error on the total dwelling are which shows 3750 and it should read 3800 SF. Mr. Weissman agreed with the total dwelling are of 3800 SF. Mr. Holland said 3800 SF is depicted accurately on the architectural plan.

Mr. DiScola said the garage has been reduced by 1.5' and a small portion of the rear of the house has been reduced by 6". The garage is 1,011 SF.

Chairman Ruebenacker asked if there were any comments of the Board regarding the 10/2/2015 landscape plan. Mr. Weissman said the sides and rear of the house have been screened with evergreens and foundation plantings along the rear of the garage.

Vice Chairman Fry said the Board is noting a reduction in the gross building area from 5,625 SF to 4,811 SF. He said the body of the house is 3,800 SF. Mr. DiScola said the main part of the house is the same footprint of the existing house except the garage has been added to the front of the house. The house is 100' from the front yard setback and the height of the house has been reduced 2.2'.

#### OPEN TO THE PUBLIC

No one appeared.

#### CLOSED TO THE PUBLIC

Chairman Ruebenacker thanked Mr. DiScola for his cooperation with the Board with regards to landscaping and reducing the size of the house.

Board Member Shanley made a motion to deny this application. Second, Board Member Borst. Voting in favor of denial: Mr. Shanley, Mr. Kalpagian, Mr. Hubert, Mr. Borst and Chairman Ruebenacker. Voting to approve: Mr. Tanis and Vice Chairman Fry. Chairman Ruebenacker said this application is denied based on the undersized 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*).

Mr. Matthew DeMaria, the applicant's attorney and Xiomara Paredes, the applicant's architect, were present.

Marked as identification was the following exhibit:

A-2 Application package with a revision date of 9-29-15

Ms. Xiomara Paredes, 240 Rock Road, Glen Rock, NJ was sworn. She said that seven (7) design changes were made to the revised plan. They are as follows: enhanced side yard setback which is now required due to the gross building area being increased from 3,659.2 SF to 3,770.4 sf which exceeds the maximum of 3,700 SF; principal building height was decreased to 28.9'; the right side gable/hip roof pitch was reduced; left side roof condition was turned; front gable pitch and front gable plate height were reduced and the square footage of the second floor was reduced. She added that additional trees will be planted on the property line on the left side of the house for privacy.

Board Member Borst asked what the height is on the left side from ground to second floor soffit. Ms. Paredes said it is 20'. Chair Ruebenacker ask why the second floor could not be stepped in

by 2'. Ms. Paredes said these wall are the bearing walls. Board Member Tanis asked why the gross floor area is now over 3,700 SF which triggers the enhanced side yard variance request. Chair Ruebenacker said the Board is struggling with the 10' side yard setback where 20' is required and due to the enhanced side yard setback 25' is now required. Vice Chair Fry said he likes the design of the house and that the applicant is using the existing foundation. However, the hardship variance is now compounded since the gross building area has increased and the applicant is now requesting a 15' side yard variance instead of the original 10' request which is existing.

Mr. DeMaria said this application can be continued and a new plan can be resubmitted which addressed the square footage of the house.

Board Member Borst said the foundation planting is adequate and there is no room to do a privacy planting along the entire property line.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

The Board suggested that the applicant reduce the gross floor area of the house by 70.4 SF. Township Engineer DiGennaro also suggested that the utilities be placed underground and the AC units be placed in the rear of the house. This application has been carried to the Thursday, November 19, 2015 regularly scheduled meeting.

**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).*

Craig Degelman, 11 Ward Avenue, Wyckoff, NJ, the applicant and Mr. Frank Hall, the applicant's architect were present and had been previously sworn at the September meeting. Mr. Hall said the revisions consist of the following: the accessory side yard setback has been increased from 5 to 7'; the size of the garage has been reduced from 22' to 18' in width; the lot coverage has been decreased to 22.4% where 20% is required; impervious coverage has been reduced to 47.3% where 45% is required; the rear garage door has been changed to French doors and the front garage door went from a double door to a single door with a man door. Vice Chairman Fry asked the applicant to explain the right side wall. Mr. Hall said an existing fieldstone wall currently exists and the applicant proposes to add a new fieldstone wall to connect with the existing wall.

Board Member Borst asked Mr. Hall to explain the gravel path and also asked what the overall grade change will be. Mr. Hall said the gravel path is to be used to traverse the rear of the property when the grass gets slippery. He said the overall grade change will be 8 feet.

Chair Ruebenacker asked the applicant to explain the landscaping plan. Mr. Degelman said he will be planting 10 to 11 arborvitae which will be 5' to 6' in height. He will also plant American boxwoods along the perimeter of the property.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Board Member Borst made a motion to approve this application as presented. Second, Board Member Kalpagian. Voting in favor: Mr. Shanley, Mr. Kalpagian, Mr. Tanis, Mr. Hubert, Mr. Borst, Mr. Fry and Chairman Ruebenacker.

**APPLICATION(S) – NEW**

**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).*

Chris Moore, 441 Clinton Avenue, Wyckoff, NJ was sworn. He explained to the Board that he had purchased this property with an approved plan with a driveway coming off of Quackenbush Avenue and through the rear yard to the garage. He is before the board to ask permission to change the driveway from Quackenbush Avenue to Clinton Avenue which will increase the rear yard on this corner lot. Board Member Borst said this makes sense to move the driveway. Board Member Shanley said there are beautiful arborvitaes planted along the property line on Quackenbush Avenue.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Vice Chairman Fry made a motion to approve this application as presented. Second, Board Member Hubert. Voting in favor: Mr. Shanley, Mr. Kalpagian, Mr. Tanis, Mr. Hubert, Mr. Borst, Mr. Fry and Chairman Ruebenacker.

**ROTOI, TANIA** BLK 263 LOT 30 (R-15); 206 Franklin Avenue. *(The applicant proposes to demolish the existing structure and construct a new 5,056 sf single family home which will exceed the gross building area of 2,700 sf and will trigger the enhanced side yard setback requirement of 20 feet where 15 feet is proposed requiring a variance application).*

Bruce Whitaker, from the law firm of McDonnell & Whitaker, the applicant's attorney and Demetrios Kaltsis, the applicant's architect, were present.

Mr. Whitaker said the applicant would like to demolish the existing home and construct a new home. He said the deficiency is the lot width of 82.44' where 100' is required and the applicant proposes to maintain a 15' side yard setback on each side of the property where 20 feet is required due to the enhanced side yard setback requirement since the proposed structure exceeds the gross floor area. He said a non-conforming garage will be eliminated and this new home will be in keeping with the character of the neighborhood. The home will be setback 50' where 40' is required. A 3' foundation planting will be planted in the front of the house and the AC units will be put in a conforming location.

Marked as identification at this time was the following exhibit:

A-1 Application package

Demetrios Kaltsis, 901-80<sup>th</sup> Street, North Bergen, NJ was sworn. He said he received his Bachelor of Science degree in Architect from NJIT and is a registered architect in New York and New Jersey since 2005. The Board accepted Mr. Kaltsis' credentials. Mr. Kaltsis said the

applicant proposes to demolish the existing house and garage and construct a 5,066 square foot house which will be setback 48' from the front property line with a brick paver circular driveway and a patio in the rear yard. The drainage will be improved on site with the installation of 2 seepage pits in the front yard. The property will be landscaped with a line of maple trees in the front yard, screening along the property line and a foundation landscaping strip in the front of the house. The house will be finished with hardiplank with a base of cultured stone veneer. He said the total principle building coverage is at 11.42% where 15% is allowed.

Chair Ruebenacker suggested the applicant consider increasing the side yard setbacks from 15' to 20' which will be conforming. Board Member Tanis said windows will need to be added to the rear of the garage to soften the look of the garage. Board Member Kalpagian said that since this application is a knockdown and rebuild the width of the proposed house is 52' and that the house could be reduced in width to be conforming to the side yard setbacks. Board Member Borst said plantings will be required for privacy screening. Vice Chair Fry said the Board is struggling with this application since this massive house will be encroaching into the side yard setbacks. Chair Ruebenacker advised the applicant to redesign the house and carry this application to the next month's meeting.

#### OPEN TO THE PUBLIC

No one appeared.

#### CLOSED TO THE PUBLIC

The Board unanimously agreed to carry this application to the Thursday, November 19, 2015 regular scheduled meeting.

**280 KMCM, LLC** BLK 214 LOT 36 (RA-25); 280 Central Avenue. *(The applicant proposes to construct an addition to the rear of the existing single family home and expand the existing garage and an addition to the second floor which will encroach into the side yard setback).*

Bruce Whitaker, from the law firm of McDonnell & Whitaker, the applicant's attorney and Eric Kiellar, Blueline Architect, the applicant's architect were present. Mr. Whitaker said this application is before the Board to add a 2 car garage which, due to the lot frontage deficiency, is requesting a variance for 8' where 20' is required. The applicant would like to upgrade this structure and create a better streetscape

Eric Kiellar, Blueline Architect, 397 Franklin Avenue, was sworn. He said he is a licensed architect since 2001. The Board accepted his credentials. Mr. Kiellar explained the existing conditions and said the applicant would like to add an addition to the existing house to create a model 2,800 SF house with a 2 car garage. He said that principal building lot coverage will remain below the 15% maximum by 13.2%.

Marked as identification at this time were the following exhibits:

- A-1 Revised site plan dated 9-28-15
- A-2 Photograph of property in question
- A-3 Photograph of property in question
- A-4 Photograph of property in question
- A-5 Landscape plan

Mr. Kiellar said that 6 trees will be removed, foundation and privacy plantings along the side yard will be planted and a modest blue stone walkway will be installed. Mr. Whitaker said the

applicant would like to have a 2 car garage. Board Member Shanley asked if the application would consider a 1 ½ car garage which would reduce the side yard variance request. Mr. Kiellar said the main objective is to get the cars in a garage which is 19 ½ feet wide with a 16 door where a standard garage is 24' x 24'. Township Engineer DiGennaro questioned the width of the neighbor's house from the property line. Mr. Kiellar said the neighbor is 8' from the property line.

Marked as identification were the following alternative exhibits:

- A-6 Alternative plan
- A-7 Alternative plan
- A-8 Alternative plan

Mr. Kiellar explained the 3 alternative plans to the Board which showed that the current proposal is the most efficient proposal. Vice Chair Fry said the proposal 8' setback is not an option. He said it was nice that the applicant brought options however the applicant will need to consider other options.

#### OPEN TO THE PUBLIC

Andrew Shey, 276 Central Avenue, Wyckoff, NJ was sworn. He said that he is the homeowner to the left of the subject property and will be impacted by the 8' side yard setback. He said all of the houses have a certain look on this block with garages in the rear yard and by putting a front loading garage it is going to change the character of the neighborhood. Mr. Kiellar said the applicant could construct a 1 ½ car garage and reduce the side yard setback to 13. He said the applicant would like the one story garage in the front yard and that the side yard setback would be buffered with landscaping. Chair Ruebenacker and Board Member Tanis said a 1 ½ car garage would be acceptable and would have less impact on the neighbor.

Ken Martone, 290 Central Avenue, Wyckoff, NJ, was sworn. He said he did not see the hardship of granting this variance. He said the garage behind the house is much more acceptable.

Brian Latz, 279 Central Avenue, Wyckoff, NJ was sworn. He said that all the homes on this block are non-conforming in setback and none of the house have 2 car garages and wide driveways. He said this property has a deep lot and a 2 car garage would fit better in the rear yard.

#### CLOSED TO THE PUBLIC

Chair Ruebenacker suggested that the applicant return next month with a one car garage option or moving the garage to the rear of the house.

The Board unanimously agreed to carry this application to the Thursday, November 19, 2015 regular scheduled meeting.

**BURLESON, JOSEPH & SUSAN** BLK 352 LOT 30 (RA-25 CORNER); 377 Heights Road. *(The applicant proposes to construct a one story addition which will encroach into the front yard setback).*

Susan Burleson, 377 Heights Road, Wyckoff, NJ and architect Richard Bouchard, the applicant's architect were present. Mr. Bouchard was sworn and stated that he is a licensed architect in NJ, NY and NC. He said he has appeared before zoning boards in Bergen County.

The Board accepted his credentials.

Mr. Bouchard said the applicant would like to take the existing exterior space in the rear of the house and square it off in order to make this area part of the interior of the house. The existing kitchen would be moved to this area and made larger. The 2 variances requested are for the front yard setback on Merlin Place of 31.13' where 40' is required on this corner lot and also for principle building lot coverage where 17.78% is provided and 15% is the maximum required.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

Vice Chairman Fry made a motion to approve this application as presented. Second, Board Member Hubert. Voting in favor: Mr. Shanley, Mr. Kalpagian, Mr. Tanis, Mr. Hubert, Mr. Borst, Mr. Fry and Chairman Ruebenacker.

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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 11:12 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary  
Wyckoff Board of Adjustment