

**WYCKOFF ZONING BOARD OF ADJUSTMENT
APRIL 21, 2016 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 April 21, 2016 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; Carl Fry, Vice Chairman; Mark Borst; Brian Hubert; Ed Kalpagian; Tim Shanley; Brian Tanis, Alt.; Rich DeLeo, Alt.

Board Member Absent: Susan Yudin

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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Chairman Ruebenacker announced that the 420 West Main Street, LLC application has been postponed and will be carried to the May 19, 2016 public hearing meeting at the request of the applicant.

OLD BUSINESS

APPROVAL OF MINUTES

March 17, 2016 work session/public business meeting

Vice Chair Fry made a motion to approve the March 17, 2016 work session/public business meeting minutes. Second, Board Member Shanley. Voting in favor: Mr. DeLeo, Mr. Tanis, Mr. Shanley, Mr. Hubert, Mr. Borst, Mr. Fry and Chairman Ruebenacker.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #16-04- Approval of vouchers from various escrow accounts.

Board Member Hubert made a motion to approve Resolution #16-04 for vouchers for payment. Second, Vice Chair Fry. Voting in favor: Mr. DeLeo, Mr. Hubert, Mr. Kalpagian, Mr. Tanis, Mr. Shanley, Mr. Borst, Mr. Fry and Chairman Ruebenacker.

RESOLUTION(S) TO BE MEMORIALIZED

PIRRMANN, LAUREN BLK 269 LOT 14 (RA-15 CORNER); 91 Edison Street. *(The applicant proposes to increase the footprint of the first floor and add a second level addition which will trigger the enhanced side yard setback ordinance).*

Board Member Borst made a motion to memorialize this resolution. Second, Board Member Hubert. Voting in favor: Mr. DeLeo, Mr. Hubert, Mr. Tanis, Mr. Shanley, Mr. Borst, Mr. Fry and Chairman Ruebenacker.

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Board Attorney Becker said the CHCC application for the Vista has not received county approvals both in Passaic and Bergen counties since this property is located in both the Borough of Hawthorne and the Township of Wyckoff. Therefore, the applicant’s attorney, Mr. Vogel, is requesting an extension of time for the variance request since neither of the County Planning Board approvals have been obtained with the one (1) year period of the Wyckoff resolution dated June 18, 2015 and Hawthorne resolution dated July 20, 2015. Chair Ruebenacker said he would like the dates of when the application was submitted to the Bergen County Planning Board and Passaic County Planning Board. The Board unanimously recommended that the applicant submit a letter requesting an extension of time for one year and this letter will be placed on the next Board of Adjustment agenda.

FOR INTERPRETATION

BERGEN COUNTY’S UNITED WAY/MADELINE HOUSING PARTNERS BLK 238 LOT 2 (B1A); 370 Clinton Avenue. *(The applicant, a non-profit corporation, proposes to develop this property for a multi-family community residence consisting of a four bedroom unit, 2 2-bedroom units and a studio unit for adults with developmental disabilities. The applicant seeks a determination that the proposed community residence is a permitted use in the B1A zone).*

Board Attorney Becker said the applicant is seeking legal interpretation and opinion of the Board as to determine the appropriate venue for the application for a community residence containing four separate living units. Chair Ruebenacker said the attorney for the applicant will present his testimony at the public hearing as to whether this application should proceed before the Planning Board for site plan approval or Zoning Board of Adjustment for a use variance/site plan approval as to the state statute for a community residence.

APPLICATION(S) – CARRIED

765 WYCKOFF AVENUE, LLC (STONE HOUSE NURSERY) BLK 204 LOT 11 (RA-25 CORNER); 765 Wyckoff Avenue. *(The applicant proposes to install a propane filling station and installation of shade structure over a portion of the area where nursery products are located).*

Chair Ruebenacker said that the 765 Wyckoff Avenue, LLC application will be opened to the public for general comments this evening.

APPLICATION(S) – NEW

DAMIANI, NICHOLAS & LISE BLK 443 LOT 1 (RA-25 CORNER); 768 Hickory Hill Road. *(The applicant proposes to redirect the driveway from Squawbrook Road to Hickory Hill Road for safety which will exceed impervious coverage).*

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 front yard setback. In the interest of safety, the applicant proposes to relocate the existing driveway access from the Squawbrook Road side to the Hickory Hill Road side due to safety and vehicular visibility when exiting the driveway. The resultant proposal increases the impervious coverage for the lot of 32.27% where 28.5% is permitted. Mr. DiGennaro added that the applicant is proposing 2 - 500 gallon seepage pits at the top of the driveway where one seepage pit already exists. He said the water will be managed in an effective manner and that the tree removal is minimal since the applicant is interested in preserving trees. Board Member Borst noted there is a retaining wall in the front yard approximately 1 ½ ' in height. Mr. DiGennaro said the proposed modular wall will be less than 4' in height in which case the wall will not require a professional engineer to deem it stable.

DOICK, JONATHAN BLK 462 LOT 68 (RA-25 162 Wyckoff Avenue. *(The applicant proposes to add an addition to the first floor and renovate the second floor providing rooms with full height ceilings and also enlarge the existing detached garage. Both additions which encroach into the side yard setbacks due to the unique shape of the property).*

Township Engineer DiGennaro said the existing single family dwelling is situated in the RA-25 zone and is non-conforming due to frontage, front yard and side yard setbacks. The applicant is seeking relief from the code to construct a second story requiring variance relief for side yard setback. The applicant is also proposing a variance free addition to the detached garage. A storm water management plan is not required for this application, however, the applicant has voluntarily provided an engineered proposal which satisfies Township Code design criteria. The unique pie shaped property is served by sanitary sewer. Board Member Borst noted that a landscape plan has not been provided and was concerned with the existing foundation plants being damaged during construction. He asked how the engineer is going to know what the existing plants are if they are damaged during construction. Mr. DiGennaro said the applicants supply the board with photographs of the house during the submittal of their application before the Board. Chairman Ruebenacker said the applicant is over the Gross Building Area (GBA) by 5 square feet which is triggering the 25' side yard setback requirement. Mr. DiGennaro said if they removed 5 square feet from the house the setback would be reduced to 20' and the variance request would be for 4'.

INFANTOLINO, ANTHONY BLK 230 LOT 3 (RA-25) 548 Old Woods Road. *(The applicant proposes to add a level to the existing home which will increase the gross building area. The existing side yard setback of 16.63 will remain).*

Township Engineer DiGennaro said the applicant is seeking to expand and renovate the existing non-conforming single family home located in the RA-25 zone. The existing structure is non-conforming due to lot area and impervious coverage. The only new variance required results from the gross building area triggering the enhanced side yard setback for the existing structure. A stormwater management plan is not required and the proposal does not increase the structure footprint as it is strictly a second story addition. Chair Ruebenacker struggles with the 25' side yard setback to the second story and noted that the second floor could be stepped in. Board Member Borst noted that a landscaping plan had not been provided just a letter stating that if the existing landscaping is damaged during construction it will be replaced with the same kind.

BAYKOWSKI, ROBERT BLK 310 LOT 1 (RA-25); 530 Carlton Road. *(The applicant proposes to expand the existing house with a second floor addition and first floor front and rear addition which will exceed gross building area and encroach into the side yard setback).*

Township Engineer DiGennaro said the applicant is seeking to expand and renovate the existing non-conforming single family home located in the RA-25 zone. The existing structure is non-conforming due to side yard setback. The expansion requires variances for enhanced side yard setback, three story and height. A storm water management plan is not required. The overall impervious coverage is 17.6 % where a maximum of 28.5% is permitted. Chairman Ruebenacker said this is a sizable structure where 25' is a required side yard setback. He recommended that the house be reduced in size on the second floor. Board Member Borst said he is not in agreement with the proposed landscaping plan.

FOX, MICHAEL & AMY BLK 345 LOT 9 (RA-25); 456 Florence Avenue. *(The applicant proposes to add a master bedroom/bath, porch & mudroom addition which will increase the gross building area and therefore increase the side yard setback requirement).*

Township Engineer DiGennaro said the applicant is seeking to expand the existing conforming single family home located in the RA-25 zone. The expansion of the structure will increase the gross building area and trigger the enhanced side yard setback required. A Stormwater management plan is not required. The overall impervious coverage is 22.6 % where a maximum of 28.5% is permitted. Chair Ruebenacker said the Gross Building Area (GBA) is 4,500 square feet. He asked if this size structure would fit in this neighborhood. Board Member Borst requested that a landscaping plan be provided.

420 WEST MAIN STREET, LLC BLK 224 LOT 5.01 (L1); 420 West Main Street. *(The applicant proposes to construct a 38 car parking lot and a dumpster area and also install a 24 square foot sign illuminated with external solar power lighting).*

This application has been carried to the May 19, 2016 public hearing meeting at the request of the applicant.

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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 8:18 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment