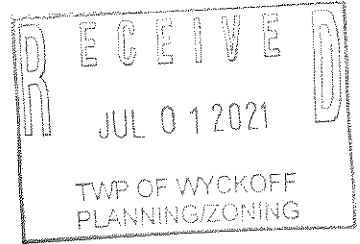


**TOWNSHIP OF WYCKOFF
BERGEN COUNTY, NEW JERSEY**

APPLICATION IS HEREBY MADE FOR:

- () Appeal from Building Officer based on or made in the enforcement of the Zoning Ordinance. N.J.S.A. 40:55D-70a
- () Zoning map interpretation N.J.S.A. 40:55D-70b
- (X) Hardship variance N.J.S.A. 40:55-70c-1
- () Flexible variance N.J.S.A. 40:55-70c-2
- () Variance for use or principal structure N.J.S.A. 40:55D-70d-1
- () Expansion of a nonconforming use N.J.S.A. 40:55D-70d-2
- () Deviation from standard of conditional use N.J.S.A. 40:55-70d-3



PROPERTY HISTORY:

A. Owner: G.S.A., LLC
Address: 511 Goffle Road, Wyckoff, New Jersey 07481
Telephone: 201-251-6608
Applicant name (if other than owner): G.S.A., LLC & Private Prep New Jersey, LLC
Address: _____
Telephone: _____

B. Property Description:
Location: 511 Goffle Road, Wyckoff, New Jersey 07481
Zoning district: B-1 Block: 498 Lot: 104.01
Existing use of building or premises: Kitchen and bath design center

C. Type of variance requested: C-1 See Addendum attached

D. The variance requested is for the purpose of: Parking variance to permit 1,167 s.f. of existing space to be used for tutoring facility which is a permitted use. See Addendum attached

E. Does the attached survey reflect the property as it presently exists? Yes X No _____
If no, explain _____

F. Is the property sewerred or septic? Sewered Locate on survey.

G. Is this request connected with the simultaneous approval of another application before a Township board?
Yes _____ No X
If yes, explain _____

H. Have there been any previous applications before a Township board involving the premises: Yes X No _____
If yes, state the date and disposition: See Resolution attached

I. If this application is for an appeal of a decision of the Building Officer or a zoning map interpretation, explain the appeal or question:

ALL APPLICANTS COMPLETE SECTION J

No Change to Existing Conditions

J. ZONING DISTRICT - B-1

DIMENSIONS

	Zoning Requirement	Present Layout	Proposed Layout	**See Note
1. LOT SIZE (sq. ft.)	6000 min.	37588	N/C	()
Frontage	100 min.	+100	N/C	()
Depth	100 min.	N/A	N/C	()
2. SETBACKS (Corner Lot)				
Principal Building				()
Front Yard (#1) (ft.)	_____ min.	_____	_____	()
Front Yard (#2) (ft.)	_____ min.	_____	_____	()
Rear Yard (ft.)	_____ min.	_____	_____	()
Side Yard (ft.)	_____ min.	_____	_____	()
2. SETBACKS (Interior Lot)				
Principal Building				()
Front Yard (#1) (ft.)	25 min.	25	N/C	()
Rear Yard (#2) (ft.)	20 min.	22	N/A	()
Side Yard (ft.)	N/A min.	_____	_____	()
* Accessory Structure(s) (deck, garage, shed, pool, etc.)		(Attach a separate sheet if necessary).		
Rear Yard (ft.)	_____ min.	_____	_____	()
Side Yard (ft.)	_____ min.	_____	_____	()

*ALL ACCESSORY STRUCTURE SETBACKS SHOULD BE INDICATED ON SURVEY

3. BUILDING AREAS (footprint)				
Principal Building (sq. ft.)	6663	N/C	
Accessory Structures (sq. ft.)	LIST			
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
4. LOT COVERAGE				
A. Principal Building (%)	75% max.	17.3%	N/C	()
B. Total Access. Structures (%)	_____ max.	_____	_____	()
C. Total (%) (A & B)	_____ max.	17.3%	_____	()
5. DWELLING AREA (Total sq. ft.)	_____ min.	_____	_____	()
First Floor	_____	_____	()
6. BUILDING HEIGHT (ft.)				
Number of stories	35' max. 2.5 stories	30'	N/C	()
7. IMPERVIOUS COVERAGE				

Calculation:

For lots over 25,000 sq. ft., the maximum allowable impervious coverage shall be 28.5% of the lot area. For lots between 10,000 and 25,000 sq. ft., the maximum allowable impervious coverage shall be equal to 45 divided by the square root of the lot area. Lots less than 10,000 sq. ft., the maximum allowable impervious coverage shall be 45% of the lot area.

	Sq. ft.		Space reserved for calculation
▪ Structures/Buildings	6485		
▪ Driveways (paved or gravel)	17,450		
▪ Patios and/or paved areas	_____		
▪ Walkways and brick pavers	2,497		
▪ Tennis Court	_____		
▪ Swimming Pool Water Surface	_____		
▪ Decks w/o free drainage	_____		
TOTAL IMPERVIOUS COVERAGE:	26,481	Calculated % = 70.4%	()

**NOTE: MARK (X) WHERE NOT IN CONFORMANCE WITH ZONING N/C

K. OTHER REQUIREMENTS

1. PARKING: Spaces required 54 provided 48
Actual area to be utilized (each floor): _____

Comments: _____

Buffer required No change to current conditions

Buffer provided _____

Comments: _____

2. SIGN: (Also fill out separate Application for Sign Construction Permit)

Dimensions: _____

Height: _____

Location: _____

Lighting: _____

Setbacks: _____

3. FENCE:

Height: _____

Style: _____

Location: _____

IF APPLICATION IS FOR A HARDSHIP OR FLEXIBLE VARIANCE, COMPLETE SECTION L

L. 1. How will the benefits of the proposed application outweigh any detriments? _____
See Addendum attached

2. What are the exceptional circumstances or conditions applicable to the property involved or to the intended use of development of the property that do not apply generally to other properties in the same zone or neighborhood?

3. Explain what efforts have been made by the applicant to acquire adjoining lands so as to reduce the extent of the variances or eliminate such?

4. State how the proposed variance:

a. Will not cause substantial detriment to the public good _____

b. Will not substantially impair the intent and purpose of the zoning plan and ordinance _____

IF APPLICATION IS FOR A USE VARIANCE, COMPLETE SECTION M.

M. 1. Explain how the proposed use can be granted without substantial detriment to the public good or how the proposed use would tend to minimize the discordant effect of the use, be less harmful to adjacent properties or tend to bring the use into closer conformity with the zoning ordinance.

N/A

2. Explain how the proposed use can be granted without substantially impairing the intent and purpose of the zoning plan and the zoning ordinance.

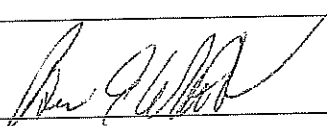
3. List any "special reasons" related to the request.

4. List any "hardship" related to the nature of the land and/or the neighborhood which presents reasonable utilization of the property for any permitted use.

N. Itemize material accompanying application:

<u>Item</u>	<u>Number submitted</u>
1. Amended Grading Plan prepared by Conklin Associates	
2. Building Signage Plan	
3.	
4.	
5.	

Signature of Applicant: _____



Signature of Owner(s): Bruce E. Whitaker, Esq,
Attorney for Owner/Applicant

Date of Application: _____

ADDENDUM TO VARIANCE APPLICATION

This Addendum is in regards to the variance application that is now being submitted as an attachment to the Amended Site Plan Application submitted on March 31, 2021. The Applicant, G.S.A., LLC has entered into a Lease Agreement with Private Prep New Jersey, LLC which is an academic tutoring service. The Property is located at 511 Godwin Avenue, Wyckoff, NJ and is in the B-1 Central Business Zone which permits a tutoring service. This service provides tutoring for all ages. The pertinent aspects of this tutoring service are as follows:

A. The maximum number of employees at any given time will be 5 but the majority of the time it will be 3 or less.

B. The maximum of students at any given time would be 15 on a Saturday or Sunday but not on weekdays.

C. Much of the tutoring service is based on tutor going to a person's home from this location rather than a student coming to the location.

D. For those students being tutored at this location, it is basically a drop off and pick up of the children. There is not area to accommodate parents to stay. It is rare for a student to drive to the facility because the majority of the students being tutored are under the age of 17.

E. During weekdays, there is generally no more than 3 students at any given time because most of the tutoring during weekdays occurs with the tutor going to the student's home rather than the student coming to the facility.

There are 48 parking spaces on the site. The retail space consists of 5,317 square feet which at 1 space per 250 square feet equals 27 spaces required. The tutoring space is 1,167 square feet which at 1 space per 100 square feet equals 12 spaces. The total first floor requirement is 39 spaces.

The second floor is 3,849 square feet of gross area. It is all used for office space. At 1 space per 250 square feet, the requirement is 15 spaces.

rather than tutoring service working from an office and going off site. As previously stated, the majority of students coming to the facility are on weekends when other uses in the building are not operating.

It is the Applicant's position that variance relief can be granted under NJSA 40:55D-70(C)(1). There is lawfully existing parking previously approved at 48 spaces. There is no ability to add any parking. There is no expansion of the building itself. The small area that is proposed for this tutoring service can properly be accommodated on the site based upon the specific circumstances of how this tutoring service operates. There will be no detriment to the overall Zone Plan or Zoning Ordinances of the Township of Wyckoff in granting this variance relief to permit a deficiency of 6 parking spaces to exist for the uses currently on the site and as proposed. There has been an abundance of parking on this site since the original occupancy of the building. Based upon recent events, retail space is no longer as viable as it once was and it is customary for the service oriented uses to now occupy retail space in order to keep a retail/office building economically viable.

The Applicant also seeks approval for a sign that will basically be a reader board to list the tenants in the building. The Applicant proposes a sign that will be conforming in all respects to the Zoning Ordinance. The lighting will be indirect and the sign will not be lit from within.

Name: G.S.A., LLC & Private Prep New Jersey, LLC
 Address: 511 Goffle Road, Wyckoff, New Jersey 07481
 Block 498 Lot 104.01 Date: June 17, 2021

E
VARIANCE
REVIEW

SECTION 46-40 COMPLETENESS OF APPLICATIONS

SECTION 1 – Section 46-40. Completeness of Applications.

E. NO APPLICATION FOR VARIANCE APPROVAL SHALL BE DEEMED COMPLETE UNLESS THE FOLLOWING ITEMS, INFORMATION AND DOCUMENTATION, WHERE APPLICABLE, ARE SUBMITTED TO THE ADMINISTRATIVE OFFICER:

Yes/ No

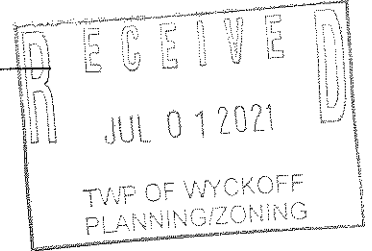
- | Yes/ | No | |
|-------|-------|--|
| (/) | () | (1) Sixteen (16) copies of accurate survey showing the property and the location of all buildings existing and proposed, and their setbacks from property lines. |
| (/) | () | (2) Sixteen (16) copies of site plans submission details, where required by the Board of Adjustment or by ordinance. |
| () | (/) | (3) Sixteen (16) copies of the complete building exterior and elevation drawings of the proposed structures or buildings. <i>N/A</i> |
| () | () | (4) Sixteen (16) copies of drawings of interior floor plan layout for proposed structure or buildings and adjoining rooms. <i>N/A</i> |
| () | (/) | (5) Sixteen (16) copies of photographs of existing structures, topographical features and structures on adjoining properties. <i>N/A</i> |
| () | (/) | (6) Sixteen (16) copies of distances from existing and proposed buildings on the property to buildings and structures on adjacent lots. <i>N/A</i> |

No change to what exists

TOWNSHIP OF WYCKOFF
BERGEN COUNTY, NEW JERSEY

APPLICATION FOR SITE PLAN APPROVAL

Date filed _____ Fee _____ Block 498 Lot(s) 104.01



A. APPLICATION IS HEREBY MADE FOR:

- _____ Minor site plan
- _____ Preliminary/final major site plan
- X _____ Waiver, modification or amendment of an existing site plan
- _____ Fence permit

B. OWNER: G.S.A., LLC

Tele # 201-251-6608

Address: 511 Goffle Road, Wyckoff, New Jersey 07481

Applicant's Name (if other than owner):

G.S.A., LLC & Private Prep New Jersey, LLC

Tele# 201-251-6608

Address: 511 Goffle Road, Wyckoff, New Jersey 07481

Name and address of person presenting application:

Name: Bruce E. Whitaker, Esq. McDonnell & Whitaker, LLC

Profession Attorney

Address: 245 E. Main Street, PO Box 379, Ramsey, NJ 07446

Tele # 201-934-0110

Name of development: _____

C. PROPERTY DESCRIPTION

Location: 511 Goffle Road, Wyckoff, New Jersey 07481

Zone: B-1

Lot size: 37,588 s.f.

Tax Map #: 55

Block 498

Lot(s) 104.01

Size of building in square feet: 7100 s f

Stories: 2

D. YARD DIMENSIONS – PROPOSED DEVELOPMENT APPLICATION

Zone: B-1 Minimum lot requirements: Area (sq. ft.): 6000 s.f.

Frontage: 25' Depth: 100'

Proposed yard dimensions: Principal building Front 25' Rear 20'

Side: One 30' Both 60'

Accessory buildings: Rear N/A Side _____

Maximum building height: Stories 2 Feet 30'

Minimum habitable floor area per dwelling unit _____

Maximum lot coverage 70%

Principal building %: 18.9% Principal & accessory building %: 18.9%

E. IF APPLICATION IS FOR WAIVER, MODIFICATION OR AMENDMENT OF AN EXISTING SITE PLAN, EXPLAIN REQUEST: See Addendum attached

F. PROPOSED LAND USE: Request for modification to conditions in Resolution

G. DESCRIPTION OF PROPOSED OPERATIONS, INCLUDING DAYS AND HOURS OF OPERATION: _____

See Addendum attached

H. IF PROPOSAL IS FOR RESIDENTIAL CONSTRUCTION, STATE NUMBER OF DWELLING UNITS AND TYPE OF OWNERSHIP: N/A

I. ESTIMATED COST OF CONSTRUCTION: N/A

J. ARE ANY DEED RESTRICTONS APPLICABLE TO THE PROPOSED USE KNOWN OR CONTEMPLATED? Yes _____ No X If yes, attach copy.

K. IS DEDICATION OF LAND FOR ROAD OR OTHER REASON REQUIRED? Yes _____ No X
If yes, complete the following:

Name of roads: _____
Number of feet: _____ Remarks: _____

L. PREVIOUS ACTION BY PLANNING BOARD: Date 10/14/09 Details: Major site plan approval granted by Wyckoff Planning Board, Resolution adopted 11/9/09

Amendment requested: See Addendum attached

M. DOES THIS DEVELOPMENT PLAN INCLUDE OR REQUIRE A SIMULTANEOUS APPLICATION FOR ANOTHER TOWNSHIP APPROVAL? Yes _____ No X
If yes, state type of additional approval being sought: _____

N. LIST OF MAPS AND OTHER MATERIAL ACCOMPANYING THE APPLICATION AND THE NUMBER OF EACH ITEM:

ITEM	NUMBER
1. Amended Grading Plan prepared by Conklin Associates	
2. Building Signage Plan	
3. _____	
4. _____	
5. _____	

O. DOES THE FINAL PLAT FOLLOW EXACTLY THE PRELIMINARY PLAT IN REGARD TO DETAILS AND AREA COVERED? Yes _____ No _____

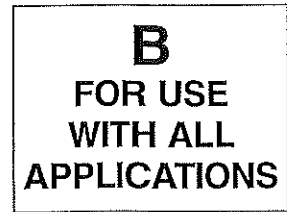
If no, indicate changes: _____

P. SIGNATURE OF APPLICANT: [Handwritten Signature]

SIGNATURE OF OWNERS: _____

DATE OF APPLICATION: _____

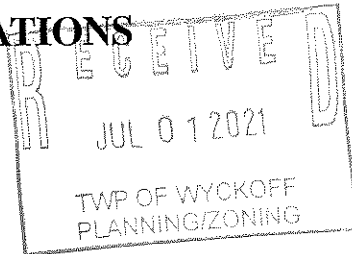
Name: G.S.A., LLC
 Address: 511 Goffle Road, Wyckoff, New Jersey 07481
 Block 498 Lot 104.01 Date: _____



SECTION 46-40 COMPLETENESS OF APPLICATIONS

SECTION 1 – Section 46-40. Completeness of Applications.

B. DEVELOPMENT APPLICATION REVIEW CHECKLISTS.



(1) General requirements. No application for development shall be deemed complete unless the following items, information and documentation, where applicable, are submitted to the Administrative Officer.

- | Yes | No | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (a) Application form properly completed [sixteen ³ 16 copies]. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (b) Correct filing fee and escrow deposits. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (c) Filing for soil erosion and sediment control. <i>N/A</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (d) Required variance or conditional use application. <i>N/A</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (e) Certification that property tax payments and assessments are current. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (f) Proof that proper notice and publication of the application pursuant to N.J.S.A. 40:55D-12 has been made. <i>to be supplied when date established</i> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (g) Ownership disclosure statement, where required by law. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (h) Appropriate number of plat maps submitted. <i>N/A</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (i) Flood-fringe application, where required. <i>N/A</i> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (j) Landscaping Plan including the location and description of existing and proposed landscaping. Information on proposed landscaping shall include the numbers and type of any trees or plants existing on the property that are being removed as well as the common and botanical names, number of trees and/or plants, planted size and root specifications of all trees and plants to be added to the property. The plan shall include the method by which existing trees shall be protected during construction. <i>N/A - per change</i> |

B – ALL APPLICATIONS

Yes No

- () () (k) A statement from the property owner granting permission for the Board and any of its experts to enter the subject premises for purposes of inspection in relation to a development application.
- () () (l) A copy of any protective covenants or deed restrictions, if any, affecting the property in question, provided that if none exist, an affidavit from the owner certifying that no such covenants or restrictions exist shall be submitted. *None*
- () () (m) Details of all proposed retaining walls over two (2) feet in height, signed and sealed by a licensed professional engineer. *None*
- () () (n) Any additional information deemed necessary by the municipal agency. *None*
- () () (o) A grading plan prepared by a professional engineer, which indicates topography, an ingress egress stone pad adjacent to the roadway consisting of, at a minimum of 10 feet wide by 30 feet long six (6) inch deep of two (2) and one half inch crushed stone, silt fenced located adjacent to all areas of new construction or renovation, elevations, draining patterns and all proposed seepage pits and/or dry wells. In addition, the application shall include a written certification from a professional engineer certifying that there will be a zero increase in storm water runoff as a result of the project. *NO construction USING approved plan*
- () () (p) Detailed drawings depicting all existing structures and proposed structures on the site. The drawings must include all portions of existing structures which the applicant proposes to remove.

Name: G.S.A., LLC
 Address: 511 Goffle Road, Wyckoff, New Jersey 07481
 Block 498 Lot 104.01 Date: _____



SECTION 46-40 COMPLETENESS OF APPLICATIONS

SECTION 1 – Section 46-40. Completeness of Applications.

C. NO APPLICATION FOR SITE PLAN REVIEW AND APPROVAL SHALL BE DEEMED COMPLETE UNLESS THE FOLLOWING ITEMS, INFORMATION AND DOCUMENTATION, WHERE APPLICABLE, ARE SUBMITTED TO THE ADMINISTRATIVE OFFICER.

(1) Site plan submission details and requirements.

(a) Scale: one (1) inch = ten (10) feet; twenty (20) feet; thirty (30) feet; forty (40) feet; fifty (50) feet.

(b) Plan legibility: Satisfactory () Unsatisfactory ()

*- PLAN used is APPROVED
 PLAN - AMENDED
 WITH SIGN location*

- | Yes | No | |
|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (1) Sixteen ³ (16) copies of plat. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (2) Name, title, address, telephone number of applicant, owner, person preparing plan, maps and accompanying date. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (3) Place for signatures of the Chairman and Secretary of the Planning Board. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (4) Place for signature of Township Engineer. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (5) Current Tax Map lot and block numbers of the premises affected. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | (6) Date, scale, North sign and key map at one (1) inch = two hundred (200) feet scale. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (7) Zone district of premises and the zone districts of all the immediately adjoining properties. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (8) All existing/proposed setback dimensions, landscaped areas, trees over eight (8) inches, fencing, diameter size/type of planting/plan material on premises. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | (9) Existing and proposed signs, their size, type of construction. |

C - SITE PLAN REVIEW

*Using Approved plan
No new construction*

Yes No

- () () (10) Location, existing and proposed exterior lighting, including size, height, area, direction of illumination, lumen power, including building security lighting plan, isolux drawing where required. *No change*
- () () (11) Existing and proposed principal building, accessory structures with dimensions, present/ finished grade elevations, floor plans, area measurements. *No change*
- () () (12) Complete exterior building and elevation drawings of proposed structure(s).
- () () (13) The location, type, size of existing/proposed catch basins, all utilities, above and below ground.
- () () (14) The location, type, size of all existing/proposed curbs, sidewalks, driveways, fences, retaining walls, parking spaces. All off-street parking and loading areas, dimensions and schedules.
- () () (15) Location, size, type of all existing/proposed rights-of-way, easements, other encumbrances which may affect premises, location, size, description of lands contemplated for dedication to township.
- () () (16) Location, size, nature of property and contiguous property owned by the applicant or in which the applicant has direct or indirect interest.
- () () (17) Location, size, widths of all existing/proposed streets abutting premises and structures, property lines of all abutting properties with names, addresses of owners per Tax Map rolls.
- () () (18) Existing/proposed topography of site contour interval not less than two (2) feet.
- () () (19) Stormwater management plan. *M/A*
- () () (20) Soil erosion and sediment control plan. *M/A*
- () () (21) Soil removal application, where applicable. *M/A*
- () () (22) Traffic study, where required by Board. *M/A*
- () () (23) Environmental impact study, where required by Board. *M/A*

**C – SITE PLAN
REVIEW**

- | Yes | No | |
|-----|-----|---|
| () | (✓) | (24) Traffic signage and safety plan. |
| () | (✓) | (25) Design review of building plans, where required. |
| () | (✓) | (26) Escrow agreement, where required. |
| (✓) | () | (27) Description of proposed use(s) and estimated number of employees. |
| (✓) | () | (28) Any/all other information/dates necessary to meet any requirement of the Article/zoning/subdivision ordinances not listed above. |
| (✓) | () | (29) Parking stalls shall be numbered for identification and handicap stalls shall be in compliance with ADA requirements. |
| (✓) | () | (30) Compliance with ADA Code for parking spaces as to dimensions, signage, \$250 penalty placard, and striping. |
| () | (✓) | (31) Developer's Agreement, if required by the Board. <i>Not applicable</i> |

ADDENDUM TO APPLICATION

G.S.A., LLC (hereinafter referred as the "Applicant") is the owner of 511 Goffle Road, Wyckoff, New Jersey which is currently shown on the Tax Map of the Township of Wyckoff as Block 498 Lot 104.01 (hereinafter referred to as the "Property"). This address was previously 511-517 Goffle Road, Wyckoff, New Jersey but the properties were merged based upon development of the Property in 2011.

The Wyckoff Planning Board (hereinafter referred to as the "Board") granted by Resolution site plan approval and variance/waiver approval for the construction of a new commercial building on the Property. A copy of the November 9, 2009 Resolution is attached. The building has been constructed in accordance with the requirements and conditions set forth in that Resolution and it has been occupied by Peter Salerno, Inc which operates a kitchen and bath business. The original concept of the building was to afford customers a one stop shopping experience with tile, appliances, plumbing fixtures for the design of kitchens and bathrooms. Portions of the building were leased to entities that complimented Peter Salerno, Inc's kitchen and bath design and remodeling business.

The second floor of the proposed building was proposed to be used for office space including an area for the designer and a conference room for Peter Salerno, Inc. There would be tenants on the second floor that would support the existing business.

There have been tenants in the building that complimented Peter Salerno, Inc's kitchen and bath design and remodeling business and they included plumbing and appliance retailers. All of those tenants have terminated their lease and based upon current economic conditions, it is not feasible for such businesses to lease areas of the building that were previously occupied by such "accessory" tenants. Peter Salerno, Inc still occupies a portion of the building for purposes of offering services for designing and remodeling kitchens and bathrooms but the space they need is not as great as originally contemplated when the approval was granted.

The Resolution contemplated certain uses for the Property namely the kitchen design and remodeling facility with addition tenants that complimented the original use. This concept is no longer feasible. The Applicant is requesting that building be permitted to be used for all of the permitted uses set forth in the B-1 Central Business Zone. In that regard, the Applicant has entered into a Lease Agreement subject to land use approval with Private Prep New Jersey, LLC which is an academic tutoring service. This is a permitted use. This service provides tutoring for all ages. The maximum number of employees at any given time will be approximately 5 but the majority of the time it would be 3 or less. The maximum number of students at any given time would be 15 on a Saturday or Sunday but not on weekdays. The tutoring service is basically a drop off and pick of the children that are provided this service. The children are tutored in various academic skills and take practice tests. In a rare instance, there is a student who will drive to the facility. During the weekdays, there is generally no more than 3 students at any given time because most of the tutoring during weekdays occurs in the families' homes.

The Applicant is also proposing installation of a ground mounted sign as per the diagram attached to the application to properly identify multiple tenants in the building. No other modifications are proposed to the site. The exterior of the building will not be modified in any manner whatsoever and all of the existing parking will remain.

The Applicant requests amended site plan approval for purposes of modifying the prior Resolution to permit the building to be used for all permitted uses in the B-1 Central Business Zone subject, of course, to Zoning Officer's approval and issuance of any necessary permits and for purposes of permitting reader board sign to be installed on the Property.

MEMORIALIZING RESOLUTION
WYCKOFF PLANNING BOARD

GSA, LLC/PTAG, LLC
PETER SALERNO, INC.
Lot 103 and 104 Block 498
511 and 517 Goffle Road
Wyckoff, New Jersey
Zone: B1/R15

WHEREAS, the applicant and owner of the property, GSA, LLC/PTAG, LLC and Peter Salerno, Inc. located at 511 and 517 Goffle Road, Wyckoff, known as Block 498, Lots 103 and 104, on the Tax Assessment Map of Township of Wyckoff, has applied to the Planning Board of the Township of Wyckoff for approval of a major site plan, lot merger and variances for the premises described above; and

WHEREAS, the Planning Board considered this matter at the June 10, 2009, July 8, 2009, September 9, 2009 and October 14, 2009 meetings;

WHEREAS, Peter Salerno, the applicant, Bruce Whitaker, Esq., the applicant's attorney, John Mayo, the applicant's engineer and Robert Zampolin, the applicant's architect were present and sworn;

The applicant requests site plan approval and variance (waiver) approval to demolish the existing structures on both lots and to construct one new commercial building. The existing two lots will be merged into one lot and the existing non-conforming garage will be eliminated.

The proposed building will be used for retail use on the first floor and offices use on the second floor. The proposed retail space will be used for showroom purposes only. Each retailer will have its own warehouse. No deliveries will be made from the site.

VARIANCES REQUESTED

1. Parking space of 9' x 18' where 10' x 20' is required.
2. Building setback variance where 55 feet from the centerline of the road and 50 feet is proposed.
3. Rear buffer width of 10 feet where 15 feet is required. The proposed buffer is a single row with 10 feet high trees and a 6 feet fence.
4. Permit parking within the 5 feet rear buffer area.

WHEREAS, the following exhibits were marked into evidence:

- A-1 Application.
- A-2 Set of plans 6 sheets dated November 14, 2008 revised April 24, 2009.
- A-3 Building set back plan prepared by Conklin Associates dated November 18, 2008 revised April 24, 2009.
- A-4 Architectural plans prepared by Zampolin Associates.
- A-5 Stormwater Management Plan prepared by Tibor Latinesics, P.E. dated November 12, 2008.
- A-6 Landscape Plan prepared by Christopher L. Karach, Landscape Architect dated September 2, 2008 revised May 11, 2009.
- A-7 Design Review Meeting minutes dated October 7, 2008.
- A-8 Photograph of existing rear yard.
- A-9 Car center property adjacent to the left of the subject property.
- A-10 Photograph of garage of 517 Goffle Road property.
- A-11 Photograph of garage of Lot 98.

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- A-12 Four photographs of existing site conditions.
 - A-13 Photographs of existing site.
 - A-14 Copy of Bergen County Application for soil erosion and sediment control.
 - A-15 Design alternatives, dated June 17, 2009.
 - A-16 Revised plans dated June 24, 2009.
 - A-17 Lighting comparison plan dated June 24, 2009.
 - A-18 Truck turning plan dated July 1, 2009.
 - A-19 Revised set of architectural plans dated April 24, 2009.
 - A-20 Site plan with the last revision date of August 21, 2009.
 - A-21 Revised landscape plan dated July 17, 2009.
 - A-22 Stormwater Report revised August 21, 2009.
 - A-23 Letter from Conklin Associates to Michael Varner, Bergen County dated August 10, 2009.
 - A-24 Proposed Site Lighting Plan.
 - A-25 Stormwater System Maintenance Notes.
 - A-26 Site Plan revised September 21, 2009.
 - A-27 Architectural Plan revised September 15, 2009.
 - B-1 Boswell McClave Report dated March 24, 2009.
 - B-2 Boswell McClave Report dated May 6, 2009.
 - B-3 Boswell McClave Report dated June 2, 2009.
 - B-4 Township of Wyckoff Police Report dated April 3, 2009.
 - B-5 Township of Wyckoff Fire Department report dated June 14, 2009.
 - B-6 Boswell McClave report dated July 6, 2009.

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- B-7 Shade Tree Commission Report dated June 23, 2009.
- B-8 Boswell McClave Report dated August 31, 2009.
- B-9 Shade Tree Report dated August 5, 2009 inclusive of the proposed landscape plan.
- B-10 Boswell McClave report dated October 5, 2009.
- B-11 Boswell McClave Drainage Report dated October 6, 2009.

WHEREAS, on September 9, 2009, the public hearing was concluded the Planning Board deliberated and carefully considered the evidence and testimony presented.

NOW THEREFORE BE IT RESOLVED by the Wyckoff Planning Board that it hereby makes the following findings of fact and conclusions:

APPLICANT'S TESTIMONY

1. Peter Salerno was sworn and testified that he is the principal owner of GSA, LLC and Peter Salerno, Inc. He has been in the kitchen and bath business for 27 years, the last 12 years in Wyckoff. He is proposing to afford customers a one-stop shopping experience with tile, appliances and plumbing fixtures. The proposed hours of operation would remain Monday through Friday 8:00 A.M. to 5:00 P.M., Saturday 8:00 A.M. to 2:00 P.M. and Thursday evenings. Customers will visit the center, generally by appointment, place an order and the product will be shipped directly from the warehouse off site.
2. The second floor of the proposed building will be used for office space including 30%-50% for his designers and a conference room. There will be additional tenants on the second floor that would support the existing business.

3. The applicant proposes to give each tenant separate entrances. The applicant will occupy the first two (2) stores, then a tile store, an appliance store and a plumbing fixture store. The applicant estimates 5 to 6 employees for his retail space and office space.

ARCHITECT'S TESTIMONY

4. Robert Zampolin was sworn and accepted as an expert in architectural design. He is a licensed architect in the State of New Jersey.

5. The proposed building will be colonial in design and have a residential look. The applicant's retail space will be 2,700 square feet. Fire walls will be installed to separate the tenants. The northwest corner of the building will be the elevator lobby and fire stair that divides the upstairs tenants.

6. The total second floor square footage is 5,500 square feet. The applicant proposes to use 1,700 square feet of the second floor. The proposed building complies with the height requirements. The side elevation next to the car center will not have any windows installed since 3 feet separation is proposed and a 1 hour fire rated wall will be installed.

7. The application will comply with any building and fire codes.

8. The basement will have the utility lines, sprinkler main, elevator machinery and light storage for individual tenants.

9. Mr. Zampolin, previously sworn, testified on July 8, 2009 and explained the revisions to the roof line creating false dormers to enhance the rear of the building.

10. Mr. Zampolin, previously sworn, also testified on September 9, 2009, that the applicant will reduce 200 square feet of retail space and 1,250 square feet of office space. The aesthetics will remain and the parking variance will be eliminated. There will be no

more than 3 proposed tenants' on the second floor including the applicant and (4) tenants on the first retail floor for a total of (6) tenants.

11. The rear roof would be re-pitched and false dormers would be used to maintain the aesthetic roof line.

12. The architect testified to the modifications as set forth in exhibit A-27. The prior testimony is adopted herein. There are no other changes to the materials as previously testified.

ENGINEER'S TESTIMONY

13. Mr. John Mayo, of Conklin Engineering, was sworn. He is a licensed engineer in the State of New Jersey and was accepted as an expert in civil engineering.

14. The existing site consists of (2) lots 103 and 104 which the applicant proposes to merge. The existing non-conforming garage structure and house on lot 103 and the existing house on lot 104 will be demolished.

15. The proposed building will have a foot print of 7,100 square feet. It will require a side yard setback variance where 10 feet is required and 3 feet is proposed. The correct building coverage is 5.9% and the applicant is proposing 18.9% where 75% is permitted. The applicant is proposing 70% lot coverage where 80% is permitted.

16. The parking area will have a 24 feet access aisle with a 25 feet ingress and egress driveway. A loading zone is provided with 2 dumpster pads at the rear of the property. The applicant proposes 50 9' x 18' parking spaces where 58 are required. The handicap spaces will be ADA code compliant.

17. The applicant will comply and meet all Storm Water Management and water quality requirements.

18. The applicant is requesting permission to encroach into the rear buffer area by 5 feet. A 10 foot buffer will be provided and a variance necessary. The applicant further proposes one row of evergreens where 3 are required. The applicant proposes planting evergreens 10 feet in height and a 6 foot fence surrounding the property line, as provided by the plan submitted into evidence.

19. The lighting plan will be in compliance with the Township of Wyckoff Ordinance and shall be adjusted if necessary within 6 to 8 months from installation. The lighting fixtures proposed will have spill light eliminators. The light will be 15 feet in height.

20. Mr. Mayo, previously sworn, testified on July 8, 2009 as to alternative plans for the buildings and any variances associated therewith (A-15). Mr. Mayo also added that any of the proposed layouts will accommodate drainage and conform to storm water requirements.

21. An inlet has been provided by the adjoining neighbor on Lot 105. In the event, the owner does not permit this applicant to use the inlet for drainage the applicant will move the drainage inlet 3 feet within the applicant's property. The applicant will redirect the storm water to the County system in the County roadway. The storm sewer will flow through the water quality unit and then proceed down to the detention basin where it will be retained and slowly released by an outlet control structure to the existing system in Goffle Road.

22. Mr. Mayo further testified as to the existence of an 18 inch pipe for proposed storm water. The information surrounding this pipe and its origin was inconclusive.

23. Board Engineer, Peter Tenkate of Boswell McClave Engineering confirmed that the site is not increasing the flow of water to the existing pipe.

24. Mr. Mayo acknowledged that the water table is approximately 6 feet below grade.

As to buoyancy of the drainage pipe, a concrete pipe would be used and the basement would need to be pumped. The applicant will provide a detail for seepage system, inverts and places of discharge. The proposed building will also have a "back up" generator in the event of a power outage.

25. Mr. Mayo commented on the proposed lighting scheme (A-17). Nine (9) fixtures are necessary to uniformly light the site.

26. Tractor trailers for deliveries will be asked to enter the site from the northbound lane of Goffle Road when they exit off of Route 208. The truck would enter the site and back into the loading dock. The deliveries would be made in early morning hours only (A-18). Smaller trucks would not have a problem maneuvering on site. The applicant agreed to memorialize this stipulation in any Deed and lease.

27. The proposed parking lot will be entirely curbed. The surface water will be controlled and directed into the County roadway.

28. Mr. Mayo also testified that if the building was reduced by 1.75 feet creating a 6,009 square foot building the parking variance will be eliminated.

29. Mr. Mayo, being previously sworn, testified on September 9, 2009 that the lights will conform to the Township of Wyckoff Lighting Ordinance. The lights will be fitted with spill light eliminators and subject to Township review for 6-8 months after installation.

30. The maintenance of the storm water system on site will be the continuing obligation of the property owner and future property owners.

31. The neighbors' drainage concerns have been eliminated. Inlets will be placed on the northerly and southerly property line to retain any water. The parking lot and building

inlets will be sent to the detention basin located near the existing drainage pipe. A 25 feet drainage easement will be provided by the applicant.

32. The adjacent neighbor has also agreed to permit an inlet to be installed on the lot if necessary.

33. The proposed building will be relocated and placed 10 feet from the side property line eliminating the request for a side yard variance.

34. Mr. Mayo also testified to the modification set forth in A-26, building size, storm sewer to be replaced with stone encased pipe, no ponding of water will exist. The applicant will comply with zero (0) runoff as set forth in the Wyckoff Ordinance. The applicant will not have any runoff from the on site improvements enter the storm sewer system.

35. All Planning Board members voting were eligible.

36. Public hearing was opened. No one appeared.

BOARD'S FINDINGS AND CONCLUSIONS

37. The Board finds that the applicant's and expert witnesses were both credible and informative.

38. The Board finds that the proposed site plan is consistent with permitted uses in the B1/R15 zone. This application and variances can be granted without substantial detriment to the neighboring properties, the public good, or without substantially impairing the Master Zone Plan or zoning ordinance of the Township of Wyckoff.

39. Two separate lots will be merged into one conforming lot. The Township's parking ordinance is satisfied. Sufficient provisions have been met and set forth to address the surrounding buffers, lighting and aesthetics for surrounding neighbors as well

as commercial deliveries.

BE IT FURTHER RESOLVED that the Wyckoff Planning Board hereby grants approval of the proposed major site plan, lot merger and variances, by a vote of 9 in favor and 0 against subject to the following conditions, all which shall be complied with prior to the issuance of a construction permit or Certificate of Occupancy for any structure in this subdivision.

The following variances are granted:

- A. Parking space of 9' x 18' where 10' x 20' is required.
- B. Building setback variance where 55 feet from the centerline of the road and 50 feet is proposed.
- C. Rear buffer width of 10 feet where 15 feet is required. The proposed buffer is two (2) rows with 10 feet high trees and a 6 feet privacy fence.
- D. Permit parking within the 5 feet rear buffer area.
- E. The merges of lots 103 and 104 will be perfected by Deed and this resolution shall be incorporated and recorded therein;
- F. All Deed or Grants of Dedication and/or Easement, for drainage, sewers, streets or otherwise, as shown and described on the proposed subdivision, which were required to be furnished to the Township of Wyckoff or other governmental body by the applicant, as determined by the Township Engineer, if not submitted and approved prior hereto, shall be prepared by the applicant's attorney and submitted to the Township Attorney and Engineer for their approvals, with a copy thereof furnished to the Wyckoff Planning Board, all at the cost and expense of the applicant. Including any easement for

existing storm water pipe if it becomes inoperable. Maintenance and cost of the above mentioned shall be the responsibility of the applicant.

G. Compliance with Boswell McClave Engineering letters B-1, B-2, B-3, B-6, B-8, B-10 and B-11.

H. Compliance with Bergen County Planning Board.

I. Compliance with Bergen County Soil Conservation.

J. Compliance with Township Police Department comments set forth in B-4.

K. Compliance with Township Fire Department recommendations for "knox box" and comments set forth in B-5.

L. Compliance with the Shade Tree Report and recommended landscaping on site.

M. There will be a total of 48 parking spaces on site.

N. All utilities shall be placed underground.

O. Air conditioning units will be placed on the roof and screened.

P. The exterior architecture of the reduced building will remain aesthetically pleasing with brick veneer, Blue Hardiplank siding with white trim and a dimensional roof shingle.

Q. All municipality taxes and assessments and interest due and only to the Township of Wyckoff on all lots described in the proposed subdivision shall be paid in full to the Township of Wyckoff Tax Collector and proof thereof shall be filed with the Planning Board. All fees required by ordinances of the Township of Wyckoff for professional review and approval of the applicant's plans not previously paid shall be paid in full by the applicant.

R. All performance guarantees and surety bonds and cash deposits required to be posted with the Township Clerk shall continue to be kept in full force and effect as required by all applicable laws, ordinances, regulations and directives of any governmental bodies having jurisdiction thereof; and all maintenance guarantees and surety bonds and cash deposits shall be posted with the Township Clerk when required by law and the Developer's Agreement entered into in this matter.

S. The applicant shall execute and comply with all of the terms, covenants, and conditions of the Developer's Agreement, if required.

T. When requested by the Township Engineer, the applicant shall submit to the Township Engineer for his approval an "as built" plan describing all improvements which have been installed as required by the Wyckoff Code, Subdivision, and Site Plan Review Ordinance, or other applicable ordinances and regulations; and the "as built" plan of the sanitary sewer system, if any, for the site, after approval of the Sewer Consultant of the Township of Wyckoff and other applicable governmental body.

U. The business address will remain as 511 Goffle Road with a new lot number being designated as Lot 104.1.

V. Once the property deed has been drafted, the Applicants' attorney must submit same to the Township Engineer, Peter C. TenKate, P.E. of Boswell Engineering, for approval.

W. No building permit will be issued and no site work shall commence until the applicant submits to the Township Engineer (or Township Consulting Engineer), five (5) sets of revised plans within thirty (30) days hereof, which such revised plans shall be to the Township Engineer's (or Township Consulting Engineer's) satisfaction and approval

as to compliance with amended site plan (and variance or subdivision, if applicable) approval, including the addition of construction and technical details as are required from the Township Engineer and conditions from the Public Hearing or Township staff and/or Township Consultant staff reports. Said plans must be approved by the Township Engineer and signed by the Planning Board Chairman prior to any site work commencing or issuance of a Building Permit.

X. Demolition package of the existing buildings will be reviewed by the Township Engineer.

Y. No building permit will be issued until the existing buildings have been razed.

Z. Loading spaces will be used for all tenants and shall be provided in each lease.

AA. All deliveries to the subject property will be made before 8:00 A.M. and after 7:00 P.M. There will be no vehicle or truck loading or unloading or parking on Goffle Road.

BB. Handicap spaces will meet ADA requirements.

CC. All ground signs and mounted signs will conform to the Township of Wyckoff Ordinance 186-28F(2). No exterior signs will be placed within 10 feet of any window.

DD. The basement shall be used for storage and utilities only.

EE. Delivery of product shall be made from off site warehouses.

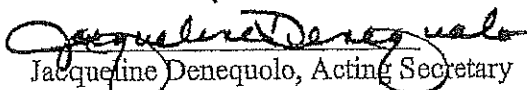
FF. The applicant will readjust the lighting to address any spillage up to eight (8) months after installation.

GG. Written documentation will be submitted to the Board by the Adjoining neighbor consenting to lawn drainage being placed upon their property.

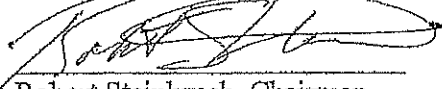
HH. The applicant will comply and meet all Stormwater Management and water quality requirements. There shall be zero runoff on any adjacent property in accordance with the Wyckoff Ordinance.

II. The applicant shall be responsible for any fees or costs as set forth in the Township of Wyckoff developmental fee ordinance.

BE IT FURTHER RESOLVED that the Planning Board Administrative Assistant shall mail a copy of this Resolution within ten (10) days from the date of adoption thereof to the applicant or to its attorney, if any, without charge; and to all other persons who request the same and pay the required fee therefore. The Planning Coordinator shall also file a copy of this Resolution in the Offices of the Township Clerk, Building Inspector, Construction Code Official, Tax Assessor and the Township Attorney and shall publish a brief notice of the decision in the sufficient newspaper, the cost of which shall be paid for by the applicant.


Jacqueline Denequolo, Acting Secretary

PLANNING BOARD
TOWNSHIP OF WYCKOFF


Robert Steinbruch, Chairman

Adopted: November 9, 2009