

**WYCKOFF BOARD OF ADJUSTMENT
APRIL 19, 2018 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 Carl Fry, Chairman:

"The April 19, 2018 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.

Chairman Fry 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"*

"This meeting is a judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the board may legally consider in reaching a decision and decorum appropriate to a judicial hearing must be maintained at all time."

Roll call was taken.
Pledge of Allegiance.

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Board Member Attendance: Carl Fry, Chairman; Erik Ruebenacker, Vice Chairman; Mark Borst; Susan Yudin; Brian Hubert; Ed Kalpagian; Brian Tanis; Rich DeLeo, Alt; Robert Ebel, Alt.

Staff Present: David Becker, Board Attorney; Mark DiGennaro, Township Engineer; Peter Ten Kate, Boswell Engineering Representative; Susan McQuaid, Board Secretary.

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

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Chairman Fry stated that all phones, pagers and hand held electronic devices should be turned off or switched to silent mode in order to avoid interrupting the public session.

OLD BUSINESS

APPROVAL OF MINUTES

March 15, 2018 work session/public business meeting
The minutes were approved at the work session meeting.

RESOLUTION TO APPROVE VOUCHERS FOR PAYMENT

RESOLUTION #18-04 Approval of vouchers from various escrow accounts.
Resolution #18-04 was memorialized at the work session meeting.

RESOLUTION(S) TO BE MEMORIALIZED

LIZZI, JOSEPH & JULIE BLK 290 LOT 23 (RA-25); 318 Martom Road. *(The applicant proposes to expand the existing single car garage to a two car garage and a covered front porch which will encroach into the front yard setback and also expand the master bedroom and master bathroom which will exceed principle building lot coverage).*

McHUGH, DANIEL & KATHRYN BLK 466 LOT 52.02 (R-15); 380 Auburn Street. *(The applicant proposes to install a pergola and in-ground swimming which will exceed total accessory structure and total lot coverage).*

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

SCHOENDORF, WILL & CHARLOTTE BLK 393 LOT 9 (RA-25); 389 Newtown Road. *(The applicant proposes to expand the existing single car garage to a 2 car garage which will encroach into the side yard setback and add a covered front porch).*

The above referenced resolution will be carried to the May 17, 2018 meeting.

FOR COMPLETENESS REVIEW

CHRISTIAN HEALTH CARE CENTER BLK 443 LOTS 49.03, 52.01 & 51 (RA-25); 301 Sicomac Avenue. *(The applicant proposes to amend the Vistas previously approved variance and site plan to comply with the Bergen County Planning Board approval, dated January 18, 2018, for dedication of property to increase the width and improve Sicomac Avenue along the frontage of the CHCC with a revised driveway at the intersection of Sicomac Avenue and Cedar Hill Avenue. The improvements to Sicomac Avenue and Cedar Hill Avenue intersection include road widening, dedicated turning lanes and signalization. The applicant also proposes to include additions to the lower campus Building No. 1 and Southgate Building).*

This application was deemed complete at the work session meeting and scheduled for the May 17, 2018 public hearing meeting.

APPLICATION(S) – NEW

FORTUNATO, ROBERT & VERNA BLK 348 LOT 17 (RA-25); 456 Victor Way. *(The applicant proposes to construct a second story addition which will encroach into the existing side yard setback).*

Board Member Hubert recused himself from discussion and removed himself from the dais

Robert Fortunato, 456 Victor Way, Wyckoff, NJ was sworn. He said he would like to remove the existing 2 car garage bedrooms on the second floor and construct a new garage, study and exercise room and bedrooms on the second. The new addition will encroach into the front yard by 5'. He said there are currently existing shrubs along the property line which will just be trimmed on his side of the property. Chairman Fry questioned the amount of macadam being added to

the driveway. Mr. Fortunato said approximately 5' of macadam will be extended. Chairman Fry noted that there will not be any construction on the left side of the house where the setback is 22.6' and 25' is required due to the enhanced side yard setback ordinance. He also noted that there are stairs leading to the attic. Mr. Fortunato said he will be using the insulated attic space for storage only. Mr. Fry asked what the height is of the attic ceiling.

Amy Hummerstone, 14 Drury Crescent, Fair Lawn, NJ was sworn. She said she is a licensed architect in the State of New Jersey and New York since 1994 and has appeared before numerous Boards in Bergen County. She said the peak height of the attic ceiling is 7'. Board Member Kalpagian asked what the exterior siding will be. Mr. Fortunato said the exterior will be hardiplank.

OPEN TO THE PUBLIC

No one appeared.

CLOSED TO THE PUBLIC

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

SHULL, CAROL & JACQUELINE BLK 319 LOT 5 (RA-25 CORNER); 25 Neelen Drive. *(The applicant proposes to add a covered front porch for protection from the weather which will encroach into the front yard setback).*

Carol Shull, 25 Neelen Drive, Wyckoff, NJ and Lawrence Dykhouse, 47 Orchard Street, Midland Park, NJ, the applicant's contractor were sworn. Ms. Shull said she would like to make renovations to the existing house using the same footprint and expand towards the rear of the house. The variance request is for the existing non-conforming front yard #2 setback of 28' to the corner of the bedroom and corner of the garage and expanding 6' into the front yard with a covered front porch. Mr. Dykhouse said the hardship is the shape of the lot and one small corner section of the gabled peak of the house is encroaching. He said the ridge height is 27'. Board Member Kalpagian asked what the exterior siding will be. Ms. Shull said the exterior of the house will be hardie-board. Board Member Hubert asked how many bedrooms will the septic serve. Township Engineer DiGennaro said the septic will be sized for a 4 bedroom house. Board Member Borst said the landscape plan is sufficient.

OPEN TO THE PUBLIC

Lisa Robertson, 17 Glen Drive, Wyckoff, NJ was sworn. She said her home faces the applicant's driveway and questioned which direction the proposed driveway was going to be located. Ms. Shull said the new driveway will be turned away from Ms. Robertson's house exiting straight onto Glen Drive and shortened.

CLOSED TO THE PUBLIC

Vice Chairman Ruebenacker made a motion to approve this application subject to the following condition: the front yard #1 overhang setback on the site plan and Schedule J will be corrected from 28' to 27' to the overhang. Second, Board Member Hubert. Voting in favor: Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Yudin, Mr. Borst, Mr. Ruebenacker and Chairman Fry.

309 SUNSET BLVD., LLC BLK 290 LOT 8 (RA-25); 309 Sunset Blvd. *(The applicant proposes to add an addition and alterations for the construction of a new two car garage which will exceed building lot coverage).*

Jeffrey Zenn, from the law firm of Cullen and Dykman, LLP, Hackensack, NJ representing the LLC, said this property is an undersized with deficient frontage and an existing front yard setback of 33.17' where 40' is required and existing side yard setbacks of 14.7' and 16.8' where 25' is required due to the enhanced side yard setback ordinance. The detached accessory garage will be removed and a new garage will be constructed and will be attached to the principle structure. He added that the proposed height of the house will be at 34.9' where 35' is the maximum permitted. He said the proposed application is to put an addition onto the existing house with an attached garage.

Eric Kiellar, Blueline Architect, 397 Franklin Avenue, Wyckoff, NJ was sworn. He said he is licensed in the State of New Jersey as an architect since 2001 and has appeared before this Board on numerous occasions. The Board accepted Mr. Kiellar's credentials.

Marked as identification at this time was the following exhibit:
A-1 Application package

Mr. Kiellar said the site plans were original prepared on 3/20/18 and revised on 4/6/18 as per the Township Engineers comments. He noted that the 5 bedroom septic system is to be abandoned and a new fully code compliant 5 bedroom septic will be installed. He said the applicant intends to keep the existing structure and construct a new addition with a crawl space in the rear of the house and redesign the second floor. The basement under part of the front section of the house will remain. The ceiling heights are 8' on the first floor. Chairman Fry said the proposed house has a lot of mass and asked that the roof line be reduced. Vice Chairman Ruebenacker said the roof line can be reduced by 3'. Board Member Tanis was concerned with the pitch of the roof. Chairman Fry said the new side yard setback at the left rear of the house is 22.58' and the front corner is pre-existing at 14.7' where 25' is required due to the enhanced side yard setback requirement. He said this area can be redesigned. Board Member Kalpagian was also concerned with the left side of the house. Board Member Borst said a front loading garage could be placed on the left side of the house where there is not a basement. He said the gross building area of this proposed house is too large for the size of the property. He suggested that the house be demolish and a new conforming home be constructed. Township Engineer DiGennaro said the new 5 bedroom septic system will need to be located in the rear yard and away from the new construction.

OPEN TO THE PUBLIC

Christopher Cima, 305 Sunset Blvd., Wyckoff, NJ was sworn. He said the proposed home is excessive for the size of the lot and very intrusive to the neighbors on either side of the property. He said there is 30' between his house and the proposed home and the driveway will be right on the property line. He added that his rear yard will not be private anymore. Mr. Kiellar said the proposed addition will be in line or 2 to 3' beyond the rear of Mr. Cima's house. Board Member Ebel said it is tight pulling into the rear yard on the left side of the house and feels it will be the same when the driveway is moved to the right side of the house. Mr. Cima said there are also architectural challenges where currently the house is 2,900 square feet and it will be increased to 4,300 square feet. He suggested that the existing home be demolished and the new construction

be conforming. He said that his ranch style home is 21' in height and this new home will be 35' high and tower over his house.

Melba Sweetman, 315 Sunset Blvd., Wyckoff, NJ was sworn. She said the proposed addition is excessive.

Bruce Jacobs, 304 Martom Road, Wyckoff, NJ was sworn. He said he is the rear yard neighbor also opined that the addition is excessive.

Susan Valenta, 312 Martom Road, Wyckoff, NJ was sworn. She also agreed that the proposed house is too big and overwhelming for the neighborhood. She said the house should be designed for the property. She also noted that the patio area is very large.

CLOSED TO THE PUBLIC

Chairman Fry said the Board has expressed their concerns. Jeffrey Zenn, the applicant's attorney said they will return next month with revised plans. Chair Fry said an in depth landscape plan will also be required. Board Member Borst remained adamant that this home should be demolished and rebuild using today's dimensional requirements for this zone. Township Engineer DiGennaro said he would like to see a septic plan design before the next meeting. He advised that underground electric cannot be installed on this lot and that the landscape plan should show what is existing and what is proposed. He said if the applicant decides to demolish the house this will trigger a Stormwater management plan. This application has been carried to the Thursday, May 17, 2018 public hearing meeting. The applicant will not need to renote the newspaper or the public.

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There being no further business, a motion to adjourn the meeting was made and seconded and passed unanimously. The meeting concluded at 10:30 p.m.

Respectfully Submitted,

Susan McQuaid, Secretary
Wyckoff Board of Adjustment.