

WYCKOFF BOARD OF ADJUSTMENT

OCTOBER 17, 2019 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 Chairman Fry:

"The October 17, 2019 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 times."

Roll call was taken.

Board Members in attendance: Carl Fry, Chairman; Board Members: Brian Tanis, Ed Kalpagian, Brian Hubert, Rosa Riotto and Kelly Conlon.

Board Members absent: Vice Chairman Ruebenacker, Mark Borst and Louis Cicerchia.

Staff present: David Becker, Board Attorney, Mark DiGennaro, Township Engineer; and Maureen Mitchell, 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.

APPROVAL OF MINUTES

The September 19, 2019 work session and public hearing minutes were approved during the work session.

RESOLUTION FOR PAYMENT #19-10

Payment Resolution #19-10 was approved during the Work Session.

RESOLUTION(S) TO BE MEMORIALIZED**PAMA WOOD WORK** 374 Oakwood Dr. BLK 250 LOT 40

The applicant proposes to demolish the existing dwelling and construct a new home on the property.

GAF CONSTRUCTION LLC 770 Birchwood Drive BLK 430 LOT 4

The applicant proposes to construct a new single family home on a nonconforming lot.

LEWIS, ROBERT 303 Crescent Avenue BLK 214 LOT 130

The applicant proposes to construct an addition to the rear of the home, expand the second story and construct a new front porch.

MISISCHIA, FRANK & ERIN 283 Wyckoff Avenue BLK 392 LOT 3

The applicant proposes to expand the first and second stories of the home to enlarge the kitchen, family room, bedroom space and garage.

The Resolutions were approved during the Work Session.

APPLICATIONS CARRIED**PERGOLIZZI, JOHN** 316 Calvin Court BLK 349 LOT 48

The applicant proposes to move his A/C units from the rear yard to the side yard.

It was announced during the Work Session that the applicant has requested in writing that the application be carried to the November 21, 2019 meeting.

PRIYANA HOLDINGS, LLC 440 Lake Road BLK 202.02 LOT 16

The applicant proposes to expand the first floor and add a second story to the existing home. The existing detached garage will be demolished.

Board Member Riotto was not in attendance at the September 19, 2019 Planning Board meeting. She submitted a signed Certification that she listened to the recording of said meeting from which she was absent and is therefore eligible to participate in a vote on this matter. Copies of the signed Certification is on file in the Planning Board Office in Memorial Town Hall.

Harold Cook, the applicant's Attorney, and William Brown, the applicant's Architect came forward to present the revisions that were made to the plans. Mr. Brown explained that the proposed second story master bedroom and bathroom have been modified so that the second story addition will be stepped back 4' on the right rear side of the home resulting in a 12.8' setback where it was previously proposed at 9.3'.

The Board members had previously recommended that the applicant add additional plantings and shade trees to the landscape plan. Chairman Fry commented that the two (2) flowering pear trees reflected on the revised landscape plan are not shade trees. Township Engineer DiGennaro suggested replacing the pear trees with October glory maples. Mr. Cook stated that his client will agree to the recommendations pertaining to the landscape plan as a condition of approval.

OPEN TO THE PUBLIC
NO ONE APPEARED

CLOSED TO THE PUBLIC

Board Member Tanis made a motion to approve the application for 440 Lake Road with the condition that the two (2) flowering pear trees will be replaced with two (2) October glory maple trees. Second, Mr. Kalpagian. Voting in favor: Ms. Conlon, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto and Chairman Fry.

NEW APPLICATIONS

118 SHELDON STREET, LLC 118 Sheldon St. Block 267 Lot 26

An amendment to a previously approved variance application.

It was announced during the Work Session that the application would not be heard this evening due to a deficiency in noticing.

CASTRO, HUGO 43 Park Avenue BLK 278 LOT 24.01

The applicant proposes to renovate the home and expand the second story.

Xiomara Paredes, the applicant's Architect, was sworn. Her office is located at 240 Rock Road Glen Rock, New Jersey. She has been in practice for 25 years. Yineth Geraldino, the applicant was also sworn. Ms. Paredes provided the following details of the application:

We are proposing a second floor addition and a canopy addition on a nonconforming house with an existing side yard setback of 3.7' requiring 3 variances. The architectural plans were marked exhibit A-1 and a Google Maps aerial photo was marked exhibit A-2. The existing porch will be removed. The main entry will be relocated and a canopy is proposed which requires a variance. The second story addition is in line with the first floor footprint which has the 3.7' side yard setback.

Chairman Fry stated that this proposal is a challenge due to the fact that the existing house is 3.7' off the right property line and a second story is being added also at 3.7'. Mr. Kalpagian asked Ms. Paredes why the addition wasn't proposed for the left side of the existing dwelling since there is much more room on that side. Ms. Paredes stated that she would have to relocate the interior staircase to facilitate building onto the left side and the applicant does not want to disturb the first floor. She added that if they have to move the staircase they might as well tear down the house.

Board Members expressed concerns with the application; specifically the 3.7' side yard setback on the right. Numerous suggestions and recommendations were made by Members of the Board who struggled with the proposal as submitted with all of the mass on the right side with the 3.7' setback. After a lengthy deliberation and careful consideration, Chairman Fry advised Ms. Paredes to consider the Board's suggestions and recommendations and submit revised plans. He announced that the application will be carried to the November 21, 2019 meeting. Ms. Paredes thanked the Board for their feedback.

OPEN TO THE PUBLIC

John An of 504 Ivy Lane came forward. He stated that he is an Architect and in listening to the presentation of the application he can appreciate the struggle the Board has due to the side yard setback. He added that he feels that the proposed house fits the neighborhood and approving the addition would allow the family to stay in their home and prevent the scenario where a builder buys the property and knocks the house down. He said that he did not come to the meeting to support or object to this application.

CLOSED TO THE PUBLIC

JAMES ARNOLD CONSTRUCTION 361 Cornell St. Block 474 Lot 23

The applicant proposes to construct an addition of an attached single car garage.

Larry Skott, the applicant's Architect, was sworn. His office is located in Ridgewood New Jersey and he has been an Architect for 42 years. James Arnold, the applicant, was also sworn. The architectural plan was marked as exhibit A-1 and three (3) photos were marked as exhibit A-2. Mr. Skott provided the details of the application stating that this corner lot is undersized and nonconforming in area, frontage and depth. The applicant would like to construct a one (1) car attached garage where none currently exists and is required in the zone. There is an existing curb cut and driveway in the location of the proposed garage which makes it the most practical place to construct it. Efforts have been made to keep the size of the garage as small as possible while still being practical.

Chairman Fry pointed out that the proposed garage will be 5' into the side yard setback, however there is a benefit to adding the garage. Mr. Kalpagian added that this is definitely a hardship due to the fact that the lot is deficient in area by almost half the required size for the zone.

OPEN TO THE PUBLIC
NO ONE APPEARED
CLOSED TO THE PUBLIC

There was a brief discussion regarding landscaping. Chairman Fry stated that the applicant will have to submit a landscape plan for Township Engineer DiGennaro and Board Member Borst to review and approve. It was recommended that additional plantings across the front should be added to the plan. Ms. Conlon stated that the plantings along the side of the proposed garage should be evergreens to provide year round screening for the neighbor to the left of the proposed garage.

Board Member Kalpagian made a motion to approve the application for 361 Cornell Street with the condition that the applicant submit a landscape plan based on the recommendations made by the Board Members. Second, Ms. Riotto. Voting in favor: Ms. Conlon, Mr. Tanis, Mr. Kalpagian, Mr. Hubert, Ms. Riotto and Chairman Fry.

There being no further business, a motion was made to adjourn the Public Session, seconded and passed unanimously. The Public Business Meeting was adjourned at 9:50 p.m.

Respectfully Submitted,

Maureen Mitchell, Secretary
Wyckoff Board of Adjustment