

Township of Washington  
Bergen County, New Jersey  
Planning Board Meeting Minutes  
June 24, 2015

Meeting called to Order at 7:35 p.m.

First Order of Business: Salutation to the Flag

Open Public Meetings Act Statement – In compliance with the Open Public Meetings Act of the State of New Jersey, notification of this meeting has been sent to The Ridgewood News, our official newspaper in the Township of Washington and notice has been posted on the bulletin board at Town Hall.

Roll Call Taken:

Messrs. Dumaresq, Golick, Murphy, Pinnick, Councilman Sears, Mayor Sobkowicz.

Absent: Mr. Calamari.

Also in Attendance: Board Attorney Mr. Robert Wertalik, Board Engineer Paul Azzolina.

A motion was made by Councilman Sears, seconded by Mr. Sabino, to open the Public Portion.

Ayes: Messrs. Dumaresq, Golick, Murphy, Pinnick, Councilman Sears, Mayor Sobkowicz.

Absent: Mr. Calamari.

Nays: None.

A motion was made by Councilman Sears, seconded by Mr. Murphy, to close the Public Portion.

Ayes: Messrs. Dumaresq, Golick, Murphy, Pinnick, Councilman Sears, Mayor Sobkowicz.

Absent: Mr. Calamari.

Nays: None.

A motion was made by Councilman Sears, seconded by Mr. Golick to approve the May 27, 2015 minutes.

Ayes: Messrs. Dumaresq, Golick, Murphy, Pinnick, Councilman Sears, Mayor Sobkowicz.

Abstain: Mr. Sabino.

Absent: Mr. Calamari.

Nays: None.

A motion was made by Councilman Sears, seconded by Mr. Golick to approve the June 3, 2015 minutes.

Ayes: Messrs. Golick, Murphy, Pinnick, Councilman Sears, Mayor Sobkowicz.  
Abstain: Messrs. Dumaresq, Sabino.  
Absent: Mr. Calamari.  
Nays: None.

A motion was made by Councilman Sears, seconded by Mr. Golick, to authorize Gene Dumaresq as Acting Chairman for this meeting of June 24, 2015.

Ayes: Messrs. Golick, Murphy, Pinnick, Councilman Sears, Mayor Sobkowicz.  
Abstain: Mr. Sabino.  
Absent: Mr. Calamari.  
Nays: None.

### NEW BUSINESS

Christina Gardeski, 523 Cross Street, Block 4203, Lot 5; applicant seeks approval to remove 13 Hemlock trees from premises.

Ms. Gardeski was sworn in.

Chairman Dumaresq – stated that everyone has received the photographs; asked how many trees are going to be taken down and what will they be replaced with?

Ms. Gardeski – replied the objective to taking the trees down is for sunlight; the house was built in 1956 and the property is overgrown; she moved in 12 years ago and has not done anything as far as tree removal, there are a lot of trees on the property; the trees she is looking to take down are all diseased and overgrown; the arborist called them over mature. She stated replanting does not help in getting to their objective since they want to grow grass in the yard. She wants her flowering bushes to grow and they would like sunlight. She is not looking to replant; they are removing old overgrown Hemlock trees, she is not taking down any heritage trees or things like that.

Councilman Sears – stated he went and looked at the property, the trees are pretty bad.

Mayor Sobkowicz – asked on the notifications, there was one that was not signed.

Ms. Gardeski – replied there was one that was not signed; she stated she did everything in person; she stated she turned in the green registered receipts she does have copies of them; there was only one that was not returned was the Green family we could not reach them in person and we sent the registered receipt.

Councilman Sears – stated that the family was away.

Mayor Sobkowicz – asked if any trees are going to be replaced.

Ms. Gardeski – replied we hope not to; the objective is get sunlight on the property; the cost of the tree removal and the application was a hardship; we have not intention to replant since the whole objective is to clean everything up and get sunlight in the backyard.

Mayor Sobkowicz – stated that once the resolution is passed, Ms. Gardeski is to see Bernadette for a permit.

A motion was made by Councilman Sears, seconded by Mr. Sabino to approve the Christine Gardeski, 523 Cross Street, Block 4203, Lot 5 application.

Ayes: Messrs. Golick, Murphy, Pinnick, Councilman Sears, Mayor Sobkowicz.

Abstain: Mr. Sabino.

Absent: Mr. Calamari.

Nays: None.

#### OLD BUSINESS

Family House, LLC, d/b/a Keith Jensen, 1154 Washington Avenue, Block 1102, Lot 7.01 & 8.01: applicant seeks approval to subdivide property into two .750 acres, demolish present home and construct two single family dwellings.

Mr. Golick recuses himself since this location is his neighbor.

Kevorg Adanas, council for Family House, LLC, 2115 Linwood Avenue, Suite 315, Fort Lee, New Jersey

Joe Hernandez, 45 Horizon Court, Township of Washington, New Jersey

Keith Jansen, 2530 Andrews Lane, Fort Lauderdale, Florida

Richard Eichenlaub, R & L Engineering, 24 Wonton, Road, Park Ridge, NJ

Above gentleman all sworn in.

Mr. Adanas – stated we are here with regard to the property of 1154 Washington Avenue; currently there is a single family home and the proposal is for two homes the property. Stated he will call the engineer to come and testify and will defer any and all questions in the presentation to the engineer.

Mr. Eichenlaub – stated he received his Bachelors of Science degree in Engineering in 1977, and has been practicing a s professional engineer since

1981, both in the State of New Jersey and New York. Stated he has appeared in front of boards for the past 30 years throughout Bergen County and has been in front of this board a number of times as well.

Councilman Sears - stated he would like an explanation of why there is dumping going on the property and why there is garbage being brought onto that property.

Mr. Jansen - stated he already spoke with the borough health official.

Councilman Sears - asked why there is garbage and debris being brought to that property from another site. Stated he doesn't believe the Township of Washington is a garbage dump.

Mr. Jensen - replied it is his property.

Councilman Sears - stated it does not matter if it his property or not; stated Mr. Jansen is bringing in materials, garbage, bricks and bags, and it should not be dumped on that property. Stated he feels this application should be removed until the DEP and other health inspectors go to the location and see what is in the materials that are being dumped. Stated he would also like to suggest to Mr. Jansen when he goes to neighbors doors and ask them who made the complaint that it could be considered harassment and that is not acceptable in the Township of Washington, whether it is Mr. Jansen or anyone else. Stated that Mr. Jansen is not going to intimate any residence in this Township. Stated that he will make it a point to visit that site every day if this application is approved.

Mayor Sobkowicz - stated she was disappointed when she heard there was dumping going on at the location, technically we can require Mr. Jansen to test everything that he brings in there and this is absolutely wrong. Stated the location is also overgrown and forest like. Asked has the debris been removed?

Mr. Jansen - replied most of it, yes.

Mayor Sobkowicz - asked most of it, but not all of it?

Mr. Jansen - replied yes.

Councilman Sears - Stated he would like to make a motion not to hear the application until the property is cleaned.

Mayor Sobkowicz - stated that is not satisfactory. We did send people out there to protect the neighbors from whatever is coming in there and it has not been removed yet.

Mr. Jansen – replied he was told not to remove it by Dan who told him to call up the county to find out where he could bring the cinderblocks, he did call them and they indicated they would get back to him, this was a Friday. Stated if gets approved he will have a dumpster at the location; stated the debris came from 45 Horizon Court, the other house; stated that Dan told him that is okay wait until then.

Mayor Sobkowicz – stated he was told to remove it.

Mr. Jansen – stated Dan is the one who called him.

Chairman Dumaresq – asked if the board should go forward.

Mayor Sobkowicz – stated she will listen to the proposal but will not be voting on any approvals. Stated she is very disappointed that someone wants to build and then has the nerve to come and dump.

Mr. Adanas – stated this is the first time he is appearing before the board; he is not fully aware of all of the facts and this is the first time he is hearing of the dumping situation and understands the boards concerns. Asked if the board can hear the proposal upon the representation that his client will completely clean up the issue of the cinderblocks.

Mayor Sobkowicz – stated there are also bags of garbage coming in.

Councilman Sears – stated there is more than cinderblocks.

Mr. Hernandez – stated is from when we cut the lawn.

Mayor Sobkowicz – stated that it was driven in there with trucks.

Mr. Adanas – stated whatever it may, we can have it cleaned up this week.

Mayor Sobkowicz – stated she would be okay to hear the proposal, but nothing is going to happen until she knows everything has been removed, the grass is cut and the place looks decent.

Mr. Hernandez – replied there is no way to make that place look decent.

Councilman Sears – stated that is being made worse by the dumping.

Mr. Adanas – stated the dumping issue will be resolved this week.

Mayor Sobkowicz – stated a lot of people were upset about it.

Mr. Adanas – replied rightfully so. Stated it will be taken care of this week to the board's satisfaction and hopefully we can proceed.

Mayor Sobkowicz – stated she would like photographs supplied.

Mr. Adanas – replied absolutely, yes; again he will defer to the engineer.

Mr. Eichenlaub – stated the proposal in front of the board is for the re-subdivision of what presently exists as two lots, Block 1102 Lots 7.01 and 8.01; presently the lot line that exists is located approximately mid down of the parcel in question; lot 7.01 is located to the north and 8.01 located and fronting on Washington Avenue; lot 8.01 houses an existing dwelling presently; everything on that lot will be completely removed; the plan does indicate the existing shed would remain, but the shed will be removed; we are looking to relocate the existing line and abandon that line and establish a new line that basically divides the property into two equal lots; both lots will be 30,987 square feet each, the total lot area is 61, 974; within the AA residential zone the Township requires ½ acre lots and we are almost 50% excess of what is required in the zone. Stated the two dwellings are as shown on his plan, actual dwellings that were detailed and create by an architect, those dwellings and the architectural plans are referenced on his second sheet by the architect and by date; stated the bulk of the property to the rear is forested with mature trees, under this proposal we are looking to maintain that back northerly portion of both lots as they presently exist; the dwellings themselves will be located in the front third of each lot, they will be accessed off of Washington Avenue by a driveway on each lot, separate driveway cuts; proposing brand new services to both dwellings, include water, gas, electric, phone and sewer; stated we are proposing brand new sewer laterals for both houses; both dwellings will have full basements and there will be excavation for the basements; the grading for the two houses are contained within the front half of both lots; the back half of the lots will remain the natural state. Stated the property is relatively flat if you go from the front southeast corner where the elevation is approximately 130 to the high point of the site of 141 at the back northwest corner which rises about 11 feet over some 300 feet, grades somewhere in the vicinity of 4 to 5% in that area, going in an east to west direction the grades are approximately 5 to 6%, well below the 15% threshold for steep slopes. Stated we will have soil movement for the two lots a cut of 814 cubic yards, out of that 814 cubic yards 716 cubic yards will remain on site to regrade, therefore we have export of 98 cubic yards which is approximately seven to eight truck loads. Stated coverage including the dwellings, driveways, walkways and patios and decks in the back all will be within the allowable coverage of 30% in the zone. Stated for 8.01 we have 20.15% for the coverage and lot 7.01 an 18.8% coverage. Stated all of the setbacks meet the requirements of the zone. Stated to control run-off from the site we are proposing seepage pits to control run-off from the dwellings; the water off the driveway will discharge over the area a small portion of which will run onto Washington Avenue; stated there is an inlet presently on Washington

Avenue which collects water flow down the north side of Washington Avenue. Stated this presentation has been provided and presented to the County and we are presently waiting a final acceptance letter from them. Stated there will be some regrading to accommodate water flow around the dwellings. Stated at present there is a driveway located along the westerly side for the existing dwelling that driveway will be removed and the area revegetated with lawn area which will certainly make our neighbors to the west happy since that driveway is right on the property at the present time. Stated there are two seepage pits, one located at the rear of the dwelling, one located in the front of the dwelling on both lots and those seepage pits are designed for a 100 year storm, capable by volume alone to store the flow from those dwellings.

Mr. Azzolina – stated he concurs with Mr. Eichenlaub’s testimony up to this point. Stated he does recognize that Mr. Eichenlaub does show an impervious coverage requirement of 30% in the zone, the 30% only pertains to conditional uses in the B zone; stated this particular zone does not currently have a limitation but it is good to see the grades that you are in, it is definitely desirable. Stated in his report dated June 24, 2015 there was 550 gallon underground storage that was on the property, according to the building department a permit was issued last year, the work was completed and a certificate of completion was issued for that work.

Councilman Sears – asked under which owner.

Mr. Azzolina – replied the former owner Harold Kaufman. Stated the application proposes to demolish the existing property which would require approval by our existing ordinance; stated approval would also be needed for the minor subdivision as well as a major soil moving application; stated per our ordinance the division would require a minor subdivision. Stated the building height calculation is accurate and in accordance with the requirements of the Township Code relative to the ground elevation. Stated as per the architectural drawings there are two separate lots, it is the same house only in reverse. Stated as per the architectural drawings there is a dwelling on lot 8.01, which is the westerly side on the plan and a dwelling on lot 7.01 that will be the mirror image of the home at the location now where you have the garage on the right side of the dwelling. Stated the only difference between the two dwellings is by putting the garage on the right side of the dwelling you have more area in which to construct a larger covered porch. Stated the porch on lot 7.01 will be approximately 8 x 25 and the porch on lot 8.01 will be approximately 12 x 12; stated lot 7.01 would have a wood deck within the rear and lot 7.01 is strictly a patio.

Mayor Sobkowicz – asked is the proposed driveway being done this way to make it as far from the Parkway as possible?

Mr. Azzolina – replied that would be a question for the applicant’s engineer.

Mr. Hernandez – replied to keep it away from the entrance of the Parkway as much as possible; not to have it too close

Mr. Eichenlaub – stated there is more paving involved in doing it this way; stated these houses are pretty much identical in shape and footprint; stated there is a difference with regard to the front entries and porches; stated by flipping them you have the driveway on the one side on the high side for 8.01 and the driveway on the low side for 7.01; stated the entrance was something the County was in favor of as well, away from the Parkway entrance and for site distance as well.

Mayor Sobkowicz – asked if you are putting the garage on the other side, you have the driver come straight down you would have lost the porch.

Mr. Eichenlaub – replied basically you have two identical homes, a mirror of each other; by flipping them it breaks it up.

Mayor Sobkowicz – stated she thinks it would be easier to have the driveway on the other side and it would be a more consistent look for the neighborhood.

Mr. Hernandez – stated ethically he thinks it is better the way it is.

Mayor Sobkowicz – stated it would come out the same place if you flipped the garage over; the driveway comes out basically the same way at the end.

Mr. Eichenlaub – stated with regard to engineering there is no reason it can't be either way; stated the driveway on the high side could be flipped as well; stated it is the preference by the applicant to have the dwellings with the garages on opposite sides of the house.

Mr. Azzolina – stated Mr. Eichenlaub clarified the disposal of the existing shed; stated the plans indicate two proposed sheds, one for each property each being located in the northeast corner of each property, size being 12 x 12 and set back 10 feet from the property line; stated under the Township code 10 feet is applicable to the rear yard offset it has to be compliant with the side yard setback in any given zone which in this case is 15 feet; stated there is a minor subdivision appendix attached to this report that involves administrative type details that need to be ironed out with the plans at this time should the application be approved; stated that he agrees with Mr. Eichenlaub with regard to the storm water management plan; stated the plan depicts 19 tree removals, 13 trees on lot 7.01 and 6 trees on lot 8.01, and that activity is permitted in connection with this application as long as there is a replanting of a 2 to 1 ratio which is 38 trees; stated the plans do not currently depict any proposed plantings other than the five shade trees that are shown along the Washington

Avenue frontage; stated there are 33 more trees required; stated the board reserves the right to review future landscape plans or grant waiver of relief if that is in fact requested by the applicant.

Mayor Sobkowicz – stated she would like the landscaping plan before approval.

Councilman Sears – replied he agrees.

Mr. Azzolina – stated he agrees also if there is plantings there would be landscape planting, it is for the board to decide.

Mayor Sobkowicz – stated it is 2 to 1, that is what it is.

Mr. Azzolina – stated the plans do not currently depict a stand by generator which is more or less standard equipment in today's homes; stated he is advising the applicant if a generator is put in it needs to comply with the standards of the code. Stated certain waivers and de minimis exceptions will be required in connection with the subdivision application; stated the plans do not currently depict the sidewalks along Washington Avenue, sidewalks do not currently exist on that side of the streets so he is assuming the applicant would be seeking that waiver of de minimis exception; stated with respect to the Township subdivision standards the proposed lot line is not perpendicular to the existing street line of Washington Avenue, given the configuration of the property, it is not parallel and he does not take exception to that, understands why was done, it basically divided the front and rear line, the midpoints connected points and gave equal lot area and equal frontage which makes sense.

Mr. Eichenlaub – stated the side lot lines as they exist presently are askewed, they are not perpendicular, if they had been we would have no problem doing that but again by intersecting mid points, front and rear and following the new subdivision line ended up being askewed as well.

Mr. Azzolina – stated on page 8 of 12 of his comments regarding the soil moving application two separate applications are proposed since there are two building lots being proposed; stated lot 7.01 total cut 377, total fill 429 so from that property there would be an import of 115 cubic yards which Mr. Eichenlaub indicated would be coming from proposed lot 8.01 where the cut is 437, the fill is 224 and the net export is 213, from that property the total net from the site of 98 cubic yards those are major soil moving permit applications; stated individual applications and fees would be due and payable on each one of those properties as noted under item 3 of his report; stated the applicant would also have to post a Performance Guarantee which ensures the improvements depicted on the plans are in fact installed; asked if there is a construction sequence contemplated at this time as to which one of these homes is being built before the other.

Mr. Hernandez – replied 7.01.

Mr. Azzolina – asked will the applicant be occupying one or more of these homes.

Mr. Hernandez – replied that one or 8.01; we don't know.

Mr. Azzolina – stated certain approval applications to agencies are required; stated Mr. Eichenlaub has been in contact with the County Planning Board and he will also need to obtain road opening permits from the County in order to construct the multiple service connections that are proposed; stated all service connections with regard to the proposed development are shown to be underground.

Mr. Eichenlaub – stated the utility poles as they presently exist are located on the south side with crossings to poles on the north side.

Mr. Azzolina – stated the applicant also has to make an application to the Bergen County Soil Conservation District, which applicant's engineer has advised that the paperwork has already been filed; stated Appendix A of the report consists of 18 revisions to the plans or application documents that need to be dated, such as dates and contact personnel sited in the soil moving application as well as certain revisions to the plan for constructability purposes.

Mayor Sobkowicz – asked what is the difference in the front of the houses in feet since one house is back farther.

Mr. Azzolina – replied lot 7.01 is 67.2 and the setback for 8.01 is 68.9.

Mr. Eichenlaub – stated if the houses were to parallel the front lot line they would be askewed; to fit the houses in with their widths they are more or less parallel to the side lot lines; stated in doing that there is a slight difference because of the porches; stated the porch of the dwelling of 8.01 is further to the east so the distance from that point increases as you go in an easterly direction; stated the difference off the property line is different than it is to the porch on 7.01 which is further to the west; stated if you are out in the street looking at them they look like they are both the same distance from the front property line; stated because they are parallel to the side lot lines rather than the front lot line the corners are different distances from the front lot line.

Mr. Dumaresq – stated before approval is given that area has to be cleaned up.

Mr. Hernandez – replied the area will be cleaned up by Friday and he will bring pictures by Friday to the Township.

Mr. Dumaresq – stated that does not do us any good tonight; stated our next meeting is next Wednesday.

Mr. Adanas – asked if the matter be heard and if it is approved it be approved contingent on the clean-up which will be illustrated by the way of photographs.

There was a discussion of approval and bringing the matter to the next meeting.

Mayor Sobkowicz – asked if anyone from the public has any comments.

Mr. Mark Mason, 723 Van Emburgh Avenue, Township of Washington, NJ

Mr. Mason – asked of the two lots which 7.01 and which is 8.01.

Mr. Eichenlaub – replied the number of the lots are the same; presently the lot lines that exists runs east to west; stated the rear lot is referred to as 7.01 and the front lot is referred to as 8.01; stated in the subdivision a line will be eliminated and we will be creating a new lot line running north to south; stated the new numbering will be 8.01 will be the westerly lot, 7.01 will be the easterly lot.

Mr. Mason – asked where is the Parkway on ramp in relation to the area?

Mr. Eichenlaub – replied the ramp itself starts about 50 feet beyond the property on the southeast corner.

Mr. Mason – asked with regard to drainage he is lot 6 and he does rely on the slope.

Mr. Eichenlaub – stated that Mr. Mason's property is continuous with the back property line; stated the way things flow in the site now they flow west to east, slightly in a south easterly direction; stated a little bit of water of your property may be draining to our property, it is minimal; stated none of the area under this proposal, not saying someone purchasing this property would make changes, under this proposal the rear half of these lots will remain in their natural state; stated there is no proposal to change grades, alter vegetation, cut down trees in the rear half of these lots as it pertains to Mr. Mason.

Mr. Mason – stated it was mentioned 38 trees would be taken down.

Mr. Eichenlaub – replied a majority of those trees are up in the vicinity of the house.

Mr. Mason – stated it is very dense and foliated and it is on the property markers; stated it is like a petting zoo back there with five or six species of animals; he is wondering how many animals will be coming to his direction once the excavating begins; asked are there any plans or provisions in place to minimize that disturbance since there are many ground hogs, woodchucks, and possums living behind lot 7.01.

Mr. Eichenlaub – replied we will not be disturbing their homes back there.

Mr. Mason – asked what the plan is for the area that actually borders or separates 6.01 from 7.01.

Mr. Eichenlaub – replied that vegetation is remaining under this proposal; stated any vegetation would be along the easterly property line and some additional along the common property line and maybe some planting along the westerly property line; stated there are shade trees and street trees along the front; stated we are making attempts to save a number of trees in the front; stated any plantings that are being proposed are this front half; stated it is so heavily forested in the back there is no reason to put plantings back there.

Mr. Mason – stated he was concerned since his well back there.

Mr. William McAuliffe, 1166 Washington Avenue, Township of Washington, NJ

Mr. McAuliffe – stated he is west of 7.01 and 8.01; stated that there is going to be digging adjacent to his property and would like to know what the disruption would be for himself since right now the slope is downhill, asked what exactly is going to be the impact on his lawn, the fence line and trees.

Mr. Eichenlaub – replied the grading on the property line that presently exists will be the grading when completed; stated we are not going to encroach on his property; the driveway is located along the westerly side right now, that material will all be removed, the old driveway will be removed; stated he is on the high side and there is water coming down from his property, that is just the natural lay of the land; stated we will intercept and route that water to the back of the house; stated nothing is being put up to prevent the natural flow of water.

Mr. McAuliffe – asked what is going to go where the driveway currently is?

Mr. Eichenlaub – replied lawn area and maybe some plantings along there; stated there is landscape plan and additional trees that are going to be planted; stated there may be some planting along that for privacy for both homes.

Mr. McAuliffe – stated on the east side of the driveway are large trees.

Mr. Eichenlaub – stated there are trees at that location and there are trees in the back that are being removed; stated there are several trees right now that we are looking to save and prune up, dead branches and so forth; stated there will be a brand new front yard and driveway; stated anything along that side of the property there would be replanting for screening between his property and the new home.

Mr. Sabino – stated that Mr. Jansen is going to occupy one of the homes; is that correct?

Mr. Jansen – replied yes.

Mr. Sabino – asked Mr. Wertalik if that would be part of the resolution.

Mr. Wertalik – replied probably not it is not a pertinent subject matter for the resolution but it could be noted in the resolution; stated Mr. Jansen's intentions could certainly be recorded.

Mr. Dumaresq – asked Mr. Jansen does he currently reside in Florida?

Mr. Jansen – stated yes, he just got off a plane two hours ago.

Mr. Sabino – asked which home will he be occupying.

Mr. Jansen – replied he doesn't know yet; it is up to Mr. Hernandez's daughter.

Councilman Sears – asked that the landscaping plan be provided for the next meeting.

Mr. Dumaresq – replied yes and also the clean-up of the property. Stated this will be put off until the next meeting which is Wednesday, July 1<sup>st</sup> and it will be voted on then.

Estate of Florence Konner, 67 Salem Road, Block 1401.01, Lot 10; motion required to authorize subdivision deed of the aforementioned property.

Mr. Wertalik – Stated just for clarification for the board members the Estate of Florence Konner, which is on Old Business portion of the agenda tonight, he did speak with the Township engineer and we will be able to drop that from the agenda.

A motion was made by Councilman Sears, seconded by Mr. Golick to adjourn.

Ayes: Messrs. Dumaresq, Golick, Murphy, Pinnick, Sabino, Councilman Sears, Mayor Sobkowicz,

Absent: Mr. Calamari.  
Nays: None.

Time Noted: 8:38 p.m.

Respectfully submitted by:

Elaine Erlewein  
Acting Planning Board Secretary