

**Township of Washington  
BERGEN COUNTY, NEW JERSEY  
Planning Board Meeting  
Minutes  
June 4, 2014**

**Meeting Called to Order at 7:35PM**

**First Order of Business:** Salutation to the Flag

**Open Public Meetings Act:** Read into the record by the Board Secretary.

**Roll Call Taken:**

Messrs. Dumaresq, Golick, Murphy, Pinnick, Sabino (absent), Councilman Sears, Chairman Calamari, Mayor Sobkowicz

**Also in Attendance:** Board Attorney Robert Wertalik; Board Engineer Paul Azzolina; Board Secretary JoAnn Carroll

**Approval of Minutes:** Golick, Dumaresq  
May 28, 2014

**Ayes:** Golick, Murphy, Sears, Chairman Calamari

**Abstain:** Dumaresq, Pinnick, Mayor Sobkowicz

**Open Public Portion:** Golick, Murphy

**Ayes:** Dumaresq, Golick, Murphy, Pinnick, Sears, Chairman Calamari, Mayor Sobkowicz

**No Public Comment**

**Close Public Portion:** Sears, Pinnick

**Ayes:** Dumaresq, Golick, Murphy, Pinnick, Sears, Chairman Calamari, Mayor Sobkowicz

**Resolution: Motion to Approve:** Sears, Golick

**Resolution: Phuong Dang & Dung Ta, Pho Miu, Vietnamese Restaurant, Washington Town Center, 255 Pascack Road, Unit 255, Block 3402, Lots 18-20:** approval for applicants to open a Vietnamese restaurant in the WTC; new business application. **Resolution read into the record by the Board Secretary.**

**Ayes:** Golick, Murphy, Sears, Chairman Calamari

**Abstain:** Dumaresq, Pinnick, Mayor Sobkowitz

**Absent:** Sabino

**Chairman Calamari:** confirmed that the Board members had seen a copy of the proposed signage.

**Mr. Azzolina:** stated the sign complies with the ordinance.

**The Board unanimously approved the sign.**

**Chairman Calamari:** stated Mr. Wertalik has advised that the sign stipulation in the resolution can remain because it has been met.

**Chairman Calamari:** wished the applicant's good luck with their new business.

**Councilman Sears:** asked when the restaurant would be opening.

**Ms. Phuong Dang:** stated they would like to open in August, 2014.

**Resolution: Motion to Approve with indicated corrections:** Sears, Golick  
**Resolution: Dr. Geeta Choudhary, Smile Line Dental, 422 Pascack Road, Block 2327, Lot 59:** approval for applicant to open a dental office; new business application. **Read into the record by the Board Secretary.**

**Ayes:** Golick, Murphy, Sears, Chairman Calamari

**Abstain:** Dumaresq, Pinnick, Mayor Sobkowitz

**Absent:** Sabino

**Mr. Golick:** stated this application is not part of the Washington Town Center as the resolution reads.

**Mr. Wertalik:** stated that portion of the resolution will be removed.

**Chairman Calamari:** stated that Section #2 will also be removed which stated a report had been prepared by Mr. Azzolina.

**Mayor Sobkowitz:** stated a detailed floor plan should have been submitted with this application.

**Chairman Calamari:** stated the applicant is replacing an already existing dental office with no change; not a home occupation; not in the retail center;

after repeated attempts, the applicant was not able to obtain a floor plan from her landlord.

**Completeness Review/Ongoing Business**

**Mr. Keith Leonard Jensen, Fort Lee, NJ, Minor Subdivision, 1154 Washington Avenue, Block 1102, Lots 7.01 & 8.01:** applicant to construct houses for sale on side by side lots.

**Please Note: Vice Chairman Golick has left the dais and recused himself from this application due to the fact he is named on the 200' list.**

**Mr. Joe Hernandez, 45 Horizon Court, Twp. of Washington and Mr. Keith Jensen, Ft. Lee, NJ identified themselves for the Board.**

**Chairman Calamari:** stated this application is before the Board for a completeness review and there has not been one in some time before the Board; turned the meeting over to the Board Engineer because he can review this application in more detail.

**Mr. Azzolina:** brought everyone up to date; application was submitted in piecemeal fashion; he now has all the information he needs in order to recommend that the Board schedule this application for a public hearing subject to a couple of questions he has; asked if Mr. Jensen was the current owner of the property.

**Mr. Jensen:** stated, no; he is waiting to pull the old oil tank out; has all the paperwork but it is conditional on the oil tank being removed.

**Mr. Azzolina:** stated one of the other questions he had was regarding the removal of the oil tank; asked when it was to be removed.

**Mr. Jensen:** stated the permit is being submitted on Thursday, 6/8/14; and then it is subject to when the Borough can schedule a person to be there to formally watch the contractor remove it.

**Mr. Azzolina:** asked if Mr. Jensen had an idea of the size of the tank.

**Mr. Jensen:** stated it is a small tank; the contractor is working on a project in Wyckoff at this time; they will take care of it next week if the Town allows them to.

**Mr. Azzolina:** asked where the tank is located on the property.

**Mr. Jensen:** stated it is on the NW corner; if you look at the existing property it is to the left of the patio underneath a shrub.

**Councilman Sears:** asked who owns the property at this time.

**Mr. Jensen:** stated Hildegard Kaufmann and Harold Kaufmann own the property.

**Chairman Calamari:** stated the applicant would not be able to move forward without proof of ownership.

**Mr. Jensen:** stated that by the next meeting he will be the owner; assuming the oil tank can get removed.

**Chairman Calamari:** stated the applicant cannot even advertise until he is the owner; asked if the applicant felt he would have enough time to do the 10 days notice for the end of the month; asked if the applicant planned to come before the Board at the end of the month.

**Mr. Hernandez:** stated they did plan to come before the Board at the end of the month.

**Chairman Calamari:** asked if the applicant felt he would have enough time to pull the tank, close on the house and still have 10 days ahead of the meeting.

**Mr. Jensen:** stated it is a very low mortgage and he is putting a lot into it; it is going to be an easy close; it is a matter of the Town allowing him to pull the tank.

**Mayor Sobkowicz:** asked if he needs written permission from the owner to pull the tank.

**Chairman Calamari:** stated he believed the Building Department would want some type of authorization.

**Mr. Hernandez:** stated there will be a power of attorney from Mr. Kaufmann to allow the contractor to fill out the permit.

**Mr. Azzolina:** in regards to ownership, typically submitted is certification of taxes being paid; not part of his package; it would be with the current owner.

**Board Secretary:** stated it was not a part of the file but can be obtained from the Tax Collector the next day.

**Chairman Calamari:** stated the applicant will have to make sure that all the taxes are paid.

**Mr. Jensen:** stated this issue has been addressed; he cannot close unless they are current.

**Mr. Azzolina:** stated the application would be for a minor subdivision and then beyond that the applicant would be seeking approval to demolish the existing house as well as major soil movement permits for each of the prospective lots which is why the architectural drawings have been requested so the footprints are accurate; asked if they were still seeking all those approvals.

**Mr. Jensen:** stated they were.

**Mr. Azzolina:** discussed the lots and the proposal to create two lots of the same area of 30,987 sq. ft; 2 single family dwellings; one on each of the properties; question relative to existing shed; noticed it is to remain.

**Mr. Jensen:** stated it will not remain.

**Mr. Azzolina:** stated if it stayed, it would represent a variance condition for the applicant.

**Mr. Jensen:** stated he did not want to seek any variances.

**Mayor Sobkowicz:** stated the County wants them to verify that the applicant is before the Board.

**Mr. Azzolina:** stated a letter to the County is not necessary; he spoke with Mr. Timsak yesterday regarding this application; form letter that is sent to alert the towns.

**Mr. Azzolina:** asked if the applicant would be seeking a waiver for sidewalk installation pursuant to the RSIS.

**Mr. Jensen:** stated yes to keep it consistent with the neighborhood.

**Mr. Azzolina:** stated it is just a waiver that needs to be denoted on the plan; it needs to be specified; asked if the existing well on the property is functioning and will it be retained.

**Mr. Jensen:** stated whatever the Board would prefer; does not think it is a functioning well but will find out.

**Mr. Azzolina:** stated he notes that it falls between the houses; theoretically it could be maintained for irrigation purposes if it is functioning.

**Mayor Sobkowicz:** asked if there was well water on the site.

**Mr. Jensen:** stated no, United Water.

**Mr. Azzolina:** stated the well may no longer be functional; there is actually an old fashioned pump; stated another question would be a proposal for a generator; it is almost standard equipment on houses these day; ordinance passed that regulates the location.

**Mr. Hernandez:** stated it would be contingent upon the buyer; can prep for installation but not include it.

**Mr. Azzolina:** stated he is just offering the option; stated tree removals are noted on the plan; the applicant is proposing to replant at a 2:1 ratio which, based on the numbers shown on the plan, would be quite significant; there are 19 trees to be removed; 6 of them are sumac which are not native and are invasive types of trees which typically are removed; perhaps the Board would consider reducing the replanting requirement; the replanting number would then be brought down to 26; the remainder of the lot which is not being developed is wooded; shown to remain that way.

**Mr. Hernandez:** stated it will buffer the parkway sound.

**Mr. Azzolina:** asked if the applicant would be represented by counsel at the hearing.

**Mr. Jensen:** stated if the Board so requires, but he is comfortable presenting this application on his own.

**Chairman Calamari:** stated it is probably in the applicant's best interest to have counsel because the next time around the public will be present and the meeting will be open to questioning from the public; Mr. Azzolina has done a thorough job and briefed the applicant on what is needed, but at a future date the applicant cannot say he was not told what was required; if the applicant comes before the Board at the end of the month and they think all is in order and the Board states it is not, the applicant cannot then say that Board did not inform them ahead of time of what was required.

**Mr. Jensen:** spoke regarding a hut in the NE corner property lot; there is designated that there was a shed, up until about three years ago, a different shed; there are two sheds; one that was already discussed and another one that may or may not be designated on the survey, on the NE corner of the aggregate lot; asked if it is already present, if one still needs to be provided there.

**Mr. Azzolina:** stated the other shed is not shown on the survey that was submitted.

**Mr. Jensen:** stated that it is not shown on the new survey because it is no longer there; it was shown on the original survey.

**Chairman Calamari:** asked if the applicant would like to erect another shed.

**Mr. Jensen:** stated he would like to know his options if he wanted to place a shed on the property on the back corner without needing a variance.

**Mr. Azzolina:** stated in this zone it would have to be 15 ft. off the side yard.

**Mr. Jensen:** asked if it would be appropriate to ask for permission for this shed from the Board.

**Mr. Azzolina:** stated he raises an issue as to the existing shed; if the applicant is proposing to move it such that it is clear of the 15 ft. side yard, then there is no issue; it depends on where the applicant intends on putting it.

**Chairman Calamari:** stated that Mr. Azzolina undoubtedly covered all of this, but he wants to make sure there is no wetlands area to be concerned with.

**Mr. Azzolina:** stated there is nothing evident to him.

**Mr. Brian Murphy:** spoke regarding the banking side of this application with the closing, there will be a three day right to cancel; it will get tight with the timeline if the approval doesn't come through; the applicant may want to see if he can get this waived from the bank or mortgage company.

**Chairman Calamari:** stated the applicant will return to the Board officially on June 25, 2014.

**Mr. Wortalik:** instructed the applicant to submit their notice and letter to their 200' list for review.

**Motion to Adjourn:** Sears, Murphy

**All Board Members present approve Motion to Adjourn.**

**Meeting Adjourned at 8:10PM**

Respectfully submitted by:

JoAnn Carroll  
Planning Board Secretary  
June 9, 2014