

**Township of Washington  
BERGEN COUNTY, NEW JERSEY  
Planning Board Meeting  
Minutes  
September 3, 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, Councilman Sears, Mayor Sobkowicz, Chairman Calamari

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

**Approval of Minutes:** Councilman Sears, Dumaresq  
July 30, 2014

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

**Motion to Open Public Portion:** Dumaresq, Golick

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

**No Public Comment**

**Motion to Close Public Portion:** Councilman Sears, Dumaresq

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

**New Business:**

**Bethany Church, 399 Pascack Road, Block 3301, Lot 15:** applicant seeks approval to erect a monument sign with illumination.

**Chairman Calamari:** asked a representative of Bethany Church to come forward.

**Pastor John James, Bethany Church, 399 Pascack Road (Church address);** sworn in by Mr. Wortalik.

**Chairman Calamari:** asked Pastor James to give a brief description of the Church's application.

**Pastor James:** stated the Church would like to make their sign more visible to the public and to their congregation; especially when members of the Church attend night time meetings; entrance is often missed; seeking to make the sign slightly larger and to have lights inside the sign; at this time there are two lights that light the sign up from the outside; front of Church is dark; would like to address that issue in the future; at this time wants to build a lit sign in the front.

**Chairman Calamari:** stated that he has observed that one side of the existing sign is more brightly illuminated than the other side; asked if that was intentional or was it because of landscaping or another reason.

**Pastor James:** stated it is probably because of the landscaping; since they were first planted, the shrubs are overgrown.

**Chairman Calamari:** asked if Pastor James had noticed that there are no other signs on Pascack Road that have the illumination he is proposing.

**Pastor James:** stated the Church down the street does have a backlit sign; the same as he is discussing for Bethany Church.

**Mayor Sobkowicz:** asked if Pastor James was referring to the Valley Bible Church.

**Pastor James:** stated that was the Church he was referring to; the sign Bethany Church is proposing is a monument sign.

**Councilman Sears:** stated, regarding illumination, asked if it would be as bright as the Courtroom was this evening.

**Pastor James:** stated absolutely not.

**Councilman Sears:** asked if the illumination will reflect into any of the neighbor's homes on either side of the Church.

**Pastor James:** stated the sign will not shine into any of the neighboring homes; it will be brighter than the current sign, but it will not glare into people's homes; the new sign will be put on a timer; the current sign goes off around 10PM/ 10:30PM; the sign does not go back on until the next day when it starts to get dark out; changes with the seasons.

**Chairman Calamari:** asked if the Pastor was proposing the same hours for the new sign.

**Pastor James:** stated yes; is willing to discuss the time but feels the current time the sign is lit is reasonable.

**Mayor Sobkowicz:** stated she does not prefer self-illuminated signs; most of the signs in the Church's area, Oritani, Washington Commons, etc., have their signs lit from outside the sign; if the driveway is missed, maybe a light near the driveway could be installed; the Mayor feels the less signs the better; she is very opposed to the size of the proposed sign; the sign size is changing from 70 inches to 96 inches; the Mayor before her, when someone wanted to put up a sign, would have them put up a sample of the sign made up of wood and paper, so the Board could ride by and see how it would look; she does not feel it needs to be 96 inches.

**Pastor James:** stated he understands the Mayor's personal preference regarding the sign, but he wanted to know what the Township allowed.

**Mayor Sobkowicz:** stated, along the Church's section, there are no self-illuminated signs; it does not need to be 8 ft. long.

**Chairman Calamari:** asked if the Pastor felt he could get the effect he wants to achieve, which is more exposure, on something less than 96 inches, and by trimming the landscaping and having an additional floodlight without the back illumination on the sign.

**Pastor James:** stated they are willing to try that; it needs quite a bit more light; light needs to be added; the sign does need to be redone, even if it isn't an illuminated sign; all they have done so far is put their logo on the sign that was there when they moved into the space.

**Mayor Sobkowicz:** asked about another sign that was recently on the property.

**Pastor James:** stated the Church, from time to time, places temporary signs in front of the Church regarding the events they are running; in addition, they put signs up regarding Community based events; no lights are ever placed on the temporary signs.

**Rosa D'Ambra, 423 Colonial Boulevard:** stated she was in favor of this application.

**Mark Levy, 219 Devon Road:** stated he had prepared a handout for the Board; the handout included pictures of the back of the Church where there is a floodlight; started to discuss the maintenance of the property.

**Chairman Calamari:** stated that if Mr. Levy's commentary and presentation had to do with the condition of the Church's property, the Planning Board has no jurisdiction in regards to property maintenance nor does it have any jurisdiction over zoning.

**Mayor Sobkowicz:** stated she would give a copy of Mr. Levy's handout to the Borough Administrator the next day.

**Mr. Sabino:** stated the last few pages of the handout dealt with the sign.

**Mr. Levy:** continued his comments regarding Bethany Church's application.

**Chairman Calamari:** asked if Mr. Levy had spoken to the pastor before this evening and if Mr. Levy had expressed his concerns to the pastor as well.

**Mr. Levy:** stated this was the first time he was meeting the pastor; spoke regarding the character of the neighborhood.

**Chairman Calamari:** stated he would have suggested to Mr. Levy that he should have spoken to the pastor, but that it is understood if that was not Mr. Levy's preference; the Board is concerned with the sign and that is what the Board will address.

**Mr. Golick:** stated the resident made a good point, but that cannot be made a stipulation of controlling what the Church can do with the sign; Mr. Golick believes Pastor James should make a sample of the sign so the Board can see it physically before it is allowed to be placed permanently.

**Mr. Pinnick:** asked where there was another 96 inch illuminated sign in the area.

**Chairman Calamari:** stated there is none; the Oritani sign is 90 x 49; asked Mr. Azzolina if Oritani's sign included the area that contained script letters or the whole sign including the structure.

**Mr. Azzolina:** stated the 96 is the sign board only; the columns are in addition to that dimension; just the printed part; the columns would be in addition to 90; the Oritani sign is 6 inches smaller than what the pastor is requesting; the closest sign of the size proposed by Bethany Church is the Oritani sign, albeit it is not illuminated; the Oritani sign uses floodlight illumination.

**Councilman Sears:** asked why the design is being proposed at 96 inches.

**Pastor James:** stated to make it more visible; the lighting is much more important than the size; doesn't want to have a smaller sign that what is currently on the property; the main concern is the sign is seen so residents know where they are located.

**Mayor Sobkowicz:** stated Oritani has a lot bigger piece of property; would like to see the Church's sign made smaller; the proposed sign is too big for the property.

**Pastor James:** stated he would like to come to a resolution this evening regarding illumination; he believes this is the real issue; the front of the Church is very dark; they are trying to deal with this by adding illumination.

**Chairman Calamari:** stated, he would like to make a suggestion, and if the Board agrees, that the Pastor cut the sign back to 86 inches wide and without any interim additional expense, enhance the existing lighting that is currently there by adding a couple of additional flood lights; by doing this, the Pastor will see if it provides the desired effect that he wants, and the Board and the Church's neighbors will have a chance to see how it looks; the existing fence is 70 inches wide and you can't expand it to 80/86 inches inexpensively, but almost anyone can visualize a foot to a foot and a half larger; it is the illumination that concerns the Board; asked the Pastor if he would be agreeable to this suggestion; this suggestion could be implemented as soon as possible, let it sit for a month and come back to the Board at the end of the month.

**Pastor James:** stated absolutely; the Church is here for the community; discussed a bus that is parked on the property.

**Mayor Sobkowicz:** stated the bus would have to be removed; suggested the original sign to be left as it is now; enhance the floodlights and then if that doesn't work, come back to the Board and then the self-illuminated sign could be discussed.

**Pastor James:** stated he is fine with this suggestion; asked if adding another floodlight would need zoning approval.

**Chairman Calamari:** stated no, it is not a permanent structure.

**The Board was unanimously in agreement with this idea.**

**Chairman Calamari:** asked if the Pastor would be back on September 4<sup>th</sup> or October 1<sup>st</sup>.

**Pastor James:** stated October 1<sup>st</sup> would be preferable.

**New Business:**

**Mr. Vincent Lanza, 653 Beech Street, Block 3117, Lot 5:** applicant seeks approval to remove 60 trees from the lot for construction of a single family dwelling.

**Mr. Vincent Lanza, 4 Countryside Lane, Ringwood, NJ:** sworn in by Mr. Wortalik.

**Chairman Calamari:** asked Mr. Lanza to give his presentation.

**Mr. Lanza:** stating he is proposing a single family dwelling; it is conforming to all the Township's ordinances; the property is 100 x 100; corner of Beech and Washington; in order to do so, because of the topography of the property, nearly all of the trees need to be cleared; his plan is to comply with the Township's ordinance and replant 15 trees on the property.

**Mr. Azzolina:** stated the applicant's engineer did identify on the plan the sizes and locations of the trees and the topography of the property such that substantial tree removal is required in order to develop the property; he has

counted the trees; his count is 52 trees as opposed to 60; he is assuming the applicant's engineer has a clearer depiction of it on the computer and is able to get a better count; minimal 52 and up to 60 trees to be removed; the applicant is including a 6 inch diameter tree which is required to be shown per the Township's code but they are smaller trees that would never have grown to be substantial trees given their existing canopy; the 15 trees to be replanted are shown on sheet 2 of the set of drawings that were submitted with the application; there are 9 trees along the northerly property line and then there are 6 trees along Beech Street and Washington Avenue.

**Mayor Sobkowicz:** asked about the trees listed in the application.

**Mr. Azzolina:** discussed and explained the trees; they are common street trees; have a high survival rate; common replacement trees.

**Chairman Calamari:** stated, in the past, since it is difficult to visualize a completed project on paper, the Board has reserved the right to revisit the landscaping, including the trees when the project is finished; this stipulation could be placed in the resolution.

**Mayor Sobkowicz:** asked if the applicant would be living in the home he is constructing on the property.

**Mr. Lanza:** stated he is building it for spec.

**Councilman Sears:** asked if a water runoff study was done.

**Mr. Lanza:** stated yes; his engineer did all the drainage calculations, etc.; proposing improvements on both Washington and Beech that will accommodate the runoff.

**Mr. Sabino:** stated he is not opposed to trees being removed to build a home, but he is concerned about the trees along Washington Avenue that do not affect the footprint of the home; asked why these trees would have to be removed.

**Mr. Lanza:** stated, due to the topography and the drainage, these trees need to be removed; the topography is too high to leave the trees; a very uneven topography would be created on the property; pockets of ponding; it would be very uneven; he always likes to leave as many trees as possible.

**Mr. Azzolina:** stated that based on the proposed grading scheme, the applicant is trying to level out the slope which is from east to west to create a more continuous gradient; the trees in that area would require removal; in the builder's defense, in that area, he is proposing four deciduous trees to compensate for the trees that are being removed in that area.

**Mr. Sabino:** stated he did not see any drainage structures in the area that the trees are being removed; he does see dry wells inside the property.

**Mr. Azzolina:** stated the seepage pit system is on the north side of the driveway; that will control the runoff from the roof area of the proposed dwelling; the remainder of the lot will maintain the existing drainage pattern which is from east to west.

**Mr. Sabino:** stated that if Paul is in agreement with this plan, then he will rely on his expertise.

**Mr. Azzolina:** stated his finding is that the drainage design is adequate; to illustrate the point, it is very similar to the two homes that were constructed across the street on the other side of Washington Avenue.

**Mr. Melanie Rouet, 510 Washington Avenue:** questioned applicant regarding his project.

**Ms. Marian Murez, 530 Washington Avenue:** stated her concerns regarding this application.

**Ms. Rosa D'Ambra, 423 Colonial Boulevard:** stated her concerns regarding this application.

**Chairman Calamari:** stated there will be a proviso in the resolution that the Board will revisit the landscaping after the project is completed

**Motion to Approve Application:** Chairman Calamari, Dumaresq

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

**Chairman Calamari:** stated it is always a concern for the Town to lose 60 trees but two engineers are in agreement that it is necessary for the drainage, and if

it is not done now, because of the change to the topography to build the house, the trees would die anyway; better to have them out now and start fresh.

**Ongoing Business:**

**Mr. Paul Imbarrato, 195 Linwood Avenue, Block 2502.01, Lot 16 & 17:** amended minor subdivision application.

**Michel D’Arcy, attorney for Stagger Lee, LLC and Mr. Paul Imbarrato; Mr. Paul Imbarrato and Mr. Michael Hubschman, Hubschman Engineering,** sworn in by Mr. Wertalik.

**Chairman Calamari:** confirmed with Mr. Azzolina that he was in receipt of the engineer’s report from August 26, 2014.

**Ms. D’Arcy:** stated the applicant is seeking to amend the original application for a minor subdivision which was approved by resolution in September 2012; the property is known as 191 and 195 Linwood Avenue in the Township; the original resolution approved three lots and a private driveway that would run along Linwood Avenue to the properties that would be situated along the private cul-de-sac; the applicant has gone through all the necessary review by the Board as well as engineers; scrutiny of sanitary, sewer, police, soil, water, fire and it was approved; now the applicant is seeking to add an additional lot; due to financial issues and the rising cost of utilities, the applicant is asking for consideration for the addition of one lot and Mr. Hubschman will be able to explain further what the applicant is specifically proposing.

**Exhibit A1: revision 2 of the minor subdivision plat with the last revision date of dated 6/13/12; marked 9/3/14**

**Exhibit A2: marked 5 sheet of the subdivision map with the last revision date of 5/23/14; marked 9/3/14**

**Chairman Calamari:** asked about the dates of the exhibits/plans; can show two different site plans that are different but that carry the same dates and drawing number.

**Mr. Hubschman:** stated one of the plans is a modification; it is the original drawing and revision 3; revision date is 5/23/14; back in 2012 the applicant was before the Board; project approved with an 18 ft. private driveway; 40 radius cul-de-sac which is standard; three lots; pavilion on remaining; large addition existing on the house in front; proposing a berm; drainage and sewer

going out towards the east; a lot of drainage problems in the neighborhood; the neighbors were talking about water coming from Parkway Court; proposed a basin; at the time the whole development drained towards the center and there was an overflow out to Linwood; the berm alleviated the problem to the east and that is what was approved in 2012; the modified minor subdivision moved the pavilion, reduced the size of the addition and they are proposing to subdivide into 4- .5 acre lots; conforms with the ordinance; the road, cul-de-sac, drainage, berm, picking up the drain from Parkway Court remains the same; the only addition is the lot lines are shifted; the pavilion is moved; because the cost of the infrastructure, all the infrastructure remains generally the same; it will be a privately owned road by an association of 4 homeowners; the Borough was taking the ownership for the sanitary sewer which was in the resolution; lighting approved on road; lanterns at driveways; conditions of old resolution to move forward; main condition that is not shown on the plan is the lighting for the road; utilities are underground; drainage in accordance with the RSIS; the impervious coverage is a little less because of the addition and the pavilion and the road pavement areas; proposing filters; approved before; the seepage pits for the mitigation of the runoff; modified the soil movement number; basements in all four houses; tree removal; removing 17 trees and replacing with 45 trees; **Exhibit A3** shows landscaping plan; is generic but does show all the landscaping; landscaping to buffer neighbor's properties.

**Mayor Sobkowicz:** asked regarding an easement; asked if the driveway was being constructed within the easement; in Mr. Azzolina's report it states the driveway shall be constructed with a proposed private driveway in the utility easement traversing each of the four proposed lots; the construction of a common driveway within an easement rather than a fully improved municipal road later dedicated to the Township allows each parcel to be compliant with the minimum area; asked for an explanation of the easement.

**Mr. Hubschman:** stated there will be a private roadway; subject to municipal standards; it will not be a dedicated road; repair, snow plowing will fall upon the four homeowners.

**Mr. Azzolina:** stated it takes away the maintenance obligations from the Township otherwise, the dedication of that land area, the applicant would not have sufficient lot area; the applicant would not be able to get 3-4 lots; the property owners retain all rights to that land area which allows them to have .5 acre lots; would need additional variances.

**Mayor Sobkowicz:** asked about a treatment works approval application to the NJDEP; application to Borough of Paramus for a waste water agreement.

**Mr. Hubschman:** stated whenever a sanitary sewer is extended certain approvals are required; NJDEP approval is required; have to go to Mayor and Council, then BCUA, then the third step is the NJDEP; have to go to the Borough of Paramus.

**Mr. Azzolina:** stated it used to be known as a “sewer extension permit”.

**Mr. Sabino:** asked if any additional variances were needed with the addition of the fourth home.

**Mr. Hubschman:** stated there is one more frontage variance because it is considered zero frontage because it is a private road.

**Chairman Calamari:** stated one house is being taken away and one is being added; asked if there were any other significant changes to the plan.

**Mr. Azzolina:** stated no; it is essentially the same plan that was approved in 2012.

**Mayor Sobkowicz:** spoke regarding number IV, 3 a), “the Key Map currently depicts all street, roads, streams and watercourses within 200 feet of the subject property opposed to within 500 ft. of the subdivision, as required pursuant to Code Section 239.6G”; there is a revision stated; asked for an explanation of the revision.

**Mr. Azzolina:** stated the applicant has to show an extended radius or alternatively request waiver relief, which he believes was done with the original application.

**Mr. Hubschman:** stated a 500 ft. radius map will be provided.

**Mr. Azzolina:** stated the choice is either to provide the information, which is not really difficult to do; not looking for complete topography; just showing the roadways and streams; can take information off of the tax map; prior approval didn't have 200 ft. structures that is what has been added to the drawing which is on the last sheet; that is within 200 ft.; the code speaks of roadways and streams within 500 ft.

**Mr. Hubschman:** stated the applicant is not seeking a waiver on that.

**Mayor Sobkowicz:** asked if the Township will receive a copy of the Homeowner's Association documentation.

**Chairman Calamari:** asked if any documents were ever prepared.

**Mr. Imbarrato:** stated that is was prepared and sent to his attorney for review; held off for financial reasons; will revise and add additional home; believes the original resolution in 2012 stated it had to be added to the Developer's Agreement.

**Chairman Calamari:** stated it was a "subject to" resolution.

**Councilman Sears:** stated the shade trees at the beginning of the cul-de-sac turn will be hit by the tail end of the tower ladder when it makes its turn; they should be moved to avoid this.

**Mr. Imbarrato:** stated they are canopy shade trees; branch elevation of 7 ft.; the trees can be moved back; as trees mature they will be pruned up and elevated.

**Ms. Edith Brown, 45 Parkway Court:** asked questions of the applicant and his engineer regarding the application.

**Ms. Rosa D'Ambra, 423 Colonial Boulevard:** asked questions of the applicant and the Board regarding the application.

**Mr. Sam Gatteo, 17 Edgewood Drive:** asked questions of the applicant regarding the application.

**Motion to Approve Application:** Golick, Councilman Sears

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

### **Board Discussion**

Discussion in regards to Board Member status in regards to a potential application by American Dream Estates.

**Chairman Calamari:** spoke briefly regarding a potential application by American Dream Estates; asked the Board Attorney and Board Engineer to collaborate and report back to the Board regarding the current Board hearing this potential application when there are only 2 or 3 current members who were on the Board when the application was first heard; would this application be heard like any other.

**Motion to Adjourn:** Councilman Sears, Murphy  
**All Board Members present approve Motion to Adjourn.**

**Meeting adjourned at 9:20PM.**

Respectfully submitted by:

JoAnn Carroll  
Planning Board Secretary  
September 10, 2014