

**TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
Zoning Board of Adjustment
Minutes
Meeting Time: 7:00PM
January 15, 2013**

Call to Order: In compliance with the Open Public Meetings Act of the State of New Jersey, notification of this meeting has been published in the Ridgewood News, our official newspaper in the Township of Washington, notice has been advertised on the official Township of Washington website, and posted on the bulletin board at Town Hall.

First Order of Business: Salutation to the Flag

Roll Call:

Messrs. Asfar (absent), Gerhard, Ms. Merkle, Messrs. Miras, O'Connell, Sonntag (absent), Ullman, Werfel, Johnson

Nomination of Mr. William Johnson as Chairperson: Werfel, Miras

Roll Call Taken

Chairman Johnson sworn in by Ms. Donna Baboulis, Board Attorney

Nomination of Mr. Michael Ullman as Vice Chairperson: Merkle, Werfel

Roll Call Taken

Vice Chairman sworn in by Ms. Donna Baboulis, Board Attorney

**Resolution of Attorney read aloud by Board Secretary
(Board Attorney for the year 2013 is Ms. Donna Baboulis)**

Motion to Adopt: Miras, Werfel

Roll Call Taken

New Business:

Mr. and Mrs. Dobres – 184 Howard Street, Block 4423, Lot 19: applicant is seeking a variance to construct a two car garage and two one-story additions to residence in a B Zone.

Mr. & Mrs. Dobres sworn in by Ms. Donna Baboulis, Board Attorney

Ms. Baboulis: had a question regarding the type of variance the applicant is seeking.

Please Note: Application amended to a C1 variance by Mr. & Mrs. Dobres.

Mr. Dobres: explained his plan to build a one-story addition to the rear of the house and a 2-car garage to the north side of the house. Their plan is over the lot coverage. **Exhibit A1:** Architectural Rendering/East Elevation dated 10/30/12 (3 separate pages). Elevations of all sides of the proposed house, survey with proposed additions and floor plan of the house. The existing house was built in 1952 and is 1,029 sq. ft., which is small by today's standards; purchased the house with a plan to put a decent size addition on the house to make it comfortable by today's standards and he believes the zoning laws require any major construction without a garage must now have a garage; 2-car garage was designed which increased a lot of the square footage. The garage is a total of 750 sq. ft. There is a porch on the front of the house. Spoke regarding setbacks and variances; the lot size is 100 x 100.

Chairman Johnson: asked if the proposed addition would make the home comparable to other properties in the immediate area.

Mr. Dobres: stated that he believed the other houses in the area are approximately the same size.

Mr. Michael Ullman: asked if the trees to the rear of the home off the deck were going to be kept or removed.

Mr. Dobres: responded that he planned to keep these trees.

Mr. Ullman: stated that he did not see a drainage plan and asked how he planned to keep the water on site.

Mr. Dobres: with the engineer, Mr. Michael Ritchie, they are planning to put in a seepage pit, which will be on the final architectural plans.

Chairman Johnson: asked the reason for a proposed two car garage instead of a one car garage.

Mr. Dobres: stated that he prefers to park his cars in the garage and that a 2-car garage will be useful for storage as well.

Mr. Ullman: stated that on the rendering, the garage is shown as a 3-car garage and asked for an explanation.

Mr. Dobres: stated that there is space in the rear of the garage for an additional car.

Ms. Donna Baboulis, Board Attorney: asked for clarification of the changes made to the rendering.

Mr. Dobres: stated that the roof line above the garage changed and the façade has changed; the roof pitch is higher and longer due to increasing the width of the house.

Ms. Baboulis: asked if the rendering showing the changes was submitted to the Town's Engineer.

Mr. Dobres: stated that the final plans were submitted to the Engineer and that the rendering he was presenting was just to show the finished project and how nicely it would look when completed.

Mr. Ullman: stated that there seemed to be a difference between the final plans and what was reviewed by the Town's Engineer.

Ms. Baboulis: stated that she has the same confusion as Mr. Ullman.

Mrs. Dobres: discussed the variances needed and the update done by her architect.

Mr. Ullman: stated that the engineer's letter referred to the preliminary plans, not the final plans.

Ms. Baboulis: asked if the engineer was in receipt of the updated plans.

Mrs. Dobres: stated "yes."

Mr. Ullman: was concerned with the discrepancies between what was discussed in the letter and the final plans.

Mr. Richard Miras: stated that though there was room for three cars, the garage was still a two car garage.

Mr. Michael Werfel: questioned the size of the addition.

Chairman Johnson: discussed the increased coverage and stated that he does not see the hardship in regards to this application.

Mr. Werfel: stated that he feels the same as Chairman Johnson and feels changes can be made to conform.

Mr. Miras: discussed the Township ordinance regarding garages.

Mr. Ullman: stated that the proposed project is aesthetically pleasing, but feels the Board would not be meeting the long term requirements if allowing the house to keep expanding.

Chairman Johnson: stated that if the applicant were to build a new house in this zone, only a one car garage would be needed, which means the plans would be within 20%.

Ms. Laura Merkle: stated that the proposed project aesthetically looks good, but tried to envision the impact of having this much of an increase in the future.

Mr. Miras: stated that no further storage would be needed with the size of the proposed garage and the design is not out of place with the surrounding area and he would have no problem agreeing to the lot coverage proposed.

Chairman Johnson: asked if there was any public comment

No comments from the public

Motion to adopt the application: O'Connell, Miras

Roll Call:

Ayes: Messrs. Gerhard, Ms. Merkle, Messrs. Miras, O'Connell

Nays: Werfel, Johnson, Ullman

Motion Carried

Application Approved

Ms. Baboulis: explained the procedure from this point forward with regards to the resolution, receiving permits and the appeal period.

A five Minute recess is taken at this point in the meeting.

First Hartford Realty Corp., 660-680 Pascack Road, Block 2110. Lots 6,7,8,9,10: applicant is seeking a site plan approval, use variances, sign approval and major soil movement permit for the construction of a CVS Pharmacy.

Mr. Carmine Alampi, Applicant Attorney: discussed the testimony given at the previous meeting by Mr. Gary Dean, Traffic Consultant and the letter received that day by Christopher Statile, Board Engineer for the CVS application.

Exhibit B2: Chris Statile Letter dated January 15, 2013, marked January 15, 2013.

Chairman Johnson: asked if any members of the Board had questions for Mr. Dean.

Mr. Gary Dean, Traffic Consultant: addressed the Board regarding improvements that would better facilitate traffic, reduce delays, decrease congestion, and lessen the queuing at the intersection of Washington Avenue and Pascack Road. The improvements would also mitigate for the additional traffic generated by the CVS site. Mr. Dean further discussed site generated traffic volumes, occasionally visiting sites that have been erected, never hearing of a traffic issue with any sites in New York or New Jersey in relation to parking or impacts on the neighborhood, impacts on a side street and his consultation on a CVS being built in a residential zone in Bridgewater Township. In addition, Mr. Dean discussed the “t” average vehicle trip.

Mr. Dean is cross examined by Mr. Lee Klein: discussion included Jefferson Avenue intersection, the grading of the driveway, sight lines, customer and employee parking.

Chairman Johnson: asked Mr. Klein to give his opinion on the proposed plan.

Mr. Klein: discussed the improvements at the intersection of Washington and Pascack, relocation of the bus stop, County mentioning the southern driveway to be eliminated and queues.

Chairman Johnson: asked if Mr. Dean stated that the location of the proposed CVS site in the Township would not have a significant impact on the traffic volume.

Mr. Dean: responded “yes.”

Chairman Johnson: asked if Mr. Klein agreed with Mr. Dean’s statement.

Mr. Klein: responded that he does agree with Mr. Dean’s opinion and statistics that he provided.

Chairman Johnson: asked what his view would be to the traffic on Jefferson Avenue and McKinley.

Mr. Klein: stated that he believes, if anything, the proposed site would decrease the amount of cut-through traffic.

Mr. Ullman: asked if there would be a negative impact on the residents due to the changes at the intersection.

Mr. Klein: stated that homes to the west of the intersection, just east of the intersection, north and south of the intersection, traffic might be a little faster, but there won’t be a standing queue in front of those properties.

Mr. Michael Werfel and Mr. Klein: discussed the 7 percent grade, obstructed view of the site and if improved traffic flow would beget more traffic.

Mr. Miras: asked who would have the final say regarding the bus movements.

Mr. Klein: responded he believed it would be New Jersey Transit in conjunction with the County.

Mr. Miras: discussed the bus size, bus movements, bus stop and how the bus would/could maneuver at the intersection.

Mr. Alampi and Mr. Dean: discussed Mr. Statile's letter dated January 15, 2013. Discussed further were the following, ability of northbound traffic on Pascack to turn left and companion widening of the street.

Mr. Ullman: asked if the street is wide enough at this time, why would it need to be changed.

Mr. Dean: stated that this concern was a question for Mr. Statile, but he did explain that when there is a striped, dedicated lane, certain standards need to be met. Mr. Dean further stated that the impacts need to be evaluated.

Mr. Werfel: spoke regarding the elimination of the driveway in item number 2, and would that cause a queuing issue at the only remaining exit.

Mr. Dean: spoke regarding eliminating the driveway, leaving the ingress and coming back to the site in six months to evaluate objectively the intersection.

Mr. Miras: stated that he didn't see the issue by Jefferson as an issue.

Mr. Dean: responded that he didn't either, but there were other opinions that needed to be heard.

Mr. Joel Minch, of Christopher P. Statile Associates: spoke regarding a dedicated left turn into the northern driveway and a bypass line, changing the approach of Pascack Road to the intersection with Washington, different arrangement of angle parking and the elimination of some parking. He further asked if things are required by the County, how they would meet those requirements.

Chairman Johnson: asked Mr. Minch to relay to Mr. Statile to inform the Board when he will be representing them at a meeting with the County.

Exhibit A-30: Chalkboard diagram of Pascack running top to bottom and CVS and Jefferson left to right used by Mr. Dean, dated January 15, 2013. (Picture taken)

Exhibit A-31: Chalkboard diagram of Pacack running top to bottom and CVS and Jefferson left to right used by Mr. Dean, marked to show a vehicle turning left into CVS, dated January 15, 2013. (Picture taken)

Mr. Dean: discussed the diagram on the chalkboard relating to widening north of the intersection, the introduction of a left-turn lane, striping, gore area or bullnose, shadowing and the protection for the left turn lane. Mr. Dean further stated that with the bullnose, the intersection becomes a very good candidate to do a left-turn lane because it's already widened to come into Jefferson.

Mr. Klein: asked if Mr. Dean had a chance to review the histograms that warrant a left turn lane.

Mr. Dean: stated that he had not reviewed them, but that Mr. Klein is correct that there is 40 year old documentation that investigates the percentage of left turns relative to what is called approaching traffic vs. the opposing traffic to dictate whether the turn lane is needed.

Mr. Miras: asked if this complicates someone coming out of CVS and wants to go north on Pascack.

Mr. Dean: stated that it certainly does and it is around the bullnose and they will make a wider swing. In addition, Mr. Dean also mentioned the pedestrian crosswalks coming into the improvement equation.

Mr. Minch: asked a question regarding how much the existing width was in the center line.

Mr. Dean: stated that the number he came up with was nineteen feet.

Mr. Minch: stated that if the County wanted an 11 auxiliary turn lane, plus 12 or 13, the number would be 24 feet versus 19 feet and that would be an extra five feet and possibly adjusting only five feet to the west so it becomes a realignment of that approach to the west onto the proposed CVS property.

Mr. Dean: stated that if they were to shift the center line, they would then have to taper it back as they go further south, which is why it was easy for the left-turn lane to do all the widening on the east side because you only affect one side of the road, but that it could be done.

Mr. Minch: asked, if required by the County, a combination could be done.

Mr. Dean: stated that there would be practical difficulties and it would be a construction issue and an economic one as well. Mr. Dean further stated that under the scheme he drew, it would only affect construction on one side of the road and if they were to take a little two and a half feet on each side of the road, now they would be on both sides of the road which is twice as much curbing and twice as much sidewalk.

Mr. Minch: stated that if the five feet were to be taken all on the west side where the work is already being done, then you it would all be on one side.

Mr. Dean: stated that was correct but he would still have to go from the CVS 200 feet to the north.

Mr. Minch: restated that the County has not yet seen the plan the applicant has shown to the Board and that when Mr. Statile spoke with the County, they had not seen the plan.

Mr. Werfel: asked if there could ever be a vote on anything related to the land use that far away. Mr. Werfel stated that if there was actual construction to be done that far up the road, nobody present would have the authority to take that land.

Mr. Dean: stated that it will all be done on the right-of-way.

Mr. Werfel: stated that this was his concern and could the Board even vote on it.

Mr. Dean: stated that it is off the site and the application pertains to the site improvements and that it would get reviewed at the County level.

Mr. Miras: asked if a traffic light would be the next logical step at Jefferson and the site driveway.

Mr. Dean: stated, that in his professional opinion, a traffic light would never be warranted because it is a law in New Jersey that once a pedestrian steps into the crosswalk the traffic must stop for him/her. Mr. Dean further stated that the area would have to be well marked and well lit.

Mr. Richards: asked if it seemed like the CVS was moving into a commercial zone with the talk of adding lanes and shifting driveways and adding lights, etc.

Mr. Dean: stated that by getting rid of the traffic problems, it will be bettering the quality of life for the residents. Mr. Dean further stated that there will be more blacktop and that this is an intersection of two county roads that are controlled by a traffic light so that it will look different but function better.

Mr. Richards: asked if Mr. Dean had reviewed the Master Plan or any of the re-examination reports for the Master Plan of the Township in connection with the project.

Mr. Dean: stated that he had not.

Mr. Richards: asked if Mr. Dean knew what any of the major goals stated in the Master Plan were. Mr. Richards further asked if Mr. Dean if he was aware if the traffic and the retention of the residential feel of the area was an important aspect for the drafters of the plan of the re-examination reports.

Mr. Dean: stated that he had no knowledge of that.

Mr. Richards: asked if it was correct the last time Mr. Dean came before the Board the discussion was regarding the change in the nature of the area and that you weren't there to give your opinion as to the social aspects and the social impacts this project would have but just to speak regarding the moving of traffic and improving traffic flow.

Mr. Dean: stated this was correct.

Mr. Richards: asked if Mr. Dean was talking about the quality of life in regards to how quickly you can get through a specific point.

Mr. Dean: responded that coupled with a reduction in queuing, the blockages of residential driveways and of residential streets that is currently associated with the poor operation of the intersection.

Mr. Richards: asked if all of Mr. Dean's opinions and reports were premised on the fact that the intersection would be improved.

Mr. Dean: stated this was correct.

Mr. Richards asked Mr. Dean if the intersection were not to be improved, and a CVS was constructed, if there would then be a negative impact on the area in regards to traffic.

Mr. Dean: responded no, that placing a CVS at this location is not akin to placing a Home Depot or a Shop Rite which would generate hundreds of traffic movements in an hour.

Mr. Richards: asked Mr. Dean if it was correct that if the intersection was not improved, there would be an adding of 72 traffic movements an hour.

Mr. Dean: stated that this was correct.

Mr. Richards: spoke regarding drivers looking for a route to avoid the traffic light at the intersection.

Mr. Dean: stated that with a better traffic flow, there would be no reason for drivers to drive through a residential neighborhood.

Mr. Richards and Mr. Dean: discussed the estimated 16 diverted trips in a peak hour in the improved intersection, 76 vehicles coming in and 76 vehicles leaving the property, the 2% growth NJDOT growth rate for Bergen County in two years, cars going towards the left hand side and the fact that the opinions given by Mr. Dean are under the assumption the intersection improvements were made.

Chairman Johnson: opened up the meeting to questions from the public.

Ms. Rosa D'Ambra, 423 Colonial Boulevard: asked questions regarding the amount of lanes and traffic at the Bridgewater site compared to the proposed

CVS site in the Township, the 2% growth rate for Bergen County, possible increase in the amount of traffic due to the approval of the gas station in the same vicinity with a convenience store, buses being able to make a turn around the bullnose area, the possibility of the County improving the intersection whether the CVS is built or not, driveway that would allow people to head towards the Parkway to turn right into the site and the width of the sidewalks by CVS.

Ms. Gace Hogan, 898 Washington Avenue: asked questions regarding the impact on traffic generated by CVS on the residents, trips made by the inhabitants of the three houses on the property, traffic accidents at the intersection, Cresskill CVS, traffic exiting from Seasons at different hours of the day and night and the Bergen County Planning Board not giving conditional approval.

Ms. Linda Murphy, 675 McKinley Avenue: asked questions regarding an 8.8 second delay in making a turn at Jefferson, Pascack Road being widened, the right of way of the homes located on the site, fire truck turning templates, impact projections and the Town Ordinance regarding driveway entrances.

Chairman Johnson: thanked all in attendance for their time and announced that the next meeting would be held on Tuesday, February 19th.

Motion to Adjourn: Miras, O'Connell

All Board members present approve the motion to adjourn.

Respectfully submitted by:

JoAnn Carroll
Zoning Board Secretary
May 9, 2013