

**TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY
Zoning Board of Adjustment
Minutes
May 21, 2013
Special Meeting Time: 7:30PM**

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:

Present: Asfar, Gerhard, Miras, Ullman, Chairman Johnson
Absent: Merkle, O'Connell, Sonntag, Werfel

Chairman Johnson: thanked Board members present for starting the meeting at an earlier time and introduced the Paquin application.

New Business:

John and Stacy Paquin, 110 Ridgewood Road, Block 2506, Lot 6: seeking a C1 variance to be permitted to build a two-story addition and wrap-around porch to the northerly side of the existing two-story dwelling. Property is situated on a corner lot.

Mr. John Paquin: introduced himself to the Board and stated his home address. Mr. Paquin was sworn in by Board Attorney, **Ms. Donna Baboulis.**

Chairman Johnson: explained what a zoning board is and its function.

Mr. Paquin: spoke regarding the conservation of old houses.

Exhibit A-1: Booklet with 14 photos and 1 survey, dated 5/21/13.

Please note that Mr. Michael Werfel has joined the meeting at this point.

Mr. Paquin: stated that he is committed to preserving his house and that it is a single family dwelling in an AA Zone.

Exhibit A-2: Scale Model of the house and proposed additions, dated 5/21/13.

Mr. Paquin: stated the house is a non-conforming structure at the corners of Fairfield Court and Ridgewood Road. Mr. Paquin spoke regarding the reason for the addition and that the house is modest in size and the lot size is .77 acres.

Chairman Johnson: asked if the house resided on the front of the lot.

Mr. Paquin: responded yes.

Mr. Richard Miras: stated that the street was built too close to the house.

Mr. Paquin: stated that the hardship is the town was built around his house. Mr. Paquin further stated that he is looking to add a full bath, laundry room, mud room, better entrance way and a second floor bedroom.

Chairman Johnson: stated that the variances sought are side and front setbacks.

Mr. Paquin: referred to his survey to address Chairman Johnson's query.

Chairman Johnson: stated that he feels the applicant has met his burden and that the structure is already non-conforming.

Mr. Miras: stated that he agrees with Chairman Johnson and that Fairfield Court created the situation and that he feels the applicant has met the burden and the project would be an asset to the Town.

Mr. Asfar: concurs with Mr. Miras and in addition stated that the house is not obvious when you see it and that the fence and trees on the property would cover the addition proposed.

Please note that Dr. Laura Merkle has joined the meeting at this point.

Chairman Johnson: asked if there were any questions or comments from the Board and/or the public. (There were none.)

Motion to Approve: Asfar, Ullman

Roll Call Taken:

Messrs. Asfar, Gerhard, Miras, Ullman, Werfel, Chairman Johnson

Mr. Paquin: thanked the Board for their time.

Ms. Baboulis: gave Mr. Paquin instructions regarding the 45 day appeal period.

Approval of Zoning Board Minutes: Werfel, Asfar

April 16, 2013 January 15, 2013 May 15, 2012
March 20, 2012 March 27, 2012

Roll Call Taken:

Messrs. Asfar, Gerhard, Dr. Merkle, Messrs. Miras, Ullman, Werfel,
Chairman Johnson

Old Business: Resolution: Mr. Walid Hamzeh, 662 Burke Street, Block 2108, Lot 15- approval for a variance from requirements of the Township of Washington Zoning Ordinance, Section (245-30) to be permitted to proceed with house addition as drawn on plans in an AA Zone for the premises known as Block 2108, Lot 15. The requirements are 50 feet front yard set-back to 45.5 front yard set-back in certain locations. Resolution read aloud by Board Secretary.

Motion to Adopt Resolution: Miras, Ullman

All Board members present in favor of adoption of Resolution.

Ongoing Business:

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

Mr. Carmine Alampi, Applicant’s attorney: introduced himself.

Mr. Tendai Richards, Objector’s attorney: introduced himself.

Mr. Alampi: stated that at the last meeting the signage was discussed and a new package was sent to the Board and Mr. Oelenschlager would present the new package to the Board.

Mr. Robert Oelenschlager, National Sign Service: stated that he went back to CVS corporate and made further changes to the proposed signage and there is a change in lighting and size.

Exhibit A-43: Signage Details and Summary/Layout Materials Plan, revision date 5/3/13, marked 5/21/13.

Mr. Oelenschlager: stated that the only change is the directional sign on Pascack Road on the near entrance.

Exhibit A-44: Proposed Sign, revision date 5/2/13, marked 5/21/13.

Mr. Oelenschlager: discussed the signs with the messages on them have remained the same, the only change is on the last exhibit introduced; the front side elevation facing Washington was 98.75 sq. ft. is now 56.4 sq. ft. with 32 inch letters; illumination with goose neck lighting; reduced the size of the

letters to be approximately 4 inches, width of the sign is now 5 feet; without the background it is less square footage; about 14 sq. ft. difference facing Pascack; reduced 4 inches, same size as front elevation; channel letters are externally illuminated with goose neck lighting; drive-thru pharmacy sign remains the same; no sign on left side elevation; no change to rear side elevation.

Exhibit A-45: Ground Signage (Proposed Temporary Signage; Proposed Directional Signage/Proposed Monument Signage), revision date 5/2/13; marked 5/21/13.

Mr. Oelenschlager: discussed the monument being reduced in height and width for a second time; took off the top part of the sign; made the sign a little bit smaller; no change in lettering on monument sign; sign placement has not changed; recessed from the intersection of Washington and Pascack Road; old sign was 8 feet in width and 7 feet in height; new one is 5 feet in height and 5.6 inches in width; no changes, but placement of directional sign which is now located at the entrance of Pascack Road; removed from loading dock area; relocated the sign because CVS felt they needed identification.

Mr. Michael Ullman: asked if CVS has any other input.

Mr. Oelenschlager: stated that CVS didn't want to do carved signs but they were okay with externally illuminated signs.

Mr. Ullman: asked if the only request from CVS was to move the one directional sign.

Mr. Oelenschlager: stating yes and reducing the monument sign.

Mr. Ullman: asked why the monument sign wasn't placed towards the corner or more interior to the site.

Mr. Oelenschlager: stated that CVS does not want the sign too close to the corner and felt it should be set back a little bit further from Washington.

Mr. Ullman: asked if the sign could be placed deeper into the property.

Mr. Oelenschlager: stated that he would assume it could be moved to the left.

Mr. Lee Klein, T&M Associates: stated that the topography at that location should be checked to see if the sign would be raised or lowered.

Mr. Ullman: stated that he doesn't feel the elevation change would be that significant.

Mr. Joseph Bruno, Board Architect: asked for an explanation for the needing of a monument sign.

Mr. Oelenschlager: stated that CVS felt there was a need for it more so for the traffic and they will not get rid of the sign.

Mr. Werfel: stated that the same conversation took place at the last meeting and felt as if they were belaboring the point.

Exhibit A-46: Cover page of the summary of the square footage of the sign; dated 5/2/13, marked 5/21/13.

Please note that Mr. Christopher Statile, Board Engineer for the CVS application has joined the meeting at this time.

Mr. Klein: asked why the amount of gooseneck lights has changed from 6 to 5 and the wattage of them.

Mr. Oelenschlager: stated the sign was now smaller so fewer lights were needed and the lights had the same wattage as before.

Mr. Klein: asked if the row of hedges would block the sign and if the sign could be moved to the other side of the driveway.

Mr. Oelenschlager: stated that he wouldn't put a directional sign at that location and he will look into the shrub height.

Mr. Richards and Mr. Oelenschlager: discussed the monument sign; sign face are; placement of monument sign in regards to the landscaping of the property; any revision to landscaping; any change to the traffic experts conclusions with impact of CVS on corner with regards to the sign change.

Mr. Statile: stated that, in terms of consistency, a single wall sign would be all that is needed.

Chairman Johnson: excused the witness, Mr. Oelenschlager.

Mr. Alampi: introduced Mr. Richard Preiss, CVS Planner, who was present at the last meeting and referred to Exhibits A-41 and A-42.

Mr. Preiss: spoke regarding exhibits A-41 and A42; aerial view of the property; surrounding uses and surrounding properties; land use classification point of view; zoning districts; parking; residential buffer; D1 use variance subject of testimony; impact the adaption of the master plan has had; traffic; granting variance at intersection to gas station/convenience store; used car sales business across the street; ownership of properties in the area; lack of funding

available to the County DOT for the acquisition of land to improve Bergen County intersections; recession.

Mr. Ullman: stated that he was insulted by Mr. Preiss' testimony. He further stated that the homes on the property are atrocious and have become that way since they have been owned by 660 Hartford.

Mr. Preiss: stated that the homes were not in good shape to begin with and they were bound to deteriorate.

Mr. Ullman: asked if it were Mr. Preiss' opinion that houses on a main roadway should just be left to deteriorate. Mr. Ullman further asked if Lot 1 were diminishing in value, why was it purchased by 660 Hartford.

Mr. Preiss: stated that the impact would be diminished if the property was owned by one entity and there is less impact the further you move away from the site.

Mr. Ullman: referred to Lot 6 and that the person there would be negatively impacted.

Mr. Preiss: stated that the person that lives on Pascack Road is used to traffic and is already surrounded by businesses. He further stated that CVS is not much more of a substantial impact than that person is experiencing at this time.

Mr. Ullman: stated that residents who are close by are not in a good position with this project and he believes the impact of the development would affect the entire neighborhood and the entire town.

Mr. Preiss: stated there would be an impact on the surrounding area.

Mr. Werfel: asked if precedence can be found that a similar owner lessens the impact on the surrounding property.

Chairman Johnson: asked why this is relevant to the D1 variance.

Mr. Alampi: stated that Mr. Preiss was laying the basis of his testimony.

Chairman Johnson: stated that Mr. Preiss was testifying with conclusions and spoke regarding how people in those houses may feel. Chairman Johnson respectfully disagreed.

Mr. Alampi: established that there are circumstances that property has come under common ownership, but that there are no legal cases regarding common ownership.

Mr. Richards: stated that he wants his objection on the record and that there is testimony to facts that are not in evidence.

Mr. Alampi: stated that Mr. Richards' predecessor raised those same issues.

Mr. Richards: stated that there is now testimony that the condition of the property is deteriorating and this is a self-inflicted wound.

Mr. Stan Slachetka, Board Planner: stated that, as he understands the testimony, Mr. Preiss is identifying those changes that took place since the 2006 Master Plan was revisited and that he would have questions regarding the issues that were raised.

Chairman Johnson: stated that the Board cannot have a 20 minute dissertation and that a more abbreviated, concise testimony is requested.

Mr. Alampi: stated that Mr. Preiss' testimony is that the Master Plan puts out an objective.

Chairman Johnson: stated that for future testimony, there is a separation between personal opinion and professional testimony.

Mr. Slachetka: wanted to reiterate to the Board that he has questions and concerns, but the planner needs to be able to present the positive criteria.

Mr. Werfel: stated, regarding the issues raised by Mr. Preiss, were those same issues raised when the Master Plan was developed.

Chairman Johnson: asked for a quick review of the 6 different circumstances that have occurred since the Planning Board last reviewed the Master Plan.

Mr. Preiss: stated the following circumstances: traffic congestion worsened; granting variance to the gas station/convenience store and car establishment; changes of ownership of properties in the area; condition of three of the four homes on the property; lack of available funding by the DOT for improvements at the intersection; recession and the impact it has had on the residential market especially for single family homes.

Chairman Johnson: stated that the last two items are unsubstantiated facts.

Mr. Alampi: stated that he agrees there is knowledge of a downturn but there is not fact in evidence at this time.

Chairman Johnson: further stated that Mr. Preiss' statement regarding the DOT was also opinion.

Mr. Statile: stated that he would like to confront Mr. Preiss regarding his six points raised.

Mr. Slachetka: stated that he has a substantial amount of questions to ask.

Chairman Johnson: stated that he does not want to move on until these questions are asked and asked Mr. Alampi if he would like to continue or end the meeting and return next month.

Please note: A short recess was taken at this time.

Chairman Johnson: reconvened the meeting.

Mr. Alampi: stated that he would like to return to present to the Board at next month's meeting and gather documentation to present at that time. He further stated that an overview needed to be given.

Chairman Johnson: stated that the next meeting would be held on June 18, 2013.

Motion to Adjourn: Ullman, Werfel

All Board members in attendance approve the motion to adjourn.

Respectfully submitted by:
JoAnn Carroll
Zoning Board Secretary
May 28, 2013