



# AZZOLINA & FEURY ENGINEERING, INC.

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April 2, 2021

Planning Board  
Township of Washington  
Municipal Building  
350 Hudson Avenue  
Township of Washington, New Jersey 07676

Re: Major Soil Moving Permit Application  
Phase 1 – Roadway & Infrastructure Improvements  
34 Maple Avenue LLC,  
Block 1101.01 – Lot 5.01  
Block 1201 – Lot 1  
Township of Washington  
Our File No. WT-2550-S

Dear Board Members:

Please be advised that we are in receipt of and have reviewed the following items:

- Correspondence dated August 31, 2020, as prepared by Jennifer M. Berardo, Esq. of Price, Meese, Shulman & D'Arminio, P.C., of Woodcliff Lake, New Jersey,
- A "Township of Washington, Bergen County, New Jersey, Application For Soil Moving Permit dated July 29, 2020,
- A drawing entitled "Phase 1 – Grading Plan/Tree Removal Plan/Soil Cross-Sections/Calculations (For Soil Moving Permit Purposes Only) for 34 Maple Avenue LLC, Block 1101.01 – Lot 5.01 (Tax Map Sheets 2 & 3), Block 1201 – Lot 1, Washington Township, Bergen County, New Jersey", being Sheet 1 of 2, dated July 21, 2020 and revised November 20, 2020, as prepared by Lapatka Associates, Inc., of Paramus, New Jersey and
- A drawing entitled "Existing Conditions / Tree Location Plan For 34 Maple Avenue LLC, Block 1101.01 – Lot 5.01 (Tax Map Sheets 2 & 3), Block 1201 – Lot 1, Washington Township, Bergen County, New Jersey", being Sheet 2 of 2, dated July 21, 2020, as prepared by Lapatka Associates, Inc., of Paramus, New Jersey.

Pursuant to our review of these items and a field inspection of the subject site, we offer the following comments at this time:

I. Location and Description of Site

1. The subject properties are identified on the current Tax Assessment Map as Lot No. 1 in Block 1201 and Lot No. 5.01 in Block 1101.01, with both properties being situated within the "Class AAA" Residential District. The combined parcels occupy a total area of 404,537 s.f. +/- (9.287 acres), with Lot 1 possessing 311.72 feet of street frontage along the easterly limits of Wearimus Road. Lot 5.01 has 175.62 feet of street frontage along a currently unimproved portion of the existing Gorga Place right-of-way.
2. With respect existing Lot 5.01, the Board is hereby reminded that the subject property was created pursuant to a prior (i.e. 2007) Minor Subdivision application whereby 6,337 s.f. of land was conveyed to the adjoining property owner, Helena Laino, by shifting (approximately 25') in a southerly direction the common boundary between Lot 18 and Lot 5, which properties are now subject to restrictive covenants as set forth at Deed Book 9584 Page 030 and Deed Book 9569 Page 76.
3. As depicted on the above referenced Existing Conditions / Tree Location Plan, Lot 1 in Block 1101.01 is presently developed with a principal structure ("Dwelling with Atrium Over Deck") and several out-buildings and/or Accessory Structures, identified on the plan as:
  - Shed,
  - Guest House,
  - Barn with concrete patio,
  - a 14' x 14' Concrete Building,
  - Garage,
  - Pool House,
  - In-Ground Swimming Pool,
  - Tennis Court with Pavilion,
  - Miscellaneous walkways, steps, concrete pads, retaining wall structures and ancillary landscape features and
  - A Paved Driveway providing ingress and egress from and to Wearimus Road.
4. As depicted on the above referenced Existing Conditions / Tree Location Plan, Lot 5.01 in Block 2101 is currently vacant with the exception of the abandoned portion of a paved driveway which was once used to gain access to the principal structure now situated on lands identified as Block 1101, Lot 5.
5. Both parcels are heavily wooded and moderately steep with the topography of the site ranging from elevation 215 at Wearimus Road and ascending in an easterly direction to the

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now developed portions of the site at or about elevation 300 and from that point descending in a southeasterly direction to the easterly limits of the property to the original elevation of approximately 245 at or about the midpoint of the easterly boundary.

6. The property owner and applicant in this matter is identified as 34 Maple Avenue LLC.

## II. Applicant's Proposal

1. According to the plans and documents submitted for review, the applicant is seeking a Major (Soil) Moving Permit as required in connection with the construction of Phase 1 Roadway and Infrastructure Improvements providing roadway access and underground utility services for the previously approved Major Subdivision, consisting of 8 (eight), fully-conforming, single family residential building lots ranging in size from 43,562 s.f. (1.0 acre) to 68,891 s.f. (1.58 acre).
2. The application as resented also includes the proposed demolition of all buildings and structures now situated on the property and the interim re-grading of portions of Proposed Lots 1 through 6, as required to provide the appropriate vertical transition between the original ground elevation adjacent to all structures proposed for removal and the proposed elevation of Gorga Place as extended approximately 550 (five hundred fifty) feet in a southerly direction.
3. Phase 1 site improvements to be constructed pursuant to the subject application for Major Soil (Moving) Permit, include, but are not limited to:
  - The proposed roadway extension, being approximately 550 feet in length and 30 (thirty) feet wide containing a full depth asphalt paving bounded by concrete vertical curbs along each side of the cartway;
  - Construction new stone walls (maximum height of 3') and/or reconstruction of existing concrete block walls situated immediately adjacent to the proposed right-of-way limits,
  - Underground utilities consisting of approximately 575 LF of 8" ductile iron pipe water main, approximately 575 LF of 6" gas main and 680 LF of 6" diameter electric, telephone and communications conduit to be placed behind the curblines in a common trench;
  - A drainage collection and conveyance pipe systems comprised of:
    - a. 5 (five) Inlets,
    - b. 7 (seven) manholes,
    - c. approximately 12 LF of 12" diameter Type S HDPE pipe,

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- d. approximately 198 LF of 12" diameter HDPE pipe,
  - e. approximately 134 LF of 15" diameter CL III RCP,
  - f. approximately 526 LF of 15" diameter Type S HDPE pipe;
- A Stormwater Management System consisting of:
    - a. 1 (one) "Storm Trap" Detention Basin structure consisting of 10 (ten) Type IV units providing a total storage volume of 4,939 cubic feet, with the outflows from the same being regulated by:
      - a single 5" diameter orifice (Inv. 283.50),
      - a 1.33 ft. rectangular weir (Inv. 288.25),
      - a 3.5 ft. rectangular weir (Inv. 289.50) and,
    - b. 1 (one) water quality device consisting of a 19 (nineteen) module, Hydro-International Up-Flo Filter, Model #UFF-ZV-19-285R and
  - Sanitary sewer facilities comprised of:
    - a. Approximately 763 LF of 8" diameter SDR 35 pipe and
    - b. 9 (nine) sanitary manholes.
4. Planning Board review and approval is required at this time pursuant to:
- a. Township Code Section 540-84.B et. seq. wherein it is stipulated that such review and approval shall be required in connection with the demolition of more than 50% of any existing dwelling and
  - b. Township Code Section 565-2 (entitled Definitions), wherein a Major Soil Permit is defined as any soil permit other than Ministerial, which form of permit allows for the movement of not more than 400 cubic yards of soil. The subject application for development requires the movement of 7,046 cubic yards of soil as accurately determined by the Soil Moving Cross-Section / Calculations provided on Sheet 1 of 2 of the above referenced drawings.
5. In order to prepare the site for the construction of the above described subdivision improvements, as depicted on Sheet 1 of 2 of the above referenced drawings, 111 (one hundred eleven) mature trees are shall require removal at this time in connection with the Phase 1 construction activities as described hereinabove.

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III. Zoning

1. As is noted hereinabove, the subject properties are situated within the Class "AAA" Residential Zoning District.
2. The underlying application for Preliminary Major Subdivision was deemed to be approved by this Board on January 8, 2020 pursuant to a duly filed Certificate of Default Approval. Notwithstanding the form of said approval, the Board is hereby reminded that said application for Preliminary Major Subdivision was in-fact "variance free" and consequently as of right. Accordingly, each of the 8 (eight) building lots as depicted on the Sheet 1 of 2, are found to comply with all applicable zoning regulations as set forth under Township Code Section 580-39 through 580-46.

IV. Application For Major Soil Removal Permit

1. The subject application is filed in conjunction with the aforementioned Preliminary Major Subdivision plan. Given the extended period of time in which the underlying application has been pending before the Board due to the on-going Covid-19 pandemic, in order to assist the Board in its review of the subject application for Major Soil Removal Permit, we offer the following comments relative to certain critical aspects of the preliminarily approved subdivision design as the same relates to the proposed soil moving activities.

A. Tree Preservation and Landscaping

- i. The above referenced Grading Plan / Tree Removal Plan, as presented has been prepared in general accordance with the comments offered by this office during a meeting held with the applicant and its design team on January 8, 2020. In this regard we note that the plans depict the location(s) of all trees situated within the "proposed approximate limit of disturbance.
- ii. However, given the size of the tract and vast number of trees situated thereupon, the Existing Conditions / Tree Location Plan (Sheet No. 2 of 2) depicts four separate and distinct portions of the site at which locations, only the edge of the wooded area is depicted and it is duly labeled as to the fact that "Existing Trees Within Areas Outside Area Of Disturbance Not Located (Typ.)".
- iii. With respect to tree location data provided we note the following:
  - As per Item No. 26 of the Township of Washington Planning Board Checklist, the applicant is required to depict the *location of all trees 6 inches or more in diameter, as measured 1 foot above the ground level, outside of wooded areas, designating the*

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- species of each.*
- Notwithstanding the lack of species identification of those trees which shall be removed, the plan as presented appears to satisfy the intent and purpose of the ordinance with the identification of the proposed limits of disturbance and the associated depiction of the limits of all wood areas to remain undisturbed. Moreover, it is noted that individual soil moving permit applications shall be required in connection with the future development of the respective building lots, at which time the required limits of disturbance may be properly defined and any additional trees requiring removal in connection with the construction of the proposed single family dwellings may be identified at that time.
- iv. As depicted on the Sheet 1 of 2, the proposed Phase 1 construction activities as described hereinabove will entail the proposed removal of 111 (one hundred eleven) mature trees, the diameter(s) of which range in size between 6" and 36".
  - v. Such tree removals are recognized as a permitted activity in connection with any approval issued by this Board, subject to the provision of replacement trees satisfying the 2:1 ratio, or the granting of waiver relief in this regard, either wholly or in-part. In this regard we note that the plan, as presented depicts the planting of 23 (twenty three) Street Shade Trees, whereas, a total of 222 (two hundred twenty two) trees are to be replanted in accordance with the requirements of Township Code Section 465-3.B.
  - vi. If Waiver relief is requested in this same regard, this fact shall be so-noted and quantified within the "Notes" section of Sheet 1 of 2 of the above referenced drawings as well as on the approved subdivision drawings entitled "Major Subdivision Plan For 34 Maple Avenue, LLC, Block 1101.01, Lot 5.01, Block 1201, Lot 1, Washington Township, Bergen County, New Jersey", dated 6-17-19 and revised 7-21-20 as prepared by Lapatka Associates, Inc., of Paramus, New Jersey.

**B. Provisions and Facilities for Surface Water Drainage (Stormwater Management)**

- i. The construction of the proposed 8 lot subdivision will ultimately provide for the disturbance of approximately 5.0 acres of land. As such, the project is rightfully classified as a "Major Development" as defined under Section 574-2 of the Township Code and Subchapter 7 of the RSIS, whereby stormwater management measures must be provided to address stormwater runoff quantity, stormwater runoff quality, ground water recharge and erosion control standards as set forth in Section 574-4 of the Township Code.
- ii. Pursuant to our review of the above referenced Preliminary Subdivision Plan and associated and Engineer's Report entitled "Drainage Calculations For 34 Maple Avenue LLC, Block 1101.01, Lot 5.01, Block 1201, Lot 1, Washington Township, Bergen County, New Jersey", dated 6-17-19, as prepared by Lapatka Associates, Inc., of Paramus, New Jersey, it is the finding of this office that the proposed stormwater

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management system has been properly designed so that the post-construction peak runoff rates for the 2, 10 and 100 year storm events are reduced to 50%, 75% and 80%, respectively, of the pre-construction peak runoff rates that is attributable to the +/-5.0 acre portion of the site on which the project is to be constructed, in accordance with the requirements of Township Code Section 574-4.F.1.c.3.

- iii. As noted above, the proposed stormwater management system design also includes 1 (one) water quality device consisting of a 19 (nineteen) module, Hydro-International Up-Flo Filter, Model #UFF-ZV-19-285R. The proposed system design, as presented, is found to properly reduce the post-construction load of total suspended solids (TSS) in the volume of stormwater runoff by 80% of the anticipated load from the proposed roadway area in accordance with the requirements of Township Code Section 574-4.G, et. seq.
- iv. Groundwater Recharge requirements are satisfied with the construction of Seepage Pit systems consisting of a single or double unit on each of the proposed building lots. As determined using the NJDEP GSR-32 Groundwater Analysis Program, the proposed annual groundwater recharge shall be increased by 10.6 %, satisfying the requirements of Township Code Section 574-5, et. seq.
- v. In accordance with the requirements of Township Code Section 574-10, the applicant must submit a maintenance plan for the proposed stormwater management measures. Said plan must also identify the party or parties responsible for inspection, maintenance and repair of these facilities. With respect to underground detention systems, such as that which is proposed hereunder, it has been the past practice of this Board and the Governing Body to require that any such system be privately owned and maintained. The applicant and/or its professionals are therefore asked to provide specific testimony as to its contemplated course of action in this regard. In this regard we note that homeowners associations have been created elsewhere in the Township, which entities are responsible for any and all maintenance activities required in connection with the proposed stormwater system, notwithstanding any such system being constructed within the limits of the public right-of-way.

### C. Wastewater Management

1. The wastewater for this project shall be conveyed to the Borough of Ho-Ho-Kus Sanitary Sewer System and is subject to the terms and conditions as set forth in an Agreement made on June 30, 1972 by and between the Borough of Ho-Ho-Kus and the Township of Washington, allowing the Township to connect a maximum of sixty (60) dwellings located within the Township into the sanitary sewer system of Ho-Ho-Kus. Based on the information provided by the applicant's engineer, approximately 48 (forty eight) dwellings are now connected to the Ho-Ho-Kus sanitary sewer including an existing connection from the Lot 1.

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2. In this regard, we note that 6 (six) new dwellings will be serviced by 763 LF of new 8" PVC Sanitary Sewer situated within the limits of the Gorga Place right-of-way and then continuing in a westerly direction through a 20 (twenty) feet wide sanitary sewer easement located along the northerly limits of Proposed Lots 5 & 7, terminating at the existing Ho-Ho-Kus sanitary sewer situated along the west side of Wearimus Road. The 2 (two) dwellings to be constructed on Lots 7 and 8 shall be connected to the existing sanitary sewer at Wearimus Road, utilizing an existing building sewer connection (if adequate) at Proposed Lot 7 and a new building sewer connection at Proposed Lot 8.
3. In this regard, this office is in receipt of and is currently reviewing the items submitted under cover letter dated August 5, 2020 in support of the required Treatment Works Approval Permit (TWA) Application to be filed with the NJDEP for the construction and operation of these facilities.

D. Temporary Cul-de-Sac Easement

1. The plans accurately depict a temporary cul-de-sac easement as per File Map No. 6894, which may be maintained in its current configuration or alternatively, the existing curbing within the limits of the "bulb" of the cul-de-sac will be removed and replaced by new curbing to meet the point of tangency along both the easterly and westerly curb lines of Gorga Place, including the complete restoration of any impacted portions of the roadway, private driveway and lawn areas within the limits of the existing temporary cul-de-sac easement.
2. It is our understanding that the adjacent property owners are in favor of maintaining the current configuration of the curb line forming the cul-de-sac. The Board is, however, asked to provide the applicant with its preference in this regard and the underlying Major Subdivision Plan shall be revised accordingly.

E. Temporary Cul-de-sac Easement

3. The plans accurately depict a temporary cul-de-sac easement as per File Map No. 6894, which may be maintained in its current configuration or alternatively the existing curbing within the limits of the "bulb" of the cul-de-sac will be removed and replaced by new curbing to meet the point of tangency along both the easterly and westerly curb lines of Gorga Place, including the complete restoration of any impacted portions of the roadway, private driveway and lawn areas within the limits of the existing temporary cul-de-sac easement.



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V. Soil Movement Permit Application

1. Proposed soil movement volumes as reflected in the Summary Table provide on Sheet 1 of 2, are as follows:

Total Cut:	7,046 c.y.
Total Fill:	652 c.y.
Net Export:	6,394 c.y.

2. It should be noted that these quantities reflect only that volume of soil to be moved in connection with the construction of the Phase 1 site improvements as described hereinabove. Inasmuch as the volume of soil to be moved on site exceeds the 400 c.y. cutoff figure associated with a ministerial permit, the subject application shall be classified as a Major Soil Permit Application. Moreover, Items 7 and 8 of the above referenced Application For Soil Moving Permit shall be amended to reflect agreement with the quantities indicated on the "Phase 1 – Grading Plan / Tree Removal Plan/Soil Moving Cross-Sections / Calculations", revised November 20, 2020 to include soil moving quantities associated with the installation of the underground utilities within the subdivision.
3. Subject to the manner in which the individual home sites shall be developed (i.e. constructed by the applicant either individually or in a collective manner or otherwise offered for sale to outside parties) it is reasonably anticipated that the development on any of these lots will then require individual Major Soil (Moving) Permit Applications for each site with each application being subject to this Board's further review and approval.
4. The application as presented includes the above referenced "Existing Conditions / Tree Location Plan" which accurately depicts the topography of the site, but does not include all surrounding lands within 100 feet of the perimeter of the 9.287 acre tract as is required pursuant to Township Code Section 565-6.C. Consequently, the subject drawing must be revised/supplemented to include the same or conversely indicate that a Submission Waiver relief is requested in this regard.

Given the defined limit of disturbance which is noted to be wholly situated within the central portion of the 9.287 tract, this office takes no exception to the granting of any such waiver relief in connection with the subject Application For Soil Moving Permit.

5. As stated in Ms. Berardo's correspondence dated August 31, 2020, certain fees and engineering escrow deposits were submitted to the Township on June 28, 2019, which

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amounts are applicable to a Ministerial as opposed to Major Soil Moving Permit Application. However, in accordance with the requirements of Township Code Section 565-7 (Soil Removal Fees), the applicant is required to post the following Fees and Deposits in connection with the subject application for the issuance of a Major Soil Permit:

- |  |                                     |
|--|-------------------------------------|
| a) Major Soil Application Fee          | \$ 500.00                           |
| b) Engineering Review & Inspection Fee | \$1,500.00                          |
| c) Soil Moving Fee                     | \$1,761.50 (7,046 c.y. @ 0.25/c.y). |

6. Given the initial misclassification of the subject soil moving permit application, the applicant is therefore required to deposit with the office of the Township Clerk, the following adjusted fee and deposit amounts:

Application Fee: Amount Paid: \$50.00 - Amount Owed \$500.00 - Balance Due \$450.00  
Engineering Escrow: Amount Paid: \$350.00 - Amount Owed \$1500.00 - Balance Due \$1,150.00.

#### VI. Builders Agreement and Performance Guaranty Requirements

1. Pending the Board's granting of the necessary approvals, the applicant shall be required to execute with the Township of Washington, a Builders Agreement, as prepared by the Township Attorney and to furnish performance guarantees in accordance with the requirements of N.J.S.A. 40:55D-53.

#### VII. Development Fees

1. Pending the Board's granting of the necessary approvals, the applicant shall be required to pay the appropriate Development Fee amount as set forth under Chapter 513 (Development Fees) of the Township Code.

#### VIII. Hearing Requirements

1. A public hearing on this application shall be required pursuant to Section 565-6.E of the Township Code.
2. The subject Hearing is scheduled for Wednesday, April 7, 2021, via video-conference call.

IX. Recommendations

1. Should the Board vote in favor of this application, it is the recommendation of this office that the following conditions be included in any such Resolution of Approval:
  - a. The respective sets of drawings shall be revised / supplemented in accordance with the comments contained herein and/or in accordance with the directives of the Board, and
  - b. The Applicant shall obtain all required agency approvals and/or Department Head plan review comments from the following:
    - Township of Washington
      - Mayor & Council (TWA, Amendment of Sewer Agreement & Builder's Agreement)
      - Police Department (Route of Travel for vehicles used in soil import/export operations)
      - Azzolina & Feury Engineering, Inc.
    - Borough of Ho-Ho-Kus
      - Mayor & Council (TWA )
    - COUNTY OF BERGEN
      - Planning Board
      - Department of Public Works (Road Opening & Storm Drain Connection Permits)
    - BERGEN COUNTY SOIL CONSERVATION DISTRICT
    - NORTHWEST BERGEN COUNTY UTILITIES AUTHORITY
    - STATE OF NEW JERSEY
      - NJDEP Treatment Works Approval.

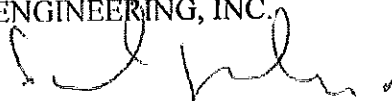
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If there are any questions, please feel free to call.

Very truly yours,

AZZOLINA & FEURY  
ENGINEERING, INC.



Paul Azzolina, PE, CME  
Planning Board Engineer

DOC: WT-2550-34Maple-MajorSoil-R1-04-02-2021

cc: Susan Witkowski, Township Clerk *(via e-mail)*  
John Scialla, Construction Code Official *(via e-mail)*  
Lou Lamatina, Planning Board Attorney *(via e-mail)*  
Lapatka Associates, Inc. *(via e-mail)*  
34 Maple Avenue, LLC. *(via e-mail)*