

**TOWNSHIP OF WASHINGTON, BERGEN COUNTY
PLANNING BOARD MEETING MINUTES
August 29, 2018 7:30 PM**

CALL TO ORDER

SALUTE TO THE FLAG

OPEN PUBLIC MEETINGS ACT

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

ROLL CALL: Mr. Golick (A), Mr. Pinnick, Mr. Sabino, Mr. Sears, Mr. Vinagre (A), Mayor Calamari, Councilman Cumming (A), Chairman Murphy

Board Engineer-Paul Azzolina
Board Attorney – Louis Lamatina, Esq.

MOTION TO OPEN THE PUBLIC PORTION

ROLL CALL:

Member	Motion	Second	Aye	Nay	Abstain	Absent
Mr. Golick						X
Mr. Pinnick			X			
Mr. Mr. Sabino			X			
Mr. Mr. Sears	X		X			
Mr. Vinagre						x
Mayor Calamari			X			
Councilman Cumming						x
Chairman Murphy		X	X			

MOTION TO CLOSE PUBLIC PORTION

ROLL CALL:

Member	Motion	Second	Aye	Nay	Abstain	Absent
Mr. Golick						X
Mr. Pinnick			X			
Mr. Mr. Sabino		x	X			
Mr. Mr. Sears	x		X			
Mr. Vinagre						X
Mayor Calamari			X			
Councilman Cumming						X
Chairman Murphy			X			

NEW BUSINESS – APPLICATION

DONALD F. BECKER, 10 Woodfield Road, Block 3402, Lot 3 is seeking approval to remove 13 trees due to lack of vigor and safety concerns.

Donald F. Becker sworn in.

Mr. Murphy- Applicant has proposed to remove 10 trees and 3 holly bushes.

Mr. Azzolina- Stated he has visited the property but typically no report is prepared for a tree removal application.

Mr. Becker- Would like to remove the trees as a number of the trees are diseased and pose a risk of falling from storms.

Mr. Murphy- Stated the trees look very close to the house, asked if Mr. Becker had a proposal to replace the trees.

Mr. Becker- No proposal to replace yet, as he wanted approval to remove the trees before obtaining a proposal from his landscaper. Mr. Becker will provide this from Landscape contractor; who has looked at the property and has some ideas.

Mr. Murphy-Asked for clarification on the location of the trees. Inquired if there was one tree on the back of the house and the balance on the South side of the house.

Mr. Becker- Stated this is correct. No trees to be removed on the back of the house.

Mr. Sears- Asked for clarification on “lack of vigor “of the trees; and asked if disease was present in the trees. Inquired about the qualifications of the person who evaluated the trees. As “lack of vigor” is not a disease. Acknowledged there may be a safety concern with one of the trees.

Mr. Becker- Stated the evaluation was done by an Arborist.

Mr. Sears -Asked Mr. Becker to supply a schematic in a few weeks of a plan to replace trees if removal is approved by the Planning Board.

Mr. Murphy- Stated that Mr. Becker would need to replace removed trees with 26 trees based on the 2 for 1 plan, but indicated that the Planning Board may come up with an alternate number as 3 are holly bushes; and some of the other trees are currently very close to each other.

Mr. Sears- Noted that there is a list of trees approved by the State of New Jersey to be planted which includes smaller trees. Town Hall should have this list. The Green Team has also been involved in determining what kinds of trees should be planted in specific areas. Agreed that the 2 for 1 replacement may be excessive in this case, the trees should be replaced but not necessarily the bushes.

Mr. Murphy- Agreed

Mr. Sears- Asked if any trees had been removed last year.

Mr. Becker- Stated that 2 trees had been taken down at the request of his neighbor out of safety concerns and needles dropping.

Mr. Murphy- Asked if the current trees are being removed at neighbor request.

Mr. Becker- Stated they were not, but that they may have been compromised by the removal of the other trees.

Mr. Sears- Asked if the two removed trees were damaged or diseased in any way.

Mr. Becker- Was not certain as he is not an expert on the health of the trees.

Mr. Sears- Asked is these previously removed trees could be added to the number of trees being replaced, and if permits had been obtained.

Mr. Becker- “yes’.

Mr. Sabino- Asked if Google images had been taken of the property.

Mr. Azzolina- Stated there were no images of the site. Stated that the Holly bushes seem to be in decent condition, questioned if they would survive if the other trees are removed. Agreed the other trees represent a risk.

Mr. Becker- Stated it is possible the Holly would survive.

Mr. Sears- Stated the northern trees seem to be just as bad as the southern trees.

Mr. Sears- Suggested that Mr. Becker replace the removed trees with 9 trees from the list of approved with smaller trees to allow trees to blossom. NJ State list contains smaller trees.

Mr. Murphy- Questioned if Mr. Becker's intent is to return the screening on the southern side of property; or is he coming to Planning Board for guidance from the township on what to plant.

Mr. Becker- Is willing to speak with the Township for guidance.

Mr. Murphy- Suggested that a *minimum* of 10 trees to be replaced to allow additional trees if desired.

Mr. Sears- Agreed but stated they should be well spaced.

Mr. Sabino- Suggest Mr. Becker's Arborist come back with a plan.

Mr. Azzolina- Mr. Becker should determine what type of tree to plant based on the intent of the trees.

Mayor Calamari- Asked if Planning Board approves replacement of tree, can they required trees be replaced with mature trees.

Mr. Azzolina- The Township Code dictates the size of the trees.

Mayor Calamari- Stated he would like to see 3 or more mature trees go in.

Mr. Azzolina- Planning Board has option to require a lower number of trees of larger caliper or greater number of smaller caliper.

Mr. Murphy- Asked the Board if they wanted to approve trees to come down with a plan to replace with a minimum of 3 mature trees; or approve with understanding that a plan be submitted to Mr. Azzolina who then reviews/approves.

Mr. Mr. Sabino- Suggested that Planning Board approve removal with a provision the Arborist comes up with a plan. Then Board could alter the plan from there if necessary.

Mr. Murphy- Stated this may require altering of the approval given by the Planning Board.

Mr. Sabino- Mr. Becker will have to come back to the Board in either case.

Mayor Calamari- Asked if the trees need to come down immediately due to safety concern or could they be taken down at a later time; which would allow Mr. Becker to come back with the Plan before taking down trees.

Mr. Becker- Not sure but would consult his Arborist

Mr. Sears- Suggested a Motion to approve removal of trees; while setting a time limit for plan to come back to Board with replacement of either a minimum of 9 trees with 3 mature trees; or 10 with no specification of size. Time frame to

come back would be for next meeting 9/26/18 with a plan from Mr. Becker's Arborist.

Mr. Becker- Asked if the trees have to be taken down within 30 days.

Mr. Sears- "No", this gives Mr. Becker's 30 days to speak with Arborist to replace trees.

Mr. Becker- Stated the cost of tree replacement may impact his decision.

Mr. Sears- Offered some suggestions on specific trees and their cost and directed Mr. Becker to Bernadette in the Town Hall for list of trees.

Mayor Calamari- Asked if the plan to replace trees can indicate other trees on the property not being taken down to determine how many other trees exist on property.

Mr. Becker- Stated there are no trees in the back of the property and one mature on the side.

Mr. Sabino- Asked where the two previously removed trees were located.

Mr. Becker- "Southern side"

Mr. Murphy- Recommendation: The approval of the removal of 13 Trees as indicated on the application with provision to come back to planning board with plan by landscaper giving a schematic of what is being recommended to re-plant.

Mr. Becker- Inquired about return date.

Mr. Murphy- "Sept 26th"-the next Planning Board meeting.

MOTION TO APPROVE THE APPLICATION WITH PROVISION THAT MR. BECKER RETURN WITH PLAN TO REPLACE TREES

Member	Motion	Second	Aye	Nay	Abstain	Absent
Mr. Golick						X
Mr. Pinnick			X			
Mr. Mr. Sabino		X	X			
Mr. Mr. Sears	x		X			
Mr. Vinagre						X
Mayor Calamari			X			
Councilman Cumming						x
Chairman Murphy			x			

Mr. Becker left the meeting.

OLD BUSINESS

RESOLUTION FOR: POPE KYROLLOS VI COPTIC ORTHODOX CHURCH

399 Pascack Road, Block 3301, Lot 15 application was approved with two contingencies at July 11, 2018 Planning Board Meeting for using the above property for religious purposes and for a new sign for the existing free-standing monument. Received documentation that the fire inspector approved the property. Received plan to rectify parking issues.

Mr. Murphy stated the applicant has complied with all stipulations required by the Planning Board.

MOTION TO APPROVE THE RESOLUTION:

Member	Motion	Second	Aye	Nay	Abstain	Absent
Mr. Golick						x
Mr. Pinnick			X			
Mr. Mr. Sabino		x	X			
Mr. Mr. Sears	x		X			
Mr. Vinagre						X
Mayor Calamari			X			
Councilman Cumming						X
Chairman Murphy			X			

**T & M PROPOSAL FOR PROFESSIONAL PLANNING SERVICES
MASTER PLAN REEXAMINATION REPORT:**

Mr. Murphy- Stated that per Mayor Calamari, the cost of this service to be provided by T&M are within the Township Budget for this project.

Mr. Murphy- Asked how much involvement the Planning Board has in working with T&M on this project.

Mayor Calamari- Stated that in previous years, T&M has done most of the work; and submitted a report to the Planning Board for review.

MOTION TO ACCEPT PROPOSAL:

Member	Motion	Second	Aye	Nay	Abstain	Absent
Mr. Golick						x
Mr. Pinnick			X			
Mr. Mr. Sabino		x	X			
Mr. Mr. Sears	X		X			
Mr. Vinagre						X

Mayor Calamari			X			
Councilman Cumming						X
Chairman Murphy			X			

OLD BUSINESS

RESOLUTION FOR: AXIA CREATIONS, Maria Peponias, Event Planner: 280 Pascack Road, Block 2417, Lot 26 application approved for a site plan for intended use at July 25, 2018 Planning Board Meeting.

MOTION TO APPROVE THE RESOLUTION:

Member	Motion	Second	Aye	Nay	Abstain	Absent
Mr. Golick						X
Mr. Pinnick			X			
Mr. Mr. Sabino			X			
Mr. Mr. Sears		x	X			
Mr. Vinagre						X
Mayor Calamari	X		X			
Councilman Cumming						X
Chairman Murphy			X			

**MOTION TO APPROVE THE MINUTES FROM:
JULY 25, 2018 PLANNING BOARD MEETING**

Member	Motion	Second	Aye	Nay	Abstain	Absent
Mr. Golick						X
Mr. Pinnick			X			
Mr. Mr. Sabino		X	X			
Mr. Mr. Sears	X		X			
Mr. Vinagre						X
Mayor Calamari			X			
Councilman Cumming						X
Chairman Murphy			X			

MOTION TO GO INTO CLOSED SESSION

Mr. Sears moved; Mr. Sabino seconded; motion carried

Absent: Mr. Golick, Mr. Vinagre, Councilman Cumming

Nays: None

MOTION TO GO OUT OF CLOSED SESSION

Mr. Sears moved; Mr. Sabino seconded; motion carried

Absent: Mr. Golick, Mr. Vinagre, Councilman Cumming

Nays: None

ADDED TO THE AGENDA: MOTION TO DISCUSS PREPARATION FOR APPLICATION-VIVIANO PROPERTY

Mr. Sears moved; Mr. Pinnick seconded; motion carried

Absent: Mr. Golick, Mr. Vinagre, Councilman Cumming

Nays: None

Mr. Azzolina – Under consideration is the amended preliminary approval; and final subdivision approval for the Viviano Property.

- The Amendment refers to the manner with which the waste water will be removed from the site;
- The application is still proposed 48 single family homes and 25 townhouse units- 73 dwelling units total;
- This is part of a settlement agreement started with the Planning Board in 2002;
- Preliminary approval was granted in 2006;
- Applicant has waited until now to bring back to the Planning Board. It has been carried forward with the Permanent Extension Act; and was granted extension by the Planning Board approximately one year ago;
- The only substantial change in the Township since the 2006 approval is the newly enacted Township Tree Ordinance which may become a topic for discussion on this application;
- The site will likely still be “clear cut” as it would be difficult to build on this site with the number of proposed homes without clear cutting. Applicant has provided a tree removal plan. Planning Board may not be able to enforce the 2 for 1 replacement ordinance as this many trees would be difficult to fit on the site.
- Major change to the proposal-Applicant initially proposed a Gravity Sewer line, which can no longer be done.

-Mayor and Council has already given consent to proposal to allow Applicant to construct pumping station with a forced main to go to Ridgewood; with a modification of the sewer services areas. Ridgewood has taken steps to bring the entire site into their plant which puts Applicant in compliance. Since Washington Township does not have any pump stations, Township and Applicant have agreed that the Township will have no involvement in pumping station. Details still need to be worked out.

Mr. Lamatina -stated the Mr. Azzolina's report to the Planning Board will fully detail what has transpired since the start of this application; what approvals have been granted already, and what is under consideration by the Planning Board with the Amendment.

Mr. Sabino- Inquired about who owns the sewage pipes.

Mr. Azzolina stated the township owns/maintains gravity portion on the private roadway portion and once it enters pump station becomes responsibility of homeowners association.

Mr. Azzolina-Applicants last report was dated October 2006. They had proposed a pump station in 2006 but the Board denied this application as they did not have all answers to Board's question. The Applicant is in a better position with this matter now. Additionally, at that time there were a number of technical questions that Mr. Azzolina had about the design and had thought the current plan would address these concerns. Mr. Azzolina voiced concern that this did not appear to be the case. Mr. Azzolina has taken the following steps to resolve these questions:

-August 21, 2018 Mr. Azzolina emailed the Applicant's Engineer reminding him of the remaining outstanding issues to be resolved which have not yet been submitted to the Township. No reply to this email.

-August 29, 2018 Mr. Azzolina sent a letter to the Applicant's Engineer inquiring again about outstanding issues, and advising the Engineer that these issues should be addressed in order to ensure that the September. 26th Planning Board meeting is most productive. No response received from Engineer or Attorney.

Mr. Sears- Asked if the Applicant has purchased any land in the Kennedy Park area.

Mr. Azzolina- Stated the Township is selling a piece of property to the applicant as part of the Settlement Agreement.

Mr. Azzolina- Reminded the Planning Board that Allen Bell is the Special Council on this matter.

Mayor Calamari- Stated that the Planning Board should get direction from the Attorney as far as what the scope of consideration will be for the Planning Board on this issue going forward.

Mr. Lamatina- Stated the Planning Board should fully inform the public what the scope and limits of the discussion will be for the current Board on this Application.

Mr. Azzolina- Stated that the Applicant has previously filed for final approval but was denied due to 22 outstanding issues; the application for final approval was determined to be pre-mature. Noted that there has been an 8 year hiatus since the initial application.

Mr. Sears- Asked if Notice of this Application will be sent to residents within 200' of the site.

Mr. Azzolina- Confirmed Notice would be sent prior the meeting.

Mr. Murphy-Inquired about the current Planning Board's role in this Application before the Board.

Mr. Sears- Planning Board can not address the original Agreement but can address the Amendment. Stated it was extremely important for the Planning Board to receive a copy of the terms of the original Settlement to allow the current Board members to compare the approved terms with the proposal before the Board on September 26th.

Mr. Azzolina- Settlement Agreement has already been finalized with Mayor and Council and the Planning Board would review and approve the proposed Amendment to the Development. Offered that part of settlement was reduced zoning and the proposed homes are 6,000 square foot lots.

Mr. Lamatina- Asked is this Settlement was part of the builders Remedy Suit.

Mr. Azzolina – Stated it was settled to avoid Builders Remedy suit.

Mr. Lamatina- Stated questions brought by the Public and the Planning Board at the next meeting should be limited to the two revisions to the Agreement.

Mr. Azzolina- Stated there are no modification to the plan other than the two previously discussed.

Mr. Murphy- Asked if the Planning Board should go look at property of resident who previously complained to Board about the Development.

Mr. Azzolina – Stated this is not an issue Planning Board can now address.

Mr. Lamatina- Stated the Board should not go to the property as a Board.

Mr. Sabino- Inquired how the Vivianos had acquired the property.

Mr. Azzolina – The Vivianos lived for a very long time and their home had burned down. After the fire the property needed a lot of clean up as there were abandoned cars and scrap metal throughout the property.

MOTION TO CLOSE THE MEETING

ROLL CALL:

Member	Motion	Second	Aye	Nay	Abstain	Absent
Mr. Golick						x
Mr. Pinnick			X			
Mr. Sabino		x	X			
Mr. Sears	x		X			
Mr. Vinagre						x
Mayor Calamari			X			
Councilman Cumming						x
Chairman Murphy			X			

ADJOURNMENT