

**TOWNSHIP OF WASHINGTON
PLANNING BOARD**

RESOLUTION PB-20-16

WHEREAS, Richard Lehman has made an application to the Township of Washington Planning Board for a tentative site plan approval of a Minor Site Plan and for a Major Soil Removal Permit for this property located at 166 Sussex Road, in the Township of Washington, being Lot 70 in Block 3305 on the Township of Washington Tax Assessment Map:

WHEREAS, the Township of Washington Planning Board has reviewed the following:

- a. Township of Washington Planning Board Application For Tentative Approval of a Site Plan dated January 15, 2020;
- b. Memo dated January 9, 2020, as prepared by the Township of Washington Tax Collector stating that the tax payments on the above referenced property were current as of that date and remain current as of this date as per the verbal confirmation offered by the Tax Collector on this date;
- c. A drawing entitled "Property of Richard H. Lehman Irrevocable Trust, Township of Washington Bergen County New Jersey" dated April 16, 2019, as prepared by Dunn Surveying and Mapping P.A., of Waldwick, New Jersey;
- d. A drawing entitled "Plot Plan Soil Erosion and Sediment Control Plan Lot 70, Block 3305 Current Tax Assessment Map 166 Sussex Road Township of Washington, Bergen County, New Jersey" dated November 18, 2019, and revised through March 23, 2020, as prepared by Weissman Engineering Co., P.C., of Midland Park, New Jersey; and

- e. A set of Architectural plans entitled "Lehman Residence 166 Sussex Road Township of Washington, N.J." dated February 5, 2020, consisting of:

<u>Sheet No.</u>	<u>Title</u>	<u>Dated</u>	<u>Revised</u>
Z-1	Left/Right Side Elev.	Oct. 15, 2018	-
Z-2	Rear Elevation Basement Plan	Oct. 15, 2018	-
Z-3	First Floor Plan	Oct. 15, 2018	-
Z-4	Second Floor Plan	Oct. 15, 2018	-

all as prepared by RDS Architects of Ridgewood, New Jersey and

- f. A Flood Hazard Area Applicability Determination letter from the New Jersey Department of Environmental Protection dated May 7, 2020.

NOW, THEREFORE, the Township of Washington Planning Board makes the following findings of fact:

1. The property in question is located within the "Class A" Residential Zoning District and is identified on the current Tax Assessment Map as Lot 70 in Block 3305. The property is more commonly identified as #166 Sussex Road and is classified as an "Interior Lot", being situated on the west side of Sussex Road, approximately 100 feet south of Lincoln Avenue. The subject property is semi-rectangular in shape, (i.e. approximately 100.00' wide by 193.50' deep) occupying an area of 19,999 square feet (0.4591 acres) and is bounded by a 25' wide private access easement along the easterly shoreline of Schlegal Lake (a.k.a. Washington Lake) forming its westerly boundary.
2. Planning Board review and approval is required 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 the movement of not more than 400 cubic yards of soil; 711 cubic yards of soil shall be moved under the subject application.

3. The applicant is seeking Site Plan Approval as required in connection with the planned total (i.e. 100%) demolition of the existing principal structure and existing in-ground swimming pool in order to properly prepare the site for its eventual redevelopment to include a 2 (two) Story, single family dwelling with a covered front porch, side porch, rear porch, and an attached 2 car garage constructed approximately 1 (one) foot below the proposed finished first floor elevation.

4. The proposed redevelopment of this property shall include ancillary site improvements, including but not limited to:

- a 20 (twenty) feet wide driveway with an approximate gradient of 4.6% from Sussex Road towards the proposed trench drain situated approximately 6 (six) feet east of the proposed garage door,
- a proposed walkway and steps providing access to the exit doors located along the front and south elevations of the proposed dwelling,
- a 16' x 32' in-ground swimming pool and pool patio at the rear of the dwelling,
- pool equipment,
- 2 (two), 1' x 1' patio drains situated along the westerly limits of the proposed pool patio,
- the existing storage as relocated within the limits of the rear yard and
- Stormwater management facilities comprised of roof drain collection system, and 2 (two) 1000 gallon seepage pits within the southern

side yard area.

5. A total of 2 (two) mature trees are proposed to be removed in connection with the proposed redevelopment of this site.

NOW, THEREFORE, the Township of Washington Planning Board makes the following conclusions of law:

1. The subject parcel is located within the Class "A" Residential Zoning District.
2. The plan, as presented is found to comply with all applicable requirements of this Zoning District and is variance free.
3. With respect to the Front Yard setback dimension associated with the rightful placement of the proposed principal structure (including that portion of the Open Covered Porch situated along the Front Elevation of the dwelling), the referenced Filed Map No. 5058, established a minimum building setback of 50 (fifty) feet as measured from the west side line of Sussex Road, which requirement is noted to be more restrictive than the front yard setback dimension otherwise mandated within the Class "A" District (i.e. 30 feet).
4. The Zoning Schedule reflects a conforming Building Height of 27.9 feet which represents the mathematical difference between the "Average Ground Elevation" along the perimeter of the proposed structure (i.e. 70.17 feet) and the highest point of the building (i.e. 98.00 feet), as accurately stated within the schedule entitled "Height Calculations" as depicted on the above referenced Plot Plan.
5. The applicant has notified all property owners within 200 feet of the subject property.
6. The subject property is noted to be situated within the limits of the FEMA flood hazard area and is also encumbered by the 300' Riparian Zone associated with Schlegal (Washington) Lake.

Accordingly, an application was filed dated March 19, 2020 as prepared by Robert J. Weissman, PE, LS with the New Jersey Department of Environmental Protection (NJDEP) requesting a Flood Hazard Area Applicability Determination in accordance with the Flood Hazard Area Control Act Rules, N.J.A.C. 7:13-5.1. The May 7, 2020 response prepared by Dennis Contois, Supervisor, Northern Engineering Section, states "No activity is proposed within the flood hazard area. Any disturbance of vegetation within the stream's riparian zone is in an actively disturbed area. As per N.J.A.C. 7:13-7.10, of the flood hazard area regulations, the proposed activity qualifies for a permit by rule.

NOW, THEREFORE, the Township of Washington Planning Board hereby grants the application of the applicant as submitted subject to the following:

1. The Applicant shall revise the plans and application documents in accordance with the Findings of the Board and as enumerated in the body of the report of Township Engineer Paul Azzolina, P.E. dated July 24, 2020 and as set forth in the "Appendix "A" attached thereto, and as discussed at the Board's July 29, 2020 meeting.
2. A Landscape and Tree Management Plan must be submitted to include the required information, as required pursuant to Code Section 212 (Trees) to comply with the Code's 2:1 replacement requirement of four (4) trees to replace the two (2) trees that the applicant plans to remove. The Township Engineer shall be required to approve the final landscape design prior to its implementation.
3. The Applicant shall conform to all the details of the plans and information as hereinabove set forth and to any revisions made hereto;
4. The Applicant concurs with all of the recommendations set forth in the report of the Township Engineer dated July 24, 2020 and will perform accordingly;

5. No work shall take place within the limits of the roadway unless and until the appropriate road opening permit have been obtained through the office of the Township Clerk. Any road, street or thoroughfare improved by paving with macadam or bituminous concrete surface shall not be opened for a period of three years from the time of acceptance of said work by the Township without the approval of the Township Council, except in the case of an emergency only and then in accordance with the provisions of Paragraph 202-21 of this article. Mountain Avenue has been paved within the last three (3) years. Accordingly, the Applicant shall make a subsequent application to the Township Council for any such road openings, with the understanding that the Township may require curb to curb milling and resurfacing and/or the use of infrared pavement repair methods. The limits of any such required restoration of the surface course pavement shall be established by the Township in connection with the issuance of the necessary road opening permits;
6. The Application for Development must be supplemented to include Drainage Calculations substantiating the adequacy of the proposed system design with respect to the volume of storage provided therein;
7. The existing building sewer shall be internally inspected using a CCTV video inspection of the existing building sewer connection to the main line sewer. An electronic copy of any such inspection shall be submitted to the Township Engineer's office for review and approval as a pre-requisite to any continued use of the existing lateral sewer piping;
8. If a standby emergency generator is proposed in connection with the proposed development of this property, it shall be located in accordance with the requirements of Township Code Section 245-9.1 entitled "Generators". The Site Plan shall also be revised to depict all details of construction associated with any such facility;
9. As this application is not classified as a "Major Development, the applicant is not required to provide calculations demonstrating the adequacy of the proposed stormwater management system. The applicant

was required to provide appropriate surface drainage measures so that removal of surface waters will not adversely affect neighboring properties or the public drainage system. The plans indicate that the applicant is proposing to control stormwater runoff from the rooftop areas by directing the same to two (2) 1,000 Gallon Seepage Pit situated within the rear yard. The proposed design of the stormwater management system is satisfactory with respect to the control of runoff from the proposed roof area. All roof drains and the proposed pool discharge lines shall be tied into the seepage pit system";

10. Proposed soil movement volumes as reflected in the "Soil Moving Quantities" are as follows:

Total Cut:	711 c.y.
Total Fill:	22 c.y.
Net Soil Removed From Site:	689 c.y.

Inasmuch as the volume of soil to be moved on site exceeds the 400 c.y. cutoff figure for a ministerial permit, the application is classified as a Major Soil Permit Application.

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:

1. Major Soil Application Fee \$ 500.00
2. Engineering Review & Inspection Fee \$ 1,500.00
3. Soil Moving Fee \$ 177.75
(689 c.y. @ 0.25/c.y)

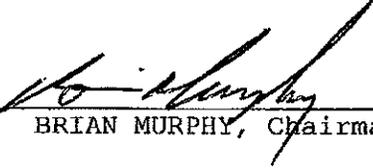
11. The Applicant shall pay the costs of the Township Engineer, the Township of Washington Attorney and/or the Township of Washington Planning Board attorney associated with this application, and deposit sufficient funds for payment with the Township of Washington Treasurer;
12. The Applicant shall comply with all applicable municipal and governmental regulations affected the proposed work;

13. The Applicant shall submit for review and approval by the Township Engineer design calculations (as prepared by a New Jersey Licensed Professional Engineer) for all retaining walls exceeding four (4) feet in height. Appropriate fall protection measures shall also be provided along the top of wall where warranted. The requisite construction details for any such installation shall be added to the Plans;
14. The Applicant is granted a waiver from the requirements of Township Code Section 242-6.C to provide topographic mapping of all surrounding lands within 100 feet of the perimeter of the subject property given the limited scope of development; and
15. The Applicant shall obtain a Soil Erosion and Sediment Control Plan Certification from the Bergen County Soil Conservation District.
16. The Board shall have the authority to approve and alter the Applicant's Landscape plan during a "look back" period not to exceed one (1) year.

BE IT FURTHER RESOLVED, that the Secretary of the Planning Board is hereby directed to mail a copy of this Resolution to the applicant and file a copy of this Resolution with the Township of Washington Clerk, and to cause a notice of this determination of the Planning Board to be published in the official newspaper of the Township of Washington within ten (1) days of the date hereof and thereafter published according to law.

Dated: August ¹⁴~~5~~, 2020

BY THE BOARD

BY: 
BRIAN MURPHY, Chairman

Certified to be a true copy of the Resolution adopted by
the Planning Board of the Township of Washington at its
meeting on August ¹⁹ 5, 2020.


BARBARA COLEMAN, Secretary