

**TOWNSHIP OF WASHINGTON
PLANNING BOARD**

RESOLUTION PB-20-18

WHEREAS, DCNY, Inc. has made an application to the Township of Washington Planning Board for a Major Soil Removal Permit for this property located at the corner of Pascack Road and Crest Place, in the Township of Washington, being Lot 1.01 in Block 2329 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 July 14, 2020;
- b. Township of Washington Application For Soil Movement Permit, undated;
- c. Memo dated August 27, 2020, as prepared by the Township of Washington Tax Collector confirming that the tax payments on the above referenced are paid to date;
- d. A drawing entitled "Site Plan for Deepak Shah, Pascack Road & Crest Place, Lot 1.01 , Block 2329, Township of Washington, Bergen County, N.J." dated April 27, 2020, and revised through May 11, 2020, as prepared by Lantelme, Kurens & Associates, P.C., of Hillsdale, New Jersey;
- e. A drawing entitled "Survey of Property, Tax Lot 1.01, Block 2329, Pascack Road, Township of Washington, Bergen County, N.J.", dated 12/19/2017, as prepared by Lakeland Surveying, of Rockaway, New Jersey; and
- f. A set of Architectural Drawings, consisting of 5 (five) sheets, dated February 22, 2018, and

revised through May 8, 2020, identified as T-1, A-1a, A-1b, A-2a and A-2b, as prepared by Wayne J. Guskind, Registered Architect, of Hillsdale, New Jersey.

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

1. The subject property was created pursuant to a Settlement Agreement dated January 18, 1989 between Plaintiff, Thomas Corra and Ann Corra, h/w, and Defendant, Mayor and Council of the Township of Washington, which may be developed "as of right" in accordance with the terms and conditions set forth therein.
2. Among the conditions set forth therein is compliance with "all conditions and approvals from the Bergen County Planning Board" whereby this lot is encumbered by an "11' Wide Easement to County of Bergen For Road Widening" as accurately depicted on the above referenced Site Plan.
3. The subject property is classified as a "Corner Lot" and is situated within the "Class A" Zoning District. As defined under Chapter 580 (Zoning) of the Township Code, the greater frontage of a corner lot is its depth and its lesser frontage is its width. As such, the street frontage along its width is equal to 66.36 feet as measured to the midpoint of the curve at the intersection of the Crest Place and Pascack Road rights-of-way. Similarly the street frontage along its depth is equal to 116.17 as measured to the midpoint of the curve at the intersection of the Crest Place and Pascack Road rights-of-way.
4. The following improvements and/or topographic features are now situated on the subject property or the abutting right-of-way:

Thirty five (35) deciduous trees with diameters ranging from 6" to 18" and one (1), 8" diameter pine tree

5. The applicant is seeking Planning Board review and approval pursuant to 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; 441 cubic yards of soil shall be moved under the subject application.
6. A total of eighteen (18) 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 but is presently nonconforming with respect to certain land use restrictions set forth in the Code of the Township of Washington, which are as follows:
 - A. Lot Area
Required: 10,000 sq. feet (Section 580-14)
Existing: 9,372 sq. feet
The above referenced, pre-existing nonconforming Lot Area was established pursuant to the 1989 Settlement Agreement and is noted to "run with the land".
 - B. Lot Frontage (Width)
Required: 100.00 feet (Section 580-14)
Existing: 66.36 feet (Crest Place)
The above referenced, pre-existing non-conforming Lot Frontage of 66.36 feet was established pursuant to the 1989 Settlement Agreement and is noted to "run with the land".
2. With the exception of these pre-existing nonconforming conditions associated with the size and shape of the property, the plan, as presented is found to comply with all applicable requirements of this Zoning District and is variance free.

3. The Zoning Schedule reflects a conforming Building Height of 27.5 feet which represents the mathematical difference between the "Average Ground Elevation" along the perimeter of the proposed structure (i.e. 98.3 feet) and the highest point of the building (i.e. 125.8 feet), as accurately depicted the above referenced Site Plan.
4. The applicant has notified all property owners within 200 feet of the subject property.

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 August 28, 2020 and as set forth in the "Appendix "A" attached thereto, and as discussed at the Board's September 2, 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). The Applicant has requested a waiver of compliance with the Code's 2:1 replacement requirement of thirty-six (36) trees to replace the eighteen (18) trees that the applicant plans to remove. The Applicant's request is granted, as modified, by the Applicant's agreement to plant the eighteen (18) arborvitae as depicted on the plans and an additional ten (10) to twelve (12) deciduous trees, not to include red maple or ash, but to include trees from the list to be provided by the Township. Applicant shall plant six (6) of those trees in the County's easement if permitted by the County. The Township Engineer shall be required to approve the final landscape design prior to its implementation, to include the number and placement of all trees.
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 August 28, 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) five-hundred 500 Gallon Seepage Pit systems 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 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:	441 c.y.
Total Fill:	101 c.y.
Net Soil Removed From Site:	340 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 \$ 110.25
(441 c.y. @ 0.25/c.y)

11. The Applicant shall remove and replace the concrete sidewalk along the entire limits of the Pascack Road street frontage.
12. 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;
13. The Applicant shall comply with all applicable municipal and governmental regulations affected the proposed work;
14. 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;
15. 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
16. The Applicant shall obtain a Soil Erosion and Sediment Control Plan Certification from the Bergen County Soil Conservation District.
17. 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.

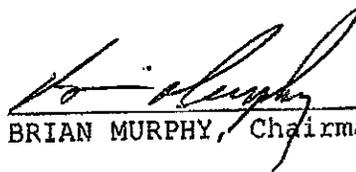
BE IT FURTHER RESOLVED, that the Secretary of the Planning Board is hereby directed to mail a copy of this

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: September 30, 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 September 30, 2020.


BARBARA COLEMAN, Secretary