

**TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY  
ZONING BOARD OF ADJUSTMENT**

RESOLUTION ZB-21-10

WHEREAS, ANDREW GHISALBERTI AND JENNIFER GHISALBERTI (the “Applicant”) have applied to the Zoning Board of Adjustment of the Township of Washington for variance relief from the zoning code to grant the Applicant several variances with regard to the Applicant’s proposed interior and exterior renovations of an existing one (1) story, single family residential dwelling. The proposed renovations include a new covered front porch, a one (1) story addition along the north side of the dwelling, a two (2) story addition at or about the southeast corner of the dwelling and a new second floor addition across the entire limits of the expanded building “footprint”. The property is known as 407 Colonial Boulevard and designated as Lot 23, Block 4304 on the Tax and Assessment Map of the Township of Washington. The subject property is classified as an “interior lot” and is situated in the “Class B” Zoning District and is located between the east side of Colonial Road approximately 550.00 feet north of the intersection with Lincoln Avenue. The property has a rectangular shaped configuration and is 100 feet wide by 100 feet deep wide and has a total area of 10,000.00 square feet and is a conforming lot size. The Applicant seeks variance approval for maximum building coverage of 22.72% where the maximum permitted is 20.00%. The Applicant also seeks variance approval for a maximum driveway width of 26.7 feet where a maximum of 22.00 feet is permitted. The Applicant also seeks variance approval for a minimum garage floor area of +/-336 square feet where a minimum of 500 square feet is required. The Application is found to conform with all other applicable zoning criteria for the “Class B” Zone.; and

WHEREAS, the Township of Washington Zoning Board of Adjustment has carefully considered the testimony of the Applicant, ANDREW GHISALBERTI AND JENNIFER

GHISALBERTI, and evidence presented by the Applicants and their professionals and Board discussion and comments during the general public hearing held on September 21, 2021 via electronic means and in compliance with the Open Public Meetings Act, prior to which time the Applicant presented proof of notice and publication as required by law, and;

WHEREAS, the Township of Washington Zoning Board of Adjustment has reviewed the following:

- a. Township of Washington Application for Variance by applicant, ANDREW GHISALBERTI AND JENNIFER GHISALBERTI, including an Affidavit of Service and Proof of Publication, dated June 16, 2021 and consisting of thirty-nine (39) sheets;
- b. The report of the Board Engineer, Paul Azzolina, PE, CME, Azzolina & Feury Engineering, Inc. dated September 17, 2021 and consisting of seven (7) sheets;
- c. Site Plan, Floor plans and Exterior Elevations prepared by Joseph J. Bruno, AIA, dated March 26, 2021 and consisting of three (3) sheets and marked into evidenced as Exhibit A-1;
- d. Property Survey prepared by Christopher J. Lantelme, P.E. & L.S. of Lantelme, Kurens & Associates, PC, dated October 30, 2020 and consisting of one (1) sheet.

WHEREAS, the Township of Washington Zoning Board of Adjustment has made the following findings of fact and conclusions of law:

1. The property designated as Lot 23, Block 4304 currently has an existing one (1) story, single family residential dwelling and is located in the "Class B" residential zone and is classified as an "Interior Lot". The Applicant's proposed use of the property is a permitted use in the "Class B" Zone;

2. At the public hearing held on September 21, 2021, the Applicant's Architect, Joseph J. Bruno, was sworn in and accepted by the Board as an expert witness. Mr. Bruno testified that the Applicant proposes to expand the first floor to accommodate a family room and a large kitchen in the rear of the dwelling. He also testified that the Applicant will adding a one (1) story covered porch which will be open on all sides and an attached storage space on the northerly side of the property to avoid the need for a stand-alone shed. He testified that the second floor will contain four (4) bedrooms, two (2) bathrooms and a laundry room. He testified that the Applicant seeks variance approval for the following variances:

- a) Maximum building coverage of 22.72% where the maximum permitted is 20.00%.
- b) Maximum driveway width of 26.7 feet where a maximum of 22.00 feet is permitted.
- c) Minimum garage floor area of +/-336 square feet where a minimum of 500 square feet is required.

Mr. Bruno testified that the expanded dwelling's size is consistent with the character of the neighborhood. He was the architect for a home on the other side of the street which has a coverage of 27.51% and he testified that it is similar to the Applicant's property in terms of amenities. He testified that the proposed plans will have a positive effect on the street scape. He testified that the existing garage is at the basement level and is less than 500 square feet, but is a pre-existing non-conforming condition and will not be changed. Mr. Bruno further testified that the Applicant complies with the side yard setbacks. Paul Azzolina, PE, CME, the Board's Engineer advised the Board that he was in agreement with Mr. Bruno's calculations.

3. The Applicant, Andrew Ghisalberti, was sworn in and testified that if the Application was approved, he would agree to never enclose the porch. Mr. Azzolina advised that Board that the Applicant has agreed to hire a civil engineer who will design an appropriate stormwater system, to

include grading and soil erosion measures. He advised the Board that a stormwater management system is required due to the expanded coverage and because the rear of the property has a significant slope and will be a good investment to avoid problems in the future.

4. There were no questions from the public during the public portion of the Application.

WHEREAS, members of the public were invited to ask questions of the Applicant after testimony was given, and all questions offered by members of the public were answered to the satisfaction of the Zoning Board of Adjustment;

WHEREAS, the Zoning Board of Adjustment has determined that the relief requested by the Applicants can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zoning Ordinance of the Township of Washington, the enforcement of which would result in practical difficulty and unnecessary hardship in the use of applicants' property. Moreover, the Board finds that the plan represents a better planning alternative with the least impact on the property as a whole, and is not out of character, and is not likely to be a substantial detrimental impact upon any other properties in the neighborhood, and would blend into the surrounding properties;

NOW THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Washington on this 19<sup>th</sup> day of October, 2021 that based upon the findings of fact, testimony presented and documents submitted for review as previously set forth, the application of Andrew Ghisalberti and Jennifer Ghisalberti is hereby granted with approval of the following variances and subject to the following conditions:

- a) Maximum Building Coverage of 22.72%;
- b) Maximum Driveway Width of 26.7 feet;

- c) Minimum Garage Floor Area of 336 square feet.
- d) The front porch must remain open and cannot be enclosed.
- e) The Applicant's Architect will revise their plans to show the requested building coverage as 22.72%.
- f) The Applicant must provide an appropriate storm water management subject to Mr. Azzolina's approval.

BE IT FURTHER RESOLVED that the Applicant shall comply with all of the stipulations made during the hearing on this Application as set forth herein and on the record before the Board.

BE IT FURTHER RESOLVED the Applicant's failure to comply with conditions set forth in this Resolution shall constitute a failure of the conditions and may be the cause for the revocation of either a building permit and/or Certificate of Occupancy of the premises, subject to reasonable notice and the opportunity to cure.

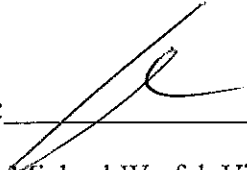
BE IT FURTHER RESOLVED that pursuant to the Code of the Township of Washington, the variances granted will expire within one (1) year from the date of this Resolution if construction is not commenced, however, this Board reserves the right to grant extensions of time from this Resolution if circumstances warrant the same;

BE IT FURTHER RESOLVED, that the Secretary of the Zoning Board of Adjustment of the Township of Washington is hereby directed to mail a copy of this Resolution to applicant; to furnish a copy to the building department; to file a copy of this Resolution with the Township of Washington Clerk; and to cause a notice of this determination of the Zoning Board of Adjustment to be published in the official newspaper of the Township of Washington within ten (10) days of the date hereof and thereafter published according to law.

BY THE BOARD

Dated: October 19, 2021

BY: \_\_\_\_\_

  
Michael Werfel, Vice-Chairman

Certified to be a true copy of the Resolution adopted by the Zoning Board of Adjustments of the Township of Washington at its meeting on Tuesday, October 19, 2021.

BOARD	MOTION	SECOND	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Callandrillo			X				
Capasso			X				
Hanna #1			X				
LaGratta			X				
Mahoney	X		X				
Moore			X				
Roberto #2						X	
Toro						X	
Werfel		X	X				