

TOWNSHIP OF WASHINGTON  
PLANNING BOARD

RESOLUTION

WHEREAS, Raymond Yacovino has made an application to the Township of Washington Planning Board for a tentative approval of a Minor Site Plan for a Conditional Use for a Renovation and for a Ministerial Soil Removal Permit for the property located at 702 Eastview Terrace, in the Township of Washington, being Block 2209, Lot 1 on the Township of Washington Tax Assessment Map:

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

- a. "Township of Washington "Land Development (Zoning) Application, Zoning / Engineering Approval", received by the Township on September 12, 2017;
- b. a "Letter of Denial", dated October 12, 2017 as prepared by Gary H. Mazanec, Zoning Officer;
- c. Township of Washington Planning Board, Bergen County, New Jersey, "Application for Tentative Approval of Site Plan" dated October 27, 2017;
- d. a "Memo" dated 11/14/17 as prepared by M. Clancy, confirming that the property taxes were current as of that date;
- e. a set of Architectural Drawings entitled "Proposed Renovation/Addition: Yacovino Residence, 702 Eastview Terrace, Township of Washington, New Jersey", containing a total of 3 (three) sheets, dated 9/11/17, as prepared by es design studio, llc, of Old Tappan, New Jersey;
- f. a drawing entitled "Site Plan", 702 Eastview Terrace, Lot 1, Block 2209 Situated in the Township of Washington, Bergen County, New Jersey, dated 08/30/17 and revised through 11/01/17, as prepared by Mark Martins Engineering, LLC, of Norwood, New Jersey; and

- g. a drawing entitled "Soil Erosion Plan/Details", 702 Eastview Terrace, Lot 1, Block 2209 Situated in the Township of Washington, Bergen County, New Jersey, dated 08/30/17 and revised through 11/01/17, as prepared by Mark Martins Engineering, LLC, of Norwood, New Jersey.

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

1. The applicant has notified all property owners within 200 feet of the subject property.
2. The Applicant is seeking Minor Site Plan approval for a Conditional Use for a Renovation and for a Ministerial Soil Removal Permit as required in connection with the site plan and proposed renovation work.

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

1. The application for development satisfies the criteria set forth under Township Code Section 239-3.A for a "Minor Site Plan" and is so classified by the Board, encompassing the proposed work and soil movement outlined in the Borough Engineer's November 29, 2017 review letter.
2. The plan, as presented, presents an existing non-conforming use which does not fully comply with the requirements for this Class "AA" Zoning District and thus, variances are requested and required.
3. The subject property is a corner lot, which is nonconforming with respect to minimum lot width, thus requiring this application for a conditional use pursuant to Section 245-84 of the Township Code.
4. Pre-existing non-conformities as accurately presented in the Zoning Schedule depicted on the

Site Plan are as are as follows:

**Principal Structure**

a. Lot Frontage (Width)

Required:	100.00 feet (\$ 245-28)
Existing:	79.82 feet (Pascack Road)
Proposed:	79.82 feet (Pascack Road)

Note:

The above referenced, pre-existing non-conforming Lot Frontage of 79.82 feet shall remain unchanged in connection with the subject application for development.

b. Minimum Garage Parking: Number of Vehicles

Required:	2 car garage (\$ 245-77.1.D)
Existing:	1 car garage
Proposed:	1 car garage

Note:

The subject non-conforming condition is neither corrected nor exacerbated pursuant to the subject application for development.

c. Minimum Garage Parking: Floor Area

Required:	500 Square feet (Sect. 245-77.1.D)
Existing:	1 car garage

5. With the exception of the pre-existing non-conformities as described hereinabove and as regards to the principal structure situated on the property, the plan, as presented, is found to comply with the minimum requirements of the Class AA District for street frontage, lot depth, front, side and rear yard setback dimension, building coverage and building height.
6. The applicant is entitled to the following variances, as the applicant will suffer a hardship if the variances are not granted, the variances can be granted without causing substantial detriment to the public good and the granting of a variance will not substantially impair the intent

and purpose of the municipal zoning plan and ordinance, or, in the alternative, the proposed variances advance the purposes of the Municipal Land Use Law and the benefits of the deviation from the local zoning ordinance resulting from granting the variances would substantially outweigh any detriment:

- a. Lot Frontage of 79.82 feet where 100 feet is required (Section 245-28).
- b. The non-conforming, but preexisting, shed in the front yard may remain.
- c. The continued non-conforming one car garage may remain where a two (2) car garage with floor area of 500 feet is required (Section 245.77.1.D).

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. and as discussed at the Board's November 29, 2017 meeting. Specifically, for the applicant's subsurface retention system, the applicant shall provide the appropriate sizing calculations demonstrating the adequacy of the proposed system design. A test pit investigation shall be completed at the proposed location of the seepage pit system to assess the groundwater condition in that location. An Inspector from the Borough Engineer's office shall witness the test pit investigation and subsequent seepage pit installation;
2. The Applicant shall conform to all the details of the plans and information as hereinabove set forth and to any revisions made hereto;
3. The Applicant concurs with all of the recommendations set forth in the report of the Township Engineer dated

November 29, 2017 and will perform accordingly;

4. The Applicant shall procure the requisite Ministerial Soil Movement Permit from the Municipal Clerk, as the amount of soil to be removed is less than 400 cubic yards. The calculations on the plans shall be revised in accordance with Note 12 to reflect agreement with the to be filed Soil Movement Permit;
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. If an application is made to the Township Council, the limits of any such required restoration of the surface pavement shall be established by the Township in connection with the issuance of the necessary road opening permits;
6. The Applicant shall pay the costs of he 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; and
7. The Applicant shall comply with all applicable municipal and governmental regulations affected the proposed work;

BE IT FURTHER RESOLVED, that the Secretary of the Planning Board is hereby directed to mail a copy of this Resolution to the applicants, 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 (10) days of the date hereof and thereafter published according to law.

Dated: December 6, 2017

BY THE BOARD

BY: *A.A. Calamari*  
A.A. CALAMARI, Chairman

Certified to be a true copy of the Resolution adopted by the Planning Board of the Township of Washington at its meeting on December 6, 2017.

*Vince Corrado*  
VINCE CORRADO, Secretary