

TOWNSHIP OF WASHINGTON, BERGEN COUNTY
ZONING BOARD MINUTES
FEBRUARY 23, 2021 - 7:30 P.M.

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 Bergen Record and The Ridgewood News, our official newspapers in the Township of Washington and notice has been posted on the bulletin board at Town Hall.

ROLL CALL:

Present: Capasso, Callandrillo, Hanna, LaGratta, Mahoney, Roberto, Toro, Werfel,
Board Engineer Azzolina, Board Attorney Giannantonio, Esq, Board Planner
Absent: Moore

APPROVAL OF MINUTES

October 20, 2020

A motion was made and seconded to approve the Minutes of October 20, 2020, as presented.

Roll Call

AYES: Callandrillo, Hanna, LaGratta, Mahoney, Toro, Werfel
NAYS: None
ABSTAIN: Capasso, Roberto

November 18, 2020

A motion was made and seconded to approve the Minutes of November 18, 2020, as presented.

Roll Call

AYES: Callandrillo, Hanna, LaGratta, Mahoney, Toro, Werfel
NAYS: None
ABSTAIN: Capasso, Roberto

MOTION TO OPEN THE PUBLIC PORTION:

A motion was made and seconded to open the Public Portion of the meeting, all ayes.

Missy Valentasos, 41 Forest Gate Court, said she is happy that new plans have been submitted showing an additional 20 spruces on the south side of the border at the Reserve at Arden Place.

No one else came forward at this time and a motion was made and seconded to close the public portion of the meeting, all ayes.

OLD BUSINESS

CONTINUATION OF HEARING FOR GOLDEN ORCHARDS APPLICATION

Ms. Bailey, attorney for the applicant, stated that the criteria for the use variance and revisions of the plans will be reviewed this evening. She introduced Brigette Bogert, Planner, for the applicant, who stated that the hardship for the property is not self-created and is referred to as the "C" variance criteria. A "C" variance can be used to grant a variance relative to a specific property with an exceptional shape. In this instance the property is shallow and narrow. The property is split between two municipalities and two zoning districts, which is a unique hardship and the Board can grant a variance for the uniqueness of a property. The proposed use, which is the best use of the property, is permitted in Hillsdale and it squares off the larger development there. Ms. Bogert noted that the proposed development is consistent and most appropriate with the development pattern in this area.

Ms. Bogert stated that the applicant has addressed concerns of the neighbors including additional landscaping; drainage improvements; and proposing the widening of Pascack Road to address traffic impacts. She recommended that the site be rezoned meaning that the granting of the application would be consistent with several goals of the Master Plan, one of which being the ability to provide senior housing. The smaller garage sizes comply in Hillsdale and Ms. Bogert added that landscaping and snow removal will be provided. This type of equipment would not be need to be stored in the garage areas of this senior housing development. Additional screening is proposed. Upon questioning, Ms. Bogert said she doesn't see any detriment to a smaller garage stating that building coverage is reduced resulting in less impact on drainage. The smaller garage allows for a comfortable amount of living space on the ground floor.

The Township Planner addressed the best land use approach in Washington Township and recognized the shape of the property and the landlocked parcel. There is no way that Lots 3 and 7 can conform to the ordinances of Washington Township. Ms. Bogert indicated that a senior citizens condominium development is much better than single family homes on this parcel of property because buffering will be maintained and there will be no playgrounds and sheds. Due to restrictions placed by the Hillsdale Planning Board and the DEP, the property cannot be developed for single family homes.

The Township Planner stated that if Board Members feel that the proposed use is a good use of the land and is beneficial to the Township; if it advances the goals and objectives of the Township and achieves other objectives such as buffering and screening to protect and enhance adjoining properties because of the nature of the use he would encourage the approval of the proposed development. He stated that these are advantages for Washington Township.

The Planner addressed the question of economic benefit and said that although economic benefits are not considered when determining a variance, apparently there is an agreement

in place between the two municipalities to divide the tax assets. Four of the properties will be taxed solely by Washington Township along with the single-family home. The two remaining homes will be taxed by Hillsdale. It was noted that the applicant will have to contribute to the Affordable Housing Trust Fund and this will have no effect on Washington Township's obligation to affordable housing.

Ms. Bailey said that revised landscape plans relative to tree types had been submitted by applicant's engineer Alex Zepponi. There is information relative to tree loss and tree removal, as well as limits of disturbance. As a result, twenty trees have been saved. There are between 90 and 92 trees to be removed that will be replaced by 202 trees. The other revised landscaping plans were reviewed and the changes were noted.

A motion was made and seconded to open the meeting to the public. Henry Cenicola, 29 Braeburn Drive, asked to see the landscaping plan that was most recently sent to Northgate residents. Ms. Bailey said the plan D-3 is the most recent plan. No one else came forward at this time and the meeting was closed to the public.

Ms. Bailey indicated that this was the end of the applicant's presentation. Board Members were asked if they had any further questions. A Board Member asked about provisions put in place during construction. Mr. Zepponi explained that a soil erosion plan is provided by Bergen County Soil Conservation District and significant erosion is not expected. A question was raised about BBQs, lawn furniture and other items normally kept in the rear of homes. It was noted that anything placed in the backyard space must be approved by the HOA. The Board Attorney added that this provision could be reinforced by making it part of the Board resolution of approval.

The public portion of the meeting was opened for any general comments regarding the application. There were no comments at this time from the public; however, a comment was made by a Board Member relative to the small size of the garage. The applicant reiterated the importance of providing a larger living space on the main floor for the homeowner while at the same time providing a suitable living space upstairs for visitors and/or eventually a caregiver. Having more living space is a benefit to people at this time in their lives since they no longer have small children with bikes and other toys or the need for lawn maintenance equipment since everything outside is maintained by the HOA.

Ms. Bailey reviewed the application noting the odd shaped property; environmental constraints; and that fact that the development is taking place in two municipalities with two separate zoning ordinances as hardships. She said that this last fact would favor variance approval in order to provide reasonable use of the property by the property owner. This is new state of the art living spaces for senior citizens and the style of housing is similar to other housing in the area. The applicant has addressed every concern raised by the neighbors and the neighbors indicate that they are satisfied with the applicant's response. Ms. Bailey concluded that there is no other practical use for the property.

Ms. Hanna made a motion to approve the application as presented for a use variance and for the "C" variance subject to the following: installations in common spaces; the specific number of units; a diagram showing number of trees being removed; pending subdivision application for conforming construction of single family home fronting on Pascack Rd.; and the notation that structures in the rear yards are prohibited with the exception of BBQs, outdoor furniture, and whirlpools, only after HOA approval. It was stipulated that the

applicant will maintain the culvert, which will eventually be taken over by the HOA because it is on the common property. The resolution will be subject to the terms of the Northgate Settlement (Exhibit M) and the Hogarth Settlement Agreement (Exhibit L). Mr. LaGratta seconded the motion.

Roll Call

AYES: Capasso, Callandrillo, Hanna, LaGratta, Mahoney, Roberto, Toro, Werfel
NAYS: None

MOTION TO ADJOURN MEETING


A motion was made by Mr. LaGratta to adjourn the meeting. Mr. Werfel seconded the motion.

Roll Call


AYES: Capasso, Callandrillo, Hanna, LaGratta, Mahoney, Roberto, Toro, Werfel
NAYS: None

ADJOURNMENT – TIME NOTED: 9:24 P.M.

Approved:



Said Toro, Chairman



Susan Witkowski, Township Clerk