

TOWNSHIP OF WASHINGTON, BERGEN COUNTY  
ZONING BOARD MINUTES  
SPECIAL MEETING – JANUARY 26, 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: Anthony Capasso, John Callandrillo, Les Hanna, Michael LaGratta,  
Sean Mahoney, Dennis Moore, Jeff Roberto, Said Toro, Michael Werfel,  
Gary Giannantonio, Esq., Paul Azzolina, Engineer, Stan \_\_\_\_\_, Planner  
Absent: None

APPROVAL OF MINUTES: None

MOTION TO OPEN THE PUBLIC PORTION:

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

Missy Valantassis, President of the Board of Directors of the Northgate property, which is directly south of the proposed development known as Golden Orchards, introduced herself. She resides at 41 Forest Gate Court. Ms. Valantassis reported that she has had several productive meetings with Stewart and Jeff Weinberger relative to preserving as many trees as possible and planting additional trees on the border of Northgate and Arden Place. They also agreed to extend the split rail fence along the entire length of the property. These revisions appear on the most recent plans.

Claire Toger, 4 Arden Place, Hillsdale, supports the plan and looks forward to the expansion of the community.

Tom Sears, 6 Beech Street, voiced concerned about Lincoln Park and the encroachment into the wilderness area. He said that many trees have been lost and any builder coming into the park area should be stopped. Mr. Azzolina noted that Mr. Sears is speaking about the Musquapsink Brook, which is a major waterway and cannot be altered in any way.

Janet Sobkowicz, 849 Robin Wood Road, asked how many of the units are in Hillsdale. Ms. Bailey, attorney for the applicant, said that there are five units located in Hillsdale and there is an agreement between the Tax Assessors of both Hillsdale and Washington Township relative to the distribution of tax revenues. Ms. Sobkowicz questioned who is responsible for repairs regarding any water damage that might occur. There are detention

basins located in Hillsdale and run off is in compliance with DEP regulations. The property sizes in both municipalities are the same.

Alan Rein, 14 Arden Place, said he is very happy with everything about his home and the neighborhood and he would be willing to answer questions anyone might have.

Barbara Magic, 58 White Beeches Drive, asked how many houses will be constructed on Lot 7 in Block 2101 in Washington Township. She was told one house will be built.

Ron Cabezas, 15 Arden Place, said this house backs up to Northgate and is a quality home that he would highly recommend.

No one else came forward 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 applicant proposes to build six units of a 37 unit age restricted single family development, partially in Washington Township. Five of these units have a portion of their back yards in Washington Township. There is one unit that is entirely in Washington Township. All utilities come from Hillsdale along with vehicle access through Hillsdale. She recalled that the impact to the neighbors to the south at the Northgate Development have been addressed by the Weinbergers who are the developers. The settlement agreement reached some time ago addresses the stormwater management issues and has withstood court challenges.

Stewart Weinberger, was sworn, by the Board Attorney, and described himself as the project manager. Ms. Bailey indicated that there had been a temporary condition of brown water. Mr. Weinberger explained that rows of hay bales and a silt fence were added to pick up sediment along with filter fabric to catch ground water that was coming through. This work was done based on discussions with Mr. Azzolina. Mr. Weinberger addressed the stone culvert, which had partially collapsed causing water build up at the Northgate Development. The area has been partially repaired; debris has been removed; and a permanent repair will be completed shortly after Mr. Azzolina gives final approval.

Regarding tree removal, Mr. Weinberger said that his engineer has determined that an additional 20 trees can be saved. Trees are being planted in the environmental areas as well as the back area and in the area of Lincoln Park that backs up to the Musquapsink Brook. He described this as a wildlife area for everyone to enjoy. Mr. Weinberger spoke about the landscaping, which includes two rows of evergreens on both sides of the property. The fence will be installed from Unit 29 on Northgate to Unit 17, between the two rows of evergreens. The fence is continued from the environmentally protected area to Unit 30 as far as 15 Arden Place.

The Board had no questions of Mr. Weinberger. The public portion of the meeting was opened for questions of Mr. Weinberger.

Marianne Cumming, 35 Braeburn Drive, asked when construction will begin. Mr. Weinberger said he hopes to begin in the spring, with completion depending on the pace of sales. He expects to start the landscaping in the spring after the culvert is repaired.

Henry Cenicola, 29 Braeburn Drive, thanked the developers for their attention to the concerns of the neighbors.

Alex Zepponi, engineer for the applicant, came forward and spoke about the revisions to the plans that relate to the removal of trees. The plan R-9 entitled "Proposed plantings within the Northgate property" was revised through January 5, 2021. The lines of disturbance have been adjusted to show the 20 additional trees to be saved. Mr. Zepponi indicated he has reviewed the letter dated January 25, 2021 from Mr. Azzolina. It was noted that all of the additional plantings are not shown on the R-9 plan. A revised drawing (revised R-9) depicting these proposed tree plantings around units 30 and 34 has been made available. The wood fence is proposed to comply with the settlement agreement along with other additional fencing. Mr. Azzolina confirmed that many of the mature trees proposed for removal are now being saved. There was a proposal to plant weeping willow trees because they can consume large amounts of water to assist with drainage; however, Mr. Azzolina pointed out that these trees need full sun exposure. He asked if they would thrive in this heavily wooded area and he would like a landscape architect to give an opinion. Ms. Bailey agreed to change the tree type if requested by Mr. Azzolina.

The public portion of the meeting was opened for questions of Mr. Zepponi. Henry Cenicola, 29 Braeburn Drive, commented that he was happy that an additional 40 trees are being saved due to the relocation of the limit of disturbance line. Mr. Zepponi will provide an updated version of the tree removal plan in the next several days.

James Revello, architect from Martin Architecture Group, was introduced to discuss the C variances relative to this application. He spoke about the two car garages, which are 20 ft. deep and 19 feet wide, as well as 7 sq. ft. less than the minimum required by the Washington Township ordinance. He pointed out that the garage size does comply with Hillsdale requirements where most of the garages are actually located. Buyers in these active adult communities are more concerned with maximizing interior space rather than garage space. The master bedroom is located on the ground floor resulting in less space to work with on the ground floor and there are basements for storage purposes. Ms. Bailey stated that the immediate neighbor to the south is satisfied with the screening and the six units.

There was a lengthy discussion about the garage size. The Borough Planner questioned the significance of an additional 7 sq. ft.; however, several Board Members indicated that there is no compelling issue with the land, or any hardship they are grappling with to come up with a reason to grant a variance. Ms. Bailey argued that the fact that the project is located in two different municipalities is a hardship and she will have the applicant's planner address these concerns at the next meeting.

The public portion of the meeting was opened regarding the testimony of Mr. Revello. Barbara Magic, 58 White Beeches Drive, asked if there were any safety concerns relative to a smaller size garage. Mr. Revello said he sees no issues with the proposed garage size. No one else came forward at this time and the public portion of the meeting was closed.

Jeff A. Weinberger was sworn and said that he is a developer and a partner with his brother Stewart, who testified earlier. He pointed out that the law requires municipalities to

construct housing that is appropriate for people age 55 and over. This resulted in the construction of the award winning Washington Grand development. The concept for this particular property was originally multifamily housing; however, it has evolved into 37 specialty homes for people over 55. The property is bisected by the municipal boundary line with a small portion in Washington Township. Over many years they developed a zoning ordinance in Hillsdale to accommodate the size of these types of homes along with the size of side yards and rear yards. In this project, five homes are located partially or entirely in Washington Township.

In his review letter, Mr. Azzolina questioned specifics of the Homeowners Association. Mr. Weinberger stated that he created and is President of the Arden Place Condominium Association. This arrangement is typical until the homeowners take over control of the Board. He explained the obligation of the homeowners association include common elements, which consists of anything outside of the home known as a common element. The only two obligations not included are trash and snow removal. Mr. Weinberger added that an extensive drainage system was built to satisfy the New Jersey Stormwater regulations meaning that less water will run off the property after construction than before the development is built. Also included in a settlement agreement with Northgate Condominium Association is that any sediment from the new construction will be cleared if it gets on the Northgate property. The current condominium president has endorsed the proposed plan. Mr. Weinberger pointed out that an easement agreement was signed with the State of New Jersey to ensure no disturbance of any kind will be allowed at Lincoln Park. He added that the drainage plans have been approved by engineers from four different agencies and they are contractually obligated to fix any issues that might occur.

Mr. Weinberger pointed out that the homes partially located in Washington Township will have garbage pickup, snow removal and lighting provided by Hillsdale. There is no access from Washington Township to these homes and therefore the regulations in Hillsdale should take precedence over regulations in Washington Township. The home that is totally in Washington Township complies with all Washington Township ordinances except for a minor side yard variance. Mr. Weinberger reiterated that the hardship is that the development is bisected by two different municipalities and he added that Washington Township is getting tax revenues, but no expenses.

The Borough Planner interjected and stated that the applicant is asking for a D variance to be granted on property located in the AA zone of Washington Township. The question is what would be the practical difficulties of developing the two parcels in the AA district of Washington Township in accordance with the zone plan of Washington Township. The planning justifications and further clarification should be addressed by the applicant's planner.

The meeting was opened to the public for questions of Mr. Weinberger.

Henry Cenicola, 29 Braeburn Drive, noted that there were obligations on both sides of the settlement agreement. He wants the settlement agreement honored and indicated no objections to this development.

The Chairman announced that the next meeting on this application would be February 23, 2021.

MOTION TO ADJOURN MEETING

A motion was made and seconded to adjourn the meeting.

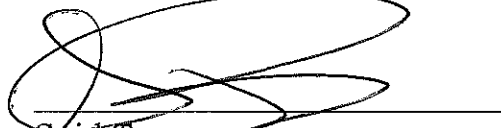
Ayes: Anthony Capasso, John Callandrillo, Les Hanna, Michael LaGratta,  
Sean Mahoney, Dennis Moore, Jeff Roberto, Said Toro, Michael Werfel

Nays: None

ADJOURNMENT – TIME NOTED: 10:20 P.M.

APPROVED:  
ZONING BOARD OF ADJUSTMENT  
TOWNSHIP OF WASHINGTON

  
Susan Witkowski  
Township Clerk

  
Said Toro  
Chairman

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