

**WASHINGTON TOWNSHIP LAND USE BOARD**

***PUBLIC MEETING MINUTES***

**September 10, 2008, 7:30 p.m.**

***CALL TO ORDER and PUBLIC NOTICE***

Chairperson Kerry Pflugh called the meeting to order at 7:40 p.m. Ms. Pflugh said this is a regular meeting of the Land Use Board of the Township of Washington. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that a Notice was published in *The Star Gazette* and *Express Times*. Notice was posted on the municipal bulletin board in the Township Administration Building in Washington Township, New Jersey, and notice was filed with the Township Clerk.

***ROLL CALL***

Present: Evan Howell, Jim Vergos, Kerry Pflugh, Efrem Zaret, Leonard Artigliere, Jon Grdovic, Erich Sodalbers

Absent: Mayor Dempski, Robert Klingel, R. J. Strunk, Mark Rossi

Professionals: Steven Gruenberg, Esq.; William Gleba, P.E., Scarlett Doyle, P.P.

***RESOLUTIONS***

***Supplee*, #2008-1**

Three lot minor subdivision.

Members eligible to vote: Robert Klingel, James Vergos, Leonard Artigliere, Evan Howell and David Dempski

Motion to approve was made by Leonard Artigliere and seconded by James Vergos

Members in favor: James Vergos and Leonard Artigliere

***DeLuca*, #2007-04, Block 22, Lots 3, 17 and 2**

Minor subdivision/lot line adjustment approval.

Members eligible to vote: Evan Howell, Jim Vergos, Efrem Zaret, Kerry Kirk Pflugh, Robert Klingel, Mark Rossi, Leonard Artigliere, Chris Cavazzini, R. J. Strunk

Motion to approve was made by Efrem Zaret and seconded by Leonard Artigliere

Members in favor: Evan Howell, James Vergos, Efrem Zaret, Kerry Pflugh, Leonard Artigliere

**Washington Twp. Fire Dept.**, #2008-15 , Block 19, Lot 9  
Approval for a storage shed currently on the property.

Members eligible to vote: Efrem Zaret, Mark Rossi, Leonard Artigliere, Dave Dempski, R. J. Strunk

Motion to approve was made by Leonard Artigliere and seconded by Efrem Zaret  
Members in favor: Efrem Zaret, Leonard Artigliere

**Warren Properties** -- #2008-02, Block 46, Lot 13  
Minor site plan approval with a variance.

Members eligible to vote: Evan Howell, Mark Rossi, Leonard Artigliere, R. J. Strunk  
At applicant's request, this resolution was tabled to 9/27 to allow them adequate review time.

## COMPLETENESS

**Pietras**, #2008-18  
Block 40, Lot 85

Variance to build an addition on the existing dwelling.

Richard Burke, Esq., introduced himself on behalf of the applicant. This is an application to allow a dormer addition on the home. Structure is pre-existing, non-conforming as to side yards. The proposed new porch would encroach on the front yard setback.

Mr. Burke noted applicant would comply. He is requesting completeness determination with conditions. Mr. Gleba has provided clarification of the application. Referencing #9 of his letter, Mr. Gleba pointed out applicant requests waivers for completeness. Applicant will provide information prior to public hearing.

Mr. Gleba suggests application be deemed incomplete subject to receipt of necessary information prior to public hearing.

Motion to deem the application incomplete was made by James Vergos and seconded by Leonard Artigliere

Members in favor: Leonard Artigliere, Evan Howell, Kerry Pflugh, James Vergos, Erich Sodtalbers, Efrem Zaret, Jon Grdovic

This matter is rescheduled for completeness and public hearing 10/8/08.

No review will be provided by Ms. Doyle.

**PUBLIC HEARING ITEM**

**Garcia** -- #2008-07, Block 66, Lots 2, 6 and 17.01

Applicant seeks minor subdivision approval.

Hearing was commenced on June 25, 2008, and continued on July 30, 2008

Members eligible to vote: Evan Howell, Mayor Dempksi, Jim Vergos, Leonard Artigliere, Committeeman Strunk, Mark Rossi, Efrem Zaret

Dominick Santini, Esq., introduced himself on behalf of the applicant.

Mr. Santini proposes to continue engineering review. Referencing the fiber optic easement, Mr. Santini confirmed the easement has been recorded to benefit Williams Telecommunications. Ms. D'Amico observed there is no information available as to how close to the easement construction can take place. She noted the resolution should contain a condition of approval for the telecommunications company to review the plan as to the location of the building and maintenance of the line. Williams should provide a letter. Mr. Santini noted the deed should show a restriction. The easement does not define the limits.

Mr. Bodolsky explained the easement is 50' from the property line. Ms. Doyle suggested that applicant negotiate the width of the easement with the telecommunications company.

Mr. Garcia, applicant, noted he understood there was a 10" pipe installed in the early 1900's. Further, he understands that Williams ran the cable through the pipe. Mr. Garcia suggested that the deed identify the easement. Mr. Grdovic explained that a standard distance from communications lines is 18".

Mr. Santini suggested that a description of the easement be included in the deed of conveyance. Ms. D'Amico reiterated there should be a metes and bounds description of the easement. Mr. Santini agreed to provide a letter to Williams noting what is proposed. The letter will be subject to Steve Gruenberg's approval.

Mr. Bodolsky proceeded with engineering review addressing Ms. D'Amico's review letter.

He noted as to #17 that applicant would agree to submit to Township's geotechnical expert.

Applicant is unwilling to provide an LOI, indicating that there are no wetlands in the depicted building envelopes. Ms. D'Amico contended having an LOI is the correct thing to do. Further, she noted the possibility of habitat of endangered species on the site.

Mr. Bodolsky explained to identify a site as wetlands, hydric soils, vegetation and hydrology must be present. Mr. Bodolsky did soil corings and confirmed hydric soils, vegetation and hydrology are not present. Inspectors of John Cilo Associates confirmed Mr. Bodolsky's opinion. Mr. Bodolsky contended applicant had done due diligence.

Ms. Pflugh sought Board input regarding whether the information provided is adequate or whether applicant must provide a LOI. Board concurred LOI is not required.

Applicant will submit revised plans depicting what is agreed as to slopes.

Applicant proposes to expand the conservation agreement. Applicant proposes a woodland management plan on the conservation agreement, which would be satisfactory to Board professionals. Mr. Santini explained the State has jurisdiction of the woodland management plan.

Mr. Bodolsky confirmed the areas of disturbance would be defined as provided rather than by metes and bounds.

Ms. Pflugh invited public questions and comment. There were no questions or comments from the public.

Mr. Santini summarized and confirmed applicant seeks subdivision approval and variance as to the steep slope.

Motion to close the public hearing was made by Leonard Artigliere and seconded by James Vergos.

Mr. Gruenberg explained to the Board that steep slope variance is required.

Applicant notes .328 acres deficiency is compensated by conservation agreement.

Motion to grant variance and conservation agreement was made by Evan Howell and seconded by James Vergos.

Members in favor: Evan Howell, Leonard Artigliere, James Vergos, Efrem Zaret.

Motion was made by James Vergos and seconded by Evan Howell to grant minor subdivision subject to compliance with Board expert's review excepting:  
Metes and bounds description regarding #10 sent to Williams Telecommunications.  
No LOI will be required from NJDEP  
Driveway noted in item #8 will be removed.

Expansion of conservation agreement including woodlot management and limitation to area of disturbance.

Members in favor: Evan Howell, Leonard Artigliere, James Vergos, Efrem Zaret.

***OLD BUSINESS***

***NEW BUSINESS***

***Highland review.*** Gov. Corzine has finalized Highlands regulations. Ms. Doyle recommended consideration of master plan amendments.

Ms. Doyle also referenced new checklists. Ms. Pflugh indicated Mayor and Committeeman should comment.

Ordinance change proposals should be sent to Committee. Discussion should be continued on a regular agenda.

***ADJOURNMENT***

Meeting was adjourned at 9:00 p.m.

These minutes were approved 9/24/08.

Alice Oldford, Secretary to the Board