

WASHINGTON TOWNSHIP LAND USE BOARD

PUBLIC MEETING MINUTES

October 8, 2008, 7:30 p.m.

CALL TO ORDER and PUBLIC NOTICE

Chairperson Kerry Pflugh called the meeting to order at 7:38 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: Robert Klingel, Jim Vergos, Kerry Pflugh, Leonard Artigliere, Mark Rossi, Evan Howell, Mayor Dempski, R. J. Strunk, Jon Grdovic, Erich Sodtalbers

Absent: Efrem Zaret

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

MINUTES

Motion to approve the minutes of the meeting of 8/27 was made by Leonard Artigliere and seconded by Jon Grdovic

Members in favor: Robert Klingel, Leonard Artigliere, Mayor Dempski, Committeeman Strunk, Jon Grdovic, Erich Sodtalbers

Abstain: James Vergos, Kerry Pflugh, Mark Rossi

No vote: Evan Howell

Motion to approve the minutes of the meeting of 9/24 was made by Erich Sodtalbers and seconded by Mark Rossi

Members in favor: Robert Klingel, Leonard Artigliere, James Vergos, Kerry Pflugh, Mark Rossi, Jon Grdovic, Erich Sodtalbers

Abstain: Dave Dempski, R. J. Strunk

No vote: Evan Howell

RESOLUTIONS

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

Minor subdivision.

Members eligible to vote: Evan Howell, Leonard Artigliere, James Vergos, Efrem Zaret.
Motion to approve was made by Leonard Artigliere and seconded by Evan Howell
Members in favor: Evan Howell, Leonard Artigliere, James Vergos

EXTENSION REQUEST

Anna McClement requests a two-year extension of the preliminary site plan approval granted for Bay Storage on October 26, 2005 and memorialized on January 18, 2006.

Ms. McClement introduced herself. She said she is requesting an extension because of the state of the economy, which makes borrowing for the sake of the expansion impossible.

Board attorney, Steve Gruenberg, explained the initial approval was for a period of 3 years. Applicant may apply for an extension for 1 year, not to exceed 2 years. He recommended Board utilize these guidelines and grant a one year extension.

Motion to approve was made by Erich Sodtalbers and seconded by Robert Klingel.

Members in favor: Robert Klingel, Jim Vergos, Kerry Pflugh, Mark Rossi, Evan Howell, Mayor Dempksi, Jon Grdovic, Erich Sodtalbers

Abstain: Leonard Artigliere and R. J. Strunk.

COMPLETENESS

Pietras, #2008-18
Block 85, Lot 40

Variance to build an addition on the existing dwelling.
This application was deemed incomplete on September 10, 2008.

Mr. Pietras was introduced by Sigmund Ziarnowski. Mr. Gruenberg asked Bill Gleba his opinion as to completeness. Mr. Gleba confirmed that most of the information has been submitted. He noted waivers could be granted.

Motion to grant waivers for completeness was made by Robert Klingel and seconded by David Dempksi.

Members in favor: Robert Klingel, Jim Vergos, Kerry Pflugh, Leonard Artigliere, Mark Rossi, Evan Howell, Mayor Dempksi, R. J. Strunk, Jon Grdovic, Erich Sodtalbers

PUBLIC HEARING ITEMS

Pietras, #2008-18
Block 85, Lot 40

Variance to build an addition on the existing dwelling.

Mr. Gruenberg explained that application was noticed for the old building. He confirmed that a notice had been placed on the door of the Police Building to direct any interested parties to the new building.

Motion to accept the sufficiency of the notice was made by R. J. Strunk and seconded by Mark Rossi.

Members in favor: Robert Klingel, Jim Vergos, Kerry Pflugh, Leonard Artigliere, Mark Rossi, Evan Howell, Mayor Dempksi, R. J. Strunk, Jon Grdovic, Erich Sodtalbers.

Requisite fees having been paid and jurisdiction established, applicant and representative, Ryszrd Pietras and Ziggy Ziarnowski, were duly sworn.

Mr. Ziarnowski testified the house has an inadequate bathroom. Variance is required to raise the back of the house in order to construct a full size bathroom and full size wall in the master bedroom. Variance is necessitated because the house is pre-existing, non-conforming as to the side yard setback. Second floor will project 2 feet beyond porch.

New steps to entry porch are also proposed. Front yard setback is inadequate.

Mr. Pietras introduced photos which were marked in evidence as A-1, A-2, A-3, A-4.

Hardship exists because of the location of the house on the property. It is impossible to build an addition without necessitating a variance.

Mr. Gleba asked about the door in the rear to the basement. Mr. Pietras indicated that he would construct doors to keep the water out.

No one appearing to speak in favor or against the application, public hearing was closed.

Motion to approve the application was made by R. J. Strunk and seconded by Robert Klingel.

Members in favor: Robert Klingel, Jim Vergos, Kerry Pflugh, Leonard Artigliere, Mark Rossi, Evan Howell, Mayor Dempksi, R. J. Strunk, Jon Grdovic, Erich Sodtalbers

COMPLETENESS

Opdyke, #2006, Block 67, Lots 58, 59, 60

Minor subdivision/lot line adjustment with variance relief

Alan Lowcher, Esq., introduced himself on behalf of the applicant. He noted applicant seeks a minor subdivision/lot line adjustment.

Applicant seeks to create one new lot.

Mr. Lowcher explained Mr. Opdyke had proposed a plan previously, which would not work. He now requests that certain information be provided at a later time.

Slope analysis, wetlands delineation can be provided promptly. Soil log information meets the check list requirement although logs are not located where construction is now proposed. Construction is proposed to minimize disturbance and stay clear of the slopes.

Mr. Opdyke seeks assurance that the plan is viable prior to submitting all the information.

Mr. Lowcher noted applicant is seeking minor subdivision approval with a variance and conditions of approval.

Mr. Lowcher noted there is a potential buyer for the land.

Mr. Gleba addressed Mr. Lowcher's correspondence. Slope analysis must be completed. Soil testing is important according to Mr. Gleba. New storm water management ordinance is applicable. Category 1 stream buffers are an important component.

Mr. Lowcher observed that the resolution could have specific conditions applied.

Mr. Lowcher explained the cost is what drives these requests.

Mr. Gleba suggested that he meet with applicant's professionals. He indicated application should be deemed incomplete at this time.

Motion to deem application incomplete was made by R. J. Strunk and seconded by Mark Rossi.

Members in favor: Robert Klingel, Jim Vergos, Kerry Pflugh, Leonard Artigliere, Mark Rossi, Evan Howell, Mayor Dempski, R. J. Strunk, Jon Grdovic, Erich Sodtalbers

Hodges Melrose LLC, #2008-17

Block 23, Lot 12

Applicant has requested adjournment to 10/29. Applicant grants extension of time for the Board to act. In addition, applicant will re-notice.

The Board granted the extension request.

OLD BUSINESS

Outstanding escrows:

Ms. Pflugh reported to the Board that she and Board Secretary had met with Mayor Dempski regarding escrow issues. Finance had provided a spreadsheet detailing invoices and escrow details. It was noted \$57,000 is owed to the Board professionals. A number of bills have been processed.

Procedure had been discussed to facilitate funding of escrow accounts.

Mayor Dempski has noticed professionals as to procedures. Prior to each meeting escrow funds will be reviewed and confirmed. Escrow funds that are deficient will not be heard. There will be NO work by the professionals for applicants with escrow account deficiencies.

Finance will provide a copy of escrow accounts status each Monday.

Staff will attend Committee meeting on October 21 and procedures will be confirmed.

NEW BUSINESS

ADJOURNMENT

Meeting was adjourned at 8:45 p.m.

These minutes were approved October 29, 2008.

Alice Oldford, Secretary to the Board