

**WASHINGTON TOWNSHIP LAND USE BOARD**

**PUBLIC MEETING MINUTES**

**July 8, 2009, 7:30 p.m.**

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

Chairman Leonard Artigliere called the meeting to order at 7:30 p.m. Mr. Artigliere 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: Leonard Artigliere, Robert Klingel, Samir Elbassiouny, Mark Rossi, Robert Christine, Erich Sodalbers, Evan Howell, Barry Mueller, Gordon Wallace

Absent: Efrem Zaret, James Vergos

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

***APPROVAL OF MINUTES***

Motion to approve the minutes of June 24, 2009 was made by Mark Rossi and seconded by Samir Elbassiouny  
Members in favor: Leonard Artigliere, Robert Klingel, Samir Elbassiouny, Mark Rossi, Robert Christine, Gordon Wallace

***RESOLUTIONS***

***Grodkiewicz, Jeffrey***, Application #2008-09  
Block 64, Lot 8, Route 31 South

Preliminary site plan approval with variance relief to construct a one-story addition to the existing building. In addition, approval is granted to connect the new building with a one-story existing building.

Members eligible to vote: James Vergos, Mark Rossi, Robert Klingel, Efrem Zaret, Robert Christine, Gordon Wallace, Leonard Artigliere

**Apgar, Bruce**

Block 17, Lot 6.01

Approval of extension to 9/30/09 to file deeds and perfect subdivision.

Members eligible to vote: Leonard Artigliere, Robert Klingel, Samir Elbassiouny, James Vergos, Mark Rossi, Robert Christine, Efrem Zaret, Gordon Wallace

**Regency at Hawk Pointe**

Block 65, Lots 2 and 4 and Block 65.02, Lot 1

Approval of a one-year extension of Final Major Subdivision and Final Major Site Plan to construct a residential development of 75 market rate townhouse units as well as an affordable housing component of 6 townhouse units and one group home.

Members eligible to vote: Robert Klingel, James Vergos, Robert Christine, Gordon Wallace

Mr. Gruenberg noted he is awaiting confirmation of escrow sufficiency prior to preparing these resolutions.

**Skyline Equipment, Block 66, Lot 20.07**

339 Route 31 South

Approval of one (1) year extension to seek NJDEP approval and meet related conditions.

Members eligible to vote: Leonard Artigliere, Robert Klingel, Samir Elbassiouny, Barry Mueller, Evan Howell, James Vergos, Mark Rossi, Gordon Wallace

Motion to approve was made by Evan Howell and seconded by Barry Mueller

Members in favor: Leonard Artigliere, Robert Klingel, Samir Elbassiouny, Barry Mueller, Evan Howell, Mark Rossi, Gordon Wallace

**Ordinances to implement master plan amendment.** Authority is requested for Board professionals to work with the Township attorney to prepare ordinances for presentation to the Township Committee.

Motion granting authority as referenced above was made by Erich Sodtalbers and seconded by Robert Klingel

Members in favor: Robert Klingel, Samir Elbassiouny, Robert Christine, Erich Sodtalbers, Evan Howell, Barry Mueller, Gordon Wallace

Members abstaining: Leonard Artigliere and Mark Rossi

**ANNOUNCEMENT**

**Mikell, Diane**, Application #2009-01

Block 45, Lot 14, McCullough Road and Roseberry Road

Minor subdivision creating 2 new lots  
Applicant requests adjournment,

Motion to open the public hearing was made by Robert Klingel and seconded by Erich Sodtalbers. All members were in concurrence.

This hearing is continued to 8/12/2009

***PUBLIC HEARING***

***Bryant, Kathy***, Application #2009-06  
Block 40.03, Lot 8, 41 Elizabeth Avenue

Applicant seeks variance relief to construct a two-story addition to an existing single family home, including front yard encroachment for a chimney and side yard encroachment for a below grade basement stairwell.

Mr. Boddy introduced himself and indicated he is representing the project on behalf of Ms. Bryant.

Requisite fees having been paid and jurisdiction established, Charles Boddy was duly sworn

Mr. Boddy testified applicant proposes to construct a two-story addition to an existing single family home with a master bedroom

Variations required include front yard encroachment for a chimney and side yard encroachment for a below grade basement stairwell.

Asked about alternatives, Mr. Boddy indicated because of the siting of the house, there are no alternatives. Currently there is no access to the basement. The house is located within the building envelope. Chimney extends 1.25' into setback.

Fireplace will be a frame fireplace with masonry veneer.

Mr. Boddy noted this is a corner property, and the intent is to present the property with two front yards.

Mr. Boddy explained the site plan. He described where the addition is proposed. Mr. Boddy demonstrated the side and rear views.

Mr. Artigliere invited members of the public to question the testimony or give testimony.

There being no comment from the public, motion to close the public hearing was made

by Robert Klingel and seconded by Mark Rossi with all members in favor.

Mr. Artigliere noted this is a minimal request for variance relief, and aesthetically the benefits outweigh intrusion into the setback. Access to the basement is safer with minimal intrusion into the setback. The design has taken that into account that this is a corner property.

Variances: front yard 38.7' where 40' is required because of the corner location; side yard where 25' are required.

Motion to approve was made by Erich Sodtalbers and seconded by Gordon Wallace. Members in favor: Leonard Artigliere, Robert Klingel, Samir Elbassiouny, Mark Rossi, Robert Christine, Erich Sodtalbers, Evan Howell, Barry Mueller, Gordon Wallace

Mr. Gruenberg will have a resolution prepared for the next meeting.

### ***PRESENTATION***

Gary Pohorley, member of Pohatcong Creek Watershed Association, introduced himself. Mr. Pohorley referenced stream clean-ups undertaken by volunteers.

Shabbecong Creek is a major tributary starting in Mansfield Township, running through Washington Borough and into Washington Twp. Shabbecong Creek is a C-1 stream as classified by NJDEP. Mr. Pohorley said the water quality is severely impaired. He prepared a report documenting the poor water quality, which he submitted to the NJDEP.

Mr. Pohorley is seeking participation in the project from land owners. He noted grant monies may be available.

Ms. Doyle asked Mr. Pohorley to give his background. He is a licensed planner and helped create the Musconetcong Watershed Association. Mr. Pohorley oversaw Farmland Preservation in Hunterdon County. He is currently employed by the state working with Farmland Preservation.

Kerry Kirk Pflugh observed that the Pohatcong Creek Watershed Association was formed and receiving funding from municipalities and non-profit organizations. Restoration and preservation efforts are ongoing. This is the next step, which is implementation, namely, preservation and restoration. Ms. Pflugh encouraged support of the project.

### ***OLD BUSINESS***

Ms. Doyle emphasized the need to activate the COAH sub-committee. The committee will consider the numbers. Requirements are based on residential and non-residential uses. She noted a recent development in the State adopting a moratorium.

A 10-year time frame as to COs and use groups will be important in determining

numbers.

Barry Mueller is the committee liaison for COAH.

Ms. Doyle said the COAH coordinator manages the units in existence.

The housing element and fair share plan of the master plan must be amended.

Ms. Doyle explained the land adjustment analysis. She noted it would not be appropriate in Washington Township.

It is important that this be activated now since the report will be required in December.

Ms. Doyle suggests the committee should consist of one member of the governing body, chairman and an additional member.

Mr. Artigliere asked Ms. Doyle for a list of what we need, which he will present to the Committee.

According to Ms. Doyle, prioritizing is important. Mr. Artigliere suggested that Ms. Doyle identify the properties.

Mr. Artigliere suggested that the entire Board be involved initially. He also suggested that the process should be transparent.

***NEW BUSINESS***

***PUBLIC COMMENT***

***ADJOURNMENT***

The meeting was adjourned at 8:30 p.m.

These minutes were approved July 29, 2009.

Alice Oldford, Secretary to the Board