

WASHINGTON TOWNSHIP LAND USE BOARD

PUBLIC MEETING MINUTES

May 27, 2009, 7:30 p.m.

CALL TO ORDER and PUBLIC NOTICE

Chairman Leonard Artigliere called the meeting to order at 7:45 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, Erich Sodtalbers, Robert Klingel, Samir Elbassiouny, Barry Mueller, Evan Howell, James Vergos, Efrem Zaret, Gordon Wallace

Absent: Mark Rossi, Robert Christine

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

APPROVAL OF MINUTES

The minutes of the meeting of May 13, 2009, were approved on motion of James Vergos and seconded by Erich Sodtalbers.

Members in favor: Leonard Artigliere, Erich Sodtalbers, Robert Klingel, Samir Elbassiouny, Barry Mueller, Evan Howell, James Vergos, Gordon Wallace

Members abstaining: Efrem Zaret .

RESOLUTION

Supplee, Application #2009-02
Block 81, Lot 8.04, 235 Rymon Road

Relief from distance between principal and accessory structure is required. Proposed distance is 7' whereas 20' are required.

Relief from side yard setback for the Bilco door is required. Proposed distance is 41' whereas 50' are required.

Members eligible to vote: Leonard Artigliere, Erich Sodtalbers, Robert Klingel, Samir

Elbassiouny, Barry Mueller, Evan Howell, James Vergos, Mark Rossi, Gordon Wallace

Motion to approve was made by Erich Sodtalbers and seconded by James Vergos.

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

ANNOUNCEMENT:

Grodkiewicz, Jeffrey, Application #2008-09

Mr. Gruenberg said this application is adjourned at applicant's request to 6/24/2009 without need for further notice.

Erich Sodtalbers will not be available on that date. Anyone unavailable should contact Board secretary as soon as possible.

EXTENSION REQUESTS

Skyline Equipment, Block 66, Lot 20.07
339 Route 31 South

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

Mr. Gruenberg recused.

Mr. Gleba acknowledged that an extension is appropriate. The escrow account must be kept current per original condition of approval.

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

Garcia, Block 66, Lots 2, 6 and 7.02

Applicant requests a six (6) month extension of time to file the subdivision deeds.

Applicant continues to make efforts to comply with conditions.

Motion to grant the extension was made by Evan Howell and seconded by James Vergos.

Members in favor: Leonard Artigliere, Robert Klingel, Samir Elbassiouny, Barry Mueller, Evan Howell, James Vergos, Mark Rossi, Gordon Wallace
Members abstaining: Erich Sodtalbers and Efrem Zaret

COMPLETENESS:

Mikell, Diane, Application #2009-1
Block 45, Lot 14, McCullough Road and Roseberry Road

Minor subdivision creating 2 new lots.

This matter was previously deemed incomplete.

Mr. Gleba highlighted his letter of May 22, 2009. Mr. Gleba recommended that the Board deem the application complete as a minor subdivision with variance relief.

Referencing his letter, page 4, Mr. Gleba explained the waivers requested. Further, he referenced checklist E.

Motion to deem the application complete was made by Robert Klingel and seconded by James Vergos.

Members in favor: Leonard Artigliere, Erich Sodtalbers, Robert Klingel, Samir Elbassiouny, Barry Mueller, Evan Howell, James Vergos, Efrem Zaret, Gordon Wallace

Motion classifying the application as a minor subdivision was made by Evan Howell and seconded by Robert Klingel.

Members in favor: Leonard Artigliere, Erich Sodtalbers, Robert Klingel, Samir Elbassiouny, Barry Mueller, Evan Howell, James Vergos, Efrem Zaret, Gordon Wallace

Public hearing was scheduled for July 8.

Hackett, Application #2009-5
Block 43, Lot 23, Morris Canal Trail

Application for site plan approval. Use variance was granted February 25, 2009

Reference was made to Mr. Gleba's letter of May 26.

Mr. Gleba explained applicant will meet with Mr. Gleba and Ms. Doyle and he recommended application be deemed incomplete at this time.

Motion to deem application incomplete was made by James Vergos and seconded by Erich Sodtalbers.

Members in favor: Leonard Artigliere, Erich Sodtalbers, Robert Klingel, Samir Elbassiouny, Barry Mueller, Evan Howell, James Vergos, Efrem Zaret, Gordon Wallace

OLD BUSINESS:

NEW BUSINESS

Proposed 2009 Master Plan Amendment

Question was raised as to who is qualified to vote on the amendment. Mr. Artigliere said membership in the golf club does not constitute a conflict. However, because of the potential appearance of a conflict, Mr. Artigliere recuses himself.

Mr. Gruenberg explained that in master plan amendment, he did not believe conflict of interest applies. However, the safer course because of the history of this matter is to continue to recuse.

Mr. Zaret also recuses.

Mr. Gruenberg explained that within the master plan re-examination of 2007 some issues were placed on hold. Recently, Judge Coyle invalidated two ordinances related to the PVD district.

Ms. Doyle was authorized to prepare a master plan amendment.

Ms. Doyle explained the meeting this evening is not a public hearing but the introduction of the master plan amendment. Subsequently, there will be a public hearing at which time changes may be made. Once the Land Use Board has adopted the master plan amendment, the Committee will address appropriate enabling ordinances.

Ms. Swan from Highlands Commission made a presentation. The Township is in the decision process of opting into the preservation area. Ms. Doyle has not included the elements that are part of the Highlands study.

From Volume II, new checklists are proposed. Additionally, there is a listing of landscape species.

PVD as it is structured is a large area subdivided into 4 overlay development fields. Volume I and II are attached. Ms. Doyle consolidated to 3 overlay fields – open space conservation, residential, and commercial. Uses in the residential are now includes stacked uses for townhouses. Commercial will relate village core and non-village core, including additional uses for clarification. Buffers and landscaping set standards for the various uses. EIS standard has been included. It is the intention to deal with pertinent information. Clarification has been included: definition of corner lot, parking stall widths, Block 65 Lot 3.03 is corrected.

Notice of public hearing must be proper.

Motion to schedule a public hearing for the master plan amendments, Volume I and II, for June 17, 2009, at 7:30 p.m. was made by Erich Sodtalbers and seconded by James Vergos.

Members in favor: Erich Sodtalbers, Robert Klingel, Samir Elbassiouny, Barry Mueller, Evan Howell, James Vergos, Efreem Zaret, Gordon Wallace

PUBLIC COMMENT

John Hughes, 15 Peregrine Drive, commended the Board's making a special meeting.

ADJOURNMENT

The meeting was adjourned at 8:35 p.m.

These minutes were approved June 24, 2009.

Alice Oldford
Secretary to the Board