

**WASHINGTON BOROUGH PLANNING BOARD  
MINUTES OF MEETING HELD ON  
NOVEMBER 8, 2004**

The regular meeting of the Washington Borough Planning Board was called to order by Chairman Miller at 8:04P.M. in the second floor Court Room/Council Chambers of the Borough Hall. Mr. Miller read the following statement into the record: "The requirements of the "Open Public Meetings Law", P.L. 1975, Chapter 231, have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of the Borough Hall stating the time, place and purpose of the meeting as required by law." Chairman Miller led the Board in the Pledge of Allegiance.

**ROLL CALL:** Present: Opdyke, Schlader, Gleba,  
Fisher, Boyle, Miller  
Absent: Bertoline, Post, VanDeursen  
Also Present: Robert O'Brian, Board Engineer  
Stuart Ours, Board Attorney  
Carl Hintz, Planner

**APPROVAL OF MINUTES:** Meeting of October 11, 2004  
Bill Gleba noted a few changes as follows: Page 2 under Old Business – would like “no public comment at hearing” added. Also on Page 2 in the fourth paragraph after roll call – “Mr. Rossi” should be changed to read “Mr. Rice”. Therefore, it was move by Gleba, second by Boyle to approve the minutes with minor changes as noted.

ROLL CALL: Gleba, Opdyke, Schlader.  
Fisher, Boyle, Miller  
Ayes: 4; Nays: 0; Abstentions: 2  
Motion carried.

**INFORMAL PRESENTATION:**  
Mr. Van Cleef gave a presentation on his plan for the Serelis building. Would like to put in senior housing at this location using the existing building. Would be 3-stories including a wellness center. Chairman Miller commented that the Board is interested in having this property utilized. Mr. Van Cleef stated that he is aware of the environmental problem on the site. Attorney Ours asked what the density would be on his plan. Mr. Van Cleef answered 180 rentals/120 sale. Stu noted that this was not a permitted use at present for this site. Would need a possible change of zone or use variance. Alan stated that the Board would need Carl's input since it would affect only this property.

Carl stated that there were two options. Is similar to the Rice proposal. Could amend the land use plan or go thru the Zoning Board of Adjustment. The Board should look at other potential sites for this type of zoning. May take up to six months to review. Alan stated that if zoning is changed, this contract purchaser may disappear and the Borough would be left with a change in zone that might not be suitable in the future. Carl noted that there is a rational for a use variance rather that rezone due to possible spot zoning or other repercussions.

Attorney Ours stated that the Board of Adjustment previously had an application for age-restricted use variance and the Board was favorable. Alan stated that he is not sure that using the existing building footprint is a good idea. Mr. Van Cleef thanked the Board for their time.

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**OLD BUSINESS:**

Master Plan Re-examination: Public Hearing

Attorney Ours stated that no notice was published for this hearing.

Mr. Cohen appeared for Mr. Rice. He asked that notice be published for the December 13, 2004, meeting. The Board agreed to publish for this meeting.

**RESOLUTIONS:**

Washington Borough-Typinski/Donahue: 190 day extension: No discussion on the resolution.

Therefore, it was moved by Fisher, seconded by Gleba to approve the resolution as written:

ROLL CALL: Gleba, Opdyke, Schlader.  
Fisher, Boyle, Miller  
Ayes: 4; Nays: 0; Abstentions: 2  
Motion carried

Downtown Plan: No discussion on the resolution as read to Board by Attorney Ours. Therefore, it was moved by Fisher, seconded by Gleba to approve the resolution as written.

ROLL CALL: Gleba, Opdyke, Schlader.  
Fisher, Boyle, Miller  
Ayes: 4; Nays: 0; Abstentions: 2  
Motion carried

**APPLICATIONS:**

Washington Shammy Shine – Minor Site Plan:

Mr. Dilts represented the applicant. They are proposing a 4,000 gallon underground storage tank with concrete pad for kerosene.

Mr. William Hall, Engineer, was sworn in and accepted as an expert witness. Mr. Hall testified that there would be less than 5,000 square feet of disturbance.

Bob's review letter of 11/3/04 was discussed. The applicant will complete all requirements. Therefore, it was moved by Gleba, seconded by Boyle to deem the application complete with conditions of Bob's letter being satisfied.

Craig Stem was sworn in. He is the principle of the business. Mr. Stem testified that they do not currently sell kerosene. They have had requests since Agway is going out of the gasoline sales business. He asked the Board for permission to install a temporary above ground tank until the underground tank can be installed. Approximately 16-18 weeks for installation. Pat Boyle asked where the temporary tank would be installed. Mr. Stem replied behind the propane tank away from the highway where electricity is available.

The underground tank size is approximately 20 ft long, 3.5 to 4 ft of fill and double wall fiberglass. Alan stated that the Borough does not currently have above ground tanks. The above ground tank is approximately 6 ft. long. Alan stated that he does not have a problem with the underground tank but does have reservations for a temporary tank. It will be located in a water quality basin.

Bill Gleba asked if there would be another location for the temporary tank. Mr. Stem stated that they could put it somewhere else such as the blacktop area to the south of the propane tank. Chairman Miller stated that he would like to see a reservoir to catch any potential spills.

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Bob Opdyke asked about the capacity of the tank. Mr. Stem stated that it would hold 500 gallons. Bob stated that he has concerns with possible filling and spilling. Would like to know the size of the opening. Mr. Stem stated that the opening is 4 inches and that they have spill equipment on site. They keep up on any spills.

Mr. Stem continued by stating that they could use the 500 gallon double walled tank and dike for approximately 5 months. Rob O'Brian stated that they should check with the DEP regarding the permit for the C1 stream.

Therefore, it was moved by Boyle, seconded by Opdyke to approve the temporary 500 gallon above ground tank adjacent to the propane tank and to be placed into a containment structure for 5 months or less subject to DEP approval if required.

ROLL CALL: Gleba, Opdyke, Schlader.  
Fisher, Boyle, Miller  
Ayes: 6; Nays: 0; Abstentions: 0  
Motion carried.

Motion for permanent tank. Therefore, it was moved by Opdyke, seconded by Gleba to approve the 4,000 gallon permanent double walled, monitored, fiberglass tank with island dispenser subject to DEP approval and completion of checklist items.

ROLL CALL: Gleba, Opdyke, Schlader.  
Fisher, Boyle, Miller  
Ayes: 6; Nays: 0; Abstentions: 0  
Motion carried

No public in attendance for this application.

John Helgessen – minor site plan:

Alan Lowcher represented the applicant. The property is located at the corner of School St. and E. Washington Avenue. There was a variance by the previous owner. He added a third apartment without approval. The proposal is to eliminate the nonconformance and bring back to two apartments on the second floor and commercial on the first floor. Existing gravel driveway to be expanded and paved to provide additional parking.

Mr. Lowcher asked if the Board would be will to treat as a minor site plan instead of a major as Bob Miller noted in his review letter of 11/8/04. Alan asked if there was anything significant other than 35% coverage. Rob O'Brian stated that other than checklist items, there was no significant items. Attorney Ours stated that the application should be treated as a major and waive the checklist items. Mr. Lowcher stated that they would comply with all requirements as requested in the review letter. Attorney Ours stated that notices are in proper form. Alan stated that this could improve conditions to drainage.

Therefore, it was moved by Fisher, seconded by Schlader to deem the application as a major site plan and waive the checklist items.

ROLL CALL: Gleba, Opdyke, Schlader.  
Fisher, Boyle, Miller  
Ayes: 6; Nays: 0; Abstentions: 0  
Motion carried.

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Second motion to approve application subject to conformity and requirements in the 11/8/04 review letter from the engineer and also determined that there were no variances needed.

ROLL CALL: Gleba, Opdyke, Schlader.  
Fisher, Boyle, Miller  
Ayes: 6; Nays: 0; Abstentions: 0  
Motion carried

**NEW BUSINESS:** None

**REPORTS OF OFFICERS AND COMMITTEES:** None

**UNAGENDIZED STATEMENTS:** None

**COMMUNICATIONS:**

Alan noted the letter from Carl regarding COAH. We will need his services to assist the municipal Attorney in the requirements.

Chairman Miller noted the Cross-Acceptance meeting at the County.  
Heather Hill application will be heard in December.

Bill Gleba asked if the age-restricted change could make it through Council by end of year. Carl stated that no it could not due to the required number of readings.

**ADJOURNMENT:** The meeting was adjourned at 9:16 p.m.

Respectfully submitted by Patricia L. Titus, Planning Board Clerk