

**WASHINGTON BOROUGH PLANNING BOARD
MINUTES OF MEETING HELD ON
DECEMBER 13, 2004**

The regular meeting of the Washington Borough Planning Board was called to order by Chairman Miller at 8:00 P.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: Bertoline, Post, Gleba, Van Deursen, Opdyke,
Schlader, Sheola, Boyle, Miller
Absent: None
Also Present: Robert Miller, Board Engineer
Stuart Ours, Board Attorney
Carl Hintz, Planner

OATH OF OFFICE: Richard Sheola, new Borough Manager, was sworn in.

APPROVAL OF MINUTES: Meeting of November 8, 2004
Bill Gleba noted that on the last page the minutes should reflect the individuals who made and seconded the last motion for the Helgessen application. Therefore, it was moved by Schlader, seconded by Boyle to approve the minutes with corrections.

ROLL CALL: Bertoline, Post, Gleba, Van Deursen, Opdyke,
Schlader, Sheola, Boyle, Miller
Ayes: 5; Nays: 0; Abstentions: 4
Motion carried.

RESOLUTIONS:
Shammy Shine: No discussion on the resolution. Therefore, it was moved by Schlader, seconded by Opdyke to approve the resolution as written:

ROLL CALL: Bertoline, Post, Gleba, Van Deursen, Opdyke,
Schlader, Sheola, Boyle, Miller
Ayes: 5; Nays: 0; Abstentions: 4
Motion carried

John Helgessen: No discussion on the resolution. Therefore, it was moved by Fisher, seconded by Boyle to approve the resolution as written.

ROLL CALL: Bertoline, Post, Gleba, Van Deursen, Opdyke,
Schlader, Sheola, Boyle, Miller
Ayes: 5; Nays: 0; Abstentions: 4
Motion carried

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APPLICATIONS:

Heather Hill – Final Subdivision

Kevin Benbrook represented the applicant. The applicant has filed a final subdivision application. They have reviewed the letter from Bob Miller dated 12/13/04. Items IA, IIA, IIIA, and IVA will be addressed and complied with. Item IVB requires a de minimus exception waiver by Board due to the minimal water quality detention time. Therefore, it was moved by VanDeursen, seconded by Bertoline to approve the waiver.

ROLL CALL: Bertoline, Post, Gleba, Van Deursen, Opdyke,
Schlader, Sheola, Boyle, Miller
Ayes: 8; Nays: 0; Abstentions: 1
Motion carried.

12/13/04 review letter continued: Item V to be complied with, VIA&B have been satisfied already, VIC will be addressed, VIIA&B will be worked out with engineer, VIIIA to be reviewed at 12/26 meeting with County, VIIIB&D have been satisfied and VIIC to be reviewed with NJDEP.

Plan to break ground in the spring. The right-of-way on Myrtle Ave is in the Borough Attorney's hands at this time. Mr. Sheola asked the engineer for details in the basin. He is concerned with drainage.

Therefore, it was moved by Bertoline, seconded by Schlader to approve the application for final subdivision.

ROLL CALL: Bertoline, Post, Gleba, Van Deursen, Opdyke,
Schlader, Sheola, Boyle, Miller
Ayes: 8; Nays: 0; Abstentions: 1
Motion carried

Charles Anthony – Minor Site Plan:

Mr. Anthony and John Hamilton, Engineer, discussed the application. The property is located at 140 Boulevard. Want to increase the parking area with 5 additional spaces.

It was moved by Schlader, seconded by Post to deem the application complete.

ROLL CALL: Bertoline, Post, Gleba, Van Deursen, Opdyke,
Schlader, Sheola, Boyle, Miller
Ayes: 9; Nays: 0; Abstentions: 0
Motion carried

Mr. Anthony stated that DYFS brings in a lot of people when they have meetings and the current parking is not adequate. Will be a mix of 10' and 9' spaces. They want to use the grass area along the road. There will be 20 ft from spaces to roadway.

Mr. Anthony and Mr. Hamilton were sworn in. Bob Miller's review letter of 12/9/04 was discussed. Item I will be complied with. Item IIA-will alter the current easement. Mr. Anthony owns both properties. Item IIB – area will be striped. Item IIC – will comply. Item IID – deviation to design standards IIE – will discuss with Mr. Miller. Sign to be relocated. Bill Gleba asked if the site triangle was on another owner's property. Mr. Anthony stated that the easement will be revised. IIF – waiver requested. Motion to approve waiver by VanDeursen, seconded by Post.

ROLL CALL: Bertoline, Post, Gleba, Van Deursen, Opdyke,
Schlader, Sheola, Boyle, Miller
Ayes: 9; Nays: 0; Abstentions: 0
Motion carried

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Pat Boyle asked why only asking for 5 spaces. Mr. Anthony stated that they could only fit 5 without interfering with the site triangle. Gina asked about handicap spaces. Bob Miller stated that there are currently 4 handicap spaces with 2 being van accessible. Therefore, it was moved by Post, seconded by Bertoline to approve the application for minor site plan.

ROLL CALL: Bertoline, Post, Gleba, Van Deursen, Opdyke,
Schlader, Sheola, Boyle, Miller
Ayes: 9; Nays: 0; Abstentions: 0
Motion carried

OLD BUSINESS: Land Use Plan Amendment to the Master Plan:
Public hearing was opened.

Carl Hintz stated that the plan recommends a new zone with a minimum of 15 acres to allow for age restricted housing (55+) with 6 units/acre. The property is currently wooded, no wetlands per DEP, at least 50% of affordable housing on site, 2.5 story buildings, townhouses/single family, 98 housing units, pedestrian linkages to downtown area, and perimeter buffers. This amendment has been on file since October 2004.

Mr. Cohen, who represents Mr. Rice, stated that they made a presentation to the Council and Planning Board regarding the new zoning. Have reviewed the amendment and feel that it represents their proposal. They have one concern regarding the set aside. Feels there should be no mention of set asides in the amendment since they have to comply with the new COAH regulations adopted.

Carl stated that the Planning Board decided to include this statement since at the time it was discussed new regs were not adopted. Carl is meeting in January or February with the Borough Manager and Borough Attorney to discuss the 3rd round COAH. Will require developer to underwrite some units. Carl recommends a developer's fee.

Mr. Cohen stated that the hardship falls on the market price purchasers due to increase of price to accommodate set aside units. Carl explained the new COAH regulations and the need for the set aside. 20% on this site would mean 19 units instead of 12 at 1 per 8 units.

Mr. George Ritter, Professional Planner, was sworn in. He noted a few issues regarding the 1 per 8 units approved set aside. The Borough could adopt an ordinance to include the entire town. There are alternatives to meet COAH needs instead of on one builder. This type of housing balances due to no school children. Feels placing the burden on this developer is unfair.

Gina stated that she agreed with Carl's recommendation to require 20%. Mr. Cohen feels that amendment should be consistent with state law. Carl offered a compromise. Change on page 2 to read 6 units/acre with up to 20% set aside. Marianne noted that Council was favorable of this project. Pat Boyle asked why the Board should compromise. Carl stated that "up to 20%" gives room for changes and time for the new numbers to be reviewed. Gina feels that the wording should be specific. Carl stated that the ordinance will be specific because the final numbers will be determined by then. Pat Boyle asked if the hardship to the developer should be the Board's concern. Chairman Miller stated that it is not the Board's concern.

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No other public comment.
Public hearing closed.

Motion by VanDeursen, seconded by Sheola to approve the Land Use Plan amendment with the change on page 2 as discussed.

ROLL CALL: Bertoline, Post, Gleba, Van Deursen, Opdyke,
Schlader, Sheola, Boyle, Miller
Ayes: 7; Nays: 2(Opdyke,Boyle); Abstentions: 0
Motion carried

NEW BUSINESS: None

REPORTS OF OFFICERS AND COMMITTEES:

Chairman Miller attended the League of Municipalities Conference. Attended a meeting on ethics. Board Members should base their decisions on the facts of the project. Should make clear that decisions will be based on code.

UNAGENDIZED STATEMENTS:

Gina stated that she was pleased with the passing of the amendment and noted that this was her last meeting and that it was a pleasure working with all.

COMMUNICATIONS:

Washington Township is withdrawing their center designation. Chairman Miller noted that, from the beginning of the process, it was never the intention of the Borough to include the Township.

ADJOURNMENT: The meeting was adjourned at 9:50 p.m.

Respectfully submitted by Patricia L. Titus, Planning Board Clerk