

**WASHINGTON BOROUGH PLANNING BOARD
MINUTES OF MEETING HELD ON
JUNE 13, 2005**

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: Turner, Post, Gleba, VanDeursen,
Schlader, Sheola, Boyle, Miller
Absent: Opdyke
Also Present: Robert Miller, Board Engineer
Stuart Ours, Board Attorney
Carl Hintz, Planner

Bill Gleba arrived at 8:03 p.m.

APPROVAL OF MINUTES:

Meeting of April 11, 2005

Pat Post noted that on page 1 the word "says" should be added before "sue" and on page 2 "it is" should be added before "important. No further comments. Therefore, it was moved by Schlader, seconded by Turner to approve the minutes with changes.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Schlader, Sheola, Boyle, Miller
Ayes: 6; Nays: 0; Abstentions: 2(Boyle,Sheola)
Motion carried.

APPLICATION:

Richard and Denise Maguire – Site Plan:

The zone was changed from residential to business zone. Applicant wants to construct a 5-bay garage to use with the funeral home. Set back is 10 ft. Original plan was drawn up for residential zone.

Bob Miller stated that this application was originally heard at the Board of Adjustment in March. Some issues still need to be addressed. Attorney Ours stated that the application is a major site plan. Chairman Miller noted that he had looked at the site. It slopes toward the westerly side. Bob Miller stated that there will be an increase in runoff. Chairman Miller feels any problems with runoff will be minimal. Rich Sheola agreed with this statement. The parking area will only be for access of the garage. No customer parking will be allowed. Bob Miller stated that he needs to see topography on the plans and Attorney Ours noted that buffering will be required. Mr. Maguire stated that he had started planting a buffer but stopped due to the expected garage construction.

Bob Miller stated that the Board can waive any requirements it feels necessary (topography, circulation, drainage, buffering) and that a major site plan will also require a public hearing. He stated that the main issue is drainage and that the Board should minimize the issue. Mr. Maguire stated that he has helped his neighbor with water problems in the past. Bob Miller commented that the State is in the process of looking into widening Rt. 57 in that area. He has not seen detailed plans. Bill Miller stated that since application is a major site plan applicant must notify for a public hearing. Pat Boyle stepped down due to a conflict of interest. Bob Miller noted that the plan has to be signed by a licensed engineer or architect.

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The plan needs the following: buffering, signed by licensed engineer or architect and lighting plan. Waivers on the following: topography, drainage, circulation and environmental impact study. Therefore, it was moved by VanDeursen, seconded by Sheola to approve the waivers as noted above.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Schlader, Sheola, Boyle, Miller
Ayes: 5; Nays: 2(Turner,Gleba); Abstentions: 1(Boyle)
Motion carried.

Public hearing to be noticed and advertised by applicant.

OLD BUSINESS: None

NEW BUSINESS: None

28 Lambert Street – Fence Issue:

Shelly Schlenk came forward and was sworn in. Marianne stepped down due to being a neighbor. Mrs. Schlenk stated that Centex Homes told them that they would have no problem installing a fence. Rudl installed the fence prior to the permit being issued. The permit was denied after the fence was installed. Council suggested that they appear before the Planning Board.

Marianne VanDeursen came forward and was sworn in. Chairman Miller asked about water runoff. Marianne stated that she feels the drainage is sufficient. Has not seen any problems. Mrs. Schlenk stated that they received permission from JCP&L with a 16 ft gate for access to the easement. Bob Miller stated that the plan shows moving the fence and putting a gate by the easement.

Rudy Bescherer, zoning officer, came forward and stated that the 6 ft fence has to be removed back to 1ft not 1ft and must have two 16ft wide gates on either side. Bob Miller noted that the easement states no fencing or obstructions to drainage easement. They can move the fence away from the easement area. He also feels it is a bad precedent to set allowing fencing in drainage easement. Attorney Ours stated that the Planning Board has no jurisdiction over the matter but Council wants the Board's recommendations. Andrew Turner stated that he did not have a problem with the fence as long as they comply with JCP&L.

Bill Gleba asked what if fence was damaged by the municipality while doing maintenance in the easement area. The Borough would have to pay for repairs. Rich Sheola stated that he feels it is bad policy to allow anything in the easement. After a discussion on the various locations for the fence, it was moved by Sheola, seconded by Boyle to recommend to Council approve fence keeping inlets open and not in drainage easement or JCP&L easement.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Schlader, Sheola, Boyle, Miller
Ayes: 6; Nays: 1(Schlader);
Abstentions:1(VanDeursen)
Motion carried.

Rudy stated that he has already spoken with Rudl Fencing about working without permits. Andrew Turner asked who was responsible for the pipe maintenance. Rich stated that the Borough was responsible.

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The Board took a break at 9:25 p.m.
The meeting was reconvened at 9:36 p.m. with all members in attendance.

Baker Residential Proposed Settlement:

Doug Henshaw appeared on behalf of the applicant.
Attorney Ours sent the proposed settlement to the Board so all members were kept up-to-speed with the issue. A hearing date was scheduled for June 29, 2005, at 7:30 p.m., with Council and Planning Board to conduct a "Whispering Woods" hearing. The Board needs to recommend to Council to approve the ordinance.

Carl Hitz stated that the proposed land use plan amendment would need to be reviewed and suggested a workshop be scheduled. Bill Miller asked about the railroad crossing and the access through the garden apartments. Doug Henshaw stated that they have to get Planning Board approval first before that can go to the railroad. They received conceptual approval about a year and a half ago. Baker has filed an application with Washington Township regarding a road to Mill Pond Road. The garden apartment has received copies of all documents. Baker feels they do not need their approval and have the right to cross the property.

It was moved by VanDeursen, seconded by Sheola to recommend approval of Ordinance #15-05 to Council.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Schlader, Sheola, Boyle, Miller
Ayes: 8; Nays: 0; Abstentions: 0
Motion carried

It was moved by Sheola, seconded by Turner to set hearing for June 29, 2005, for Land Use Plan Amendment.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Schlader, Sheola, Boyle, Miller
Ayes: 8; Nays: 0; Abstentions: 0
Motion carried

It was moved by Turner, seconded by VanDeursen to hold a special joint meeting on June 29, 2005, with Council for a "Whispering Woods" hearing.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Schlader, Sheola, Boyle, Miller
Ayes: 8; Nays: 0; Abstentions: 0
Motion carried.

REPORTS OF OFFICERS AND COMMITTEES:

Chairman Miller discussed the Highlands meeting and funding available if development.

UNAGENDIZED STATEMENTS: None

COMMUNICATIONS:

No discussion.

ADJOURNMENT:

The meeting was adjourned at 9:55 p.m.

Respectfully submitted by Patricia L. Titus, Planning Board Clerk