

**WASHINGTON BOROUGH PLANNING BOARD
MINUTES OF SPECIAL MEETING HELD ON
MARCH 6, 2006**

The regular meeting of the Washington Borough Planning Board was called to order by Chairman Miller at 8:03 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,
Sheola, Boyle, Miller
Absent: Liloia, Opdyke
Also Present: Joe Modzlewski, Board Engineer
Stuart Ours, Board Attorney
Carl Hintz, Planner

Chairman Miller thanked the Board for coming to the extra meeting. He also announced that Peter Liloia will be resigning from the Board effective March 13.

APPLICATION:

Midtown at Washington –

Alan Lowcher represented the applicant. Jack Van Cleef (previously sworn in) discussed the project. The property is located at 54-64 E. Washington Ave adjacent to the Borough's proposed parking lot. He is proposed to purchase three lots for additional parking. Will bring the number of spaces from 99 to 179 and will include 4 ways of ingress and egress.

Exhibit A-1 – concept plan B – parking lot
Exhibit A-2 – grading and drainage plan

Three lots to be purchased are Rossi lot, BI 24 Lot 3.01; Kelly lot, BI 24 Lot 15; and Modern Valet, BI 24 Lot 3.01. Contracts will be given to Borough along with a cash contribution to purchase. Jack Monahan (previously sworn in) discussed the review letter from Bob Miller dated 3/6/06.

Exhibit A-3 – sheet Z-1 – Site Plan Portion – Item #D was complied with
Exhibit A-4 – subdivision portion – Item #E existing utilities shown. Requesting a waiver for completeness for proposed utilities. Do not know at this time where they will be located.
Item #H – have received a letter from Verizon. All existing buildings currently have services to them. Requesting a waiver for completeness. Joe stated that there is no problem with waiving both items for completeness.

Therefore, it was moved by Turner, seconded by Post to approve the waivers for Item E & Item H for completeness.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Sheola, Boyle, Miller
Ayes: 7; Nays: 0; Abstentions: 0
Motion carried.

Notices were reviewed by Attorney Ours at last meeting and found to be in order.

Three bulk variances being requested: height, front yard setback and rear yard setback. Attorney Lowcher stated that the plan anticipates the BID ordinances being adopted. Current ordinance states 3 story buildings and proposed states 4 story. Currently in B-2 zone. Carl Hints

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feels there should be some testimony on the height. Andrew Turner asked what the reason was for testimony on height. Attorney Ours stated that they must meet certain criteria for variances. The Board cannot take into consideration the proposed ordinance. Must base decision on current ordinance.

Mr. Monahan stated that the front yard variance would be 1.1 ft; the rear yard variance would be 1.1 feet and the maximum building height would be 5 ft at its peak. All provide for efficient use of space. Proposed fronts are same as existing fronts. Trying to maintain same line as existing buildings. Benefits for variances: front – conformity to existing; rear – efficient use of space; height – aesthetics to front and courtyard. Feels benefits outweigh detriments. Pat Post noted her concern with fire safety. Chairman Miller stated that the proposed height is not any higher than the existing building.

There fore, it was moved by VanDeursen, seconded by Turner to approve the bulk variances.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Sheola, Boyle, Miller
Ayes: 7; Nays: 0; Abstentions: 0
Motion carried

Joe Modzlewski stated that there were only a few general comments on housekeeping items. Applicant stated that they would comply with all three items.

Carl Hintz's memo dated 2/9/06 and revised 3/6/06 was discussed. Streetscape plan issues being worked out. All items are subject to final approval. Chairman Miller asked if there were any items that needed the Board's input. Carl stated that for final approval: affordable housing and council approval for improvements on Borough land. Testimony on architectural design and color scheme needed. Attorney Ours asked about parking arrangements. Could be condition upon working issue out with Council. Marianne stated that she had spoken to Dick Cushing. Redevelopment Committee was meeting with applicant. Could put as a condition.

Frank Tomano, Architect, was previously sworn in. He discussed masonry types, sidings, windows, fascias and signage schemes. He stated that they will work with the Borough and planner.

Exhibit A-6 – color rendering
Exhibit A-7 – building heights
Exhibit A-8 – elevations

Light steel frame possibly to be used but is not decided. Pat Boyle asked about air conditioning units, etc., on the roof. Mr. Tomano stated that it has not yet been determined. Bill Gleba asked if there would be windows on the east side. Mr. Tomano stated no.

Exhibit A-9 – second floor layout
Exhibit A-10 – third floor layout
Exhibit A-11 – fourth floor layout

There will be condominiums with an association. Building to consist of offices, stores and residential units. 69,120 sq ft total. 24 residential units on second floor and 24 residential units on third/fourth floor. 6 office units and 3 retail units. The majority of sq ft is residential.

Attorney Lowcher stated that they had no further testimony. Pat Boyle asked about demolition of the site. Rich Sheola stated that the state construction code would regulate. Attorney Ours

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asked how the condominium ownership would be governed. Attorney Lowcher stated that there would be a master ownership with two branches; one for residential and one for retail. Bylaws have to be approved by DCA.

Public hearing was opened.

Jim Sheldon, BID Executive Director and owner of the camera shop, came forward. He was sworn in. He stated that his store is 4 stories/45 ft height. He commented that this project is an example of the State's redevelopment of downtowns. Feel tremendous project for the Borough. Highly recommends approval and moving forward.

Marion Graden, owner of Good Impressions, came forward. Was sworn in. She sees no downside to this project.

George Jacobs came forward. Was sworn in. He feels this is a great project for the town. He asked if there was a basement proposed. Mr. Tomano stated that two machine rooms for elevators and utilities were proposed. Mr. Jacobs asked if there was a gap between the existing building and proposed. Mr. Tomano stated no. He asked about a play area for children. Feels would be a good thing because there is no area currently. Mr. Monohan stated there was none proposed. Mr. Jacobs wants to make sure there is safety during construction phase due to children and parents utilizing the school next door.

Short recess at 9:21 p.m.

The meeting reconvened at 9:33 p.m. All Board members in attendance.

Motion to close public hearing by VanDeursen, seconded by Post.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Sheola, Boyle, Miller
Ayes: 7; Nays: 0; Abstentions: 0
Motion carried

Review of bulk variances: front and rear yards – 1.1 ft.; height of buildings – 5 ft.(includes dome) Seven affordable housing units required. Mr. Van Cleef stated they propose a contribution in lieu of on site. To be satisfied at final.

Chairman Miller stated that control of bylaws of the condo association to be done by DCA. Attorney Lowcher stated that they have to reference local codes. Carl stated that the bylaws should be subject to Borough Attorney and a signoff. Must comply with parking plan and stormwater mgt.

Conditions:

1. 85 required parking plan spaces - by Council
2. Drainage – Council
3. Solid waste plan
4. COAH requirements
5. Improvements to Borough property
6. Bylaws of condo association - DCA & Borough Attorney
7. Subject to review letters from Bob Miller dated 2/10/06 & 3/6/06 and Carl Hintz dated 2/9/06 & 3/6/06.

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Therefore, it was moved by Turner, seconded by Post to approve the preliminary site plan subject to all conditions.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Sheola, Boyle, Miller
Ayes: 7; Nays: 0; Abstentions: 0
Motion carried

Therefore, it was moved by Turner, seconded by VanDeursen to approve minor subdivision to permit consolidation of four lots.

ROLL CALL: Turner, Post, Gleba, VanDeursen,
Sheola, Boyle, Miller
Ayes: 7; Nays: 0; Abstentions: 0
Motion carried

Pat Post asked about the time schedule. Mr. Van Cleef stated early summer to start and 18 months to build.

OLD BUSINESS: None

NEW BUSINESS: None

REPORTS OF OFFICERS AND COMMITTEES: None
No members of the public were present.

UNAGENDIZED STATEMENTS:

BID ordinance adoption? Marianne stated that it will be introduced at the 3/21/06 Council meeting.

COMMUNICATIONS: None

ADJOURNMENT:

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

Respectfully submitted by Patricia L. Titus, Planning Board Clerk