

**WASHINGTON BOROUGH PLANNING BOARD
MINUTES OF REGULAR MEETING HELD ON
DECEMBER 9, 2013**

The regular meeting of the Washington Borough Planning Board was called to order by Chair VanDeursen at 8:00 P.M. in the second floor Court Room/Council Chambers of the Borough Hall. Chair VanDeursen 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." Chair VanDeursen led the Board in the Pledge of Allegiance.

ROLL CALL:

Present:	Post, McDonald, Pohorely, Frascella, VanDeursen
Absent:	Conry, Turner, Aron
Also Present:	Steven Gruenberg, Board Attorney Gene Weber, Board Engineer Susan Gruel, Board Planner

APPROVAL OF MINUTES:

Meeting of November 11, 2013: No discussion. Therefore, it was moved by McDonald seconded by Post to approve the minutes as presented.

ROLL CALL: Post, McDonald, Frascella
Pohorely, VanDeursen
Ayes: 5; Nays: 0; Abstentions:0
Motion carried.

RESOLUTION:

P. Serelis Corp:

Attorney Gruenberg discussed changes to the resolution. A few typos and corrections to pages 3, 4, 5 & 6 after discussion with Attorney Alan Lowcher. No comments from the Board. Motion by McDonald, seconded by Post.

Ethel Conry arrived at 8:08 pm.

ROLL CALL: Conry, Post, McDonald, Frascella
Pohorely, VanDeursen
Ayes: 4; Nays: 0; Abstentions:2(Conry,Frascella)
Motion carried

Washington Square Phase II:

Attorney Gruenberg stated that the resolution was not available but he can compose a letter stating that the approval was granted. Ray Rice stated that they need the resolution for the water and TWA. Mr. Cohen suggested a special meeting to discuss the resolution. Monday December 16 at 7:30 pm was agreed upon. Motion by McDonald, seconded by Post All in favor. Clerk will call Andy Turner and Dan Aron regarding the special meeting.

APPLICATIONS:

Towne Centre at Washington:

Larry Cohen represented the applicant.

Mr. Pellizzoni was previously sworn in. He discussed the changes dated 11/26/13.

Sheet 3 the number of parking spaces is 95 on the plan, notes were added, corrected heights, traffic signs, bike rack added in rear and fence.

No changes to sheets 4 or 5.

Sheet 6 material for trenches

Sheet 7 added details, fence and no parking signs.

Sheet 8 landscaping – added low ground cover, vegetation, area for bike rack for 8 bikes, trash receptacles and cut back vegetation in right of way by South Lincoln.

Sheet 9 sidewalk detail on W Washington Ave.

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Sheet 10 lighting – 3 types – parking lot and along building. Will put detail for gooseneck lighting. No further changes.

Exhibit B-2 – 12/4/13 letter: Proposing 87 instead of 95 parking spaces as required. 10 x 20 size by ordinance. Could fit 95 if spaces are 9x18. Will need design waiver either for number of spaces or space size. Susan stated should would rather see the 9x18 size. Question about connecting to municipal lot. Would lose 6 total spaces and also problem with the grade.

Stormwater drainage – currently drains to southwest side to South Lincoln Ave. No increase to current system. Gene Weber stated that he feels some water maybe overland flow from the lot. May need some pipe system analysis. Will need to see on plan. Mr. Pellizzoni stated that runoff is negligible but will provide detail. Susan noted a possible water quality issue. Mr. Pellizzoni stated that it would be costly and also a maintenance issue. Susan stated that there are reasonable options. Mr. Cohen asked what the water quality would be after improvements. Mr. Pellizzoni stated that the quality would be the same. Mr. Cohen noted that it is not required per DEP requirements. Pat Post stated that the applicant could make it better. Mr. Cohen commented that the applicant is meeting the required standards. Susan stated that since the applicant is asking the Board for waivers, they could look into water quality measures. Mayor McDonald asked what type of contaminants would be found. Gene answered oil, gas, and fluids from vehicles.

Ingress only from W. Washington Ave is 21 ft wide currently. Looking for design waiver for less than 20 ft from property line. Egress to Broad St and South Lincoln. Pat Post noted that ingress/egress to South Lincoln is tight fit for 2 cars. Gene agrees but is restricted on what can do because of easement. Best option is ingress from W. Washington, egress to South Lincoln and both for Broad St.

Mr. Cohen stated that on Lot 5 there is no other access but to go thru the applicant's lot. Proposing to allow Lot 5 use of ingress and egress. Ray Rice stated that he would prefer 2 egresses and 2 ingresses. Gene stated that Lot 5 access easement allows both ways. Attorney Gruenberg stated that the traffic engineer may need to testify on egress and ingress. Gene noted that the traffic report needs to be corrected.

Public comment for Mr. Pellizzoni.

Don Eller, 44 Church St., was sworn in. He asked why they were not tying into the town lot. Mr. Pellizzoni stated that the grade and intentions for the property were problems.

Frank Mileto, architect/planner, was sworn in and accepted as an expert witness. He discussed the use of the building. Multi use conforms to the redevelopment plan. Stores will be on first level, residential on rear of 1st level and 2,3,4 levels. Retail in the back of the building would not be marketable.

Criteria for variance – shape and topography of site. No negative criteria. Feels no safety concern with 1st floor residential. Pat Post stated that she would like to see professional offices on 1st floor rear not apartments. Ray stated that there are currently many vacant office spaces.

Changes made:

Exhibit A-3: 12/9/13 – color rendering of front of building. Cornice was added, using same materials on sides as on front (about ¼ way down) – requesting design waiver. There will be consistency among units by using alternating stucco and brick.

Exhibit A-4 – awning details

Exhibit A-5 – trim details. Chair VanDeursen stated that she would like to see possible decorative curve trim above windows.

Exhibit B-3 – Planner's 1st report

Exhibit B-4 – Planner's 2nd report. Susan Gruel stated that she needs more architectural detail on the plans to review with the redevelopment plan. Maybe some other design waivers needed.

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Waiver needed – ceiling height of 9 ft required in residential but proposing 8 ft. Reason is for heating/cooling efficiency and would be out of proportion with the size of the rooms.

Gary asked about possible small balconies and garbage disposal. Mr. Mileto stated that they residents would take their own trash to the dumpster. Ethel voiced her concern over safety in back of building. Mr. Mileto stated that there are 2 egresses out of the building and is completely sprinkled building. Pat also agreed on the idea of balconies. Scott noted that there are cons to balconies.

Public comment:

Nancy Andersen, Kinnaman Avenue: She asked if the rentals would be Section 8? Attorney Gruenberg stated that this would be a question for Mr. Rice not the architect.

Chris Benedict, 31 Prosper Way - Asked questions regarding materials, framing and fire safety.

Ray Rice discussed the reason for stores in the front and rentals in the back and upper floors. He stated that the average rental would be \$1100/mo plus utilities. He feels there is a need for more rentals in the borough. Two-bedroom unit would be \$1250.

Nancy Andersen came forward and asked about affordable housing. Ray stated no. She stated that there were rumors around town. Mayor McDonald stated that someone had approached Council with reconceived notion that this project will be a slum. Susan Gruel stated that the Borough has more than its share of COAH. She suggested that money be contributed to the rehabilitation fund.

No further witnesses.

Mr. Cohen stated that they applicant is not proposing a contribution. Susan noted that the Borough has an obligation for rehabilitation. Does not feel there is enough money in the current account for rehab. She suggests the same amount as with the condo development. Larry does not feel reasonable due to the price of the condos vs amount of rent.

Public comment:

Don Eller, 44 Church St. was sworn in. He stated that he is not against the project but feels the municipal lot should be connected to the site lot. Broad St egress is tight. Parking and traffic flow is very important. As far as retail on 1st floor, other areas have retail on the sides and backs of buildings.

Close public portion – all in favor.

Mr. Cohen summarized the project and noted that the major concerns have been addressed. Attorney Gruenberg summarized the waivers and variances requested.

C variance: for the 1st floor residential

Design waivers: 9x18 parking spaces, wrap around design ¼ of the way around side, driveway not more than 20 ft from the property line, landscaping, parking drives not permitted on Washington Ave

Variance: ceiling height of 8 ft.

Susan noted that she does not have all information (details on the plan). Mayor McDonald suggested that the Board could vote on the preliminary tonight and the final at another time. Attorney Gruenberg stated that there may be design issues the Board may want to review. Susan requested that the applicant submit a memo detailing each item in the redevelopment plan under design if complying or requesting waivers. Gene mentioned the issue of access and the possible connection to the municipal lot. Feels the Board should understand the importance.

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Attorney Gruenberg noted other issues: clarification of easement, COAH issue not discussed, Ms. Gruel's report not fully discussed, and water quality. Mayor McDonald stated that he is not concerned with the water quality but was not sure about the COAH. Gary would like to see the possibilities of water quality. Susan explained the affordable housing issue. Dan Frascella stated that he agrees with Mayor McDonald regarding the water quality but is not sure he understands the COAH requirement. Attorney Gruenberg stated that the resolution could include either comply or request relief in developer's agreement with Council. Ethel stated that she agreed with Scott on the water quality. Pat would like to see the possibilities for water quality.

Variations:

Motion by McDonald, seconded by Conry to approve the C variance to allow residential on 1st floor.

ROLL CALL: Conry, Post, McDonald, Frascella
Pohorely, VanDeursen
Ayes: 5; Nays: 1 (Post); Abstentions: 0
Motion carried

Motion by McDonald, seconded by Conry to approve variance to allow 8 ft ceilings.

ROLL CALL: Conry, Post, McDonald, Frascella
Pohorely, VanDeursen
Ayes: 6; Nays: 0; Abstentions: 0
Motion carried

Design waivers:

Motion by Conry, seconded by Post to approve the requested design waivers.

ROLL CALL: Conry, Post, McDonald, Frascella
Pohorely, VanDeursen
Ayes: 6; Nays: 0; Abstentions: 0
Motion carried

Application:

Motion by McDonald, seconded by Conry to approve the application for Preliminary/Final major site plan with conditions.

ROLL CALL: Conry, Post, McDonald, Frascella
Pohorely, VanDeursen
Ayes: 6; Nays: 0; Abstentions: 0
Motion carried

OLD BUSINESS: None

NEW BUSINESS: None

REPORTS OF OFFICERS AND COMMITTEES: None

No public in attendance. Motion by McDonald, seconded by Post to close public portion. All in favor

UNAGENDIZED STATEMENTS: None

COMMUNICATIONS:

Motion to receive and file. All in favor.

Morris Canal meeting cancelled.

ADJOURNMENT:

Motion to adjourn. All in favor.

The meeting was adjourned at 11.32 p.m.

Respectfully submitted by Patricia L. Titus, Planning Board Clerk