

**WASHINGTON BOROUGH PLANNING BOARD  
MINUTES OF REGULAR MEETING HELD ON  
AUGUST 11, 2014**

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: Conry, Post, McDonald, Turner,  
Pohorely, Frascella, Gonzales, VanDeursen  
Absent: Aron  
Also Present: Stephen Gruenberg, Board Attorney  
Gene Weber, Board Engineer

**APPROVAL OF MINUTES:**

Meeting of June 9, 2014: No comments. Therefore, it was moved by McDonald, seconded by Post to approve the minutes as presented.

ROLL CALL: Conry, Post, McDonald, Turner,  
Pohorely, Frascella, Gonzales, VanDeursen  
Ayes:6; Nays:0; Abstentions:2 (Turner, Gonzales)  
Motion carried.

**RESOLUTION: None**

**APPLICATIONS:**

Towne Center:

Ray Rice, Managing Partner, appeared before the Board. They have one issue with Mr. Weber's compliance letter dated 4/14/14 and 6/19/14 under Condition #30 for the turning radius analysis. They have an analysis dated 9/20/13 using one type of vehicle. The review letter requests an analysis on 3 types of vehicles. Mr. Rice stated that their analysis is sufficient using one type of truck and three points of ingress and egress. He has instructed his engineer to construct depressed curbs in areas where vehicles could possibly hit the curb. Keith Gonzales stated that the fire department saw no problem with any fire apparatus but requested the depressed curbs for easier access.

Mr. Rice stated that they are requesting a waiver of the turning radius analysis of three vehicles to an analysis of one vehicle. Mr. Weber stated that as long as the fire apparatus can get access he would be fine with it.

Therefore, it was moved by Turner, seconded by Conry to approve the waiver of a three vehicle analysis to one vehicle analysis.

ROLL CALL: Conry, Post, McDonald, Turner,  
Pohorely, Frascella, Gonzales, VanDeursen  
Ayes:8; Nays:0; Abstentions:0  
Motion carried.

Anthony Dicola and Biagio Dicola – Minor Site Plan:

Biagio Dicola appeared before the Board along with his architect, Mary Trubek. Attorney Gruenberg stated that the application was filed as a minor site plan with no variances requested. If deemed a minor site plan, no notices are required. Gene Weber stated the application qualifies as a minor site plan. Therefore, it was moved by Conry, seconded by Post to deem the application as a minor site plan with no notices required.

ROLL CALL: Conry, Post, McDonald, Turner,  
Pohorely, Frascella, Gonzales, VanDeursen  
Ayes:8; Nays:0; Abstentions:0  
Motion carried.

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Completeness – two waivers for completeness only. Therefore, it was moved by Conry, seconded by Post to deem the application complete.

ROLL CALL: Conry, Post, McDonald, Turner,  
Pohorely, Frascella, Gonzales, VanDeursen  
Ayes:8; Nays:0; Abstentions:0  
Motion carried.

Mr. Dicola was sworn in. They want to add a new kitchen with another oven to increase business and amount of time to prepare food. No increase in seating proposed. Gary Pohorely asked if there will be enough parking. Mr. Dicola stated that there should be with the increase service. Chair VanDeursen asked if they will be staying open during construction. Mr. Dicola answered that they plan to.

Review letter: Mr. Weber note the following,  
Page 2, Comment #1 – sewer utility should review plans  
Comment #3 – may need additional lighting. Night light test may be needed if the Board feels necessary.  
Comment #4 – buffer. 20 ft. landscape buffer between business and residence. The Board would like to see a 20 ft. buffer or fence.

Mary Trubek, architect, was sworn in. The Chair disclosed a prior relationship with the architect. There was no objection with the Chair participating in the hearing. Ms. Trubek stated that a fence from VanDuren to the garage would be a better location for the buffer.

Exhibit B1 – Mr. Weber’s review letter  
Exhibit B2 – photo of site.

Comment #5 – screening between VanBuren and the parking area and also a buffer between the loading area and the street. Andy Turner stated that he does not feel it is necessary to have a buffer by the loading area. The Board agreed to waive.  
Comment #7 –landscaping. One tree for every 10 spaces and other landscaping on site.  
Comment #8 – parking. 14 spaces required but only 7 exist. Board agreed not to require additional parking.

Mr. Weber stated that the rest of the comments are routine. Ms. Trubek stated that she had no further issues to discuss. No public present. Motion to close public portion. All in favor.

Attorney Gruenberg stated that the motion would be to grant minor site plan approval with the following conditions: no night light test, fence between business and residence, and design waiver as to screening. Therefore, it was moved by McDonald, seconded by Conry to grant approval with conditions as outlined.

ROLL CALL: Conry, Post, McDonald, Turner,  
Pohorely, Frascella, Gonzales, VanDeursen  
Ayes:8; Nays:0; Abstentions:0  
Motion carried.

**OLD BUSINESS: None**

**NEW BUSINESS: None**

**REPORTS OF OFFICERS AND COMMITTEES: None**

**UNAGENDIZED STATEMENTS:**

Memos from Susan Gruel dated 7/3/14 regarding Midtown and Paramount Assets. What recourse does the Board have for enforcement? Gene Weber noted that normally the Borough Engineer would enforce site plan work but Susan’s firm would deal with the architectural issues. Attorney Gruenberg commented that under ordinance the Borough professionals should enforce. Could withhold CO’s until the Board is satisfied. Council would enforce.

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Andy Turner stated that a letter should be sent to Council suggesting enforcement. Therefore, it was moved by Turner, seconded by Post to send a letter, with memos from Susan Gruel, to Council suggesting enforcement of approvals.

ROLL CALL: Conry, Post, McDonald, Turner,  
Pohorely, Frascella, Gonzales, VanDeursen  
Ayes:8; Nays:0; Abstentions:0  
Motion carried

Public portion closed. All in favor.

Gene Weber stated that going forward the Board should make a policy decision but there is the issue of payment. Attorney Gruenberg stated that at time of final approval the Board should have all plans, colors, etc, in order and be more specific during hearings. Andy noted that Paramount could easily fixed the windows.

Mayor McDonald stated that the Board has a Technical Review Committee and can avoid problems/questions. Should meet for every major site plan/subdivision before the completeness hearing.

Pat Post asked about Quick Chek and the sewer hookup. Mayor McDonald stated that Kristine Blanchard just contacted them but no decision has been made yet.

Keith Gonzales stated that they are getting calls regarding Park Hill work. Mayor McDonald stated to direct them to Kristine Blanchard.

**COMMUNICATIONS:**

Receive & file. All in favor.

**ADJOURNMENT:** Motion to adjourn. All in favor. The meeting was adjourned at 9:26 p.m.

Respectfully submitted by Patricia L. Titus, Planning Board Clerk.