

**WASHINGTON BOROUGH LAND USE BOARD
MINUTES OF REGULAR MEETING HELD ON
AUGUST 12, 2019**

The regular meeting of the Washington Borough Land Use Board was called to order by Chairman Turner at 7:30 P.M. in the second floor Court Room/Council Chambers of the Borough Hall. Chairman Turner 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 Turner led the Board in the Pledge of Allegiance.

Alternate Board member, Chris Vitalos, was sworn in before the meeting.

ROLL CALL: Present: Vitalos, Valle, P. Post, Aron, Higgins, VanDeursen,
C. Post, Fox, Turner
Absent: none
Also Present: Steven Gruenberg, Attorney
Stan Schrek, Engineer
Elena Gable, Planner

APPROVAL OF MINUTES:

Regular Meeting of July 8, 2019 – Incorrect spelling correction to be made on page 2.(change Klemka to Klimko) Therefore, it was moved by VanDeursen, seconded by P. Post to approve the minutes with corrections.

ROLL CALL: Vitalos, Valle, P. Post, Aron, Higgins, VanDeursen,
C. Post, Fox, Turner
Ayes: 8; Nays: 0; Abstentions: 1(Vitalos)
Motion carried.

Special Meeting of July 8, 2019 – No corrections. Therefore, it was moved by VanDeursen, seconded by P. Post to approve the minutes as presented.

ROLL CALL: Vitalos, Valle, P. Post, Aron, Higgins, VanDeursen,
C. Post, Fox, Turner
Ayes: 8; Nays: 0; Abstentions: 1(Vitalos)
Motion carried.

Special Meeting of July 22, 2019 - No corrections. Therefore, it was moved by P. Post, seconded by Valle to approve the minutes as presented.

ROLL CALL: Vitalos, Valle, P. Post, Aron, Higgins, VanDeursen,
C. Post, Fox, Turner
Ayes: 8; Nays: 0; Abstentions: 2(Vitalos,
VanDeursen)
Motion carried.

RESOLUTION:

A&B Properties – tabled to next meeting – 8/19/19

APPLICATIONS:

Washington Station Venture LP/Washington Venture Investment LTD- Public Hearing:
Robert Kasuba represented the applicant. They are proposing to subdivide one lot into two parcels. Approximately 80 acres will be sold to the Borough for open space and the remainder to be developed in the future in compliance with the plan for affordable housing and the settlement agreement. The use has not yet been proposed. No improvements are proposed.

Terrence Combs, Planner, was sworn in. He was accepted as an expert witness.
Exhibit A-1 – google image of the site and immediate area.

Mr. Combs described the site which is predominantly wooded and includes 125 acres in the Mountain Zone. The applicant's parcel will be further subdivided in the future with 10 acres to the cemetery and the rest for single development.

Ms. Gable asked where the open space access would be located. Nunn Avenue will be the access to the development and there is an access easement from Mill Pond road for the open space.

Exhibit A-2 – plat given to the Board

Exhibit A-3 – Deed for the access easement dated 3/18/92.

Ms. Gable stated that she spoke with Mr. Osbourne from the DEP and they want to see access from Nunn Ave. Mr. Kasuba stated they will do what is necessary to get access. Ms. Gable asked how many acres consist of wetlands. There are 30 acres of the Green Acres site and 3 +/- acres on the proposed development site. Ms. Gable stated they should also get the block and lot numbers from the assessor.

Mr. Schreck stated that his review letter of 7/5/19 has mostly housekeeping items on it.

Exhibit B-1 – 7/5/19 review letter from Mr. Schreck to be included in conditions.

Exhibit B-2 – 8/6/19 letter from Elana Gable, Planner

Public portion opened for questions to Mr. Combs.

Mike Franks, 43 Nunn Ave, came forward. He asked if the information that the Board received was submitted timely. Attorney Gruenberg stated that it had. Mr. Franks asked why Mill Pond Road was not used as an access to the proposed development site? Mr. Combs stated that it is not located in the Borough. Mr. Franks asked why the Borough was buying the wetlands and inquired about the number of acres. Mr. Combs stated 30 acres.

Jaclyn Oaks, 53 Nunn Ave, came forward. She asked where the wetlands were located. Mr. Combs showed the area on the plan.

John Rogers, 110 Lenape Trail, came forward. He asked about the location of the drainage culvert. Mr. Combs stated that it is not on Lenape Trail.

No comments from the Board.

Mr. Franks, came forward, and described the current conditions of Nunn Ave. There are no sidewalks and there are drainage problems. He invited the Board to look at Nunn Ave.

Jaclyn Oaks, came forward. She stated that traffic will be an issue on Nunn Ave.

Maya Heard, Nunn Ave., came forward. She stated she had just moved in and is not happy about possible additional traffic. The road is very small.

No further comments.

Mayor Higgins asked about the drainage easement and stated he was not aware of it. Mr. Kasuba stated it was filed in the last two months. Attorney Gruenberg stated that this issued should be discussed with Council. Public portion closed. All in favor.

Therefore is was moved by Aron, seconded by VanDeursen to approve the minor subdivision with conditions.

ROLL CALL: Vitalos, Valle, P. Post, Aron, Higgins, VanDeursen,
C. Post, Fox, Turner
Ayes: 7; Nays: 0; Abstentions: 2 (Higgins,Valle)
Motion carried.

Break at 8:37 pm. Reconvened at 8:47 pm

Mayor Higgins and Councilwoman Valle stepped down for the next application.

CVS – public hearing:

Steve Schepis represented the applicant. Hearing continued from 7/8/19.

Douglas Grysko, Engineer, was sworn in and accepted as an expert witness. He discussed Exhibit A-1. The applicant is proposing a 13,111 square foot CVS. There will be a one-way circulation around the back of the building. 55 parking spaces are proposed with a dedicated delivery area. Operation of the store is: 8 am-10 pm Monday thru Friday and 9 am-9 pm Saturday & Sunday. There will be 25-30 full/part time employees with 6-8 employees per shift. Deliveries are during normal business hours and come 1 time per week. The delivery trucks are usually at the store around 45 minutes. Trash is removed 1 time per week and recycling is 1 time per month. Other small deliveries are made also.

Landscaping is proposed with trees and shrubs. A 13-foot-long fence and trees will buffer the residential area. A variance is requested for the 13-foot fence as 50 feet is required.

Exhibit A-5 – Elevation-Buffer. There is 42 feet from the building to the property line. The building will also be screened as it is at a lower grade than the closest residence. There will be a post and rail fence and evergreen shrubs will buffer along Jackson Ave. There will be 28 feet from Jackson Ave to the building.

The building is a typical layout for CVS. He has worked with CVS on this project. CVS wants 50 parking spaces with 9 x 18 stalls. A stormwater detention basin with a liner is proposed. Discharge will be routed to the Rt. 31/Washington Ave system.

Exhibit B-1 – 8/9/19 review letter from Mr. Schreck

No mini-clinic is proposed for this store. There will only be services at the pharmacy. Two bike racks will be provided. The logo is not internally lit.

Exhibit A-6 – aerial photo

Site lights in the parking lots will be LED and directed down so there will be no spillage on other properties. There is one proposed sign at Route 31 that will be internally lit.

Exhibit B-2 – 7/3/19 memo

Exhibit B-3 – 8/6/19 memo regarding signs

Exhibit A-7 – turning exhibit. No left turn will be allowed on Rt. 31.

No further questions from the Board. No questions from the public.

John Corac, Traffic Engineer, was sworn and accepted as an expert witness.

Exhibit A-8 – planning aerial

Mr. Corac conducted a turning movement count at peak times in the morning and afternoon. Does not see an increase from the proposed development. The site distance meets the standards. There will be signage for no left turns. Have not been issued a review letter yet from DOT.

No questions from the Board and public.

Lisa Phillips, Planner, was sworn in and accepted as an expert witness.

Exhibit A-9 – existing conditions

The applicant is requesting a D1 use variance for Lots 5&6 in the R3 zone. Other variances requested: building setback – no negative impact; signs – proposing six where 4 is allowed; and buffer.

Marco Matteo, Washington Ave, came forward. No questions for the planner but wanted to make a statement he feels this is not the right place for a CVS. He does not want to see the houses raised.

No further questions. Public portion closed. All in favor.

Mr. Schdepis requested a 3-minute recess for the applicant.
Attorney Gruenberg described the burdens of proof and the use criteria. Motion by VanDeursen, seconded by Aron to approve the D and C variances and design waivers with conditions. Mr. Vitalos listened to the 7/8/19 hearing tapes and is eligible to vote.

ROLL CALL: Vitalos, P. Post, Aron, VanDeursen,
C. Post, Fox, Turner
Ayes: 7; Nays: 0; Abstentions: 0
Motion carried.

NEW BUSINESS: None

OLD BUSINESS: None

REPORTS OF OFFICERS AND COMMITTEES: None

UNAGENDIZED STATEMENTS:

There may be affordable housing ordinances to be discussed at the next meeting.

COMMUNICATIONS:

New Jersey planner

ADJOURNMENT:

The meeting was adjourned at 11:03 p.m. All in favor.
Respectfully submitted by Patricia L. Titus, Land Use Board Clerk