

**WASHINGTON BOROUGH PLANNING BOARD  
MINUTES OF REGULAR MEETING HELD ON  
AUGUST 10, 2015**

The regular meeting of the Washington Borough Planning Board was called to order by Chair VanDeursen at 7:30 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, Aron, Turner, McDonald,  
Pohorely, Frascella, Allin, VanDeursen  
Absent: None  
Also Present: Steven Gruenberg, Board Attorney  
Stan Schrek, Board Engineer

**APPROVAL OF MINUTES:**

Meeting of July 13, 2015: No comments. Therefore, it was moved by McDonald, seconded by Post to approve the minutes as presented.

ROLL CALL: Conry, Post, Aron, McDonald, Turner,  
Pohorely, Frascella, Allin, VanDeursen  
Ayes: 6; Nays:0; Abstentions:3(Conry,Aron,Turner)  
Motion carried.

**RESOLUTION: None**

**APPLICATIONS:**

Auto Zone Northeast, LLC:

Attorney Frank DeVito represented the applicant.

The site is located on Washington Avenue (Rt 57). Attorney Gruenberg reviewed the affidavit and proof of publication and found that Board has jurisdiction to proceed. Attorney Gruenberg discussed the email that was forwarded to Board members regarding the application. He explained that the comments contained in the email could not be taken into consideration as the interested party was not present. The applicant was provided a copy of the email.

Thomas F. Pugsley, Engineer with North Star Design, was sworn in. He has worked on other Auto Zone stores and presented his qualifications. Mr. Pugsley was accepted as an expert witness. The site is located at 200 E. Washington Ave., Block 67, Lot 1 & 2 and is currently occupied by a used car dealership. Intersection of Rt 57, Prosper Way and Jefferson Street. The site drains towards Rt 57 and discharges into the Shabbecong Creek. There are residential properties to the west and north.

Exhibit A-1: Aerial view of site

Mayor McDonald stated that the Technical Review Committee met with the applicant.

Exhibit A-2: Proposed plan dated 7/9/15

A 7,382 sq. ft. building is proposed. The use is permitted in the zone. 38 parking spaces with 9 x 18 stalls is proposed. 10 x 19 is required by ordinance. The applicant is requesting relief for the front yard setback. There will be two driveways: One to Prosper Way and the other to Jefferson St. Deliveries will be from Jefferson St. Ethel Conry asked when the deliveries are made because there is a school crossing in the area. Mr. DeVito answered that deliveries are made in the early morning. Storm water runoff will not change. The proposed lighting will be wall and aerial lighting with screening on the west side to prevent light spillage. They are requesting relief from the 1 candlefoot requirement. Landscaping will consist of 18 trees, 29 shrubs, sod and riverstone. There will be a buffer along the northwest and to the north. The building will act as a buffer along the west. Signage will consist of one freestanding sign and three wall mounted signs. They request a clarification of the 50 ft setback and relief for southern façade sign size. Mr. Turner asked if the sign was backlit and the height of the sign. Mr. Pugsley answered that the sign was internally lit and the height is 20 ft.

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Gary Pohorely inquired about the right of way easement and the notations on the plan by the headwall. Mr. Pugsley answered that the easement is for the drainage pipe on Prosper Way and the notation is the deed restriction for maintenance of the drainage area. Mr. Pohorely also asked about the necessity of the Jefferson St. access and the need for 38 parking spaces. Mr. Pugsley stated that it is good practice to have two accesses and that this access will be used for deliveries. Mr. DeVito stated that ordinance requires at least 37 spaces. Mr. Pohorely explained that he was looking for ways to eliminate impervious coverage. Mr. Turner inquired about the number of employees. Mr. DeVito answered 4 at a time.

Cubing was discussed along Prosper Way. Mayor McDonald would like to see full height curbing along Prosper Way to Jefferson St and the drainage grate on Prosper Way properly set. Pat Post asked why that location since Advance Auto Parts is across the street. Mr. DeVito stated that it is not unusual for the same types of business to be located near each other. Dan Aron stated that a decision needs to be made about the relief requested on lighting. Mr. Gruenberg commented that the Board can discuss or let the professionals come to an agreement.

Mr. Schreck asked if the applicant had spoken to the fire department. Mr. Pugsley stated that they had met with the fire official and that there were no issues. Hours of the store will be Monday thru Saturday 8 am to 10 pm and Sunday 9 am to 8 pm. Dan Frascella asked if there is any work performed on vehicles on site. Mr. Pugsley stated that there may be small things such as replacing windshield wipers or bulbs by customers. Employees do not perform any work on vehicles.

Exhibit B-1: review letter dated 7/9/15

The review letter was discussed:

#1-no discussion

#2-add note-DEP

#3-fix label

#4&#5-lighting: the applicant would like to work with the Board Engineer

#6-parking

#7-fence: wood fence acceptable as long as it is maintained

#8-applicant agrees

#9&10-will submit a geotechnical report

#11-trenches-Board Engineer will need a note or DGA

#12-easement: are reviewing title and will obtain proper approval

#13-agree

#14-agree

#15-agree

#16-other approvals- will get all required

Mr. Schreck noted that they need to submit a letter of no interest from the fire department.

Public hearing opened only for questions of the applicant's engineer.

Peter Michel, 28 So. Lincoln Ave., came forward. He asked if there was a plan for remediation if there are any fluid spills into the Shabbecong. Mr. Pugsley stated that none of the employees perform any work on vehicles. Customers normally do not change fluids in the parking lot.

Stanley Rak, 18 Breyer Road, Whitehouse Station, came forward. He asked if any tests had been completed on the property for contamination. Mr. Pugsley stated that Auto Zone did a Phase 1 report. DEP issued a no further action letter in 2004.

Public portion closed for engineer questions.

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William F. Smith, Auto Zone Real Estate Development Manager, was sworn in. He has been in this position for 25 years. There were no questions from the Board or the public for Mr. Smith.

Peter Michel, again came forward. He stated that he would like to see some type of remediation plan in place so the Shabbecong is safe. Public Portion closed.

Attorney Gruenberg reviewed the application. The applicant is requesting preliminary and final site approval with variances:

Parking stall size of 9 x 18

Front yard setbacks

Lighting in excess of 1 candlefoot-to discuss with Board Engineer

Buffer requirements-western and northern

Screening wall-northwest corner

Fee standing sign location

Square footage of southern façade sign

Curbing of full height on Prosper Way to Jefferson St

Inlet grade height

Knock box on building

Conform to review letter

Letter from fire department

Motion by Post, seconded by Conry to approve the application for preliminary and final site plan with variances.

ROLL CALL: Conry, Post, Aron, McDonald, Turner,  
Pohorely, Frascella, Allin, VanDeursen  
Ayes: 9; Nays:0; Abstentions:0  
Motion carried.

**OLD BUSINESS: none**

**NEW BUSINESS: None**

**REPORTS OF OFFICERS AND COMMITTEES:**

The Technical Review Committee will meet with representatives from Washington Cemetery on August 19, 2015, at 7:30 pm.

**UNAGENDIZED STATEMENTS:**

Public portion closed. All in favor.

**COMMUNICATIONS:**

Paramount Assets email:

Mr. Turner stated that there were no window dimensions on the plan. Mr. Schreck stated that he met with Mr. Dunn and Mayor McDonald. Mr. Turner stated that he is going to review the redevelopment plan again to review façade reconstruction. He suggested that all Board members should be familiar with the plan.

Other correspondence – receive and file: all in favor

Mr. Pohorely asked about the TRC meeting regarding the cemetery. Attorney Gruenberg stated that he had spoken with the principals from the cemetery regarding the purpose of the meeting. They requested to meet to discuss seeking a zone change. Mayor McDonald stated that they are looking to acquire the Baker tract.

Pat Post asked about the status of Towne Center. Mayor McDonald stated that DEP is reviewing the application.

**ADJOURNMENT:** Motion to adjourn. All in favor. The meeting was adjourned at 9:03 p.m.

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