

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY**  
**BOARD OF ADJUSTMENT MINUTES**  
**APRIL 26, 2011**

Vice-Chair Vitalos led the members of the Board in the flag salute and read the Open Public Meetings Act into the Record.

**Roll Call:** Durfee, Mangiacotti, Truman, Vitalos – 4 Present

**Absent:** Post, Eller

**Vacancy:** 3 Vacancies

**Also Present:** Steven Gruenberg, Board Attorney  
Patricia Titus, Clerk

Charlie Post called to say he will not be at meeting and Don Eller was not in attendance.

**MINUTES:**

**Regular Meeting – March 22, 2011**

Vice-Chair Vitalos entertained additions or corrections to the minutes. No comments on the minutes. It was moved by Truman, seconded by Durfee, that the minutes of the meeting held on March 22, 2011, be approved as presented.

Roll Call: Durfee, Mangiacotti, Truman, Vitalos  
Ayes: 4, Nays: 0, Abstained: 0  
Motion carried

**RESOLUTIONS:**

There were no resolutions at this meeting other than for reorganization.

Resolution 2011:2 – Appointment of Board Engineer: Motion by Mangiacotti, seconded by Truman to appoint William Gleba, Finelli Consulting, as the Board Engineer for 2011.

Roll Call: Durfee, Mangiacotti, Truman, Vitalos  
Ayes: 4, Nays: 0, Abstained: 0  
Motion carried

Resolution 2011:3 – Appointment of Board Planner: Motion by Truman, seconded by Mangiacotti to appoint Heyer, Gruel & Associates as Board Planner.

Roll Call: Durfee, Mangiacotti, Truman, Vitalos  
Ayes: 4, Nays: 0, Abstained: 0  
Motion carried

**APPLICATIONS:**

Case 2011:1 – Dennis Gary (DND Auto Sales), 100 Boulevard, Block 63, Lot 3, B1 Zone:

The permit was denied by the zoning officer for auto sales. Applicant is appealing the zoning officer's decision. Mr. Gary was sworn in. Mr. Gary explained his reason for the appeal. Wants to move his business from Belvidere to Washington. Feels location is ideal for auto repairs/sales. Chris Vitalos asked how many cars

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would be parked at one time. Mr. Gary stated between 10 & 15. He is licensed for auto sales. Hours would be 9 a.m. to 5 p.m. five days a week and open to until 4 p.m. Saturdays.

Attorney Gruenberg stated that if auto sales are not specifically listed as permitted, then is prohibited. Mr. Gruenberg read the list of permitted uses in B1 and B2 zones. Does not state auto sales. Auto sales are different than retail sales. Mr. Gary stated that, in his opinion, he feels auto sales are similar to retail sales.

Attorney Gruenberg added that is the appeal is denied, the applicant can apply for a use variance. Motion needed to either uphold or reverse the zoning officer's decision.

Motion by Durfee, seconded by Mangiacotti to uphold the zoning officer's denial.

Roll Call: Durfee, Mangiacotti, Truman, Vitalos  
Ayes: 4, Nays: 0, Abstained: 0  
Motion carried.

**COMMUNICATIONS:**

1. Memo from NJDOT – Attorney Gruenberg asked that Bill Gleba be given a copy.
2. Letter from Alan Lowcher – no comments/action taken
3. NJ Planner – no comments
4. Board member list

**REPORTS:**

There were no reports at this meeting.

**REMARKS:**

There were not remarks at this meeting.

**ADJOURNMENT:**

Hearing no further business to come before the Board, a motion was made by Durfee, seconded by Mangiacotti, that the meeting be adjourned at 8:35 pm.

Ayes: 4 Nays: 0  
Motion carried.

Respectfully submitted,

Frank Mangiacotti, Secretary