

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
BOARD OF ADJUSTMENT MINUTES
OCTOBER 25, 2011**

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

Roll Call: Durfee, Mangiacotti, Post, Truman, Vitalos, Eller – 6 Present

Absent: none

Vacancy: 3 Vacancies

Also Present: Stephen Gruenberg, Bill Gleba, Paul Gleitz, Patricia Titus, Clerk

MINUTES:

Regular Meeting – September 27, 2011

Chair Eller entertained additions or corrections to the minutes. No comments. It was moved by Mangiacotti, seconded by Vitalos, that the minutes of the meeting held on September 27, 2011, be approved as written.

Roll Call: Durfee, Mangiacotti, Post, Truman, Vitalos, Eller
Ayes: 4, Nays: 2, Abstained: 0
Motion carried

RESOLUTIONS: None

DISCUSSION ITEM:

P&P – letter dated 10/14/11 from Alan Lowcher: Applicant is requesting extension of time to perfect minor subdivision and record deeds. Outside agency approvals have taken more time than originally planned. All items have been submitted to the professionals for review. Request extension to 12/31/11. Attorney Gruenberg has the amended deeds for review. Bill Gleba stated that he had no problem with the extension.

Therefore it was moved by Post, seconded by Vitalos to grant the extension to 12/31/11.

Roll Call: Durfee, Mangiacotti, Post, Truman, Vitalos, Eller
Ayes: 6, Nays: 0 Abstained: 0
Motion carried

APPLICATIONS:

Case #2011:5 – Priority Signs (as agent for Wells Fargo) – Public Hearing

2 W. Washington Avenue, Block 23, Lot 18:

Attorney Gruenberg stated that proof of service and notices were in order. Damian DelDucca represented the applicant. Wells Fargo took over Wachovia and needed to change the signs. Priority Signs applied for a permit on September 2010 and it was granted. A letter from the zoning officer on 2/28/11 recanted the approval permit and asked the applicant to come before the Board.

Exhibit A1-copies of permit and letter

Exhibit A2-wall sign board with three signs each facing Belvidere Ave, Washington Ave and rear of building.

The signs are located where the Wachovia signs were. The signs are channel letter signs not back lit. They project 10” from the building.

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Jill Scholten, Program Branding Manager for Priority Signs, was sworn in. Her company is responsible for the signs at this location. She has 14 years experience in commercial architecture. The difference from the Wachovia signs are that these signs are raceway mounted, 21" high and 20 ft in length. All sides will be the same. Wells Fargo signs are individually(face) lit letters not box signs.

Exhibit A3-application for zoning permit.

External illumination would need more penetrations to the brick building. Would not get same look if externally lit. Attorney Gruenberg stated that the only issue is to interpret the ordinance. Chair Eller agrees that the proposed signs are not back-lit box sign but the signs do exceed 3" from wall. There is no issue with the size of the signage.

Two issues: 1) back lit box sign; 2) projections greater than 3". Testimony consistent with C2 variance. Proofs consistent with neighborhood and would be benefit i.e. identification of bank. No detriment to zoning. The only detriment is the additional 7" projection.

No public comment. Motion to close public portion by Post, seconded by Truman. All in favor.

Motion to grant interpretation that signs are not back lit box signs by Post, seconded by Truman.

Roll Call: Durfee, Mangiacotti, Post, Truman, Vitalos, Eller
Ayes: 6, Nays: 0, Abstained: 0
Motion carried

Motion to grant variance request for 10" depth (5" raceway/5" depth of letters) since only 3" allowed by ordinance by Vitalos, seconded by Truman.

Roll Call: Durfee, Mangiacotti, Post, Truman, Vitalos, Eller
Ayes: 6, Nays: 0, Abstained: 0
Motion carried

Case #2011:6 – Quick Chek – Public Hearing

30 Belvidere Avenue, Block 24, Lot 36:

Mary Elizabeth Werner represented the applicant. Attorney Gruenberg stated that the proof of service and notices were in order. Derek Jordan, engineer, was sworn in.

Exhibit A1 – existing signage and proposed signage

The applicant is proposing channel letter sign and back lit sign for the pharmacy. Requesting variance for back lit sign. Proposed installation is where the existing sign is located. Separate pharmacy box sign is needed due to new branding sign does not include the word pharmacy. Want to keep unity.

Paul Gleitz stated that one option would be to keep the box sign temporarily until customers are used to the new sign or externally light the box sign. Mr. Jordan stated that the channel sign would be too big and be larger than the square footage allowed. Attorney Werner stated that the back lit sign would be smaller than what is there now.

No public comment. Motion to close public portion by Post, seconded by Durfee. All in favor.

Two issues: 1) New sign not back lit box sign; 2) variance for back lit box sign for pharmacy

Motion to grant interpretation that new branding sign is not a back lit box sign by Truman, seconded by Durfee

Roll Call: Durfee, Mangiacotti, Post, Truman, Vitalos, Eller
Ayes: 6, Nays: 0, Abstained: 0
Motion carried

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Motion to grant variance for back lit box pharmacy sign, with green background and white letters, as depicted on plan.

Roll Call: Durfee, Mangiacotti, Post, Truman, Vitalos, Eller
Ayes: 6, Nays: 0, Abstained: 0
Motion carried

Case #2011:7 – Washington Cemetery LLC – Completeness
Nunn Avenue, Mill Pond Road, Cemetery Road, Block 97, Lots 1,2,3,4, 17 &
Block 97.01, Lot 1

A variance application is being filed to permit the expansion of a pre-existing non-conforming use which is located in Block 97, Lot 17

Ron Gasiorowski represented the applicant. Review letter from Paul Gleitz dated 10/24/11. Attorney Gruenberg stated that this is a bifurcated application. Applicant is here for use variance. Site plan will be deferred. Board's discretion to ask for site plan information.

Mr. Gleitz stated that he reviewed the items submitted. Application is administratively complete. Property in the M3 zone not R6. Will need tax paid information from collector. He used the informal site plan checklist to review the concept plan. Discussion of the review letter as it pertains to the concept plan. The items not shown on the plan were noted. Environmental impact report, traffic and stormwater management reports may be requested from applicant. These items are important. Attorney Gruenberg stated that it would be appropriate to move on completeness and then request the additional information if necessary.

Motion to grant completeness and waivers by Mangiacotti, seconded by Truman.

Roll Call: Durfee, Mangiacotti, Post, Truman, Vitalos, Eller
Ayes: 6, Nays: 0, Abstained: 0
Motion carried

Attorney Gruenberg noted that the Board may want to wait for public hearing to request further information and public will have input. Mr. Gasiorowski stated that the applicant would be willing to supply items that do not comply but feels the three reports are essentially for site plans. He will bring expert witnesses to give testimony on those topics. Attorney Gruenberg recommends the November 22, 2011, meeting to start the public hearing and then go from there. Any other variances requested should be dealt with with this application and not with the site plan.

Mr. Gasiorowski stated that Mr. Ciccalese is not available on November 22 but can use video conferencing with a court reporter. Board stated that it would be up to the applicant.

No members of the public were present.

COMMUNICATIONS:

Budget for 2012: Same numbers used for 2011 will be used for 2012.

REPORTS:

There were no reports at this meeting.

REMARKS:

Frank Mangiacotti asked was the M3 zone was. He was answered Mountain 3 Zone.

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ADJOURNMENT:

Hearing no further business to come before the Board, a motion was made by Truman, seconded by Mangiacotti, that the meeting be adjourned at 9:42 pm.

Ayes: 6 Nays: 0
Motion carried.

Respectfully submitted,
Frank Mangiacotti, Secretary