

BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
BOARD OF ADJUSTMENT MINUTES
JANUARY 28, 2014

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

Roll Call: Carroll, Durfee, Mangiacotti, Noone, Eller, Vitalos – 6 Present

Absent: Post, Aron, Turner

Vacancy: None

Also Present: Rebecca Lee, Board Attorney
Gene Weber, Board Engineer
Patricia Titus, Clerk

NOMINATIONS:

Temporary Chair: Motion by Mangiacotti, seconded by Noone to nominate Chris Vitalos as temporary chair. Nominations closed. All in favor.

Chair: Motion by Eller, seconded by Noone to nominate Chris Vitalos as chair. Nominations closed. All in favor.

Vice-Chair: Motion by Eller, seconded by Durfee to nominate Nathan Carroll as vice-chair. Nominations closed. All in favor.

Secretary: Motion by Eller, seconded by Noone to nominate Frank Mangiacotti as secretary. Nominations closed. All in favor.

Clerk: Motion by Eller, seconded by Carroll to appoint Patricia Titus as board clerk. All in favor.

REORGANIZATION RESOLUTIONS:

Resolution 2014:1 – Appointment of Board Attorney. It was moved by Durfee, seconded by Eller to appoint Steve Gruenberg as Board Attorney. All in favor.

Resolution 2014:2 – Appointment of Board Engineer. It was moved by Carroll, seconded by Mangiacotti to appoint Gene Weber of Finelli Consulting as Board Engineer. All in favor.

Resolution 2014:3 – Appointment of Board Planner. It was moved by Eller, seconded by Carroll to appoint Heyer Gruel & Associates as Board Planner. All in favor.

Resolution 2014:4 – Open Public Meetings Act. It was moved by Eller, seconded by Noone to adopt the resolution for the Open Public Meetings Act and official newspapers. All in favor.

2014 meeting schedule – It was moved by Noone, seconded by Carroll to adopt the 2014 Meeting Schedule. All in favor.

Board of Adjustment Minutes
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MINUTES:

Regular Meeting – October 22, 2013

Chairman Vitalos entertained additions or corrections to the minutes. No comments on the minutes. It was moved by Mangiacotti, seconded by Eller, that the minutes of the regular meeting held on October 22, 2013, be approved as presented.

Roll Call: Carroll, Durfee, Mangiacotti, Noone, Eller, Vitalos
Ayes: 6, Nays: 0, Abstained: 0

Motion carried

RESOLUTIONS:

ADPP Enterprises, Inc.:

Don Eller voiced his concerns with the size of the sign. The height would be higher than the canopy. Gene Weber stated that the relief was already granted and that the resolution was just memorializing the Board's decision. The Board Attorney stated that the applicant was not here to discuss the matter. Don stated that he just wanted his feelings heard. Chris Vitalos noted that the Board could always send a memo to Council regarding the sign ordinance.

Rebecca Lee discussed the typo and Gene Weber noted some changes: page 14 #6 – out of place and needs to be removed; page 15 Item E – County of Warren not Hunterdon.

Therefore, it was moved by Eller, seconded by Durfee to adopt the resolution with changes.

Roll Call: Carroll, Durfee, Mangiacotti, Noone, Eller, Vitalos
Ayes: 6, Nays: 0, Abstained: 0

Motion carried

APPLICATIONS:

Application #3-13: Stefan & Elena Diaconu – public hearing

The Board Attorney stated that proof of service notices were adequate to continue with the hearing. Mrs. Diaconu was sworn in.

Chair Vitalos asked the applicant for the purpose of the application. Mrs. Diaconu stated that the parking pad was for her daughter, who has a handicap, to park close to the house. Don Eller asked how many cars they have. Mrs. Diaconu answered four. He also asked the size of their driveway. Mr. Diaconu was sworn in. Mr. Diaconu answered that they are in court regarding the property line. The tenant also has a car for a total of five cars. Chair Vitalos stated that he is concerned with the current property dispute and the Board not having accurate measurements. The Board needs a survey to make a decision. Mr. Diaconu stated that the application has nothing to do with the survey.

Public hearing opened. Mr. Vaca came forward and asked how big the property was, how many feet from the house to the property line and how many cars are allowed on the pad. Larry Durfee asked what the minimum number of cars was for an apartment. Gene answered 1.8 cars. Chair Vitalos stated again that the Board needs accurate measurements.

Testimony –

Rigoberto Vaca, 83 N. Jackson Ave: He stated that Mr. Diaconu bought the property when they only had one car. He did not get approval for the pavers. He stated that Mr. Diaconu feels he is above the law. There is a court order regarding the property line dispute.

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Motion by Noone, seconded by Carroll to close the public hearing. Chair Vitalos stated the Board needs additional information that includes a survey by a licensed surveyor and the court order. The next meeting cannot be scheduled until documents are submitted. The Board Attorney stated that the applicant must grant an extension or the Board must vote. The applicant agreed to an extension through the February 25, 2014, meeting. Motion by Carroll, seconded by Durfee to accept the extension to February 25, 2014. All in favor.

NEW BUSINESS:

None

COMMUNICATIONS:

No comments.

Letter from Alan Lowcher dated 1/22/14 regarding Redeemed Christian Church of God. The Board discussed the letter. Gene Weber stated that the applicant was looking for a fee waiver. The Board determined that this would be a new application with fees. Gene stated that he would communicate with Mr. Lowcher regarding the Board's discussion.

REPORTS:

There were no reports at this meeting.

Mr. Gessner came forward to address the Board. He owns the old auto parts store on Broad Street. He spoke with Mr. Stefanelli regarding uses and was approved to rent space to an auto club. He is looking for the Board's opinion. Don stated that the Board cannot second guess the zoning officer.

REMARKS: None

Welcome to Rebecca Lee who is covering for Steve Gruenberg.

ADJOURNMENT:

Hearing no further business to come before the Board, a motion was made and seconded that the meeting be adjourned at 9:45 pm. All in favor.

Ayes: 6, Nays: 0
Motion carried.

Respectfully submitted,

Frank Mangiacotti, Secretary