

**BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY
BOARD OF ADJUSTMENT MINUTES
OCTOBER 24, 2017**

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

Roll Call: Aron, Frascella, P. Post, C. Post, Vitalos – 5 Present

Absent: Eller, Turner

Vacancy: 4 regular members, 1 alternate

Also Present: Steve Gruenberg, Board Attorney

Gene Weber, Board Engineer

Elena Gable, Board Planner

Patricia Titus, Clerk

MINUTES:

Regular Meeting – September 26, 2017

Chairman Vitalos entertained additions or corrections to the minutes. No discussion. Motion by Aron, seconded by Frascella, that the minutes of the regular meeting held on September 26, 2017, be approved as presented.

Roll Call: Aron, Frascella, P. Post, C. Post, Vitalos

Ayes: 4, Nays: 0, Abstained: 1

Motion carried

RESOLUTIONS:

Diamantis (Gramno Properties) – Case 2017:1

A few changes to be made to the resolution regarding the design waivers and square footage proposal. Therefore, it was moved by Frascella, seconded by Vitalos to adopt the resolution with changes.

Roll Call: Aron, Frascella, P. Post, C. Post, Vitalos

Ayes: 2, Nays: 0, Abstained: 3

Motion carried.

Falcon Investment – Case 2017:2

Resolution approving withdrawal of use variance and transfer of subdivision application to the Planning Board was tabled to the November meeting.

APPLICATIONS:

Application 2017:3 – Patrick Kenny – use variance public hearing:

Bernd Hefele represented the applicant. The property is on 50 E Johnson Street. The industrial building has been on the site for 40 years. Area is a residential zone with the property being a nonconforming use. Two witnesses will speak to the Board (current owner and proposed owner)

The hearing is a continuation of last month. Notices were examined and are adequate for the Board's jurisdiction.

Robert Okner, current owner, came forward. He stated that the property has been vacant for 4 years. He ran a business there from 2000 to 2013.

Exhibit A-1: picture of building

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When he owned the business 18 wheelers were in and out. He had 4 to 6 employees. Hours were 8 am to 5 pm. There were not issues with parking and no complaints from the neighbors. There was no outside storage. No further questions. No public questions.

Patrick Kenny, proposed owner, was sworn in. He proposes to use the building for storage of equipment and an office. He employs 2 on-site for administrative purposes. The rest of his employees are in the field. Minor improvements are proposed such as painting and landscaping. No deliveries are made. No outside storage. Three trucks will be parked on site. There are motion lights on the sides and security lights. Hours will be 7 am to 3 pm. No further questions. No public questions.

Positive criteria: less traffic than previous owner. There is no detriment to the public.

Exhibit B-1 – Mr. Weber’s review letter

Exhibit B-2 – Heyer Gruel correspondence

Mr. Weber stated that based on the square feet, he will need 5 parking spaces.

Design waiver for 3 spaces where 5 are required and road right of way. The fire department should also see the plan.

Condition of approval to include updated parking plan showing overflow parking in the back.

Public portion closed, All in favor. Attorney Gruenberg described the motion: D variance approval with conditions: 1) outside parking of 3 trucks; 2) no outside storage; 3) security lights; 4) design waiver for 3 parking spaces; 5) design waiver for on street parking; 6) updated parking plan; 7) fire department review.

Therefore, it was moved by P Post, seconded by Aron, to approve the variance with conditions as mentioned.

Roll Call: Aron, Frascella, P. Post, C. Post, Vitalos

Ayes: 5, Nays: 0, Abstained: 0

Motion carried

OLD BUSINESS: None

NEW BUSINESS: None

REPORTS:

There were no reports at this meeting.

REMARKS:

Chair Vitalos presented Mr. Eller’s resignation letter. He had over 25 years of service to the Borough. A proclamation will be prepared. The Board has only 3 members left. There has not been anyone interested in joining. A possible merger may need to take place. Attorney Gruenberg stated that a merger has to be approved by Council by ordinance. Vote to send a memo to Council regarding exploring a merger.

Roll Call: Aron, Frascella, P. Post, C. Post, Vitalos

Ayes: 4, Nays: 1, Abstained: 0

Motion carried

COMMUNICATIONS: None

ADJOURNMENT:

Hearing no further business to come before the Board, a motion was made and seconded that the meeting be adjourned at 8:25 pm. All in favor.

Ayes: 5, Nays: 0

Motion carried.

Respectfully submitted,

Patricia Titus, Clerk