

# WASHINGTON TOWNSHIP LAND USE BOARD

## ***PUBLIC MEETING MINUTES***

### **HELD VIRTUALLY VIA THE 'ZOOM CLOUD MEETINGS' PLATFORM**

**August 26, 2020, 7:30 p.m.**

#### **CALL TO ORDER and PUBLIC NOTICE**

Vice Chairman Swinton called the meeting to order at 7:30 p.m. stating this was the regular meeting of the Land Use Board of the Township of Washington. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that a notice was published in the Star Gazette and transmitted to the Express Times. Notice was posted on the municipal bulletin board in the Township Administration Building in Washington Township, New Jersey, and notice was filed with the Township Clerk. Attorney Gruenberg stated that the meeting was being held virtually via the internet using the 'Zoom Cloud Meetings' platform.

#### **FLAG SALUTE**

#### **ROLL CALL**

**Present:** Robert Klingel, Ralph Fiore, Evan Howell, Stephen Swinton, James Vander Horn, Michael Kovacs

**Absent:** Leonard Artigliere, Gretchen Foley, Erich Sodtalters Michael Lum, Richard Olah

**Professionals Present:** Steven P. Gruenberg, Esq., Kevin Smith, P.E., C.M.E., P.P., Scarlett Doyle, P.P.

#### **APPROVAL OF MINUTES**

A motion was made by Vander Horn, seconded by Klingel to approve the minutes of the regular meeting held on August 12, 2020. Members in favor: Fiore, Vander Horn, Howell, Swinton, Kovacs. Members abstaining: None.

#### **RESOLUTION**

***Matsil, Andrew***

Application #2020-02, Block 7 Lot 7, 25 Bowerstown Road

Mr. Gruenberg discussed that the resolution had been reviewed by the applicant and Board professional and noted a minor revision to clarify an item.

Motion to adopt the resolution was made by: Klingel, seconded by: Fiore. Members in favor: Robert Klingel, Evan Howell, Ralph Fiore, Stephen Swinton, James Vander Horn, Michael Kovacs.

#### **ORDINANCE REVIEW** – Ordinance 2020-06

Adopting Further Amendments to The Redevelopment Plan for Block 65, Lots 1, 3.03, 8, 9, 11, 12, 13, 14, 15, 16 and Portions of Lots 2 and 4; Block 65.01 Lots 1, 1c0001 (Condo Unit 4) And 1c0002 (Condo Unit 3); Block 65.02, Lot 1, in the Township of Washington

Mr. Gruenberg discussed the procedures to amend a redevelopment plan which had been previously approved and codified by the Township Committee to which the applicant has made revisions to the redevelopment plan ordinance which had been introduced by the Committee at the August 18, 2020 meeting and sent to the Board for review for recommendations and/or comments as well as consistency with the Master Plan. Ms. Doyle discussed that she had reviewed the amended plan and prepared a memorandum dated August 25, 2020 and

found that the amendment was not inconsistent with the Master Plan. Ms. Doyle stated that she and Mr. Smith had also prepared a joint memorandum report of the amended plan which included their recommendations to the Committee.

Mr. Smith discussed the specific revisions proposed by the redeveloper including the proposed mix of affordable housing units where Area 2 would proposed group homes and not a mix of 1, 2 & 3 bedroom units noting that an email from the Township's Special Master Planner, Elizabeth McManus from Kyle + McManus Associates, had been received August 26, 2020 which stated the applicant's proposed mix of affordable units was consistent with the Fair Share Housing agreement and that she took no exception to this change of the Redevelopment Plan. Ms. Doyle discussed that the McManus email mentioned the care-taker unit referenced in the Plan and questioned how it should be calculated noting that this unit did not have a kitchen or bedroom window. Applicant, Richard Cotton, appeared on phone, that the care-taker area was not a unit but was intended as a maintenance room or office to allow employees to do some office work and put a jacket and personal items when they are there. Mr. Smith discussed the next section to be revised regarding allowing the landscape buffer areas to be reduced to accommodate retaining walls and fencing noting that in the previous site plan approval testimony had been made to grant relief from this item where an amendment to this item would pre-empt asking for relief from the Board, the memorandum recommended that the Committee leave this item as it was written to allow some input from the Board and residents as to whether relief was appropriate on an individual basis. Mr. Smith stated that the next section proposed to be revised included reducing the accessory structure setback to within the landscape buffer and had the same recommendation to leave this item the way it was written and discussed that the applicant was proposing to take out item j regarding screening trash collection areas from residential uses and the public and placing them in the rear wherever possible and recommended that this item remain and have the applicant ask for relief during site plan review.

Mr. Smith discussed the proposed amendment to increase the number of units permitted in Area 2 from 150 to 193 which was the number of units in the application currently submitted noting that the allowed density for this area would have been 220 and that their joint report takes no exception to this change. Mr. Smith discussed the permitted uses in Area 2 to be changed from permitting 1.5 to 2.5 story townhomes to permitting 1.5 to 3 story townhomes noting that in reviewing the site plan application the proposed townhomes were calculated to be 3 story with a garage under and 2 stories of living space further adding that the overall height was not being increased and remained at 35 feet noting that to meet the parking requirements the units would need to have garages underneath. Mr. Smith discussed the proposed revisions to allow a minimum 19 foot sideyard and the overall permitted length of a townhome unit from 150 feet to 180 feet and recommended that the applicant provide some testimony or support for this change to the Committee to make sure that the buildings do not feel confined or canyonlike. Mr. Smith discussed the proposed change to permit retaining walls height up to 12 feet where 6 feet was currently permitted and again recommended that this item be left as it was and have the applicant request the design waiver during the site plan process noting that walls up to 12 feet high could potentially be placed anywhere on the site if this increase was included in the Plan. Mr. Smith discussed the additional permitted uses including a dog park and tot lot to which there was no objection and discussed the percentage of 1 bedroom units permitted to be changed from 50% to 55% which was a small change but would make the project viable and recommended more testimony be provided. Mr. Gruenberg was not sure if the Board could grant relief from this item and clarified that the point of this meeting was to give recommendations where the Board can decide what recommendations to refer to the Committee and not argue the merits of the

changes. Mr. Smith discussed the revision to impervious coverage from 40% to 60% coverage and suggested a justification for the increase or if the current 40% for the overall project was sufficient and discussed the change in townhome articulation; townhome unit storage and building setback to the Hawk Pointe development from 22 feet to 19 feet recommending these items be discussed at the site plan application before the Board. Mr. Smith discussed that change in building materials from stone & wood to hardyplank and had no objection to this change and discussed the change to up to 50% 2 & 3 bedroom units with the balance to be 1 bedroom and suggested the Committee get more information why this was being changed. Mr Smith discussed the last change which was to the affordable unit table on the last page which was revised to make consistent with the proposed changes. Summarizing that design related items may be better to be addressed at the time of application and provide some additional information to the Committee public hearing on the ordinance.

Mr. Gruenberg discussed the scope of review for the Board which was not conducting a public hearing but reviewing for consistency with the Master Plan and providing recommendations or comments to the Committee and that it was up to the Chair whether to take public comments as this was an administrative Board function at this point. Chair Swinton asked the Board if they were satisfied with Mr. Smith and Ms. Doyle comments or to open to the public. Mr. Howell responded that it was more administrative at this point and encouraged the public to come to the Township Committee meeting to provide comments.

Mr. Gruenberg had prepared a resolution memorializing the Board decision that urged the Committee to adhere to the recommendations in the joint memorandum and consistency review from Ms. Doyle and suggested that the Committee request for additional information on item B9.4f as indicated in the memorandum. The Board discussed.

Motion to adopt the resolution was made by: Howell, seconded by: Fiore. Members in favor: Robert Klingel, Evan Howell, Ralph Fiore, Stephen Swinton, James Vander Horn, Michael Kovacs.

**PUBLIC CONCERNS AND COMMENTS**

Hearing none a motion to close the public comments was made by Fiore, seconded by: Klingel. All were in favor.

**OLD BUSINESS**

None.

**NEW BUSINESS**

None.

**ADOURNMENT**

Hearing no further comments, a motion was made by Klingel, seconded by Vander Horn to adjourn the meeting at 8:30 p.m. All were in favor.

Respectfully Submitted,

Eileen Parks  
Secretary to the Board

These minutes were approved on September 9, 2020