

The regular meeting of February 14, 2005 of the Washington Township Planning Board was called to order by Chairman Jones at 7:55 p.m.

MEMBERS PRESENT

- CLASS IV: Mark Bauerlein, R. Gregory Jones, William Leavens, Howard Popper
- ALTERNATES:
- CLASS I: Geoffrey Price
- CLASS II: Eric Trevena
- CLASS III: Kim Ball Kaiser
- OTHERS ABSENT: DiSalvo, McGroarty
- STAFF PRESENT: Engineer Hall, Clerk Kesper, Planner Banisch, Traffic Engineer Maltz, Attorneys Buzak and Cofoni

* ARRIVED LATE

Adequate notice of this meeting was sent to the Observer-Tribune and the Morristown Daily Record on January 15, 2005 and posted on the Bulletin Board on the same date. Five notices were mailed, as there were five requests.

****NO NEW CASES OR WITNESSES SHALL BE HEARD SUBSEQUENT TO 10:30 PM****

Pledge of Allegiance

MINUTES

1. Minutes from the February 8, 2005 Regular Meeting

Ms. Kaiser made a motion to approve the minutes, seconded by Mr. Price. A voice vote was taken; Mr. Trevena and Mr. Leavens Abstained all were in favor and the motion carried.

Mr. Maltz arrived and joined the meeting.

RESOLUTIONS

- 05-10 – Mascharka – Block 42 Lots 13, 14.02 and 14.04 – Release of

Deeds per resolution 04-23

Ms. Cofoni reviewed the resolution for the board.

Ms. Kaiser made a motion to approve the resolution, seconded by Mr. Popper. A roll call vote was taken:

Ayes: Bauerlein, Jones, Kaiser, Leavens, Popper, Price, Trevena

Nays: None

Abstentions: None

Absent: DiSalvo, McGroarty

The meeting was opened to the public for items not on the agenda. There were no comments and the meeting was closed to the public for items not on the agenda.

DECISIONS ON COMPLETENESS

1. Turnquist – Block 30, Lots 58, 60, 61 – Kings Highway – R-20 and R-5 Zone – 38.21 Acres –

Request for two lot minor subdivision with variances

Eric Turnquist, Applicant and Attorney

Paul Sterbenz, Applicant's Engineer

Mr. Sterbenz was sworn in by Attorney Buzak and presented his qualifications to the board.

Mr. Sterbenz stated that he has been working with the boards professionals on this application and they are now requesting waivers for completeness from the Board. Based on Mr. Hall's letter the require waivers for detailed tree information, soil disturbance permit and driveway permits.

Mr. Sterbenz stated that it was his opinion that the applicant has met the requirement for tree information, having located over 400 trees within and 50' from the area of disturbance. The proposed driveway for the most part is being located within an existing driveway. It was his opinion that the other permits required for completeness are from other agencies, which would be needed prior to construction and asked for a waiver from the requirement of obtaining a driveway permit and soil disturbance permit for completeness. He asked the board to deem the application complete.

Mr. Hall stated that he reviewed the site today to see how many trees would be disturbed and he noted several trees 18" to 24" trees that would have to be removed that are not shown on the plan. Regarding the soil disturbance permit he explained that the planning board can take action on the soil disturbance permit if it is submitted as part of the application, it did not have to go to the Township Committee. He stated that he did not want to see this condition waived until at least a threshold number of the amount of soil coming onto or off the site is known. He stated that upon his inspection he found that the driveway sight distance is not a problem, but the K-turns shown on the plans do not meet ordinances and the plan would have to be changed to get a driveway permit. It was his opinion that the plan should be revised to show a conforming driveway before a waiver was granted.

Ms. Kaiser was concerned about completeness and the highlands regulations.

Mr. Leavens recommended the applicant get highlands approval prior to being deemed complete by the board.

Mr. Turnquist stated that lot 62 has a structure and a driveway on it. He stated that he would work with the board on granting additional time if necessary, to review the application. He explained that the property is under farmland assessment and has a forest management plan, which would allow the trees to be removed without board approval. He wants to retain the natural forested area.

Mr. Jones suggested a TCC and then scheduling of another completeness hearing.

Ms. Kaiser made a motion to deem application incomplete, seconded by Mr. Price. A voice vote was taken; all were in favor and the motion carried.

The application was scheduled for March 14th for a completeness hearing and if deemed complete a public hearing.

APPLICATIONS

1. Stardust Diner – Block 4, Lot 1 – 28 Route 46 W – C-1 Zone – Request for Waiver of Site Plan to replace the

current exterior siding with stucco siding

Pete Kyprianou, Applicant

George Papanikolaou, Applicant

Pete Kyprianou and George Papanikolaou were sworn in by Attorney Buzak.

Mr. Kyprianou stated he is applying for a waiver to do a cosmetic renovation of the exterior to remove the aluminum, chrome and neon and replace it with stucco. He referred to a 1992 survey of the property. He answered the board that they would remain open during the renovation. He stated that there would be minor changes to the interior of the building as well. He answered the board that there would be no impact on sidewalks or parking. He answered Mr. Hall that the neon would be removed. The ground lighting facing the building would remain, which would project light onto the building. The roofline will remain the same. The color would probably be beige with a burgundy contrast. A sign would be added to the building, which would be fluorescent back lighted, and the existing free standing would remain. The sign is permitted by ordinance. He answered Mr. Bauerlein that the sign will be on the building, not on the roof.

The board discussed the request.

Ms. Kaiser made a motion to approve the waiver of site plan as presented, seconded by Mr. Price. A voice vote was taken; all were in favor and the motion carried.

2. Valley Shepard – Block 35, Lots 6 & 8 – Fairmount Road – R-5 Zone – 119.751 acres – Request for amendment to fencing plan under Resolution 03-27 (granting preliminary and final Site Plan with variances for Sheep farm with barn, shed, labor housing, milking area, cheese production, aging cave, retail store and related facilities

Eran Wajswol, Applicant

Mr. Price stepped down due to an engineering conflict.

Eran Wajswol was sworn in by Attorney Buzak.

Mr. Wajswol explained the need for the permanent fence, which was approved by the NRCS from whom he also received a grant for it. This fence is to protect the sheep from predators such as the coyote. He explained the temporary electric fencing that would be used to change the grazing areas and to allow for the pasture to be cut. The temporary fencing moves every two to three days for the protection of the sheep and pasture.

Mr. Hall explained the applicant is back before the board because the permanent fence is not in the location shown on the plan. He stated that this issue arose when he was asked to do a Certificate of Occupancy inspection. This is a relief from the requirements of a Certificate of Occupancy.

Mr. Buzak explained that this change should be made by resolution.

Mr. Wajswol asked for the elimination of the shrubs in front of the barn, because the barn is a wall for a pasture and the sheep would eat the plants. He stated that he would paint the foundation. He answered Mr. Trevena that he would try to plant something and put wire fence in front of the plantings and see if the plants can be maintained.

Ms. Kaiser made a motion Bauerlein to approve the change to the resolution regarding fencing and landscaping as requested, seconded by Bauerlein.

A voice vote was taken; all were in favor and the motion carried.

2. US Homes – Block 19, Lots 5, 6, 7 – Schooley's Mountain Road and Newburgh Road – Musconetcong Valley Senior Overlay Zone – 123 Acres – Request for Minor Subdivision, Preliminary Site Plan and variances for existing setback and signs for 360 Senior Citizen Units – –Deemed Complete October 27, 2004 – Previously Heard October 27, 2004, December 7, 2004, December 13, 2004, January 10, 2005 and January 26, 2005- Public Hearing Continued – Expires February 24, 2005

February 14, 2005

Michael Selvaggi, Applicant's Attorney
Joel Kobert, Applicant's Attorney
Tom Barton, Applicant's Architect
Jay Troutman, Applicant's Traffic Engineer
William Hamilton, Applicant's planning and landscape architect

Mr. Barton marked the revised architectural plans A-17 and distributed copies of the plans to the board. He referred to page two of ten in the package of plans regarding the clubhouse design and stated that the design is more colonial than the previous plan. The floor plan has been changed some, but include the same amenities as presented at prior meetings. He stated that the design of the clubhouse is now consistent with the design of the home structures. It was his opinion that this design met the ordinance requirement for historic/colonial design. The minimum height of the roof façade is 42" and any equipment on the roof would be lower than 42". The mean height of the roof is 38' and the highest point is 46', which is at the cupola. The building is one story. He reviewed the amenities for the board.

Mr. Barton referred to page 3 of 10 which illustrated the redesign of the parking garages. The redesign with larger spaces required the elimination of one parking space. He answered Mr. Hall that the interior dimensions of the garage are 92' by 102' and the aisle widths are 24' with parking spaces sizes of 9.4' x 20'.

Mr. Trevena suggested that the current hedgerow at the back of the units on the Hackettstown side of the property be continued up to Schooley's Mountain Road.

Mr. Barton stated that they would look into doing this.

Mr. Hamilton answered Mr. Popper that the maximum difference between the grade to the first floor at the rear of the building would be a maximum of five feet. The maximum height was 46', but from grade it could be 51' high from the rear. The finished grade in the front is 1'. He referred to page 9 of 10 and stated that the exposed basement area would have stucco finish.

Ms. Kaiser would like to see stone on all exposed foundation walls.

Mr. Bauerlein stated for the site walk, he wanted to see the foundation corners for one of the buildings marked out so the mass could be visualized.

Mr. Banisch answered the Board that at the higher locations in Hastings you would be able to see into the interior of the roofs and the see the mechanical equipment on it.

Mr. Barton stated it was his opinion that it will be difficult to see the equipment because of the distance and the size of the mechanicals. The

February 14, 2005

equipment would consist of air conditioning compressors for each unit similar in size to individual home units, and heating and cooling for the corridors, which is larger, equivalent in size to the table in the meeting room. As he noted before, the minimum roof level above the mechanicals is 42" and the compressors are no more than three feet high.

Mr. Banisch answered Mr. Popper that he did not think roofs would be visible from the Schooley's Mountain Road.

Mr. Jones wanted to review the need for shade trees along Newburgh Road if it is determined that the roofs would be visible.

Mr. Trevena stated that as long as the compressors are a neutral tone they would not be noticeable, or draw your eye to it.

Mr. Barton stated that the units could be put on the ground, but then there are other noise and visual problems. He stated that the applicant would meet the noise requirements of the state and township with the units on the roof.

Mr. Selvaggi stated that he was concerned with a noise test as a condition of Certificate of Occupancy because of the time of year they may be requesting the first Certificate of Occupancy.

Mr. Hamilton stated that the retaining walls for the driveways would be stone to match the façade of the buildings.

The meeting was opened to the public for questions on the architecture.

There were no comments from the public and the meeting was closed to the public on questions on the architecture.

Mr. Troutman referred to a plan on the improvements to Schooley's Mountain Road, which was marked A-18. After the December meeting he met with the county and the site access will be opposite Hasting Square and have left hand turn lines and will have turning pavement guides. They have added crosswalks and sidewalk connections. The applicant will comply with all sight easement requirements of the Township.

Mr. Maltz reviewed his report of February 14th and the meetings held on the road improvements. The applicant has added the information to the revised plans that he requested. He reviewed the outstanding items and further changes that he is requesting under his February 14th letter.

Mr. Trevena answered Mr. Jones that it was his opinion the speed limit on Schooley's Mountain Road probably would not be changed, but this could be investigated after the development was built.

Mr. Troutman stated that he would comply with the requirements in Mr. Maltz's letter regarding Schooley's Mountain Road at the access to the development.

Mr. Troutman addressed the intersection of Newburgh Road and Schooley's Mountain Road intersection. He stated that he personally did the traffic counts at this intersection and currently the longest left hand turn delay is 40 seconds or a level of service "E". The applicant would dedicate property to improve the intersection to allow a 90-degree turn. He explained possible improvements such as adding additional pavement. During discussions with the county the applicant agreed to make all the Schooley's Mountain Road and Newburgh Road intersection improvements as well as run the conduit for a future traffic light. He did not have an opinion on whether a signal would be helpful as this intersection is just at the edge of needing one. The county informed him that in order to have a signal, the Township would have to ask the county to investigate a signal at this intersection. The changes would take the intersection away from the homes at the intersection. He answered Mr. Jones that the current right of way property that would be vacated with the proposed changes would go back to the adjacent property owner.

Mr. Troutman answered Ms. Kaiser that he did a capacity analysis heading towards Hackettstown and the proposed development would not cause a significant increase in traffic in this area.

Ms. Kaiser stated that the light at Schooley's Mountain Road and Route 57 backs up significantly.

Mr. Selvaggi stated that he represents Loews and the improvements to Mountain Avenue will be done this spring. He also stated that Lowe's was willing to put two lanes up to East Avenue, but the DOT would not allow it and the two lanes will end just past the Mobile station.

Mr. Troutman stated that the 100' radius transition back on Newburgh Road would be increased to 150' as requested by Mr. Hall. He will make it an eight-foot shoulder on Schooley's Mountain Road and show this on revised plans submitted to the Township.

Mr. Hall asked the applicant to reexamine all of the stopping sight distances on the internal roads. The plan does not meet Township driveway sight distance standards, which is 250'.

Mr. Troutman stated that the plan meets ASHTO standards for stopping sight distances, but not intersection standards.

Mr. Kobert stated that they would look into whether the applicant can meet Mr. Hall's requirement or pursue a waiver to the NJ-DCA.

Mr. Maltz stated that he reviewed the plan and most of the intersections can meet the 250' with several exceptions if some parking spaces were eliminated and restrict anything above 24" in this area

Mr. Kobert stated that this issue will be looked at and the applicant will come back to the board with this information.

Mr. Hall stated that the cul-de-sac to the left of the stream, road C, services 210 home until phase II is completed and he asked for an emergency vehicle access as this cul-de-sac. Once phase II is completed all his access issues go away.

Mr. Kobert stated that they would investigate this issue as well.

Mr. Hall wanted to see a detailed calculation of how the applicant came up with the number of required parking spaces, which he asked for in his October report. He referred the applicant to ordinance 217-55.1 D 13.

Mr. Troutman agreed to Mr. Hall's request to make the pavement area and garage doors 24', the same of the aisle widths in the garage.

Mr. Maltz reviewed the traffic sign changes requested in his February 14th letter.

Mr. Kobert reiterated that the applicant agreed to pay for the cost of the intersection changes, on both sides of the road.

Mr. Kobert reviewed the issue list and that they would be completing traffic, and have completed architecture, landscaping. They did not plan on bringing in an expert on the DIS unless the board wanted it. COAH will be discussed at a future meeting, and if the Board wants to here from the township ambulance and first aid personnel, that this should be scheduled. He wanted to schedule a site walk soon, if the board still wants to have one.

The meeting was opened to the public for questions on the traffic testimony heard this evening.

Robert Torres – 402 Schooley's Mountain Road – stated that he lives opposite the intersection with Newburgh Road. He stated that he has been a resident for eight years and commented on the number of accidents in front of his home. He wanted to see a light at this intersection. He noted that people do not come to a full stop when turning right from Newburgh onto Schooley's Mountain Road.

Mr. Troutman stated that by making the right hand turn angle more severe it helps deter people from going through the stop sign.

Mr. Torres – asked for a guardrail in front of his property.

Joan Gehrlein - 30 Bennington Square asked about the pedestrian crossing and would cars stop for them. She was concerned that it is already difficult to get out of Hastings Square during rush hour.

Mr. Troutman stated that he spoke to the County about a flashing pedestrian caution light and the county said it was not appropriate or warranted for this area and they would not approve it.

There were no further questions from the public and the meeting was closed to the public for questions on this evenings testimony.

Mr. Jones asked that the information on the Homeowners be submitted in writing for professional review.

The meeting was adjourned to February 23, 2005 at which time lighting, signs, emergency services and remaining traffic issues would be discussed.

Absent: 10/27 DiSalvo, Leavens (listened 12/13)

Absent: 12/7 Leavens (listened 12/13), Cullen

Absent: 12/13 Cullen, McGroarty

Absent: 1/10 None

Absent: 1/26 None

Absent: 2/14 - DiSalvo, McGroarty

DISCUSSION/ CORRESPONDENCE

1. February 9, 2005 Correspondence from NJDEP RE: Combe Fill South and OFP - Block 37, Lots 4

& 9

Noted for the record.

2. Vouchers

Mr. Popper made a motion to approve the vouchers

3. Closed Session

Ms. Kaiser made a motion to go into closed session. Seconded by Mr. Popper. A voice vote was taken; all were in favor and the meeting was closed to the public at 10:52 p.m.

Ms. Kaiser made a motion to come out of closed session and open the meeting to the public, seconded by Mr. Bauerlein. A voice vote was taken; all were in favor and the meeting was opened to the public at 12:37 a.m.

Mr. Jones stated that during closed session the board discussed the highlands legislation and its impact on current and future applications and the procedures the board should use in this regard.

Mr. Leavens made a motion to adjourn, seconded by Ms. Kaiser. A voice vote was taken; all were in favor and the meeting was adjourned at 12:38 a.m.

Virginia R. Kesper