

Chairman Jones called the regular meeting of September 12, 2005 of the Washington Township Planning Board to order at 7:40 p.m.

MEMBERS PRESENT

CLASS IV: Mark Bauerlein, Charles DiSalvo, R. Gregory Jones, William Leavens*, Kathleen McGroarty*,
ALTERNATES: Sam Akin, Lou Mont
CLASS I:
CLASS II: Eric Trevena
CLASS III: Kim Ball Kaiser
OTHERS ABSENT: Price, Popper
STAFF PRESENT: Clerk Kesper, Engineer Hall, Attorney Cofoni, Planner Banisch

*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 August 24, 2005 Regular Meeting

Mr. Bauerlein made a motion to approve the minutes, seconded by Mr. Trevena. A voice vote was taken; Mr. Akin and Mr. DiSalvo abstained; all others were in favor and the motion carried.

2. Minutes from the September 12, 2005 Regular Meeting

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

RESOLUTIONS

05-292085 Realty Partners, LLC – Highlands Plaza (A&P Shopping Center) – Block 3.09, Lot 5 – Route 4 East –Request for preliminary and final site plan for medical center, surgical center, retail services and restaurant

Anthony Pantano, Applicant

Mr. Pantano stated that the resolution was acceptable with the exception of finding 7 on page two regarding the specific uses and square footage. He wanted flexibility in the uses and square footage.

Ms. Cofoni did not object to Mr. Pantano's request.

The Board discussed the requested change.

Ms. Cofoni suggested that the paragraph be amended to read "the medical service shall include separate practices which may include but not limited to..."

The Board agreed with the last change read by Ms. Cofoni. She reviewed minor other changes regarding the type of siding.

Mr. Banisch answered the Board that the intent of Paragraph 11 was to have the signs changed over time to be uniform as tenants leave or leases expire.

Mr. Pantano agreed to revisions discussed by the board to Condition N to shield the HV/AC from view and noise generation.

The vote on the resolution was adjourned until Board members McGroarty and Leavens arrived.

Ms. Cofoni reviewed the changes to the resolution discussed earlier this evening for the board members who arrived late.

Ms. McGroarty made a motion to adopt the resolution as amended this evening, seconded by Ms. Kaiser. A roll call vote was taken:

Ayes: Kaiser, Leavens, McGroarty, Akin, Mont

Nays: None Abstentions: None Absent: Price

Ineligible: Bauerlein, DiSalvo, Popper, Jones, Trevena

***The meeting was opened to the public for items not on the agenda.
There were no questions or comments***

DECISIONS ON COMPLETENESS

1. Araneo – Block 63, Lot 28 – Pickle Road – R-5 Zone 9.184 Acres – Request or two lot minor subdivision – If Deemed Complete

Robert Mielich, Applicant's Attorney
 Harry Metzler, Applicant's Engineer

The file was reviewed for completeness.

Mr. Hall reviewed his letter of September 23rd regarding completeness issues. He stated that the driveway permit and proper site distance is the most significant completeness issue. Permits were issued for 350'. The revised minor subdivision plans show 300' and Mr. Andrew Holtz of Suburban Consulting has stated that he has denied the applicant's request to reduce the site distance to 300'. The plans before the board show clearing and grading for a 300' sight distance and do not show complete information regarding disturbance and tree removal or soil disturbance. He answered Mr. Jones that this is the dirt/gravel portion of Pickle Road. He explained briefly how the statutory speed limit is arrived at.

Mr. Mielich stated that slope information is shown on sheet two. Regarding the driveway permit he will accept Mr. Holt's denial. He stated that the prior approval of the 350' site distance stands. He will add the additional site distance to the minor site subdivision plan. An amendment to the applicant's DEP permit will have to be obtained.

Mr. Hall stated that the changes required may also trigger the need for a stormwater management plan.

Mr. Mielich stated that if they are not deemed complete and receive an approval the new resource conservation ordinance will apply to this application and the application is no longer variance free. He stated that 330' of site distance can be obtain without removing trees and triggering a revised DEP permit. He stated that the applicant could seek a sight distance waiver from the Township Committee. This would save at least 14 trees. He answered Mr. DiSalvo the reason the applicant revised the driveway permit to avoid the need for a new DEP permit and tree removal.

Mr. Metzler answered Mr. Hall the reason they did not revise the plans earlier because the DEP stated that they were allowed to remove trees and brush under the permit but that Mr. Hall requested a letter which they were not able to obtain which triggered the revised driveway permit. He stated that he had conversations with traffic engineers, including Mr. Holt, that being as Pickle Road is dirt a 25 MPH speed limit would be reasonable.

Mr. Bauerlein stated that he and Ms. McGroarty did a site walk and that the 350' plan showed many trees needing removal and the tree removal was a concern to them. The trees form a canopy over the road and a beautiful viewshed. The trees make a hedgerow along the road.

Mr. Hall confirmed that the trees are of mixed sizes and types and condition. Moderate to poor quality trees and that it is an old farm divider.

Mr. Mielich stated that all trees removed would be replaced in accordance with the rural road ordinance.

Mr. Metzler referred to the shade tree committee letter. He stated that there is no grading proposed in the additional driveway site distance clearing, it would be just the cutting of the trees, no soil changes.

Mr. Hall stated that it was his recommendation that the application be deemed incomplete.

The board deliberated on the completeness of the application.

Mr. DiSalvo made a motion to deem the application incomplete, seconded by Mr. Trevena. A voice vote was taken; Mr. Akin was opposed, all others were in favor and the motion carried.

APPLICATIONS

Moraghan – Block 59, Lot 1.2 – West Fox Hill Road – R-5 Zone – Request for Lot Line Adjustment

Moraghan

Ms. Moraghan reviewed the application for the board and stated that after they bought the property they found out the improvements on their property encroached on the neighboring property. This lot line adjustment is to correct this encroachment.

Mr. Hall referred to his letter and recommend completeness of the application.

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

Mr. Hall reviewed his letter and recommended that the right of way dedication not be accepted because there are no other areas of right of way on this road. He asked that this be confirmed and if it is the case eliminate the 25' road way dedication. He stated that revised plans would not be necessary.

The meeting was opened to the public for questions and comments. There were none and it was closed.

Mr. DiSalvo to draft a resolution of approval as discussed this evening and Mr. Hall's letter of September 1 , seconded by Ms. Kaiser.

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

Ayes: DiSalvo, Jones, Kaiser, Trevena, Akin, Mont

2. Jane Williams Newmark – 490 Schooley's Mountain Road (Hastings Square) Block 3.07 lots 31.01 and 31.02 (Formerly Copy Quality) – PUD Zone – Request for Waiver of Site Plan to partition the interior space to allow for multiple offices

Martin Newmark, Applicant's Attorney

Mr. Newmark distributed an aerial map of the property to the board which was marked A-1.

Jane Williams Newmark was sworn in by Attorney Cofoni.

Ms. Newmark stated that the application is to modify the existing interior space. She referred to the exhibit and pointed out the office and driveway.

The space is two suites 1 740 suite 2 940 sf located on the first floor. The two suites was used by Copy Quality a retail copy business. The current space is two wide open spaces. She would like to partition suite 1 to three professional offices and suite 2 to be four professional offices. She stated that she owns similar office space.

Mr. Jones stepped down as he owns office space in one of the buildings in which Ms. Newmark owns at Valley Professional center.

She stated that she will rent to attorney's or other such professionals. CPA, therapists, sales rep, attorneys. Morristown and Chester there are ten offices and nine tenants. most of these tenants do not have staff. She anticipates the same type of uses at Hastings, unless she found a company that wanted to rent all the space.

She referred to the exhibits and stated that there are several other similar buildings. She had visited the site on at least 14 times to observe parking and it was her opinion that the parking lot is large and was never full and each time she visited she was able to park immediately in front of the building. 75% – 80% of the spaces were unoccupied.

Ms. Newmark stated that the currently there are signs on the building where the tenant signs are placed. She would not change this sign plan and would be consistent with what is there.

Mr. Hall concurred that the parking lot is generally empty.

Ms. Newmark stated that generally normal business hours will be maintained.

Ms. Newmark answered Mr. Banisch that the leases would indicate that there would not be any signs in the windows.

The meeting was opened to the public None.

Mr. Mont and seconded by Mr. Trevena. All were in favor and the motion carried

Mr. Jones rejoined the meeting.

Ayes: DiSalvo, Jones, Kaiser, Leavens, Trevena, Akin, Mont

Toll Brothers – Block 18, Lots 6 & 10 – R-5 Zone – Request for Amendment to Resolution 01-37 – Preliminary Subdivision Approval – RE: Grading Plans for lots 47, 48 & 49 and Extension of Time on Resolution 04-24– Final Major Subdivision Phase I – 24 Building Lots and / or amendment to soil disturbance permit

Lawrence Cohen, Applicant's Attorney
James Glasson, Applicant's Engineer
Michael Glenn, Applicant

Mr. Cohen stated that the applicant is seeking an amendment to the preliminary as to the soil disturbance. He stated the applicant can either truck off site cubic feet of fill off site or re-grade three lots to use the fill.

Mr. Cohen stated that they are also requesting a one year extension of time on the resolution of final approval.

James Glasson was sworn in by Attorney Cofoni.

Mr. Glasson referred to the original site plan sheet 10, grading plan blow up. which was marked A-1.

Mr. Leavens and Ms. McGroarty joined the meeting at 9:00 p.m.

The board deemed the application complete.

Mr. Glasson referred to exhibit A-1 and pointed out the original grading and proposed grading. The revised grading plan previously distributed to the board

was marked A-2. The existing area is meadow, no trees on a 4 and 5 to one slope. The new grading gives a more usable rear yard to the homes. The basement elevations remain almost the same. Regarding drainage, he contacted the original engineer on the subdivision and submit and letter from Mr. Dragleon which stated that this revision would not affect the stormwater management plan. He stated that Mr. Dragelin only considered areas in his drainage evaluation to the limits of disturbance and that he used row crops and now it would be grass would reduce. Mr. Dragelin's September 28th letter was marked A-1.

Mr. Glenn stated that this property was actively farmed before development. Mr.

Mr. Hall stated that he wanted to review the sign preliminary to confirm Mr. Glasson and Mr. Glenn's testimony. If it is accurate he would agree that land use changes from row crops to lawn would decrease runoff.

Mr. Hall was concerned with soil erosion.

Mr. Cohen stated that the applicant agrees to comply with the recommendations in Mr. Hall's September 7th letter.

Michael Glenn was sworn in by Attorney Cofoni.

Mr. Glenn stated that at the time of preliminary approval he was the project manager for Toll of this subdivision and stated that this property was farmed and planted with corn and alternatively hay.

Mr. Glasson agreed to the soil erosion preventative methods recommended by Mr. Hall in his September 7th letter.

Mr. Hall stated that MCSCD should also be involved and approved by them. He answered Mr. Cohen that the maintenance bond have this change covered specifically under the two year maintenance bond.

Mr. Hall informed the board that on lot 47 there will be a 28' 3:1 slope.

Mr. Glasson developed a cross section profile of the property on lot 47 and stated that it will be fill of 16'. The exhibit was marked A-4

Mr. Hall concurred that it is 16' over the original grading plan but actually looking at the site is 28'. He stated that 3:1 slope is a recognized grade for stabilization.

Ms. Kaiser stated that Dr. Keller should recommend the proper grasses for stabilization which would require minimal mowing.

The board discussed a deed notification that the vegetation not be removed and replaced. It was decided to have Dr. Keller recommend the seeding requirement and his opinion if there should be an easement or deed restriction.

The Board discussed terracing at the last 10 feet and stated that they would leave this up to Mr. Hall if it were determined that this would help eliminate erosion.

Open to public

Mr. DiSalvo made a motion to authorize the board attorney to draw up a resolution of approval subject to revised plans, revised grading plan, MCSCD, Mr. Hall's letter of September 7. and granting the one year extension of time .
Seconded by Mr. Trevena.

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

Ayes: DiSalvo, Jones, Kaiser, Leavens, McGroarty, Trevena, Akin, Mont

4. Araneo – Block 63, Lot 28 – Pickle Road – R-5 Zone 9.184 Acres – Request f or two lot minor subdivision – If Deemed Complete

The application was not deemed complete and therefore was not heard.

***DISCUSSION /
CORRESPONDENCE***

1. Vouchers

Mr. DiSalvo made a motion to approve the vouchers found in order by the chairman and send same on for payment, seconded by Ms. Kaiser. A voice vote was taken; all were in favor and the motion carried.

4. Ridgeline Ordinance

Mr. Banisch distributed a revised ordinance and map as discussed at the last meeting. The map he added a ridgeline area. The text was mainly editing and changing the slope classifications to be consistent with the township ordinances. The changes were marked in the distributed ordinances

Change Ridgeline white circle to a black line and take the heavy line away from the protection area.

Add another arrow to the sketch looking up as well as across.

The board reviewed the ordinance.

Mr. DiSalvo made a motion to send the ridgeline ordinance and map to the Township Committee for adoption. Seconded by Ms. McGroarty. A voice vote was taken; all were in favor and the motion carried.

2. Highland Council Partnership Meeting – Tuesday, October 18 (3 to 5:30 pm) or Wednesday, October 19 7:00 – 9:30 pm or Thursday, October 20 (7:00 pm – 9:30 pm)

Noted for the recorded.

3. Special joint meeting October 12

Mr. DiSalvo not available.

Mr. DiSalvo made a motion to adjourn, seconded by Ms. Kaiser. A voice vote was taken; all were in favor and the meeting was adjourned at 10:00 p.m.

Virginia R. Kesper