

Chairman McGroarty called the regular meeting of May 8, 2006 of the Washington Township Planning Board to order at 7:40 p.m.

MEMBERS PRESENT

- CLASS IV: Mark Bauerlein, Kathleen McGroarty, Howard Popper, Geoffrey Price
- ALTERNATES: Lou Mont
- CLASS I:
- CLASS II: Eric Trevena
- CLASS III: Kevin Nedd
- OTHERS ABSENT: Leavens, Akin, DiSalvo, Kaiser
- STAFF PRESENT: Clerk Kesper, Engineer Hall, Planner Banisch, Attorney Cofoni

Adequate notice of this meeting was sent to the Observer-Tribune and the Morristown Daily Record on January 17, 2006 and posted on the Bulletin Board on the same date. Seven 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 May 8, 2006 Regular and Closed Session Meeting

Mr. Popper made a motion to approve the minutes, seconded by Mr. Trevena. Minor changes were made. A voice vote was taken; Mr. Price abstained, all others were in favor and the motion carried.

RESOLUTIONS

None

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

DECISIONS ON COMPLETENESS

1. Messina – Block 51 Lot 23 – 58 Califon Road - R-5 Zone – 97.145 Acres – Request for two lot minor subdivision (severable exception area of farmland preserved property)

Robert Mielich, Applicant's Attorney

The Board reviewed the file for completeness.

Mr. Hall reviewed his letter of May 18th and stated that he recommended the board waive the open completeness item regarding information within 200' of the site and deem the application complete.

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

***DISCUSSION /
CORRESPONDENCE***

1. Woodlands Ordinance

Mr. Banisch explained that this ordinance was developed because there has been a long-standing concern of the board that controls be put in place to regulate the loss of Woodlands. He stated that the Township had received a grant from ANJEC to develop regulations to protect the environment and this woodland ordinance was prepared under this grant. He distributed copies of Figure 17 and 19 of the Township's Natural Resource Inventory, which showed the forested and grassland areas of the Township. He explained that the ordinance was developed before the highlands act at which time there were no controls in place at all. He explained that this ordinance does not impact existing developed lots but puts forth informative information and recommendations. Under site plan and subdivision applications there would be mandatory controls. He referred to the controls under 217-39-1 A 3 of the draft ordinance regarding the amount of woodlands removal. He answered Mr. Popper that this would not impact the shade tree easement.

Mr. Mont noted that the resource identification requirements appear to be extensive and probably very expensive for a resident applying for a minor subdivision.

He answered Mr. Mont that the applicant may ask for waivers from the resource identification requirements and that a number of the requirements are already required for subdivision applications.

Mr. Trevena suggest that minor subdivision applications that comply with the clearance limits not be required to submit the resource identification information.

The board concurred with this recommendation.

Mr. Hall stated that this information should be required for steep slope variances on the lot in question, but not the surrounding 1000'.

Mr. Banisch answered Mr. Trevena that there will be times when grasslands would be preferred and the board would evaluate that on a case by case basis.

Mr. Banisch answered Mr. Mont that this could be stated clearly by adding a paragraph after the first sentence of paragraph 2 under purpose.

Mr. Price noted that Figure 17 was from 1995 and the Figure 19 was from 2001 and the forested coverage had increased significantly during that time.

It was decided to clearly state in the ordinance purpose that the mandatory portions do not affect developed existing lots of record and that the limits of clearing would apply to existing undeveloped lots.

Mr. Banisch was directed to make the revisions discussed tonight.

Mr. Popper made a motion to move the woodlands ordinance as amended this evening the Township Committee for their review and adoption. Seconded by Mr. Bauerlein. A voice vote was taken; all were in favor and the motion carried.

PUBLIC HEARING/APPLICATIONS

1. Messina – Block 51 Lot 23 – 58 Califon Road - R-5 Zone – 97.145 Acres – Request for two lot minor subdivision (severable exception area of farmland preserved property – Deemed complete May 24, 2006 - Public Hearing

Robert Mielich, Applicant's Attorney
Charles Traficante, Applicant's Engineer

The minor subdivision map dated 6/03/05 was marked as exhibit A-1.

Mr. Buzak swore in Charles Traficante.

Mr. Traficante stated that the plan was prepared by his firm.

Mr. Traficante described the application as a two lot minor subdivision. The existing lot is 97 acres and the subdivision is in the southwest corner of the lot and is five acres consisting of meadow with a side yard hedgerow fronting on Califon Road.

Mr. Mielich answered Mr. Hall that he contacted Mr. Pinto of the Morris County Agricultural Development Board who stated that the County would not accept any other easements over the agricultural easement. He stated that the applicant would convey a shade tree easement on the newly created lot.

Mr. Traficante answered Mr. Hall that there will be no need to bring on or off the lot more than 100 cubic yards of soil.

Mr. Mielich stated that the applicant acknowledges that if the development of the lot ultimately required import or export of more than 100 cubic yards of soil they would apply for a soil disturbance permit.

Mr. Mielich agreed to all seven of the approval conditions under II.D.1-7 of Mr. Hall's May 18, 2006 letter.

Mr. Hall stated that he did not recommend improvements to Califon Road.

Mr. Traficante stated that he would comply with the Health Department letter of May 24, 2006.

Ms. McGroarty reviewed the file and stated that there was correspondence from the Schooley's Mountain Fire Department and the Morris County Planning Board approving the subdivision.

Mr. Bauerlein stated that he did a site walk of the property today and he did not see any major problems or issues.

The meeting was opened to the public for questions and statements on this application. There was no public comment and the meeting was closed to the public for questions and comments.

Mr. Price made a motion to direct the board attorney to draw up a resolution of approval of the Messina minor subdivision as discussed this evening including a shade tree easement on the new lot, revised plans per Mr. Hall's May 18, 2006 letter, noting that no soil disturbance permit was approved and that if over 100 cubic yards of soil is imported or exported the applicant must return to the board for a permit, waiver of road improvements, compliance with Health Department letter and condition II. D. 1-7 of Mr. Hall's May 18th letter. Seconded by Mr. Popper.

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

2. Murray – Block 50.02, Lot 14 – 4 Ramsey Way – R-5 Zone – 2.5 Acres – Request for Conditional Use Home Occupation and Minor Site Plan Approval– Previously Heard February 22, 2006 and March 22, 2006 – Public Hearing Continued – Expires June 12, 2006

Ms. McGroarty announced that this application had been adjourned at the applicant's request to June 12, 2006.

***DISCUSSION /
CORRESPONDENCE -
Continued***

2. Vouchers

Mr. Bauerlein made a motion to approve the vouchers reviewed by the Chairman and Vice Chairman and send same on for payment. Seconded by Mr. Mont. A voice vote was taken; all were in favor and the motion carried.

3. TCC's

Ms. McGroarty notified the Board that there will be two TCC's on May 31st at 2:00. One TCC is for US Homes who want to amend their preliminary approval so that they may start some site work this summer. The second is for Hays – Estates at Long Valley Section 3 – to discuss open space issues. A third TCC will be held on June 1 on Claremont's Route 46 Large Scale Retail approval as they would like to modify the approval to allow more than one retailer.

Mr. Popper made a motion to adjourn, seconded by Mr. Nedd. A voice vote was taken and the meeting was adjourned at 8:30 p.m.

Virginia R. Kesper, Clerk