

Vice Chairman Bauerlein opened Regular Meeting of the Washington Township Planning Board of July 28, 2010 to order at 7:45 p.m.

MEMBERS PRESENT

CLASS IV: Mark Bauerlein, Kathleen McGroarty, Lou Mont, Eric Trevena  
 ALTERNATES: Sam Akin, William Beute  
 CLASS I: Ken Short  
 CLASS II:  
 CLASS III: James Harmon  
 ABSENT: Charles DiSalvo, William Leavens,  
 STAFF PRESENT: Clerk Kesper, Engineer Hall, Attorney Cofoni

Adequate notice of this meeting was sent to the Observer-Tribune and the Morristown Daily Record on January 12, 2010 posted on the Bulletin Board on the same date. Notices were mailed, as there were requests.

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

Pledge of Allegiance

**MINUTES**

Mr. Short made a motion to approve the following minutes, seconded by Mr. Mont. A voice vote was taken; abstentions were noted below and all others were in favor and the motion carried

1. Minutes from March 8, Regular Meeting  
Mr. Beute and Mr. Bauerlein abstained
2. Minutes from April 12, 2010 Regular Meeting  
No abstentions
3. Minutes from the April 28, 2010 Regular meeting  
Mr. Harmon abstained
4. Minutes from May 10, 2010 Regular Meeting  
Mr. Harmon, Mr. Mont, Mr. Akin abstained
5. Minutes from June 14, 2010 Regular Meeting  
Mr. Beute and Mr. Short abstained

**RESOLUTIONS**

NONE

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

**PUBLIC HEARING/APPLICATIONS -**

1. Murata – Block 22, Lot 3.07 – 5 Blackberry Place – R-1 Zone – 3.47 Acres -Request for Minor Subdivision in accordance with settlement agreement

William Jones, Applicant's Attorney  
Mark Murata, Applicant  
James McCormick, Applicant's Surveyor

James McCormick was sworn in by Attorney Cofoni and presented his qualifications as a land surveyor and was accepted by the board.

Mr. Jones explained to the board that when the Murata's purchased this property there was an incorrect deed description which did not contain the detention basin and only described the property around the house. A lawsuit was brought forward and it was settled with the solution suggested by the Township Attorney, Mr. Jansen that the detention basin property be transferred to the Township for \$25,000 for the future maintenance of the basin.

Mr. Hall reviewed his report of July 16, 2010 and the variances required for the requested minor subdivision. He noted that there is no lot coverage variance required based on the surveyor's calculations supplied to him. He referred to Mr. Banisch's report which indicated that due to the unusual circumstances he did not have any objections to the application.

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Mr. Hall answered Mr. Mont that this is a dry basin and would not have unusual maintenance concerns other than mowing.

Mr. Short was concerned about the conservation easement to the rear of the property and that other homeowners have encroached into the conservation easement and he advised the applicant that this easement to the rear should be respected.

Mr. Short made a motion to approve the application with the transfer of the \$25,000 for maintenance, seconded by Mr. Harmon.

A roll call vote was taken:

Ayes: Bauerlein, Trevena, Short, Harmon, Mont, Akin, Beute

Nays: None                      Abstentions: None                      Absent: DiSalvo, Leavens, McGroarty

2. Regency at Long Valley – Block 28 Lots 46.01-46.56, 46.101 and 46.102 (formerly lots 46 & 47) – Fairview Avenue, Welsh Farm Road, Raspberry Lane and Dairy Lane – Request for amended preliminary site plan approval for conversion from a 45 unit age restricted development to a non-age restricted development and Final Site Plan approval – Conversion application - Expires May 7, 2010– Previously heard April 12, 2010 and April 28 - Public Hearing Continued

Mr. Bauerlein announced that this application had been adjourned due to a lack of quorum to hear the application to August 25, 2010.

***DISCUSSION /  
CORRESPONDENCE***

1. Vouchers

The vouchers were reviewed. Mr. Mont made a motion to approve the vouchers reviewed by the Chairman and found in order and send them on for payments. The motion was seconded by Mr. Trevena. A voice vote was taken; all were in favor and the motion carried.

2. RO-17-10 – Pod and Dumpster Regulations

The ordinance was reviewed.

Mr. Akin was concerned that section 217-49 was too broad and would restrict horse trailers and small hauling trailers.

Ms. Kesper read the definition of trailer.

Mr. Short suggested that a minor change to section C be made to read as it does under section 217-43.1 to make it clear that more than one 30 day extension could be made at the zoning officer's discretion as that was the intent of the Township Committee.

Mr. Akin was concerned that agriculture use of trailers on a farm for storage, etc. be exempted from this ordinance.

Mr. Bauerlein made a motion to send the proposed ordinance amendment back to the Committee with the recommendation that it be adopted with the change discussed and that agriculture use be exempt. Seconded by Mr. Mont. A voice vote was taken; all were in favor and the motion carried.

### 3. Lyons Club Open Market

Mr. Mont informed the Board that the Lyons Club has withdrawn its request to run an open air market in Washington Township. He explained that the Lyons Club took a vote of its membership on proceeding and allocating money to make the necessary improvements to the area and the vote failed by one vote.

Mr. Mont stated that the sub-committee is going to continue looking into this type of events including a farmers market, etc.

Mr. Short made a motion to adjourn seconded by Mr. Akin. A voice vote was taken; all were in favor and the meeting was adjourned at 8:30 p.m.

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Virginia R. Kesper, Clerk