

The regular meeting of December 7, 2004 of the Washington Township Planning Board was called to order by Chairman Jones at 7:30 p.m.

MEMBERS PRESENT

CLASS IV: Charles DiSalvo, R. Gregory Jones, Kathleen McGroarty,  
Howard Popper, Geoffrey Price, Kevin Walsh  
ALTERNATES: Mark Bauerlein  
CLASS I:  
CLASS II: Eric Trevena  
CLASS III: Kim Ball Kaiser  
OTHERS ABSENT: Cullen, Leavens  
STAFF PRESENT: Engineer Hall, Clerk Kesper, Planner Banisch, Attorney  
Cofoni, Environmental Consultant Keller

Adequate notice of this meeting was sent to the Observer-Tribune and the Morristown Daily Record on January 16, 2004 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 October 27, 2004 Regular Meeting

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

**RESOLUTIONS**

04-30 Old Mill Associates – Block 43 Lots 52.04 and 52.05 – 18 & 20  
Stephensburg Road – R-5 Zone – Approval of lot line adjustment due to  
septic system grading encroachment

The resolution was reviewed.

Ms. Kaiser made a motion to approve resolution 04-30, seconded by Ms. McGroarty. A roll call vote was taken:

Ayes: Jones, McGroarty, Popper, Price, Walsh, Bauerlein, Kaiser  
Nays: None Abstentions: None Absent: Cullen, Trevena  
Ineligible: Leavens, DiSalvo

04-31 Fleming – Block 40, lot 26 – Fairmount Road – R-5 Zone – 13.118 acres –  
Approval of two lot minor subdivision with variances for pre-existing

The resolution was reviewed.

Ms. Cofoni described the changes in the black lined version of the resolution distributed this evening.

Mr. Hall stated that the applicant applied approximately a month ago for the transition area waiver, which the DEP told the applicant they would need to widen the driveway to be used as a joint driveway.

The board accepted the changes presented by Ms. Cofoni.

Mr. Popper made a motion to approve resolution 04-30 as amended this evening, seconded by Mr. Walsh. A roll call vote was taken:

Ayes: Bauerlein, Jones, Kaiser, McGroarty, Trevena, Walsh  
Nays: None Abstentions: None Absent: Cullen  
Ineligible: Popper, DiSalvo, Price, Leavens

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

None

**APPLICATIONS**

- 1. 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 Public Hearing  
Continued – Expires February 24, 2005

Michael Selvaggi, Applicant's Attorney  
Joel Kobert, Applicant's Attorney  
William Hamilton, Applicant's planning and landscape architect  
Thomas Barton, Applicant's Engineer  
Michael Savage, Applicant

Mr. Barton referred to previously marked exhibit A-1, Greenbrier rendering on an aerial photograph. He reviewed the style of manor home. The units are proposed to be two bedrooms and two bedrooms with den units both with two baths. They are fully handicap accessible. He referred to a new exhibit, which was marked A-4, which was a rendering of the proposed underground garage. All the spaces are 9' x 20' parking spaces. The garage level would be constructed of all non-combustible materials and have a commercial grade sprinkler system. They will provide the 8' height clearance requested by the SMFD. There will be 45 COAH units scattered throughout the site, which would have nothing distinguishing them from the market rate units.

Mr. Barton explained the interior details of the units.

Mr. Barton stated that based on the board's recommendation they have developed new elevations and architectural plans. He presented new elevations and architecture, which were marked A-9 (Elevation 2) and A-10 (Elevation 1). He proposed using both types of units throughout the site.

Mr. Jones read the November 24, 2004 letter from the SMFD and noted that the applicant and fire department are getting closer to agreeing on the design but SMFD have not signed off on it.

Mr. Barton stated that the applicant would continue to work with the fire department for an approval.

Mr. Jones reminded the applicant that that this is going to be a major concern of the Board.

Mr. Kobert stated they would try to reach agreement with them before the next meeting or ask the fire department to attend the next meeting to work it out.

Mr. Barton stated that no compressors are on the ground, but on the roof. He noted that there would be automatic roof panels that would open to vent the building after a set temperature is reached.

Mr. Banisch referred to his memo regarding the COAH rules, which will be adopted by the stated on December 20, 2004. Residential development will require one affordable unit for every eight units built. He noted that no more than 50% of a municipality affordable housing can be satisfied with age restricted

housing. However, the growth share housing generated by this subdivision is 40 units and the applicant is providing 45 units. He explained that the obligation is based on certificate of occupancy issued by the Township.

Mr. Banisch commented that the plans are what he had seen at the TCC and recommended that both building styles be used throughout the site using a combination of at least seven different materials and colors on the buildings. He would like to see front, back and side elevations as well.

Mr. Barton stated that all four sides would be treated similarly as the front; they will not become stripped of the amenities shown on the front elevations.

Mr. Barton answered Mr. Price that vehicle access to the buildings are a ramp between buildings that go down a full story and that each resident will have an electronic door opener. The ramps and the garage have two-way traffic. He answered Mr. Price that there is no additional security in the garage, the electronic key or door opener of each resident is the security. There will also be a security card swipe to enter the buildings from the street level and call boxes for visitors. He answered Mr. Popper that there will be emergency lighting throughout the building as well as fire alarms. He answered Mr. Popper that this would not be a gated community. He answered Mr. Bauerlein about the exterior lighting and that the buildings would not be lighted. He answered Ms. McGroarty that there would be retaining walls along the driveways going into the garage.

Ms. Kaiser asked about emergency services.

Mr. Banisch read from the ordinance regarding the requirement that private ambulance services be contracted for by the homeowners association.

Mr. Barton pointed out the outside parking. He answered Mr. DiSalvo that there are no trash receptacles outside. He explained the roof design that will hide all of the equipment on the roofs.

Mr. Banish explained the elevation changes and the tree line between Schooley's Mountain Road and the buildings that would hide the rooftops from the public. There may be a point that the rooftops would be seen, but it would 1700' away and the façade should still hide the equipment.

Mr. Barton answered Mr. DiSalvo that they would be asphalt. He will supply a list of materials that will be used to the Board.

Ms. Kaiser wanted to know how it would work if a resident calls 911 if there are private first aid services as she was concerned with the impact on our services.

Mr. Selvaggi stated that the applicant would have this information at a subsequent meeting.

Mr. Jones stated that emergency first aid services would have to be provided by this community.

Mr. Kobert was concerned that the applicant may not be able to find an ambulance company to contract for emergency services.

The Board was concerned that this development would still call 911, which could overwhelm the township volunteer emergency first aid services.

The ordinance was reviewed as to the intent for emergency or routine ambulance transportation.

The board was of the opinion that it addresses emergency situations.

Mr. Barton referred to clubhouse elevations, which was marked A-11, and the clubhouse floor plan was marked A-12. The clubhouse is 14,000 sf with an additional 5000 sf for an indoor pool. He pointed out the banquet area, reception area, clubrooms, catering kitchen, arts and crafts area, exercise area, pool area and restroom areas. It is a one-story structure. There will also be an outdoor pool and activity areas. The exterior will be stone and clapboard. The copula height is 46' that is the maximum height of the building; the roof is about 10' below the copula. The mean roof height is 22'. He answered Mr. Hall that the roof would be a combination of truss and timber construction.

Mr. Barton stated that the clubhouse is a more contemporary style, but that the applicant would work with the Board if they wanted it to look differently.

The board wanted to see the structure designed to be more in keeping with the other styles of the manor buildings with perhaps more stone.

Mr. Barton answered the board that there would be some full time employees for maintenance of the community and to run the clubhouse.

Mr. DiSalvo wanted to know the maximum capacity of the building and parking provided.

William Hamilton and Michael Savage were sworn in by Ms. Cofoni

Mr. Savage stated that their nearest facility with this type of clubhouse were in Toms River and Jackson and that the banquet room would be for the residents only and not open to the public.

Mr. Hamilton presented his qualifications as a professional planning and landscape architect.

The Board accepted Mr. Hamilton as an expert witness.

Mr. Hamilton stated that they propose to provide 104 parking spaces at the clubhouse.

Mr. Barton answered Mr. DiSalvo that there are no restaurant facilities, but that there would be an ability to cater functions, but there would be no food preparation on site. The residents of the community would direct the type of functions that go on at the clubhouse. The entrance would be controlled by resident card access. He stated that the health and fitness areas would be the most important area and that the majority of the building is designed for physical activities such as swimming, exercise. The banquet room is designed to handle about 160 people. The clubrooms are of varied sizes for smaller groups.

Mr. DiSalvo stated that he was satisfied with the amount of parking proposed based on the uses testified to.

The board wanted to hear a detailed presentation on the landscaping plan.

Mr. Kobert stated that this would be addressed at the next meeting.

Mr. Hamilton stated that the applicant is revising the plans to comply with comments made by the board professionals at the TCC meetings.

Outstanding issues were reviewed as: Geo-technical issues, landscaping, traffic, SMFD, grading plans and site distances for garages.

Mr. Kobert stated that they would be able to have a presentation on traffic and landscaping at the next meeting.

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

Susan Sinclair – 44 Knob Hill Road – Stated Hastings square consists of three story buildings and this development has four, there are no other four story buildings in the Township. She concurred with the board that emergency services are a critical issue. She asked about the clubhouse and what the rear of the clubhouse would look like as it faces the residents of Hastings Square. She was concerned that the Hastings Square residents would look down on rooftops.

Mr. Barton stated that the rear of the clubhouse building is heavily decorated and landscaped, as this is where the outdoor actives would be. The roof is sided on all sides to hide the equipment on the roof. Trash is in the service area away from Hastings Square. The clubhouse is 400 feet from Schooley's Mountain Road. It was his opinion that the rooftop would not be very visible.

Mr. Jones stated that possibly another site walk should be made by the board to look at this issue.

Mike Harmetz - 62 Knob Hill Road - Wanted to know why this was not five acre zoning and why it was not impacted by the Highlands legislation. He was concerned that this area was going to look like a big city. He was concerned with emergency services. He stated that this is already a congested area. He would have preferred single-family homes.

Mr. Jones explained that this area was never in the 5-acre zone but in the office research/industrial zone and that this area is not in the preservation area of the highlands legislation.

Mr. Banisch explained the history of this development and the original single-family plan, which met our ordinances, but did not retain the woodlands on the site.

Tom Ross - 32 Kensington Court - stated that the proposed development would cause a 3 to 4 percent increase in the township population. He was concerned with traffic and it was his opinion that the idea is good, but it needs to be cut back. He asked about cost of units.

Mr. Jones stated that senior citizen housing for the most part has a minimum impact on a community and is a good tax ratable. He explained the boards' position that the proposed development would be less of an impact on the neighborhood than an industrial use.

Mr. Kobert displayed the original 197 single-family unit development.

Mr. Savage of US homes stated that in his 25 years experience he has never heard of a senior development having a negative impact on real estate prices. He noted that some of the new residents would be people who are already residents of the township. He answered Mr. Ross that the offering price will start in the mid \$300,000.

Janet Cory - 28 Knob Hill Road - stated that the impact of the development would be on Hastings square residents. She asked that the concerns of the Hastings Square residents not be dismissed. She was concerned about the height and the impact of a sudden infusion of so many people on the services on the town. She was also concerned with so many 55+ people on the school budget. She prefers this proposal to the single-family plan but wanted it scaled back.

Susan Sinclair stated that there are over 445 homes in Hastings Square and that they have two entrances and the proposed development has only one entrance.

Mike Harmetz asked the Board to consider impact of this proposed development on Hastings Square and the congestion in this area.

Gary Zobel 30 Knob Hill Road asked if the land was going to be preserved. He also asked why this area came out of the highlands preservation area.

Mr. Jones stated that the green space would be preserved against future development. He also explained the land use law that the board must work under. He stated that the State drew up the highlands planning/preservation area lines, not the Township.

Mr. Banisch spoke about the overlay zone for senior housing.

Mike Harmetz asked about the property behind Greenway Flowers

Mr. DiSalvo stated that that property is not part of this application but it is under the same zoning.

The meeting was closed to the public for questions and comments for this evening.

The meeting was continued to December 13, 2004.

Absent: 10/27 DiSalvo, Leavens

Absent: 12/7 Leavens, Cullen

***DISCUSSION/ CORRESPONDENCE***

1. Correspondence from Attorney Buzak RE: November 5, 2004 Scudese Litigation

Ms. Cofoni stated that the Judge denied the Township's motion for costs.

2. Correspondence from Attorney Buzak RE: November 18, 2004 Scudese Litigation

Ms. Cofoni explained that the Scudese's have appealed the preliminary and final approval of the planning board. These are the issues that the planning board is part of. The other litigation regarding snow fence, flooding problems, etc. are on going but that the Planning Board is not part of that litigation.

3. Correspondence from Attorney Buzak RE: Pay to Play Legislation –

Noted for the record

4. Correspondence from NJ DCA – RE: Transfer of Development Rights Demonstration Project

Mr. Banisch asked that the township give serious consideration regarding becoming a pilot project for TDR.

Mr. Walsh did not see the benefit for the Township as we are mostly in the core area.

Mr. Banisch related this pilot program to the Pinelands legislation and his opinion that it is better for the Township to be pro-active so the Highlands Commission does not designate the area for us.

Mr. Banish explained that COAH plans would have to have master plan endorsement with the state plan and highlands plan in order to become certified by the State.

Ms. Kaiser disagreed with Mr. Banisch given the planning area is mostly built out, in the black river p.i.g. area or environmentally sensitive. She also wanted to consider transferring our development rights to developing areas such as Somerville.

Mr. Banisch stated that the deadline has been extended to January 31, 2005 to request participation.

#### 5. Southern Hill – Rand Homes

Mr. Hall stated Rand homes have submitted revised plans with changes to the detention basin and outfalls. The revisions are being made so that the applicant does not need additional DEP permits.

The board stated that these changes are significant and they wanted to see the changes.

#### 6. Vouchers

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

Mr. Walsh made a motion to adjourn the meeting, seconded by Mr. Bauerlein. A voice vote was taken, all were in favor and the meeting was adjourned at 10:20p.m.

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Virginia R. Kesper