

The regular meeting of June 22, 2005 of the Washington Township Planning Board was called to order by Chairman Jones at 7:40 p.m.

MEMBERS PRESENT

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

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

- Minutes from the June 13, 2005 Regular Meeting

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

RESOLUTIONS

05-17 US Homes – Block 19, Lots 5, 6, 7 – Schooley's Mountain Road and Newburgh Road – Musconetcong Valley Senior Overlay Zone – 123 Acres – Approval of Minor Subdivision, Preliminary Site Plan with variances for 360 Senior Citizen Units and Clubhouse

Joel Kobert, Applicant's Attorney

Mr. Kobert stated he had a discussion with Mr. Buzak and he has seen the resolution faxed this afternoon and the applicant is in agreement with it. Regarding maintenance of the emergency services building by the association he suggested that at the time of the developers agreement the applicant would meet with the Township Committee to discuss this and determine what exactly the maintenance could be.

Mr. Jones stated that on June 1, 2005 there was a meeting with emergency services who were pleased to be getting a building, but were concerned about maintenance expenses, especially utilities, and who would be paying for this. He stated that Mayor Short wanted to see something in the resolution regarding this issue so it doesn't get lost at the time the Developers Agreement was reviewed.

Ms. Kaiser stated that this issue was also discussed at the Township Committee work session.

Mr. Kobert referred to the MLUL and the fact that the board closed the public hearing and moved to approval and this is a memorializing of the action.

Mr. Jones answered Mr. Kobert that in addition to this issue plans were not submitted ten days prior to this meeting.

Mr. Hall stated that he received the plans on June 14th but that the applicant stated he would have them in by June 1st. He enumerated the changes that were to be made to the plans prior to the resolution being adopted. He reviewed his report of June 20, 2005 regarding sight distance, sight easements, stormwater management, parking requirements and his general comments. He stated that the revisions were not comprehensive and were incomplete. He answered Mr. Jones that he is confident that the revisions will get done, but he and Mr. Buzak had concerns about adopting a resolution without revised plans reflecting the boards' requirements. After discussion he stated that it was his opinion that the board could take action with the assurance from the applicant that revised plans addressing all of the consultants' requirements including a list of the changes be submitted as soon as possible.

Mr. Kobert answered Mr. Hall that they are not going to build or start land disturbance until they receive final site plan approval and that they may not need to enter into a preliminary developers agreement.

Ms. Cofoni recommended the Board amend condition S to stated that the Township Committee and applicant will address in the developers agreement the issue of maintenance and utilities.

Mr. Kobert agreed to the condition, but not what the applicant would agree to.

Mr. Price made a motion to approve the resolution 06-21-05 as amended this evening. Seconded by Ms. Kaiser. A roll call vote was taken:

Ayes: Kaiser, Jones, Leavens, McGroarty, Price, Trevena

Nays: None Abstentions: None Absent: Popper, Bauerlein Ineligible:
Akin, DiSalvo, Mont

05-18 Granta – Block 43 Lot 48.01 – Kings Highway – R-5 – 19.0661 Acres –
Request for two lot minor subdivision with variance for flag staff

Ms. Cofoni recommended that the application be tabled until the next meeting so the board can discuss the boards' highland policy. She noted that the Board's policy might affect this application in a positive way.

The resolution was tabled until July 11, 2005

05-19 Salerno's Restaurant & Pizzeria – Block 36.01, Lot 19 – 71 East Mill Road –
C-1 Zone – Request for Minor Site Plan Approval for Arbor over existing
patio

The resolution was reviewed.

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

Ayes: Akin, Kaiser, Jones, Leavens, McGroarty, Price, Trevena

Nays: None Abstentions: None Absent: Bauerlein, Popper
Ineligible: DiSalvo, Mont

05-20 Lance – Block 33, Lot 59 – James Trail – R-5 Zone – 95 acres – Three lot
minor subdivision – Approval of extension of time and amendment to
Resolution 04-20

Tabled to the July 11, 2005 meeting.

05-21 Perez – Block 51, Lot 2 – Zellers Road – R-5 Zone – 153 Acres – Approval of
Request for Waiver of Site Plan for farm labor housing

Tabled to the July 11, 2005 meeting

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

DECISIONS ON COMPLETENESS

1. 2085 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's Attorney
Paul Couvrette, Applicant's Engineer

Mr. Hall reviewed his letter of June 17, 2005 and stated that based on information received he did not object to a determination of completeness.

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

APPLICATIONS

1. Carfaro – Block 63, Lot 28.03 – Hackelbarney Road – -5 Zone – 16.138 acres Request for two lot minor subdivision – Deemed Complete March 14, 2005 – Previously Heard March 14, 2005 – Expires July 11, 2005

Mr. Jones announced that the application had been adjourned at the applicant's request to July 11, 2005.

2. 2085 Realty Partners, LLC – Highlands Plaza (A&P Shopping Center) – Block 3.09, Lot 5 –6.81 Acres - Route 4 East –Request for preliminary and final site plan for medical center, surgical center, retail services and restaurant with variances for pre-existing conditions - Deemed complete June 22, 2005 – Expires October 26, 2005.

Anthony Pantano, Applicant's Attorney
Paul Couvrette, Applicant's Engineer
John Murphy, Applicant

Ms. Cofoni swore in Paul Couvrette and John Murphy.

Mr. Pantano explained the application is for renovation of the former A&P grocery store to a medical office.

Mr. Couvrette presented his qualifications to the Board and was accepted as an expert witness.

Mr. Couvrette submitted a copy of the boundary survey to the Board. He referred to sheet three of the plans that had been previously distributed to the Board. He explained that the site would remain very much the same as it currently is. They propose to change the facade and add pedestrian walkways around the building. The parking lot would be re-marked to maximize the number of parking spaces. He stated that 425 parking spaces are required by ordinance and that on site

today there are 298 parking spaces and the applicant proposes 378 spaces as indicated on the plan. He pointed out the areas where the parking will be added and or changed. They propose landscaped islands. The most significant improvement to the site will be the pavement and explained the improvements. He pointed out the proposed landscaping and lighting. He explained the township ordinance regarding lighting. He addressed Mr. Banisch's report of June 13th regarding lighting and agreed to comply with the comments including reducing the height of the poles, shields, lights on timer so they are not on all night and dropping the level of lighting to .5 candle towards the property lines. The applicant is not proposing any changes to the stormwater management system because they are reducing the impervious coverage on the site. They will update and rehabilitate the inlets.

Mr. Leavens asked about driveway access to the shopping center from Peachtree Village.

Mr. Couvrette stated that there is not room for a driveway entrance, but a pedestrian access has been added.

Mr. Pantano answered the board that the site was originally built in the early 1970's.

Dr. John Murphy stated that he is with Skyland Orthopedic in Hackettstown and they would be moving their practice to this location. The medical services proposed are: orthopedic day surgery, an urgent care type of facility, a pain management center, a physical therapy center and an MRI center. There will be approximately six suites. Skyland Orthopedic would not operate the other uses, they would be leased to independent medical groups.

Mr. Price was concerned with the large number of parking spaces.

Mr. Murphy stated that the current retail uses would remain.

Mr. Hall read the parking requirements from the ordinance.

Ms. Kaiser agreed with Mr. Price.

Mr. Mont suggested removing the spaces by the drop off area.

Mr. Couvrette answered the board that the trash handling for the current uses would be a more formal arrangement. The applicant is proposing a screened area to the west of the southern portion of the retail area. They would be able to enlarge the trash area if necessary.

Mr. Trevena stated that the Police Department would want to revise the Title 39 agreement and also the directional signs. The Police Department would also like to review the entrance to see if the existing island could be removed.

Dr. Murphy answered Mr. Hall that once the building was operating and the initial equipment deliveries were made there would not be a need for tractor-trailer deliveries with the exception of a very occasional large equipment delivery.

Mr. Hall stated that based on the testimony he did not object to decreasing the number of loading berths from three to two.

Mr. Hall recommended that the applicant speak to their prospective tenants to determine the number of employees and clients that would be expected to be on site.

Dr. Murphy answered Mr. Hall that his office has 14 employees and a high patient flow and that they currently have 33 parking spots, which is sufficient and also shared by the residents above and Charlie Browns Restaurant. An Urgent care facility would probably have about seven employees and high patient flow, the MRI center has a low patient flow of about two per hour and eight employees, surgical center would be similar with approximately 15 employees but only 2 – 3 patients in a several hour period. The pain management center would have about 5 employees – 5 patients. The physical therapy center would have approximately 10 employees and 5 patients an hour. He stated that the number of employees would not be present all at the same time.

Mr. Hall stated that the numbers given by Dr. Murphy, with all employees on site at the same time, would require approximately 105 spaces for the medical building.

Mr. Hall stated an open issue was the number of shade trees - 38 required 18 provided.

Mr. Couvrette stated that if the board required less parking spaces they would be able to add more trees. He answered Mr. Banisch that the signs would be coming down and they would supply further sign details for the new signs. They would present architectural testimony at the next meeting.

Dr. Murphy answered the board that the good will boxes would probably remain. The facade is planned to be completely redesigned and would be presented by the architect at the next meeting.

Mr. Couvrette answered Mr. Hall regarding parking reduction, they could provide for additional parking but not build it at this time but have it on the plans as reserved parking if it is found that additional parking is needed.

Mr. Banisch wanted to see some changes to buffer the townhouses. He reviewed his memo of June 13 and stated that Mr. Couvrette has agreed to most of the items in his report.

Mr. Trevena stated that the one way in and out has remedied many of the parking lot problems, but signs need to be changed as well as handicapped parking. He suggested looking at removing the island in the entrance.

Dr. Murphy stated that the hours of operation would probably be from 7 am to 8 pm put explained that not all of the uses would be open as early 7:00 a.m. or as late as 8:00 p.m. They probably would not be open on Sunday, but the urgent care center may be.

Mr. Price noted that the A&P was open 24 hours a day 7 days a week.

The meeting was opened to the public for questions and comments.

Kevin Walsh – Washington Township Committeeman commented that this appeared to be win – win situation with the Township getting an underutilized area renovated with increased tax revenues.

Chief Ted Ehrenburg – Washington Township Police Department stated that an area like this being unoccupied is a problem for the police department and he saw this as a positive for the community.

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

A site walk was scheduled for June 30th at 9:30 am – Ms. McGroarty, Mr. Mont, Mr. Trevena and Mr. Jones will attend for the Board.

The meeting was adjourned to July 11, 2005. The applicant was advised to have the architectural renderings in by July 1st.

Eligible: Akin, DiSalvo, Kaiser, Jones, Leavens, McGroarty, Mont, Price, Trevena

Absent 6/22: Bauerlein, DiSalvo, Popper

<i>DISCUSSION/ CORRESPONDENCE</i>
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1. Vouchers

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

2. Highlands Emergency Regulations

Ms. Cofoni distributed a memo dated June 22, 2005 and it will be discussed at the July 11th meeting at the first part of the meeting.

3. COAH – Needs Assessment

Mr. Banisch explained to the board that the June 2005 Background analysis developed by his office is information that is required by the State and is based on the 2000 US Census. What the board must do now is determine their approximate growth share COAH requirement and develop compliance plan that will meet the Township's fair share COAH housing requirement.

Mr. Banisch answered Mr. Jones stated that the data used in the background analysis is required by the state to be part of the housing element and it is not something that can be amended by the Board.

The census data was briefly reviewed. It was noted that there was an obvious error in the data as it showed that Washington Township had no mobile homes, when in fact we have a mobile home park, Sherwood Village, which has 35 mobile homes.

The timetable for a revised housing element of the Master Plan was reviewed.

Mr. Banisch stated that the master plan element has to be adopted before the Township can apply for their State COAH Certification, which must be filed by the end of the year.

Mr. Banisch stated that his office would work up current COAH obligation numbers and compliance plan for the board to review at their August work session. If the Board agrees with the plan it can be adopted in early fall so that the township can meet it's certification deadline.

4. Ridgeline Ordinance

Mr. Banisch distributed a ridgeline map. The map shows protection areas that are slopes greater then 20%. The gray area would allow someone to look at their lot to identify if there lot would be impacted or not. He was comfortable that these maps would work with the ordinance to identify the steep slopes

This map would also be the map the zoning officer would use to determine if a lot had to comply with the ridgeline ordinance.

Mr. Jones was concerned about vistas from higher roads, such as looking from the Fox Hill Mountain Range to the Schooley's Mountain Range.

Mr. Hall referred to the procedure someone would go through starting with the submission of a grading plan, which would be reviewed by the Township Engineer.

The board was satisfied with the map but noted that they were still in need of the example sketch (Figure 1) that is part referred to in the ordinance. The Board

concluded that when the sketch is ready for review they would review the ordinance in its' entirety, with the map and sketch before sending it on to the Township Committee.

The ridgeline ordinance was put on the July 19, 2005 work session for discussion.

4. Assembly Bill 3877 RE: Denial of development applications of developers who defaulted on bonds

Noted for the record.

5. Plan Submission

Mr. Hall explained the problems with accepting reports less then 10 days ahead of the meeting and asked that the board not to hear applicants who do not comply.

The Board agreed to enforce the requirement that plans be submitted at least ten days prior to their scheduled meeting date. If plans are not received the application will be rescheduled.

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

Virginia R. Kesper