

Chairman Jones called the regular meeting of November 14, 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, Howard Popper

ALTERNATES: Sam Akin, Lou Mont

CLASS I: Geoffrey Price

CLASS II: Eric Trevena

CLASS III: Kim Ball Kaiser

OTHERS ABSENT:

STAFF PRESENT: Clerk Kesper, Engineer Hall, Attorneys Buzak & Cofoni, Planner Banisch

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 October 12, 2005 Special Meeting

Mr. Bauerlein made a motion to approve the minutes, seconded by Ms. McGroarty. Minor changes were made. A voice vote was taken on the amended minutes; Mr. Popper, Mr. DiSalvo, Mr. Mont, Mr. Trevena, Mr. Price and Mr. Leavens abstained; all others were in favor and the motion carried.

2. Minutes from the October 26, 2005 Regular Meeting

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

RESOLUTIONS

05-30 Carfaro – Block 63, Lot 28.03 – Hackelbarney Road – 5 Zone – 16.138 acres – Approval of Request for two lot minor subdivision

The resolution was reviewed.

Ms. McGroarty made a motion to approve resolution 05-30, seconded by Mr. Popper. A roll call vote was taken:

Ayes: DiSalvo, Kaiser, McGroarty, Popper, Price Nays: None

Abstentions: None Absent: None Ineligible: Bauerlein, Leavens, Akin, Mont, Jones, Trevena

05-31 Moraghan – Block 59, Lot 1.2 – West Fox Hill Road – R-5 Zone – Approval of Request for Lot Line Adjustment

The resolution was reviewed.

Mr. Jones made a motion to approve resolution 05-31, seconded by Mr. DiSalvo. A roll call vote was taken:

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

Nays: None Absent: None Ineligible: Price, Popper, Leavens, McGroarty

05-32 Toll Brothers – Block 18, Lots 6 & 10 – R-5 Zone – Request for Amendment to Resolution 01-37 – Extension of Time on Resolution 04-24 – Final Major Subdivision Phase I – 24 Lots

Ms. McGroarty made a motion to approve the resolution, seconded by DiSalvo. A roll call vote was taken:

Ayes: Bauerlein, DiSalvo, Jones, Kaiser, Leavens, McGroarty, Trevena, Akin, Mont Nays: None Absent: None Ineligible: Popper, Price

05-33 Long Valley Village – Block 28, Lot 18.02 – East Mill Road - C-1 Zone – 5 Acres – Approval of Final Site Plan Approval for retail shopping center

Mr. Jones, Mr. Akin, Ms. Kaiser stepped down due to a conflict of interest.

Ms. Cofoni reviewed the resolution for the board and changes made since the Board received the resolution.

Mr. Sciaretta asked the Board's permission that the flagpole be installed in the spring, but no later than May 1, 2006.

Ms. McGroarty asked that Item I be amended to add specific language for landscaping of the new six foot wall. The Board agreed.

Mr. DiSalvo made a motion to approve resolution 05-33 as amended this evening. Seconded by Mr. Popper.

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

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

DECISIONS ON COMPLETENESS

None

APPLICATIONS

1. Bennett – Block 27, Lot 22 – 20 Schooley's Mountain Road (Formerly Ed and Mikes)– Request for Waiver of Site Plan for Change of Use to a day care center

Traci Bennett and Leonia Harrington were sworn in by Attorney Buzak.

Ms. Bennett stated that she would like to open a day care center in the building formerly occupied by Ed and Mikes. The only outside construction would be a covered handicapped entrance to the side door. She stated that there is sufficient parking for a childcare center. The side entrance would be used for the children. She stated that most of her programs would be full day. The shorter programs would be 9 am to Noon. She stated that a school bus might stop to let children off for after school programs. She answered the board that there would be a maximum of 100 children at the proposed childcare center.

Ms. Bennett answered Mr. Hall that the parents would park their cars and take their children into the school. The school would not be using the parking area or driveway would the rear of the building for vehicles. She answered the board that peak traffic hours would be 7:30 am to 8:30 am and estimated that ten to fifteen cars parked at any one time. The maximum number of employees with 1000 children would be between 10 and 12, depending on the ages of the children. Employee parking would be on the side and front. The only lighting change would be security lights over the door. They will use the same type and size sign as Ed & Mikes. She reiterated that there would be no changes to the

building except for the handicapped access. She answered Mr. Bauerlein that outdoor play equipment would be in the rear of the building.

Mr. Hall answered Mr. Popper that based on Mr. Maltz's testimony regarding Welsh Farms this business should not add enough additional traffic to Schooley's Mountain Road to be a significant impact.

Mr. Trevena answered Mr. Bauerlein that the driveway is wide enough to handle two-way traffic.

Ms. Bennett stated that the building would be updated to meet state building codes and the childcare center would be licensed through the state. She reviewed the state licensing procedure for a childcare center.

Ms. Bennett answered Mr. Price that only the front building would be used for the childcare business. The playground would be fenced off from traffic. There will not be a fully equipped kitchen as they would not be providing lunches. They would only provide a snack and children would bring their lunches from home. She answered the Board that they would be installing new bathrooms according to state regulations.

Ms. Harrington answered the Board that the property only flooded during Hurricane Floyd and the parking lot that would be used for this use was not flooded.

Mr. DiSalvo reminded the applicant that this is the historic zone and she would need to go before the Historic Preservation Board for the sign and any changes to the building.

Mr. Jones was concerned with the traffic flow.

Ms. Bennett stated that teachers would be meeting the school bus.

Ms. Bennett stated that her architect would decide how many classrooms she could have based on state law. She stated that room sizes would be based on their uses.

Mr. Hall stated that clients should be encouraged to park towards the rear of the building.

Mr. Leavens made a motion to approve the waiver as presented this evening, seconded by Mr. Popper a voice vote was taken and the waiver was approved.

2. Washington Township Board of Education – Five Year Facilities Plan Presentation

Gerry Rubino, Applicant's Architect
Liz George, Business Administration

Ms. McGroarty stepped down due to a conflict of interest.

Mr. Rubino stated that his firm prepared the long range facility plan for the Washington Township Board of Education which is required by the State to be done every five years in the years ending in a zero or five.

Mr. Buzak stated that the land use law and the school financing act requires the board to conduct a D-31 review. The board is required to adopt a resolution setting forth the board's findings. He read the regulation to the board.

Mr. Rubino stated that this plan, unlike the 2000 plan, has no proposed new school construction or additions to existing schools. He stated that there are fifteen sections to the report. The form is provided through software provided by the State of New Jersey Department of Education. He reviewed each section of the report for the board. He explained that there are no differences between the existing and proposed building requirements. He stated that the enrollment projections are done by the State of New Jersey and are based on live births in the Township. He stated that the State has a projected 3,322 children. He stated that the State projections include programs for 3 and 4 year old children that the Township does not have. Because Washington Township does not have this program the student population was reduced by eliminating the three and four year old population. The 2005 actual number of students is 2950 children.

Mr. Jones stated that the 2000 projections were higher then what Washington Township actually experienced.

Mr. Rubino responded that the 3,512 student population projected for 2005 included the preschool program. He explained that the state has allowed the district to pick the most typical population number that they believe is in line with projection for Washington Township as their personal planning model, which is the year 2007 in this report. The report projects an increase of 118 children over the next five years. He stated that the actual increase over the last four years has been about 400 students.

Mr. Jones stated that during his discussions with demographers it was stated that this Township is significantly different from others in that the school population of people moving in is older then the State average.

Mr. Rubino reviewed Section 7 of the report regarding capacity of the current schools. In 2007 it is projected to be the same for proposed and existing under the current district classroom size practice. He noted that the state model is more conservative with 21 students per class vs. the 23 students per class for the district model. He reviewed the report, which concluded that there would be a shortage of space for 89 children in the K-5 population space and at the middle school there would be surplus of space. This is within the 5% margin of difference allowed by the State. He reiterated that there is no building planed based on the demographic projections. He stated that the report does show that

if the district did not build a new school the school district would have had an extreme space shortage for its school population.

Mr. Rubino reviewed Section 10, which is the projects the District may want to entertain, in other words a wish list of improvements and maintenance projects that did not include any expansions. These additional projects totaled 42 million dollars. He stated that if these projects were not include in the report the Township would not be able to take advantage of future funding for school projects if funding became available. He stated that the Board of Education expects to take on some of the projects each year but he could not project which ones. He explained that this would be something decided upon each year by the Board of Education. The projects included in the report include: roof replacements, facade replacements, toilet replacements, a master clock system, furnaces, windows, etc. He noted that these items are not items before the planning board for consideration.

Mr. Rubino enumerated for the board the actual population over the last five years as:

2950 – October 2005 actual population
2943 – October 2004 actual population
2940 – October 2003 actual population
2851 – October 2002 actual population

Mr. Jones was concerned with that the COHORT numbers being used for building programs as the COHORT numbers have not proven reliable for this Washington Township.

The board concluded that they wanted to review at length the document presented this evening and compare it with the Township Master Plan and with the high school.

Mr. Jones directed Mr. Banisch to supply questions on the plan to the BOE prior to the next meeting.

The board asked that historical records of enrollment to be supplied to the Board prior to the next meeting.

Mr. Buzak stated that we are not under the 45 day for the review of the long range facilities plan.

The board discussed the next meeting agendas and requested that the Washington Township School board be put on the November 29th agenda and the West Morris Regional High School on the December 12th agenda.

Mr. Jones asked Ms. George to send the board additional copies of the Long Range Facility Plan.

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

2. Sign Ordinance

Mr. Banisch reviewed his draft ordinance of November 12th, which he stated is based on the current ordinance. He stated that the reference to the C-2 zone should be changed to reference the C-1 neighborhood zone, which is our downtown district. Item G-6 on page five refers to temporary signs and requires permits. Temporary signs would have two definitions – one for special events and one for other types of temporary signs.

Mr. DiSalvo stated that the ordinance should be something that can be enforced but allow businesses sufficient advertising to be prosperous. It should control the use of neon signs.

Mr. Banisch stated that section K lists prohibited signs and L requires a sign permit and change of use and occupancy sign application procedures.

Mr. Price suggested that the ordinance allow for temporary contractor signs to go up when a building permit was issue and taken down when a CO is issued.

Mr. Jones stated that he would like to see the size of political signs regulated.

Ms. Kaiser asked if the ordinance addresses banners.

Mr. Banisch suggested that they be referenced as a temporary sign.

Political signs were discussed.

Mr. Buzak stated that he would have to look at the law in regard to this to determine if the board could regulate political signs.

The Board expressed concerns regarding the large sports sign that stay up for the entire season with game dates.

Temporary signs were discussed.

Size of signs were discussed, they should be large enough to be visible but not oversized. In Historic District they should be as deemed appropriate by the Historic Preservation Commission.

Fines were discussed, it was decided that they should be per day and not per violation.

The board reviewed item L on page nine and concluded that this should not be a planning board review and they did not want to have a citizens advisory review committee.

Mr. Jones directed Mr. Banisch to revise the ordinance for the November 29th meeting.

Mr. Jones directed Ms. Kesper to give a copy of the proposed ordinance after Mr. Banisch revises it based on the discussions tonight to Mr. Jordan and ask him for his comments and invite him to attend the November 29th meeting if he wishes.

4. Stormwater Control for Minor Subdivisions

Mr. Hall reviewed his memo and the fact that applications under one acre of disturbance do not require stormwater control and the possible cumulative affect of multiple applications in an area.

The board reviewed this proposal and concluded that it was not necessary at this time. The stated that they would review this at a later date if this begins to be a problem.

5. New DEP Wastewater Regulations

The Board reviewed the summary of the DEP proposed amendments to the Area Wide Water Quality Management Plans and Map and the possible major impacts this law could have on the township.

Mr. Jones stated that Mayor Short was aware of these proposals and the possible revocation of township sewer service and that Mayor Short would be attending the state meetings on this issue to state the Township's objections to this plan.

5. State Agricultural Development Equine Control Regulations

Noted for the record.

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 11:00 p.m.

Virginia R. Kesper

November 14, 2005