

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, Charles DiSalvo*, William Leavens, Kathleen McGroarty, Howard Popper
ALTERNATES: Sam Akin, Lou Mont
CLASS I: Kim Ball Kaiser
CLASS II: Eric Trevena
CLASS III: Kevin Nedd
OTHERS ABSENT: Price
STAFF PRESENT: Clerk Kesper, Engineer Denzler, Planner Banisch, Attorney Cofoni

*Arrived Late

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 April 26, 2006 Regular Meeting

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

RESOLUTIONS

06-17 Elegant Homes – Block 42, Lot 11 – Hacklebarney Road – R/5 Zone, 66.8 acres – Approval of Request for Two Lot Minor Subdivision

Mr. Buzak stated that he would like to go into closed session to discuss a legal question, which must be resolved prior to adopting the resolution.

The resolution was tabled until later in the evening.

06-18 Black Oak Subdivision - Four Bridges Phase II – (Hays) –Estates at Long Valley Section 3 Block 18, Lots 8, 21 & 21.04 - Bartley Road – R/5 Zone, 181.795 Acres - Approval of Request for Final Subdivision Approval of 13 Lots

Tabled to May 24th at the applicant’s request.

06-19 Estates of Long Valley – Section2–Block 18, Lots 44, and 18.01, Lot 1- Bartley Road – R/5 Zone, 88.4 Acres - Approval of Request for Final Subdivision Approval of 12 Lots

Tabled to May 24th at the applicant’s request

06-20 Kriney – Block 36.02, Lot 15 – 87 East Mill Road – R-5 Zone -.916 Acres – Approval of Conditional Use Home Occupation and Minor Site Plan Approval for Hair Salon

Mr. Leavens made a motion to approve the application as presented, seconded by Mr. Mont. A roll call vote was taken:

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

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.

Closed Session

Mr. Leavens made a motion to go into closes session, seconded by Mr. Popper. A voice vote was taken and the meeting was closed to the public 7:43

Ms. Kaiser made a motion to come out of closed session, seconded by Mr. Mont. A voice vote was taken and the meeting was opened to the public at 8:16

Ms. McGroarty announced that during closed session the board discussed potential litigation and the Elegant Homes draft resolution.

DECISIONS ON COMPLETENESS

None

PUBLIC HEARING/APPLICATIONS

None

**DISCUSSION /
CORRESPONDENCE**

1. WTMUA Water Use Restrictions

Noted for the record.

2. Combe Fill South Landfill – Waste Cell Remediation

Ms. Cooke-Gibbs letter regarding the remediation of this site was noted for the record.

3. Grant

Ms. Kaiser stated that the Township received a \$10,000 New Jersey Smart Growth Planning Grant for the downtown area.

Mr. DiSalvo arrived and joined the meeting at 8:24 p.m.

4. Draft letter to Highlands Council RE: Black Oak Golf Course

Mr. Banisch reviewed the draft letter and memo of May 8th. At the Chairman's request he looked at the dispute between the DEP and applicant, the phasing of the golf course and the fact that the second phase was for the clubhouse. He explained the applicant's need for an NJDES permit for the clubhouse and the water allocation permit revocation and the reduction in water allowance by the DEP. He explained the wastewater requirements and the water allocation requirements of the golf course.

Ms. McGroarty directed Mr. Banisch to revise the letter based on his memo and the discussion this evening.

5. Review of C-1 and C-2 Ordinances

Mr. Banisch reviewed his memo of May 5.

Regarding the uses he suggested adding single use or multiple use buildings and such as, but not limited to and then list the uses.

The board did not object to these changes.

The board discussed adding a square footage as a limit for multiple use buildings in the C-1.

Mr. Banisch explained the affordable housing incentive.

The board was in favor of this incentive tool.

Mr. Banisch referred to the section on the regulations specific to the commercial area within the Long Valley Historic district and the unique problems this area faces and the need for different regulations in this area.

The board was in favor of adding this section to the ordinance.

Mr. Banisch reviewed the C-1/C-2 Highway business zone and that it was his opinion that because of the physical differences in these zones combining the two zones was not a good idea.

The board concurred.

Mr. Banisch suggested that it might be appropriate to add the affordable housing incentives into the C-2 this zone as well.

The board agreed that it should be an incentive in this zone as well.

Mr. Banisch stated that he would look at the Mendham ordinance in detail before the next meeting and have input for the board on adapting some of the regulations in this ordinance to Washington Township.

Discussion on this ordinance was adjourned to June 12, 2006.

7. Woodlands Ordinance

The ordinance was reviewed.

Ms. Kesper explained that this ordinance was developed under the 2004 Smart Growth Grant, which was prior to the Highlands Legislation and that it would impact lots larger than 10 acres. She explained that the objective of the ordinance is to protect contiguous and large tract lands. A resource plan must be submitted before large cutting.

The Board decided that they wanted to look at this ordinance and discussion was scheduled for June 12, 2006.

RESOLUTIONS

06-17 Elegant Homes – Block 42, Lot 11 – Hacklebarney Road – R/5 Zone, 66.8 acres – Approval of Request for Two Lot Minor Subdivision

Mr. Buzak distributed the revised Elegant Homes resolution and stated that section 12 and condition R relate to the required easements and waivers.

The board took a recess to read the revised resolution.

Mr. Buzak reviewed the a change to Page 2, number 7 regarding highlands development where it was added "the applicant represented that the..." and "in addition the applicant represented..."

Ms. Kaiser made a motion to adopt the amended resolution, seconded by Mr. Bauerlein. A roll call vote was taken:

Ayes: Bauerlein, Kaiser, McGroarty, Trevena, Akin, Mont Nays: Akin
Absent: Price Ineligible: Popper, DiSalvo, Leavens, Nedd

DISCUSSION/CORRESPONDENCE
Continued

8. COAH

Mr. Banisch stated that the Township has received a 13-page review letter from the Council on affordable housing that must be responded to by July.

Ms. McGroarty stated that the letter is on the DEP website.

9. Agenda

The work session scheduled for May 16, 2006 was cancelled.

Mr. DiSalvo made a motion to adjourn the meeting, seconded by Ms. Kaiser. A voice vote was taken; all were in favor and the meeting was adjourned at 9:20 p.m.

Virginia R. Kesper, Clerk