

Chairman DiSalvo called the regular meeting of March 10, 2008 of the Washington Township Planning Board to order at 7:32 p.m.

MEMBERS PRESENT

CLASS IV: Mark Bauerlein, Charles DiSalvo, William Leavens, Kathleen McGroarty, Lou Mont

ALTERNATES: Sam Akin

CLASS I: Tracy Tobin

CLASS II: Patrick Monahan

CLASS III: Howard Popper

OTHERS ABSENT: Leavens, Trevena

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

Adequate notice of this meeting was sent to the Observer-Tribune and the Morristown Daily Record on January 18, 2008 and posted on the Bulletin Board on the same date. Two notices were mailed, as there were two requests.

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

Pledge of Allegiance

MINUTES

1. Minutes from the February 27, 2008 Regular Meeting

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

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. Homeless Solutions – Block 8 Lot 2.02 – 31 Drakestown Road – OR Zone - .7715 Acres – Request for Preliminary and final site plan with variances for ten units of affordable housing – Deemed Complete February 11, 2008 – Previously Heard February 11, 2008 – Public Hearing Continued – Expires June 10, 2008

Lawrence Cohen, Applicant's Attorney
Donald S. Chapman, Applicant's Architect
Ron Lai, Applicant's Engineer

Mr. Tobin, Mr. Popper and Mr. Leavens stepped down due to a conflict of interest.

Mr. DiSalvo welcomed Mayor Scapicchio of Mount Olive to the Washington Township Planning Board Meeting. He informed the public that this was the second meeting on this application and no decisions or approvals have been made and it is expected that there would be several more meetings. He reviewed the procedures for the meeting.

Mr. Buzak reviewed the Municipal Land Use Law regarding the obligations of the board to hear an application presented to it.

Ms. Kesper reviewed the low and moderate housing units currently built and approved in the township.

Mr. Buzak referred to the notice issue raised by Mount Olive Mayor Scapicchio as the board mentioned for the hearing in the notice was the Board of Adjustment, not the Planning Board. He stated that he reviewed this issue and has ruled that it is not a fatal defect in notice as all essential information in the notice was correct.

Mr. Cohen stated that he concurred with Mr. Buzak and stated that the applicant has elected to proceed. He also noted that Clerk Kesper is the clerk of both the Board of Adjustment and the Planning Board. It was his opinion that the notice was not defective.

Mr. Buzak addressed the question by a member of the public about the swearing in of attorneys and stated that they are not sworn in and attorneys do not give testimony.

Donald Chapman was sworn in by Attorney Buzak and presented his qualifications to the Board.

Mr. DiSalvo accepted Mr. Chapman as an expert in the field of architecture.

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Mr. Chapman marked as Exhibits:

- A-1 - sheet 2 of 8 of the plans before the board
- A-2 - first floor of the plans of the complex
- A-3 - elevations
- A-4 - elevations
- A-5 - second floor plans of the complex
- A-6 - general site plan and roof
- A-7 - perspective from Drakestown Road
- A-8 - perspective view from the site to the east of the site (storage facility)
- A-9 - perspective from the corner of Lotus and Drakestown Road was
- A-9-A - color rendering of A-9
- A-10 - comparison of existing details of current and proposed
- A-10 - color rendering of A-10
- A-11 - additional views
- A-11-A - color rendering of A-11

Mr. Chapman distributed copies of the marked exhibits for the Boards use.

Mr. Chapman reviewed the existing conditions of the site. He referred to Exhibit A-1 and explained that the Township had indicated that they wanted the existing structures to remain and be rehabilitated. He stated that the buildings were beyond rehabilitation and therefore the plan they choose was to replicate what was on site to the best extent possible.

Mr. Chapman referred to Exhibit A-6 and pointed out the new structures⁵ which are the replications of the buildings on site. This plan allows for the maximum amount of open space on the property. He referred to exhibit A-2.

The two bedroom units are 940 square feet each (living room/dining room/kitchen/two bedrooms/one bathroom) and are in what was the original farmhouse. The existing barn will have a laundry room, storage and a three bed room unit on each floor of 1300 square feet (three bedrooms/two bathrooms/ living room/dining room/kitchen). Connected by an open air breezeway to the building that has: end units one bedroom up and down and next units are two bedrooms on both floors. The two bedrooms in this unit are 1008 square foot and 1018 square foot bedroom units. The barn and farmhouse are built exactly on the existing footprint.

Mr. Chapman referred to the color rendering A-9-A. He explained that the applicant has used the same materials and scale as the existing farm house. He noted that the applicant is contemplating solar panels on the south side of the barn buildings. The new building is the backdrop, which forms the courtyard for the complex. There is an open area behind the farmhouse. All parking (20 spaces) is to the south.

Mr. Chapman referred to exhibit A-11-A and pointed out how they are recreating the existing look – the scalloped eave edge and barn doors. He referred to exhibit A-10-A showing the sliding barn doors and dove cuts which they are using in the new buildings. All units will be barrier free, but the second floor has stairs and would not be completely accessible. They are building towards a green, environmentally friendly building and will comply with New Jersey Green Home Program requirements. The buildings will have fire suppressant systems.

Mr. Chapman answered Mr. Banisch that all units exceed COAH square footage requirements. He pointed out the window design and stated that he did not use shutters because the existing building did not have any. He would look at shutter design if the board wanted it. It was his opinion that shutters are not needed.

Mr. Banisch stated that if solar panels are used they blend in with the roof color. It was his opinion that energy efficiency is an important element of affordable housing.

Mr. Chapman answered Mr. Hall that the siding will be a hardyboard type – maintenance free.

Mr. Hall stated that the air conditioning would have to meet DEP noise standards.

Mr. Chapman answered Mr. Hall that this design meets the design of the neighborhood as it replicates what is on site now.

Mr. Chapman referred to exhibit A-2 to change the design to get more footage along the sidewalk. They cannot move the parking further south. They investigated moving the whole building to the north, but did not want to intrude on the neighbor to the North, by reconfiguring the square and the barn structure they can pick up two feet, which would give six feet for the sidewalk – which is the RSIS standards. The 11” off the building removes 41 square feet from the apartment sizes but the size still exceeds COAH.

Mr. Cohen stated that this change would meet RSIS (6’ sidewalk width), but not Township Ordinances (6.5’)

Mr. Chapman answered Mr. Akin that the farmhouse will be torn down and replaced in the exact footprint. The roof pitch is currently very shallow and the roof shown is not exactly the same as what is there now. He referred to A-9-A to point this out. The pitch of the farm house roof could be made more pitched similar to the barn buildings. There will be typical roof vents but they would be ganged together under the roof so they would not be an array of them on the roof. The vents would be painted to match the roofs.

Mr. Chapman answered Ms. McGroarty that if the apartment sizes were reduced to the minimum required by COAH the overall size would not be significant as they are not that great over the minimum standards. He answered Mr. Mont that reducing the width of the living rooms would shortened up the length of the building and reduce the size of the setbacks and that stated that this would be answered by the applicant's engineer later in the testimony. He pointed out the dumpster areas on A-9-A. The applicant has not provided specific play area or equipment, but they have provided open space. There are partial basements for storage and storage in the laundry area. It has not yet been determined if there will be a full basement.

Mr. Hall stated that the applicant's soil disturbance permit anticipates a full basement.

Mr. Banisch stated that it was his opinion that should the application be approved a condition of approval should be the requirement that they be full basements for storage if it is feasible.

Mr. Cohen stated that the Board Geo-technical expert is requiring furthering borings and full basements are dependant upon the geo-technical assessment.

Mr. Chapman answered Mr. DiSalvo that utility placement would be dictated by the utility companies.

Mr. Mont was concerned with where the meters and air conditioning would be located.

Mr. Cohen stated that they would get an answer on that issue.

Mr. Chapman referred to exhibit A-2, ground floor complex and pointed out the entrances into the various units.

Mr. Chapman answered Mr. DiSalvo about the rear elevation – Exhibit A-8 is the east end of the north building.

Mr. DiSalvo was concerned with the mass of the building closest to the closest neighbor and stated that he would like to see the unit sizes reduced to the minimum acceptable by COAH to reduce this mass.

Mr. Chapman stated that minimum size does not include barrier free.

Mr. DiSalvo wanted to know if barrier free was a requirement of COAH.

Mr. Chapman stated that roofing materials would be grey shingles with long life sustainability. There will be dimensional shingles on the building, they would not be using aluminum or vinyl siding.

Mr. Akin stated that it was his opinion that the closed breezeway makes it one building, not two separate buildings.

Mr. Chapman referred to exhibit A-8 and A-9-A and pointed out the open breezeway and that it is not a heated space.

Mr. Cohen stated that this could be eliminated.

Mr. Cohen stated that the applicant's Planner would be presenting a plan that would demonstrate the development could be designed to be variance free. He stated that the variances are not to increase the density on the site. The reason for the variances are to keep the visual look similar to what exists today.

Mr. Chapman referred to exhibit A-8 and answered Mr. Hall that the chimney coming out of the laundry room was for aesthetics at this time, but he does not know if it will need to be functional. He stated that it was part of the design because it is where the chimney is on the existing barn today.

Mr. Cohen stated that the applicant would comply with fire department request regarding knox boxes.

Mr. Banisch concurred that the presentation tonight, rusing the existing footprint of the buildings was in response to suggestions of the board professionals and subcommittee, but pointed out where the size could be reduced dimensionally.

Mr. Chapman stated that the comments made by the board would be reviewed and possibly the plans would be revised.

Ron Lai was sworn in by Attorney Buzak and presented his qualifications to the board.

Mr. DiSalvo accepted Mr. Lai as an expert witness in the field of engineering.

Mr. Lai referred to the plan submitted to the board consisting of eight pages and they were marked A-12. He referred to sheet two, existing conditions, and pointed out that the existing house buildings and setbacks from the property line. He referred to the proposed site plan and pointed out the parking area off of Lotus Blvd. There are a total of 20 parking spaces provided, including one handicapped space. All sidewalks are handicap accessible. Drainage is provided by drywalls as shown on the details on sheet 4 of 8. The drywells will hold 4" of rain without runoff from the site. He referred to the dumpster location on the plan and stated that there are three 2-cubic yard containers within the dumpster containment and it would be the only area to contain trash. He would provide the calculation used to the Township Engineer. One of the containers would be for recyclable materials. He answered Mr. Hall that a garbage truck would be able to back up into this area.

Mr. Lai referred to the landscape plan, which was sheet 6 of 8. He reviewed what is being removed for parking and the buildings. He pointed out the boxwoods and pine trees proposed. A stockade fence could be included. He pointed out the areas that would be landscaped, including shade trees.

Mr. Lai referred to Mr. Hall's report and identified the areas of variances on sheet 2 of 8. The existing farmhouse is now 5' where 25' is required. 15' is required and 10.3' is proposed on the south side and the existing condition is 4.8'. He stated that Mr. Ritter, the applicant's planner, would address the number of units and covered parking variances later. The 1.9' setback for parking is along Lotus Blvd. There are no structures across from the parking area. The parking space size proposed, 9' x 18' are per RSIS standards, not 10' x 20' as per Township ordinances. He stated that the aisle width of 24' between parking spaces is per RSIS standards, but that 25' is required by township ordinance. The site lighting would be in accordance with Mr. Hall's letter.

Mr. Lai stated that a variance is needed for the driveway within 125" of an intersection (Lotus Blvd. & Drakestown Road). He stated that Lotus Blvd is akin to a wide driveway and not a through road and that this is not a high traffic area. Lotus Blvd is 250' from the intersection to the self storage facility. He stated that a waiver of sight distance of 300' on Lotus Blvd. Is required because they are only providing 110'. It was his opinion that this would be safe because of the amount of the low volume of traffic on Lotus Blvd. It was his opinion that the waiver request was reasonable. He pointed out the sidewalk width of 6' where ordinance is 6'5 but complies with RSIS.

Mr. Lai listed the permits/approvals that the applicant has applied for MCSCD – in process; MCPB exempt; HMUA in process; He referred to the expert report on the fact that there have been no changes since the LOI was issued by the DEP and that no DEP permits are required for water, sewer stream encroachment, stormwater or highlands. The Hackettstown MUA will supply water and sewer service, they are revising plans to be sent back to the HMUA.

Mr. Cohen stated that the Soil Disturbance information requested by Mr. Hall regarding the source would have to be deferred to a later date.

Mr. Hall referred to his report, item B variances, and stated that this is a corner lot and the plan shows to front and two sides. It is the developers' choice which will be front and which will be rear and side but it may change the variances requested.

Mr. Lai stated that Lotus and Drakestown are the front yards and he pointed out the rear yard would be the easterly property line and that variance would increase to 20'.

Mr. Lai stated that the applicant is requesting a waiver from LOI based on the Environmental expert letter that there have been no changes to the site.

Mr. Cohen stated that it is up to the board whether they are going to request the applicant to get a new LOI or absence or presence letter. The applicant has not discussed with the northerly neighbor about the fence, they will let the Board make that determination.

Mr. DiSalvo asked the applicant to contact the neighbor.

Mr. Buzak stated that those persons sending correspondence and e-mails must make their comments at the end of the hearing at the time for comment.

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

Kevin Dorlin – asked if this project had been approved and asked about checks that may have been passed hands and who now owns the property now. He asked board not to look at the color of the building but how it impacts the neighborhood moral obligation to the neighbors.

Mr. DiSalvo stated that there has been this board except to deem the application complete has taken no action. This is the process that all testimony is taken from the applicant then the public. The Township Committee has set aside \$550,000 funds from housing trust and that was between the township committee and the applicant. He stated that decisions on this application will be based on the Township Ordinances.

Mr. Cohen stated that Homeless Solutions closed on the property since the last meeting from Lotus Development. He answered that Lotus Land Development is not the same company who developed senior housing at the Welsh Farm's property although some of the principals were the same in both companies.

Michael Kelly – 33 Drakestown Road stated that he is the northerly property owner. He is concerned with the setbacks and asked that the setbacks be met. He had concerns that the view from his home would be of a large building and concern about the ability of plantings to grow in this area shaded by the building. He also asked about the drainage.

Mr. Lai stated that they are not seeking a variance along the north property line which is 15' and they are providing 17'. Mr. Lai stated that the building is 85' long. The barn it is replacing is 25' - 30'. The building is 35' tall. From Mr. Kelly's house which is setback 10' from the property line, to the proposed building is 27'. Pointed out where the back of his home is in relation to the new building.

Mr. Chapman stated that the length of the building is the overall length of the entire structure, but it is stepped back, the mass closest to Mr. Kelly is 57'9" as

shown on sheet A-4 then steps back from there. The height of the north elevation is 32' 10" high to the ridge of the building.

Mr. Lai referred to sheet six and pointed out the landscaping proposed for Mr. Kelly's property line. There are white pines, which would be 8' high at time of planting and boxwoods. He stated that drywells would control drainage from this site.

Mr. Hall explained that this is not a major development under Township ordinances or state stormwater regulations because it does not disturb more than an acre or have more than one quarter acre of impervious coverage. Because of this the applicant is not required to do large scale stormwater management. He stated that he was aware that there are drainage problems on Drakestown Road and because of this he asked the applicant to provide drywells to contain the increase in stormwater runoff. They are storing the net increase in the drywells. The applicant has provided adequate stormwater management in that there would be no net increase in water volume onto Drakestown Road or Lotus Blvd.

Mr. Cohen the noted that the required front yard set back is 25' and the applicant 5' is providing

Chris DeMao – Mine Hill Road – asked if Mr. Chapman visited the site. He asked how the large buildings fit on the site. He asked how Mr. Chapman came to the opinion that the buildings proposed are in line with the architecture of the existing neighborhood. He noted that the footprint of the buildings may be the same but the heights are not.

Mr. Chapman said yes he made one visit to the site approximately one year ago. People from his office made other visits for measurements. He had photographs of the site. The barns have been part of this site for over 100 years and they were trying to recapture that element. He stated that the buildings are two story buildings, not three story. He stated the farmhouse is the same size and the barn is the same height the back building is currently a one story building.

Terrance Dougherty – 53 East Avenue – asked about the dumpster area and the formula used, as it was his opinion that what was proposed was inadequate. He wanted to hear more about the types of materials used as he is concern about the quality.

Mr. Lai – the calculation is based on the number of units and the number of occupants of 25 to 35 people. He will re-examine this issue.

Mr. Cohen stated that the applicant would produce a sample of the exterior siding, roof shingles and soffets.

Mr. DiSalvo stated that the board would require more information on all the exterior materials.

Donald Zink - referred to the exhibit A-9-A and pointed out his home and asked how far the dumpster is from the road. He was concerned that the dumpster was only 26' from his property and asked if it could be moved and asked the board to consider a fence on the Lotus side. He asked why the applicant had to reuse of the footprints. He had concerned about the solar panels, lighting and drainage.

Mr. Lai stated he would have information on moving the dumpster location. He referred to sheet 7 of 8, which showed the site lighting.

Mr. DiSalvo stated that lighting would be discussed at a subsequent meeting. As well as further landscaping.

Mr. Chapman stated that it was a desire of the township to keep the existing footprints.

Mr. Banisch stated that reusing the existing footprint allowed the parking to be to the interior vs. along the street. The idea was that minimal changes would have less impact on the neighborhood then greater changes.

Mr. Lai answered the questions on drainage that the drywells would contain the runoff from the 25 – 50 year storm.

Mr. Hall explained the drainage he requested and there would be no more runoff then is currently coming off the property.

Mr. Cohen stated that they have not done traffic testimony at this time, but have historical data on the traffic this type of use would generation.

Mr. DiSalvo requested traffic testimony from the applicant and the involvement of the Township Traffic Engineer..

Alice Davis – 54 East Avenue – asked if the applicant builds smaller scale developments and asked that the board look at the site and the intensity of the development.

Mr. Cohen stated that the applicant has not built anything smaller then ten units.

Alan Segal asked about the percentage of green space vs. impervious coverage, the number of site studies done and if the larger structure was considered to face the self storage unit.

Mr. Lai answered that the permitted improved lot coverage is 70% and they have an improved lot coverage of 46.5%, leaving approximately 55% green space.

Mr. Chapman stated that the applicant had looked at numerous site designs before they settled on this design.

Mary Grant 35 Drakestown – stated that she lives two doors down from the applicant's property. She stated that the plan does not look like it provides 55% open space and asked that the large structures be moved back. She asked if the runoff from Route 46 was taken into account and asked about play area for children and open space. She stated that it was her opinion that the parking provided was not sufficient.

Mr. Lai pointed out the areas of open space and how the calculation was arrived at.

Mr. DiSalvo asked that if the board allowed a greater variance on the east side could the buildings be moved back towards the self storage center.

Mr. Lai answered that the building could be moved back approximately 10' – 12'

Ms. McGroarty asked for an exhibit showing the open space on sheet 3 of 8 with the calculations of the area.

Mr. DiSalvo asked to see an exhibit moving the buildings.

Mr. Hall stated that the runoff from Route 46 was taken into account. The applicant is not solving the problem, but not making it worse. The applicant is obligated by RSIS and Township ordinance to provide 19 parking spaces and they are providing 20 spaces.

Ms. Grant answered Ms. McGroarty that there is on street parking now for visitors, but it is not a good situation. People do sometimes park on Lotus Blvd.

Jim Tilson – 133 Mine Hill Road – stated that he lives across the street from this property and he has concerns regarding drainage in the winter with snow removal.

Mr. Lai the catch basins are not to be covered by snow piles.

Bryan Smoke -135 Mine Hill Road asked about buffering of noise from the cars.

Mr. Lai stated that there has not been anything proposed to buffer the car noise

Frank Roy – 139 Mine Hill Road – asked about the drywells and where does the water go in heavy rain, who owns Lotus Blvd. and where is the HMUA pumping station. He was concerned about the shading of the neighboring house and how it will impact Mr. Kelly’s yard. He asked about radon.

Mr. Chapman stated that Radon mitigation is part of the building codes during construction.

Mr. Lai explained the drywell system and the maintenance plan for the drywells. He pointed out the HMUA building but it is not on the applicant’s property but is shown on sheet 4 of 8.

Mr. Hall stated that the Township owns most of the road but that some of the of the cul-de-sac is on private property.

Nina Dorlin – 4 Kemple Lane wanted to present a petition, asked about what is a complete application and what needs to be on a plan to be complete. She referred to the MLUL and asked if the Planning Board was considering this. She asked for a traffic count and about the required site distance. She asked that the adjoining properties also be included in the color site plan requested by the Board.

Mr. DiSalvo at the end of the meeting the petition can be presented. He briefly explained the completeness process. He stated that the Township ordinances are consistent with the MLUL. Mr. DiSalvo asked the applicant to provide the adjoining properties on the rendering.

A resident from 9 John Lane asked about the status of Lotus Lane and any future plans to extend the road.

Mr. Hall stated that there are no plans to extend the road past its current limits. The work in the area was for a water main to the Target store currently under construction.

Mr. Cohn stated that the township has vacated the road.

Christopher Taba – 37 Powhatan Way – asked about Washington Township’s housing requirements.

Mr. DiSalvo stated that information was previously presented and to contact Ms. Kesper for this information.

Kevin Dorlin - asked homeless solution to put in a 100 year storm system and about stormwater elevations. He asked when studies requested would be available. He asked that the board request a development impact statement from the applicant.

Mr. Lai refereed to the plans and explained the stormwater design.

Mr. DiSalvo stated that the board's traffic consultant will look at the plan. The Board has not requested a Development Impact Statement.

The meeting was closed to the public.

The application was adjourned to April 14, 2008.

Eligible: Bauerlein, DiSalvo, McGroarty, Mont, Trevena, Akin, Monahan

Ineligible: Leavens, Popper, Tobin

Absent: 3/10 – Trevena

***DISCUSSION /
CORRESPONDENCE***

Mr. Tobin rejoined the meeting.

1. 2008 Committee Assignments

Adjourned to the March 26th meeting.

2. Vouchers

Mr. Akin made a motion to approve the vouchers reviewed by the Chairman found in order and send same on for payment. Seconded by Mr. Bauerlein. A voice vote was taken; Mr. Tobin abstained, all others were in favor and the motion carried.

Mr. Trevena made a motion to adjourn, seconded by Mr. Mont. A voice vote was taken; all were in favor and the meeting was adjourned at 11:30 p.m.

Virginia R. Kesper, Clerk