

Chairman DiSalvo called the regular meeting of November 10, 2008 of the Washington Township Planning Board to order at 7:30 p.m.

MEMBERS PRESENT

CLASS IV: Mark Bauerlein, Charles DiSalvo, William Leavens, Kathleen McGroarty, Louis Mont Eric Trevena  
ALTERNATES: William Beute  
CLASS I:  
CLASS II: Patrick Monahan  
CLASS III: Howard Popper  
OTHERS ABSENT: Sam Akin, Tracy Tobin  
STAFF PRESENT: Clerk Kesper, Attorney Cofoni, Engineer Hall, 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 October 13, 2008 Regular Meeting

Mr. Leavens made a motion to approve the minutes, seconded by Mr. Bauerlein. A voice was taken; Ms. McGroarty, Mr. Mont, Mr. Trevena and Mr. Monahan 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. Regency at Long Valley – Block 28, Lots 46 & 47 – 55 Fairview Avenue - Request for Soil Disturbance Permit for import of soil from Estates at Long Valley

Mr. DiSalvo announced that the meeting was adjourned at the applicant's request to December 8, 2008

2. Sciaretta Enterprises (Claremont Properties) – Block 4, Lot 7.05 – C02 – 68 US Route 46 West – C-1 Zone – Request for a One Year Extension of Final Approval for Retail A / Unit 2 (NJSA 40:55D-52 (a) & (c)

Nancy Lottenville, Applicant's Attorney

Ms. Lottenville stated that the applicant was before the Board to ask for a one year extension of time on retail A. She stated that the box store, Target, and the site improvements have been completed, but the applicant does not have a tenant for the 5000 sf retail at this time.

Ms. Cofoni stated that the applicant is entitled to the extension under NJSA 40:55D-52 (a) & (c)

Ms. McGroarty made a motion to approve the one year extension request, seconded by Mr. Popper.

Ayes: Bauerlein, DiSalvo, Leavens, McGroarty, Monahan, Mont, Popper, Trevena, Beute,

Nays: None Abstain: Absent: Akin, Tobin

2. Dickey/Malone and McGarry – Block 14, Lots 1.02 and 1.03 – Drakestown Road – R-5 Zone – Request for Lot Line adjustment with variances

Larry Fox, Applicant's Attorney  
Jeffrey Dickey, Applicant

Mr. Fox stated that this is a lot line adjustment between two non-conforming lots.

Jeffrey Dickey was sworn in by Attorney Cofoni.

Mr. Dickey stated he and his wife have owned the property for the last 15 years. He distributed photographs. A photograph of the barn on the McGarry property was marked A-1, the inside of the barn A-2, photo of the barn from his house

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was marked A-4 and a photograph of the inside of the home was marked A-5. He stated that the photographs were taken today by himself. He explained that he and his wife had been interested in having the barn as part of their property since they purchased the property. His home is over 200 years old with various additions. The barn on the adjoining property is the turkey barn which was part of the original Blum farm of which his house was the original farmhouse. The McGarry home is now for sale and he is afraid the barn may be taken down and he would like to make it part of his property to help preserve it. He stated that he does not have any plans for the barn except to use it for storage.

Mr. Hall reviewed the open issues on this application, he did not object to the board hearing the application without the items being submitted. He reviewed his October 24, 2008 letter.

Mr. Dickey stated that his well is in the front of his lot. He did not know where the McGarry well was on their lot. He answered Mr. Hall that the entrance to the barn is around the back of the barn, he was not concerned if he had a driveway to the barn or not. He answered Mr. hall that there is no driveway connection between this barn and the McGarry lot.

Mr. Hall asked that the plan be revised to show the setbacks.

Ms. Kesper stated that there should be a condition that the Health Department for the well and septic.

Mr. Fox stated that they will amend the plan for setbacks and the well.

Mr. Dickey stated that there would not be a detriment to the public or zone plan as most people assume the barn is part of their property as it is directly behind their home.

Mr. Banisch reviewed his report of November 7.

Mr. Dickey stated that he has no plans to tear down the barn or use it for commercial purposes. The utilities will be disconnected from the McGarry home and eventually connected to his home.

The meeting was opened to the public for questions and comments. There were no questions and comments and the meeting was closed to the public for this application.

Mr. DiSalvo made a motion to direct the board attorney to draw up a resolution of approval as discussed this evening, approving the variances and lot line adjustment and requiring revised plans and board of health approval. Seconded by Mr. Leavens. A roll call vote was taken; all were in favor and the motion carried.

Eligible: Bauerlein, DiSalvo, Leavens, McGroarty, Monahan, Mont, Popper,  
Trevena, Beute  
Absent: Akin, Tobin

3. Hammer – Block 23, Lot 15.02 – 32 Rock Road – Request for two lot minor subdivision with variances to allow the two current houses to be on individual lots

Albert Hammer, Applicant  
Paul Fletcher, Applicant's Engineer

Albert Hammer and Paul Fletcher were sworn in by Attorney Cofoni.

Mr. Fletcher stated that Mr. Hammer bought the property 15 years ago and at that time the two existing homes were on the property. He would now like to subdivide the lot so each home is on its own lot. He explained the required variances and lot sizes as noted on the plan submitted to the Board. There is no proposed home construction or new driveways, etc. The two story building has public water and public sewer. The smaller home in the rear has septic system and gets its water from the front house. He stated that the applicant agrees to connect the small house directly to the public water source.

Mr. Hall reviewed his report of October 30, 2008.

Mr. Fletcher stated that the applicant will remove the encroachment onto the neighbor's property and the applicant will get a driveway permit if required. He stated that he would supply the survey to Mr. Hall that the plan was based on. The lot numbers will be corrected on the plan as requested by the tax assessor. The applicant is granting the Township a road right of way as the current property line goes to the center line of the road.

Mr. Hall stated that there is a stream off site. He noted that there are overhead lines on the front lot going to the rear lot.

Ms. Cofoni stated that this should be in an easement between the two properties for the poles and utilities.

Mr. Fletcher stated that the utilities come from the road to the front house.

Mr. Banisch reviewed his report of November 7, 2008.

The meeting was opened to the public for questions and comments. There were no questions or comments and the meeting was closed to the public on this application.

Mr. DiSalvo made a motion to authorize draft a resolution of approval granting the minor subdivision and variances as discussed this evening. Seconded by Mr. Popper.

A roll call vote was taken; all were in favor and the motion carried.

Eligible: Bauerlein, DiSalvo, Leavens, McGroarty, Monahan, Mont, Popper,  
Trevena, Beute,  
Absent: Akin, Tobin

***DISCUSSION /  
CORRESPONDENCE***

1. Vouchers

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

2. Highlands

Mr. Banisch gave a review of the highlands meeting and the schedule of the planning board over the next 13<sup>th</sup> months.

3. Personnel Review

Mr. DiSalvo made a motion to go into closed session to review the performance of the staff during 2008, seconded by Mr. Popper. A voice vote was taken; all were in favor and the motion carried and the meeting was closed to the public at 8:40 p.m.

The meeting was opened to the public at 8:50 p.m.

Mr. DiSalvo stated that during the closed session the Board discussed the performance of the staff.

Mr. Leavens made a motion to adjourn, seconded by Mr. Popper. A voice vote was taken; all were in favor and the meeting was adjourned at 8:50 p.m.

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Virginia R. Kesper, Clerk