

Chairman DiSalvo called the regular meeting of March 9, 2009 of the Washington Township Planning Board to order at 7:30 p.m.

MEMBERS PRESENT

CLASS IV: Mark Bauerlein Charles DiSalvo, William Leavens, Lou Mont
 ALTERNATES: Sam Akin
 CLASS I: Ken Short
 CLASS II: Patrick Monahan
 CLASS III: James Harmon
 OTHERS ABSENT: Trevena, McGroarty, Beute
 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 February 25, 2009 Regular Meeting

Mr. Harmon made a motion to approve the minutes, seconded by Mr. Short. A voice was taken; Mr. Bauerlein 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. Zion Lutheran – Block 33, Lot 42 – 11 Schooley’s Mountain Road – C-1 and R-20 Zones 9.3 Acres – Request for preliminary and final site plan approval with variances for church fellowship hall, classrooms and offices Deemed Complete January 12, 2009, Public hearings January 12, 2009, January 28, 2009 – Public Hearing Continued

James Knox, Applicant’s Attorney
Craig Villa, Applicant
Reverend Peter Froehlke, Applicant
Richard Carroll, Architect

Mr. Knox referred to the site walk and thanked the Board and staff for sending their opinions on to the county regarding their requested road widening and stated that the County is no longer requiring it. He thanked Mr. Hall for his help regarding the stormwater and the site has been redesigned in a manor that no longer requires a stormwater management system. He stated that the plans had been revised in accordance with the requests of the Board consultants.

Mr. Carroll reviewed the building design guided by the environmental constraints of the property and the historic preservation requirements. He noted that the Certificate of Appropriateness has been received from Historic Preservation approving the modern plan presented to the board at the last meeting. He referred to the various construction years and designs of the current buildings on the site.

Mr. Carroll explained that the first design of the addition presented to the Historic Preservation Commission (HPC) was to tear down the current Parish Center and start over. He stated that the HPC was not in favor of this approach and therefore, the current design with the addition to the Parish Center was developed with the churches needs of a fellowship hall for 150 person, additional classroom space (6 in total) and offices taken into account. It was his opinion that this is not modern esthetics. The scale of the building is behind the existing building and would not alter the current streetscape. He stated that the applicant worked through at least nine different designs before this design was approved by the HPC. He referred to the Secretary of the Interiors historic requirements. He stated that the building which houses the current parish center is in an historic district but not contributing structure to the Historic District.

Mr. Carroll referred to elevation sheet A-300 which was marked exhibit A-9. He explained the discussion on the materials and windows presented to the HPC. He stated that the applicant is not trying to make this building look like it was built 150 years ago. He stated that they presented other roof designs, flat roofs, and gabled and the HPC concluded the design as shown in exhibit A-9 was the most appropriate. The materials chosen are from what is on site and in the area, such as stone (buildings in the area), cement base stucco (the church). They could not use the clapboard of the house as HPC wanted the house to stand out. He explained the main entrance as shown on exhibit A-8 which is the result of

the bend in the site because of the flood plain so it was recessed back and is a two story glass entranceway that cannot be seen from the street and only be seen from across the driveway from the Church. He acknowledged that the glass was not an historic element. The clear story windows face the north into the fellowship hall which is a green design principal. The roofing material is a typical dimensional shingle roof system or metal if the budget would allow it, but presented to the HPC was the shingle.

The board reviewed the architecture presented.

Mr. Carroll stated that all the windows will be detailed windows, similar to the municipal building windows. The windows on the north will be different because of their size and function.

Mr. Akin objected to the more modern windows and stairwells that are seen from the street.

Mr. Carroll answered Mr. Mont that all gutters and downspouts will be 6" round copper. The fence around the HVAC has not been fully designed, but it will also be landscaped. The pitch of the roof is similar to what is existing and the peak is similar to the Parrish Center. The majority of the addition will be on a slab with possibly a small basement for mechanicals. The current Parrish Center has a basement under it now. He answered the Board that elevators are not required due to the size of the building. He answered Mr. Harmon that the plans presented to the board are the same that were presented and approved by the HPC.

Mr. Short stated that since the applicant received HPC approval, he had no problem with the design.

Mr. Bauerlein was concerned with the number of variances and the size of the buildings and he had concerns with the design and size of the addition.

The meeting was opened to the public for questions on architecture. There were no questions and the meeting was closed to the public for questions of Mr. Carroll.

Mr. Villa referred to the site visits and stated that there was limited engineering on the site, mainly the driveways. He stated that after meetings with Mr. Hall and Dr. Oweis it was determined that if the footprint was decreased to be below 7500 s.f., stormwater detention would not be required. He referred to Mr. Hall's letter of March 4 and ordinance 175-49 G 1-5 criteria for the board to grant a waiver from on site stormwater detention.

Mr. Villa stated that the sheets added to the plan were for the County for road improvements, which is no longer required and the only change will be along the storage building house for driveway curbing.

Mr. Hall read from Mr. Maltz's letter regarding site distance and the applicant would need to clear an maintain any shrubbery to below 30".

Mr. Villa stated that another page to the plan was added to address Mr. Malt's concerns and they will comply with Mr. Maltz's letter of March 9, 2009..

Mr. Villa stated that the HVAC equipment fence will be changed to whatever the board would required. He pointed out the area of the dumpster, which will be located in the same location it is currently

Mr. Villa stated that the applicant would comply with Mr. Hall's letter of March 6th regarding soil disturbance.

Mr. Villa addressed Mr. Hall's letter and the required waivers listed on page 2 and stated that they all relate to the unique environmental site constraints and the location of the existing structures. He referred to exhibit A-3 and noted that the property is large but the developable portion is small due to the constraints. He referred to the zoning schedule and the merging of the four lots that the Church owns. The applicant meets the area requirements and total tract area. The gross acreage of the site is 9.318 acre site. It was his opinion, as an engineer and planner, that the waivers requested are not a detriment and are within the context of the area and the project.

Mr. Villa addressed the parking space waiver to allow 59 spaces where 227 spaces are required by ordinance. He noted that there are currently 62 spaces. He stated that the 227 spaces are calculated by assuming that all the facilities would be in use at one time. He referred to an actual parking count taken by a member of the church during Sunday services and Sunday school in November, December (not Christmas), January, February, and March. He stated that the Sunday school is held in-between services. The calculations showed the church has sufficient parking. Sunday services at 8:00 a.m. had 25 from to 41 vehicles; Sunday 10:30 service had from 34 vehicles to 73 vehicles. The Sunday school had 23 to 36 vehicles. He referred to the pre-school queuing for drop off and pick up of students and stated that there were 15 cars parked on site for the nursery school during the weekdays.

Reverend Froehlke stated that the Church does not intend to change the way they run their services and have Sunday School during church services.

Mr. Knox stated that this is a non-profit and would regulate itself and noted that many of the congregants are children.

Mr. Villa stated that the maximum occupancy of the church, based on the number of seats, choir and personnel would be 108 people. He stated that the Parrish Center/Fellowship Hall would accommodate 150 people.

Mr. Hall explained that 150 people calculates to 75 spaces and the church would be 15 spaces short. He noted Mr. Knox's comment that the church would self regulate, as they do now, during larger services and create spaces.

Mr. Villa explained where the congregation makes additional spaces on the grass and the public parking at the county trail, bank, etc.

Reverend Froehlke stated that the tree lighting has about 200 people.

Mr. Hall referred to the conservation easement requirements. He stated that of the 9.3 acres approximately 1 acre is developable. He asked if the board wanted to take a conservation easement on the wetlands and stream corridor. He answered Mr. Akin that most of these areas are state regulated areas.

Mr. Buzak brought to the board's attention previous litigation regarding the board's requirement to take conversation easements over state regulated areas.

Mr. Banisch noted that many of the variances are from the 2001 ordinance regarding new church development and noted that the church is very old and the variances are for pre-existing conditions.

Mr. Villa reviewed the variances required as outlined in Mr. Hall's report of March 4, 2009. He referred to the MLUL and that this developments promotes some of the MLUL objectives and that he did not see any detriments or impairment to the general public, local zoning or MLUL criteria.

Mr. Banisch was of the opinion that the board could safely grant the waivers and variances requested.

Mr. Villa answered Mr. Leavens that 95% of the variances and waivers are based on the existing conditions.

The landscaping plan was reviewed.

Mr. Hall found the landscape plan to be adequate, but requested that the plan become part of the site plan set. He reviewed his plan comments in his March 4th letter that have not been addressed.

Mr. Villa stated that the applicant will comply with comment C regarding the width of the entrance driveway. Regarding the fire hydrant requested by LVFD they are not able to put the hydrant where it was requested because of DEP permitting, but they will supply an additional hydrant and work with the LVFD for an acceptable location. He stated that the applicant would comply with Dr. Oweis's comments for construction of the buildings.

Mr. Hall reviewed for the Board the Washington Township Municipal Utilities Authority letter.

Mr. Villa stated that they will comply with the WTMUA letter of March 9, 2009.

Mr. Villa reviewed Mr. Maltz's letter of March 9, 2009 and stated that the applicant would comply,

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

Tom Besold – Schooley's Mountain Road stated that he was an architect and stated that it was his opinion that this was a terrific job by the applicant and their consultants with meeting the comments of the board. He felt the architecture complimented the site as well as the materials proposed.

Eileen Stokes, Chairperson of the Washington Township Historic Preservation – stated that the current Parish Center is significant in its' own right and is a contributing structure in the historic structure within the Historic District.

Mark Napolitano – 78 Ann Road – was concerned about parking for the nursery school and wanted to know the number of children who would attend.

Reverend Froehlke stated that the maximum number of children at the school at any one time is now and will remain 45.

Mr. Buzak reviewed his correspondence of March 9th regarding the Planning Board and Historic Preservation Commission authorities and stated if there were any questions on it the board should go into closed session to discuss it.

The Board had no questions or comments on the letter.

Mr. DiSalvo made a motion to instruct the board attorney to draft a resolution of approval of the application presented granting preliminary and final site plan approval with the waivers and variances requested and the requirement that any changes in materials would require an updated HPC COA, and compliance with the WTMUA letter and the board consultant letters. Seconded by Mr. Short.

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

Eligible: Bauerlein, DiSalvo, Harmon, Monahan, Short, Akin

Ineligible (absent 1/12/09): Mont, Leavens (absent 3/9/09) McGroarty, Beute, Trevena

2. Hidden Hills – Block 3.14 Lots 9 & 10 25 - Northridge Court and 23 Shadow Hill Road and Block 3.14, Lot 26 - 19 Shadow Hill Way – Request for Soil Disturbance Permit for removal of 1,390 cubic yards of soil from the redesign of two detention basins

Chairman DiSalvo announced that this application has been adjourned March 25, 2009 at the applicant's request.

***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. Committee Assignments

Major & Minor Subdivision/Site Plan Committee:

Chairman: Bauerlein

Members: McGroarty, Mont, Trevena

Alt: Leavens

Legislative Oversight Committee: Chairman: Harmon

Members: DiSalvo

Economic Development

/ Industrial Liaison Committee:

Chairman: Mont

Members: DiSalvo, McGroarty

Finance Committee:

Chairman: DiSalvo

Members: Harmon

Technical Coordinating Committee: All Members

Task Forces:

Down Town Development

Chairman: McGroarty

Members: Trevena, Bauerlein, DiSalvo

Sidewalks

Chairman: Trevena

Members: McGroarty, Bauerlein

Liaisons:

Board of Education WT & WM: Bauerlein DiSalvo, Akin

Fire Companies: Bauerlein

Department of Public Works: Leavens

Board of Health: Harmon

Open Space Committee: Bauerlein, Leavens

Agricultural Development Board: Akin

Recreation Committee: Monahan, DiSalvo

Shade Tree Committee: Bauerlein

Environmental Commission: Leavens Alt: McGroarty

Historic Preservation Commission: Beute

Zoning Officer: McGroarty, DiSalvo

Police Department: Trevena, Monahan

WTMUA: Trevena, Akin

HMUA: Trevena, Akin

Mr. Mont made a motion to adopt the Committee Assignments, seconded by Mr. Monahan. A voice vote was taken; all were in favor and the motion carried.

3. Highlands Regional Master Plan

Mr. Banisch stated that the preliminary initial assessment report was submitted to the Highlands Council. He explained that the Highlands Council will distribute draft ordinances and master plan elements will be provided to the Board for the preservation area and that this would be the time for the Board to evaluate the impact on the planning area and that will be the time to make the decision of opting in or not. He explained many of the ordinances will be similar to what the township currently has and that the real differences will be the density that is permitted; probably 12 to 25 acre zoning in the planning area, preservation area will be less. The Highlands will have a build out in the preservation area later this month or April. He stated that development will be permitted in existing community zones and this is where growth and redevelopment will be encouraged. He referred to previously distributed maps and the additional developed areas that should be designated existing community areas although they are not served by public sewers. He stated that it appears the Highlands Council is looking at vacant and re-developable lands in each town before coming up with septic densities.

Mr. Monahan made a motion to adjourn, seconded by Mr. Mont. A voice vote was taken; all were in favor and the meeting was adjourned at 9:40 p.m.

Virginia R. Kesper, Clerk