

Chairman DiSalvo called the regular meeting of September 23, 2009 of the Washington Township Planning Board to order at 7:35 p.m.

MEMBERS PRESENT

CLASS IV: Mark Bauerlein, Charles DiSalvo, William Leavens, Kathleen McGroarty, Eric Trevena
 ALTERNATES: Sam Akin, William Beute
 CLASS I: Ken Short
 CLASS II:
 CLASS III: James Harmon
 OTHERS ABSENT: Patrick Monahan, Lou Mont
 STAFF PRESENT: Clerk Kesper, 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. Notices were mailed, as there were requests.

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

Pledge of Allegiance

MINUTES

1. Minutes from the August 26, 2009 Regular Meeting

Mr. Akin made a motion to approve the minutes, seconded by Mr. Trevena. A voice was taken; Mr. Short and Mr. Beute abstained, all others were in favor and the motion carried.

RESOLUTIONS

09-12 Barsa – Block 33, Lot 20– Schooley’s Mountain Road – R-5 Zone -11 Acres
 Approval of Request for two lot minor subdivision with variance for flag lot staff

Mr. Bauerlein stepped down from the application due to a conflict of interest.

The resolution was reviewed.

Mr. Short made a motion to approve resolution 09-12. Seconded by Mr. Trevena. A roll call vote was taken:

Ayes: DiSalvo, Leavens, Short, Trevena, Beute

Nays: None Abstain: None Absent: None

Ineligible: Bauerlein, McGroarty, Monahan, Harmon, Akin, Mont

Mr. Bauerlein rejoined the meeting.

09-14 Toll – Estates at Long Valley – Sections 2 & 3 – Bartley Road – Block 18 lots 6, 8, 10, 21 and 44 and Block 18.01 lot 1 –Approval of Request for extension of time for final subdivision approvals granted under resolutions 06-18 of June 28, 2006 (Section 3) and 06-19 of June 28, 2009 (Section 2)

Adoption adjourned to October 12, 2009

09-15 Health Alliance for Care, Inc. (Formerly US Homes) – Block 19, Lots 5, 6 and 7 – Approval of Request for amendment to Resolutions of Approval and Preliminary and Final Site plan to demolish the existing farm house and reduce the number of units from 360 to 359

Adoption adjourned to October 12, 2009

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. Washington Township 2009 Master Plan Reexamination and Development Regulations Report and Resolution 09-13 Adoption of Washington Township 2009 Master Plan and Development Regulations Reexamination

Ms. Kesper stated that this public hearing had been noticed in accordance with the MLUL for Reexamination Reports.

Mr. Banisch stated that the revised draft of September 23, 2009 incorporated the changes from the September 14, 2009 review and discussion of the board.

Mr. Harmon arrived and joined the meeting.

Mr. Banisch reviewed the report by page.

Mr. Short addressed the OR-I change request of the Gonsky family (page 7 of the report) and the Gonsky family informed him that the way the recommendation is

written it would not satisfy the mortgage companies. He suggested that the recommendation be changed to allow for a zone change to R-20 or R-5 from the Frasier Steel property (not including Frasier Steel) to the river because the surrounding property is all Morris County park land.

Mr. Banisch stated the reason to make this a conditional was to avoid the potential for spot zoning.

The Board looked at the zoning map in the area and reviewed the zoning adjoining the Gonsky property. It was noted that the property from Fraiser Steel easterly the property was surrounded with County Park land and was contiguous with the R-5 zone and across the street from R-20.

Mr. Banisch stated that this would then not be spot zoning if an area and not a single lot was changed.

The board was in agreement to change the area easterlyof Fraiser Steel to the river Residential R-5.

Mr. Banisch reviewed the areas recommended to be served by public sewer on page ten. The board agreed with the changes and also requested that the Black Oak Golf Course be added to the recommendation.

Mr. Banisch reviewed the language added on page 15 of the report addressing the Conversion Bill based on the discussions at the last meeting and Mr. Buzak's letter of September 21, 2009.

The Conversion Bill was discussed by the Board.

The board accepted the section on the conversion bill as written.

Mr. Banisch reviewed the section on page 18 regarding the recommendation for a green element to the master plan. It was explained that the report recommends a green element of the master plan and that if a green element were adopted new ordinances could be passed.

Mr. Short stated that the township may want to look at ordinances regarding windmills and height restrictions.

Ms. Kesper explained the current zoning that does not restrict use of solar panels and outdoor furnaces as long as they meet the accessory structure setbacks and do not exceed the 35' height restrictions.

Mr. Banisch reviewed the summary of the rezoning recommendations. He noted the addition of bulk setbacks for the OR zone conditional uses would be in an amendment to 217.108.1.

The meeting was opened to the public for questions or comments. There were none and the meeting was closed to the public for questions and comments on the Master Plan Reexamination Report.

Mr. Beute made a motion to adopt the reexamination report as discussed and amended this evening. Seconded by Mr. Bauerlein. A roll call vote was taken:

Ayes: Bauerlein, DiSalvo, Leavens, Harmon, Trevena, McGroarty, Akin, Beute
Nays: None Abstain: Short Absent: Mont, Monahan

Mr. Beute made a motion to adopt Resolution 09-13. Seconded by Mr. Bauerlein. A roll call vote was taken:

Ayes: Bauerlein, DiSalvo, Leavens, Harmon, Trevena, McGroarty, Akin, Beute
Nays: None Abstain: Short Absent: Mont, Monahan

***DISCUSSION /
CORRESPONDENCE***

1. Vouchers
2. Highlands Basic Plan Conformance – Draft Highlands Regional Master Plan Element for Washington Township

Mr. Banisch passed out CD copies of the Highlands Module 4 (natural resource inventory) and Module 5 (Regional Master Plan Element).

Mr. Banisch reviewed his memo of September 23, 2009 and the need for a public hearing on the draft regional element and the procedure. He explained that the memo points out areas where, in his opinion, the Board may have concerns with this new element. He referred to Appendix A regarding the exemptions and grandfathering provisions of the Highlands Act where this element would not apply.

Mr. Short made a motion to adjourn, seconded by Mr. Akin. A voice vote was taken; all were in favor and the meeting was adjourned at 8:30 p.m.

Virginia R. Kesper, Clerk