

Chairman DiSalvo opened Regular Meeting of the Washington Township Planning Board of December 14, 2009 to order at 7:35 p.m.

MEMBERS PRESENT

CLASS IV: Charles DiSalvo, William Leavens, Kathleen McGroarty,
Lou Mont Eric Trevena
ALTERNATES: William Beute
CLASS I: Ken Short
CLASS II: Patrick Monahan
CLASS III:
ABSENT: Mark Bauerlein, James Harmon, Sam Akin,
STAFF PRESENT: Clerk Kesper, Engineer Hall, Attorney Buzak

Adequate notice of this meeting was sent to the Observer-Tribune and the Morristown Daily Record on January 18, 2009 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

Minutes from the November 9, 2009 Regular Meeting

Ms. McGroarty made a motion to approve the minutes, seconded by Mr. Trevena. A voice was taken; Mr. Beute and Mr. Mont 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. Winters – Block 28 Lot 23 - 36 East Mill Road – C-1 Zone – Request for Waiver of Site Plan for new windows, siding, relocation of one garage bay door and roof replacement including raising the roof height

Erwin Winters, Applicant

Erwin Winters was sworn in by Attorney Buzak.

Mr. Winters stated that he would like to change the windows and doors and raise the roof height to 30' from 24' to supply better access to the lifts. He answered the board that the existing mezzanine is currently used for an office and that with these renovations will not result in additional employees or signs. The garage door in the front of the building is being removed and not replaced with a door but their will be double hung windows in its place.

Mr. Hall did not object to the applicants request and noted that as a result of this application there will be a decrease in floor area as part of the existing second floor is being removed. The roof will have a new roof line, from a hip roof to a gable end.

Mr. Winters stated that this property is outside the historic zone and there will be no change in use.

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

Mr. Leavens made a motion to approve the waiver of site plan as presented and discussed this evening. The motion was seconded by Ms. McGroarty. A voice vote was taken; all were in favor and the motion carried.

2. Beck – Hunters Crossing Farm – Block 37 Lot 22 – 121 East Valley Brook Farms- R-5 Zone – 190 Acres - Request for Conditional Use Riding Stable to hold horse shows in existing indoor arena and Waiver of Site Plan

Robert Beck, Applicant
Maria Vinci, Applicant's Attorney

Robert Beck was sworn in by Attorney Buzak.

Mr. Beck stated that he was the tenant on the property and currently runs the boarding and training facility on the property. He stated that the horse shows he proposed to run are the shows previously run at the Snow Bird Horse Farm on Schooley's Mountain Road. He stated that the property is almost 200 acres and that there is an existing large graveled parking area and approximately 100 acres of dry, flat farmland for additional parking if it were needed. He stated that for the last 20 years he has been the tenant and has been boarding and training horses and that for five years before that another person ran the horse farm. He stated that prior to that time it was a thoroughbred horse farm.

Ms. Vinci explained the transfer of shows between Snow Bird to this location.

Mr. Beck stated that he would have a maximum of 60 horses coming in for the horse shows. The horses would be brought to the site in horse trailers ranging in size from two horse to six horse capacity trailers. He did not expect that there would be more than 20 horse trailers brought to the site for any show. He answered the board that the event would be open to the public, but that very few spectators come to these types of horse shows. He stated that typically there would be one rider per horse.

Mr. Beck explained that currently as part of the normal day to day operation of the boarding on the horse farm he transports horses to and from the farm approximately four times a day with his trailers and in addition to that people bring horses to the farm to ride and train in the arena and on the property.

Mr. Beck answered Mr. Buzak that six of the horses that would participate in the show are his horses. He explained that a typical horse show would run from 7:00 am to 9:00 pm and that the horses and riders would come in and out throughout the day and would not come all at one time and stay for the full day. He stated that he plans to run 15 shows a year. He answered the Board that the arena has been on the site for approximately six years.

Mr. Beck stated that all the shows would be indoor, in the arena and that everything will be within the arena and that any activity would be 1000' to any property line. He said that that adjacent properties are residential, several owned by the property owner and Combe land fill. He stated that the arena and parking area could not be seen from the road.

Mr. Hall referred to the plan and confirmed Mr. Beck's testimony regarding the distances to the property lines. He referred to the photographs submitted with the Waiver request and pointed out the large gravel parking area and stated that the access driveway is quite wide and appeared to

have been designed and built to handle horse trailers. He did not have any issues with traffic, safety etc.

Mr. Beck stated that there would be no changes to the site over what is currently on the site to accommodate this new use.

Mr. Buzak answered the board that if the applicant increased the intensity of the used over what has been testified to, they would have to come back to the Board for further approval.

Mr. Beck answered the board that he would only hold the winter season horse shows, which he explained is from September 1 to June 1. He answered the board that he does not run any other activities or business from the farm other than horse boarding, training and now shows at the property. He stated that the property is in farmland preservation.

Mr. Beck explained that a horse shows involves a person bring their horse to the property and running a specific course and being reviewed on its performance by a judge. A horse would compete for about 45 minutes and that only one horse competes at a time. The horses would be brought in for their session and would be on the property for approximately two hours.

The meeting was opened to the public for questions and comments on the application. There were none and the meeting was closed to the public on this application.

Mr. Mont made a motion to approve the waiver of site plan as presented this evening. The motion was seconded by Mr. Leavens. A voice vote was taken; all were in favor and the motion carried.

3. Tina's Portuguese Barbecue (Bayley's LLC)- Block 28, Lot 21 - 38 East Mill Road - C-1 Zone - Request for Waiver of Site plan for change from offices to take out restaurant

Leonia Harrington, Applicant
Vania Guerreiro, Applicant
Maria Graca, Applicant

Mr. Short stepped down from the application as he is a property owner within 200' of the property.

Vania Guerreiro, Maria Graca and Leonia Harrington were sworn in by Attorney Buzak.

Ms. Harrington stated that she was the property owner and explained the location of the building, the cape house across from the Hoffman Supply, her former offices.

Ms. Guerreiro stated that they will renovate the downstairs and add a kitchen and that no one would be eating in the restaurant, it will be take out only, with two people working.

Mr. Hall referred to the site plan and stated that there is parking for 7 – 10 cars.

Ms. Harrington stated that the first floor is 720 sf and will be used for the restaurant but only the front will be for customers, the rest will be used as kitchen, office, storage and bathroom for the take out restaurant. She referred to the interior sketch submitted with the application and pointed out the orientation to East Mill Road.

Ms. Guerreiro stated that the hours of operation would be 11 am to 9:00 pm for lunch and dinner six days a week and they would be closed on Sunday. She answered Mr. Hall that they anticipated that the dinner hour would be busiest. She stated that this is their first restaurant and could not say how many people they expected at one time or what would be the busiest hour.

Ms. Harrington stated that they would reutilize the existing sign and no there would be no new lighting.

Ms. Guerreiro answered Mr. Hall that the existing HVAC is adequate for the site and nothing would be added except exhaust fans as required by the Health Department and Building Department. The vents would most probably be out the back of the building as the kitchen will be in the rear of the structure.

Ms. Harrington stated that she did not expect this use to produce additional noise over the previous use of an office. She stated that there is a tenant upstairs. She stated that the neighboring buildings are an exercise facility with two upstairs apartments and an automobile repair garage on the other side. Customers would be able to use the parking in the back and three spaces on the exercise side as she owns that building as well. She stated that in total are 36 parking spaces between the two properties. She explained the one-way traffic flow on the property. She stated that the exercise facility is the busiest on Saturday mornings and not at the time they expect activity at the restaurant.

Ms. Harrington stated that the hope is people will order ahead and park for just a few moments to pick up the food. She answered Mr. Buzak that the tenant is generally an employee of her company.

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

John a perspective resident at 19B Pleasant Grove Road was concerned that the Township would be liable if their were odor or noise nuisances for the apartment from this use .

Mr. Buzak answered that as this type of mixed use is a permitted use in the C-1 zone he did not have concerns about it from the Township's side.

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

Mr. Mont made a motion to approve the waiver of site plan as presented this evening, The motion was Seconded by Mr. Monahan. All were in favor and the motion passed.

Mr. Short returned to the Board.

***DISCUSSION /
CORRESPONDENCE***

1. RO-27-09 – Changes to Chapter 217 to correct errors in the citing of ordinance sections
RO-29-09 – Changes in Zoning District Regulations
RO-30-09 – Changes to correct errors in the improvable lot area section, approval authority and Zoning Board Check List

The proposed ordinance amendments were reviewed.

Mr. DiSalvo made a motion that the board found these ordinance amendments not inconsistent with the master plan and recommended adoption by the Township Committee. The motion was second by Mr. Mont. A voice vote was taken; all were in favor and the motion carried.

2. Vouchers

The vouchers were reviewed. Ms. McGroarty made a motion to approve the vouchers reviewed by the Chairman and found in order and send them on

for payments. The motion was seconded by Mr. Monahan. A voice vote was taken; all were in favor and the motion carried.

3. Highlands Petition for Plan Conformance

Mr. Short stated that the Committee passed a resolution to petition for plan conformance for both the Preservation and Planning area. He stated that the resolution was lengthy and questions the science behind the act among other statements and that the petition was sent with a cover letter requesting that the Township resolution read into the record at the Highlands Council meeting.

Ms. Kesper stated that she delivered the Petition to the Highlands Council in Chester on the afternoon of December 8, 2009.

4. Automobile Dealership

Mr. Hall informed the Board that he and Ms. Kesper have been contacted by an engineer for an automobile dealership for possible location on a 13 acre tract on Route 46, west of the Target site. He stated that they have submitted an escrow and will be meeting with him, Mr. Banisch and Ms. Kesper this week to review a conceptual application.

3. Personnel

Mr. DiSalvo made a motion to go into closed session to discuss personnel. The motion was seconded by Mr. Mont. A voice vote was taken and the board went into closed session at 8:23 pm.

Mr. Buzak and Mr. Hall left the meeting

Mr. DiSalvo made a motion to go back into open session. The motion was seconded by Mr. Monahan. A voice vote was taken; all were in favor and the board went into open session at 8:30 p.m.

Mr. DiSalvo announced that during closed session the board discussed the performance of there consultants and staff during 2009 and the rates for 2010.

Ms. Kesper stated that the next meeting of the Board was January 11, 2009.

Ms. Kesper announced that Mr. Monahan was not seeking reappointment for 2010 as he is retiring from the police force in early 2010.

Mr. Monahan made a motion to adjourn the planning board meeting, seconded by Mr. Trevena. A voice vote was taken; all were in favor and the meeting was adjourned at 8:35 p.m.

Virginia R. Kesper, Clerk