

The regular meeting of April 20, 2004 of the Washington Township Planning Board was called to order by Chairman Jones at 7:30 p.m.

MEMBERS PRESENT

CLASS IV: R. Gregory Jones, Kathleen McGroarty*, Howard Popper,
Geoffrey Price, Kevin Walsh
ALTERNATES: William Leavens
CLASS I: Eric Trevena*
CLASS II: Walter Cullen
CLASS III: Kim Ball Kaiser
OTHERS ABSENT: DiSalvo, Bauerlein
OTHERS PRESENT: Engineer Hall, Clerk Kesper, Planner Banisch, Attorney
Cafoni, Environmental Consultant Keller

*Arrived Late

Adequate notice of this meeting was sent to the Observer-Tribune and the Morristown Daily Record on January 16, 2004 and posted on the Bulletin Board on the same date. Five notices were mailed, as there were five requests.

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

Mr. Short opened the meeting for the Township Committee
In attendance Mayor Short, Committeewoman Kaiser and Committeeman Cullen

Pledge of Allegiance

APPLICATIONS

1. U.S. Homes – Block 19, Lots 5, 6, 7 – Newburgh and Schooley's Mountain Road Senior Housing Overlay Zone – 122 Acres – Concept Plan for 197 Age Restricted Housing Units

Joel Kobert, Applicant's Attorney
Stan Omland, Applicant's Engineer
Michael Savage, Applicant

Mr. Kobert stated that the single family 200 lot subdivision was filed today. He explained that this evening they are presenting a concept plan that was based on concerns of the Board from the prior concept meeting and subsequent TCC. The plan they are presenting this evening is a different design concept that would require an amendment to the current Senior Housing Overlay Zone. He explained to the Board that concurrently with the discussions on the new concept plan the applicant would be

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proceeding with the 200 single family plan and if the Township Committee decided to change the zone to allow for the new design concept plan they would then move ahead with the new plan and abandon the 200 single family application. He also noted that the applicant was aware that this was a non-binding meeting.

Mr. Omland referred to a color site plan of the 200 single family housing plan which he stated was a conforming plan. He stated that based on the concept plan and TCC's they have developed a new plan that tried to address the concerns of the board previously mentioned. He referred to an existing conditions map and noted the areas of concern which were: the wooded area, public access to the river, saving the existing farm house and preserving the existing viewshed at the intersection of Newburg Road and Schooley's Mountain Road. Based on these concerns he presented the concept plan for manor style housing that preserved all of the wooded areas, preserved the westerly viewshed because there is no development at all in that area, and the farmhouse would be preserved. The manor style housing would be three story attached housing with resident parking provided under the building with only visitor and overflow parking on site.

Mr. Omland compared the ordinance, single family application and concept manor housing as:

Single family - 1.6 dwelling units per acre, manor housing - three dwelling per acre

Single family – 197 dwelling units, manor housing 375 dwelling units

Impervious coverage - ordinance allows 30%, single family – 19% and manor housing 11%

Land disturbance - single family – 76 acres manor housing - 40 acres

Building coverage – ordinance allows 20%, single family 9%, manor housing 5%.

Open space – ordinance requires 35%, single family provides 53%, manor housing provides 70%.

Tree removal - single family 8.5 acres, manor housing - ½ acre.

Mr. Omland stated that the manor home style development is clustered. The buildings would have elevators. There would be more water features than the single family plan. All of the other amenities such as clubhouse, pool, tennis, etc would remain the same in both plans.

Mr. Short noted that this property is in the highlands planning area not preservation area. He was concerned with the number of units proposed and that he would like to see the number of units reduced. He was concern with three story buildings and noted that if the height goes over 10% of the height maximum in the ordinance the application would have to go to the Board of Adjustment. He would like to see the farm home site converted into commercial/professional use to provide for some services on site to reduce off site traffic. He wanted to see public access to the river. He would like to see the entrance to the manor housing directly across from the Hastings Square road controlled with a traffic light. He stated that based on the

presentation and taking into consideration his concerns, he did prefer the manor housing plan over the single family plan.

Mike Savage from US Homes stated that regarding demographics there is a need for senior housing in Washington Township. He referred to the 2000 census and stated that there are 1213 households in the township in the age group 55 to 74 and in the county there are over 50,000 households in this age group. The economic census indicate that the average township income for the 55-74 age group is \$105,000. The average home sale price (including new construction and re-sales) in 2003 was \$446,000. He stated that US Homes considers households with income of \$50,000 for targets of this type of house.

Mr. Savage explained that the tax impacts of the manor housing would be \$3.2 million in gross tax revenue on an assessed value of \$110 million and that this would translate into a net surplus of 2.2 million. Tax impacts on the single family homes is projected to have a gross tax revenue of 1.7 million total vs. 3.2 million for the manor housing.

Mr. Jones stated he had concerns regarding firefighting apparatus required for 3 story homes.

Mr. Kobert stated that if the overlay was changed, he would ask that the 20 acres currently zoned industrial/office research be put into this overlay zone as well. He asked if the board and committee liked this concept proposal they grant permission to meet with the Boards' professionals to develop an ordinance.

Mr. Short suggested that the applicant propose the changes necessary for the township to review and comment on.

Mr. Kobert stated that they would do that but he would like to still meet with the professionals. He noted that there is escrow with the township for this type of review.

The township committee meeting was opened to the public for questions and comments for items not on the agenda. There were no questions or comments and the meeting was closed to the public for questions and comments for items not on the agenda.

Committeeman Cullen made a motion to adjourn the Township Committee meeting, seconded by Committeewoman Kaiser. A voice vote was taken; all were in favor and the meeting adjourned at 8:05 p.m.

Mr. Omland answered the board that the height of the building would be 48', which complies with the ordinance. Each of the nine buildings are currently designed to have the same footprint and be identical. Each dwelling unit would be one floor. The buildings are proposed to be a three story gable roof design. Access to the garage would be along the short size of the building and run the full length of the building that would provide 53 parking spaces. Almost all of the units would look out at open

space. The parking under the buildings would be for residents only. There is no longer a proposal for a gated community under either plan. He stated that there would be 42 dwelling units per building. He stated that the building would have to meet building code requirements units for ventilation of the garage and that under building codes they would be required to have fire suppression sprinkler systems in all the units.

The board expressed their concerns with the concept plan as: density should be reduced, the height of the buildings as to the mass and view as well as fire protection, the possible impact of the proposed highlands legislation, stream protection and meeting township stream corridor conservation requirements, connection with Audubon Society for grassland habitat for the area currently farmed, commercial uses be provided - including converting the existing farm house for commercial uses, traffic impact, fire protection, impact on emergency services, alternate materials for the overflow parking, need for private ambulance services, only one ingress/egress is shown, overflow parking spaces are inadequate as well as inadequate parking spaces under the building be accommodate the residents and that emergency generators be provided for all units for use in the event of power failures.

A pole of the board was taken and all members present favored the concept manor plan over the single family plan. Members present: Walsh, Price, Popper, Leavens, Cullen, Kaiser, Jones

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

George Cummins – Greenway Flowers – was concerned about additional commercial in this development, especially as he was previously denied his request to have five acres rezoned commercial. He also asked about the setbacks.

Mr. McFall – Newburgh Road asked about the Highlands Core area and was concerned about the traffic. He also questioned where the second access would be.

Bob Torres – Schooley's Mountain Road was concerned about the traffic impact.

Mr. Jones stated he had the same concerns but noted that the underlying zone is industrial which would generate even more traffic.

Paul Krylowski was concerned with the three story buildings and noted that two story buildings would allow for 242 units.

Mr. Banisch stated that there should be road widening and alignment changes at Newburgh and Schooley's Mountain Road that would help with some of the traffic problems.

Mr. Omland stated that there is no access onto Newburg Road and stated that it is anticipated that the manor style homes will be offered for sale in the low \$300,000's.

Mr. Torres answered Mr. Banisch that the concept plan addressed his concerns regarding the viewshed, but he was very concerned with the traffic impact of 375 units.

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

The Board agreed to have TCC's set up to discuss this ordinance change.

The meeting was opened to the public for items not on the agenda. There were no questions or comments and the meeting was closed to the public for items not on the agenda.

Kathleen McGroarty arrived at joined the meeting at 8:45 p.m.

2. Valley View Chapel – Block 36, Lot 53 – 115 East Mill Road – R-5 Zone – Request to add Valley View Chapel to the Waste Water Management Plan

Paul Barnish, Applicant
Paul Ferriero, Applicant's Engineer
John Beyel, Applicant's Attorney
John Moore, Applicant

Ms. Kaiser and Mr. Price stepped down due to a conflict of interest.

Mr. Ferriero presented calculations on the sewage flows as the DEP now requires. Prior to six months ago this calculated to 15,000 gallons per day. He worked with the health department on creating realistic flows based on water meter readings and they came up with 25,000 gallons per day; the DEP requires a design to accommodate 59,000 gallons per day. Because of these flows they have to go to the DEP for a permit. The MUA has capacity. It was his opinion that it was best to tie into the existing sewers. The soils on site are acceptable for an on site system, but he did not think this was the best way to go. He explained that it would be a force main system. Everyone downstream of the church property is on the system or in farmland preservation. Regarding going up towards Chester, he recommended that for the wastewater management system the area to be added be described by metes and bounds so the entire property is not in the service area. He would like a recommendation from the planning board endorsing an amendment to the wastewater management plan to include the church. He stated that regarding conservation easements the church had expanded from four acres to 8 ¼ acres, which encompass most of the steep slopes on the property.

Mr. Hall stated that that the area not in the proposed easement are also not regulated steep slopes.

Mr. Beyel stated that the proposed deeds have been approved by the Township Committee.

Mr. Ferriero stated that this property is in the proposed highlands core area.

Ms. McGroarty made a motion to recommend to the township committee that the church be included in the wastewater management plan. Seconded by Mr. Popper. A voice vote was taken; all were in favor and the motion carried. Ms. Kesper was directed to send a letter to the township committee making the recommendation.

Mr. Ferriero referred to the phasing of the addition. He referred to the plans and he would like to change the phasing to allow for the parking lot to be done first.

Mr. Beyel stated that there is an outstanding issue, which would prevent the resolution of approval from being perfected regarding the water line and he wanted to be able to do this work without all the conditions of the resolution being done.

Mr. Buzak stated that a resolution amendment would be needed to allow construction prior to meeting all the conditions.

Mr. Jones made a motion to amend the resolution waiving the requirement of water and sanitary service being confirmed prior to construction and to allow the parking lot construction as phase I, seconded by Mr. Walsh. A roll call vote was taken:

AYES: Cullen, Jones, Leavens, McGroarty, Popper, Walsh,

DISCUSSION/ CORRESPONDENCE

1. April 12, 2004 correspondence from WTMUA RE: Wastewater Management Plan

Noted for the recorded.

2. Discussion on density definitions and zoning – tabled until after the highlands legislation

Noted for the record.

3. April 15, 2004 correspondence from Anderson & Denzler RE: Ordinance revisions

Mr. Hall explained his request for a change to the ordinance that drywells be in the ground prior to building permits.

Mr. Popper made a motion to send the recommendation to the Township Committee, seconded by Ms. Kaiser. A voice vote was taken; all were in favor and the motion carried.

4. Scudese vs. Washington Township (on final approval)

Mr. Buzak informed the board that a suite has been filed against the planning board, TM Group and the Township challenging the final approval. He noted that the Board or Township wasn't served done by personal service but by certified mail, which means the time period has not started.

5. April 13, 2004 correspondence from Somers & Malay RE: TM Group and Scudese Property

Mr. Buzak stated he was not sure what this letter was trying to state, but that this letter did not exempt the Scudese from obtaining any necessary permits.

5. Vouchers

Mr. Walsh made a motion to approve the vouchers reviewed by the chairman and found in order, seconded by Mr. Price. A voice vote was taken; all were in favor and the motion carried.

Eric Trevena arrived and joined the meeting at 9:35 p.m.

APPLICATIONS

3. Long Valley Village (Claremont Valley LLC) – Block 28, Lots 17.01, 18 and 18.02 - Request for two lot minor subdivision, lot line adjustment and preliminary site plan for 29,600 sf shopping center - Deemed Complete October 22, 2003 – Previously Heard December 8, 2003, December 16, 2004, February 25, 2004 and March 24, 2004 - Public Hearing Continued - Expires – April 30, 2004

Douglas Janacek, Applicant's Attorney
Ronald Kennedy, Applicant's Architect
Jim Baumgartner, Applicant's Engineer

Mr. Jones, Ms. Kaiser, Mr. Leavens and Mr. Cullen stepped down due to conflicts of interest.

Mr. Janacek reviewed the previous meeting and that there were just two items remaining from the previous meeting; the keystone wall and the sign.

Mr. Kennedy referred to a photo board of a keystone wall which was marked A-15. He stated that the beveled edge and texture is what they propose, the color would be gray not the red color shown.

The board had no comments on the wall material chosen.

Mr. Minno referred to a sign display board, which was marked A-16. The existing foundation would be used as a courtyard and the sign will be made part of the wall to the plaza. The sign would be lighted from lights placed within the plantings below the sign and that only the sign would be illuminated. The sign is proposed to be ten feet high with a total square footage of 45 sf for each side – the ordinance allows for 150'. There is also a freestanding sign for showing the names of the ten potential individual business owners. The sign would total 120' with each business having a 10' x 12' sign each. The plaza could have a few benches if the board wanted them.

Mr. Kennedy stated that the individual signs within the shopping center would be either extended from the side of the building or part of the façade. These signs would be controlled by the maximum signs allowed of 5% of the façade. Letter height would have a maximum of 20" high. The signs would be wooden and exteriorly lit. The hanging signs would be 2' x 2'.

Mr. Hall reviewed his report of March 15th, page 2 regarding the design waivers. Specifically the number of parking spaces and the size of the restaurant. The rest of the design waivers he did not have objections to granting. He stated that on Page 3 item a- soil disturbance, was still outstanding.

Mr. Kennedy stated he would satisfy item a on page 3 for soil disturbance as per the Mullick and Tully report (pages 8, 9 and 10) and Dr. Oweis's report except for the recommendation that the MCSCD change their soil survey. He also agreed to the 12" of top soil in the area of grading on the agricultural lot.

Mr. Janacek noted that the grading onto the agricultural property must be done prior to turning the development rights over to farmland preservation and he wanted this to be made a condition of approval that this be allowed prior to all conditions of site plan approval have been satisfied.

Mr. Kennedy stated that they would obtain MCSCD approval and have a pre-construction meeting, etc. prior to the bringing of soil on site and the grading. The applicant wanted to do this work as soon as possible. He stated that this property is not in the highlands core area. The two residential lots may be in the core area.

Mr. Janacek asked that the minor subdivision be a separate resolution.

Mr. Hall reviewed the variances required for the minor subdivision as sited on page 1 III A.

Mr. Kennedy stated that he agreed to the conditions listed on Mr. Hall's report Page 4 items 1-5 surface water management. He also agreed to the conditions stated by Mr. Maltz regarding radiuses and signs.

Mr. Banisch addressed the reasons the board could grant the variances for the minor subdivision and that it was his opinion that they could be granted without detriment to the public good.

Mr. Kennedy stated that the two homes would be hooking into the municipal sewer system.

Dr. Keller addressed recommended plant changes such as removing Japanese Barberry and changing the type of pine trees to red cedar or Norway Spruce because of the limestone soil.

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

Mr. Price made a motion to approve the site plan, lot line adjustment, minor subdivision, design waivers and variances as discussed throughout the application, seconded by Mr. Trevena. A voice vote was taken; all were in favor and the motion carried.

Eligible: Trevena

Absent: December 8 – McGroarty, Walsh
December 16 – Popper
February 25 – Bauerlein
March 24 – Bauerlein, Price
April 20 – Bauerlein, DiSalvo

Ineligible – Cullen, Jones, Leavens, Kaiser

Mr. Popper made a motion to adjourn, seconded by Ms. Kaiser. A voice vote was taken, all were in favor and the meeting was adjourned at 11:00 p.m.

Virginia R. Kesper