

**Washington Township Planning Board  
FEBRUARY 13, 2012**

Chairman Leavens called the regular meeting of February 13, 2012 of the Washington Township Planning Board to order at 7:30 p.m.

MEMBERS PRESENT

CLASS IV: William Leavens, Kathleen McGroarty, Eric Trevena,  
Lou Mont, Charles DiSalvo,  
ALTERNATES: Sam Akin (arrived at 7:50p.m.)  
CLASS I: -  
CLASS II: -  
CLASS III: -  
ABSENT: Roger Read, Mark Bauerlein, Howard Popper, Ken Short  
Dave Kennedy

OTHERS PRESENT: Engineer Hall, Attorney Cofoni, Planner Banisch,  
Clerk Margoese

Adequate notice of this meeting was sent to the Observer-Tribune and the Morristown Daily Record on January 19, 2012 and posted on the Bulletin Board on the same date. Notices were mailed as per requests.

**MINUTES**

1. Minutes from the November 14, 2011 (Regular & Executive Session)
2. Minutes from the December 12, 2011 (Regular & Executive Session)
3. Minutes from the January 9, 2012 (Reorganization, Regular & Executive Session)

It was announced that there were not enough members in attendance to vote on either sets of minutes. Approval of the minutes was tabled until the next board meeting.

**RESOLUTIONS**

None

***The meeting was opened to the public for items not on the agenda. closed to the public.***

Mr. Roger Freiday (Jones Lane) spoke with the board about approvals for lots on Jones Lane which he feels should not have been granted approval. He asked about Fire Department and Emergency Squad reviews of board applications.

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Mr. Banisch stated that the approvals had been granted by the Board of Adjustment and that the time for appeal has passed.

Mr. Freiday said that he feels that all property owners on Jones Lane should have been noticed when the application came before the board rather than just those property owners within 200 feet. He specifically addressed the Holleys' (Block 13, Lot 13) approval stating that the township should require that applicants become members of Home Owners Associations on private roads. Mr. Freiday also noted that the noise resulting from the Holleys' work on their lot has been very loud.

Attorney Cofoni stated that this is a Board of Adjustment matter and that the Planning Board cannot address it.

**PUBLIC HEARING/APPLICATIONS -**

1. Kings Highway – Block 30, Lots 70, 70.01 & 70.02 – 214 Kings Highway – R-20 Zone  
Conceptual Plan for Multi-Family Housing  
Representatives present: Mr. Michael Selvaggi, Esq., Mr. John Hansen, P.E., and Mr. Richard Blanchard (Kings Highway, LLC)

Attorney Michael Selvaggi introduced the proposal by saying that the subject property is located at the existing USR Optinix site on Kings Highway. Mr. Selvaggi stated that the subject property is located in the OR/I Zone and is adjacent to property that is in the R-20 Zone. He stated that the current tenancy is set to expire in two years and that it does not appear that owners will be able to find a new tenant. Mr. Selvaggi stated that approximately \$170,000 property taxes per year are derived from this property and that the owner wants to keep the property viable. He said that they are hoping to engage in a dialogue and are asking that the board consider possible rezoning of the property or give direction regarding the need for a use variance. Mr. Selvaggi informed the board that a Highlands exemption for this property has been received.

Mr. Richard Blanchard from Kings Highway Investment Company, LLC was introduced. Mr. Blanchard noted that his family company has mainly been involved with the construction of hospitals. He stated that since 1968, the subject property has been the site of used by USR Optinix and that they produced luminescence phosphorus and copier toner. He said that a small percent has been used for office space. Mr. Blanchard stated that the building has been so highly specialized for its current use that it has been difficult to find a new tenant. He said that an LSRP has been done for the site and that remediation has been going on for years through the NJDEP. He stated that zinc and cadmium has been noted as the environmental issue on the site. Mr. Blanchard stated that USR Optinix has agreed to bring the site to residential standards environmentally. He said they are hopeful that the environmental contamination will be cleaned-up by 2014.

Planner Banisch asked if other non-residential options have been considered. Mr. Selvaggi stated that according to a Colliers Lease Market Report there has been a decline of leasing of industrial space.

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Mr. John Hansen was introduced as the project engineer. Mr. Hansen referred to the Highlands exemption. He said that this proposal qualifies under exemption #4 because less coverage of the site is proposed with the new plan than currently exists. Mr. Hansen stated that the concept plan is for 155 residential units and that the HMUA has said there is public water and sewer for this site. He noted that the domestic and industrial flow is 70,000 gallons per day and that the anticipated flow for the residential use would be 45,000 gallons per day. Mr. Mont said that he would like a copy of the readings. He said that the water main connection is in the north east corner of the site. It was noted that there are five buildings on the site. The toner building is 47,000 sq. ft. in area and the other two buildings equal 90,000 sq. ft. The toner building is currently being dismantled and the other buildings are vacant.

Mr. Selvaggi stated that Washington Township might consider an overlay zone for this site. Engineer Hall noted that US Homes used an overlay zone. He encouraged the board to require a traffic study for the site.

Mr. Akin asked how many children on average would result from townhouses. Mr. Banisch stated that 2.1 per town house. Mr. Selvaggi said that the school board has issued a study which states that 300 fewer students are in the schools now and continue to see a decline. Mr. Akin recommended that the Economic Development Committee to look at this proposal. Mr. Banisch recommended that the Planning Board consider the proposal first and decide on the question of rezoning. He noted that this site is environmentally sensitive for a variety of reasons.

Engineer Hall informed the board that the detention basin on this site is currently going through a soil disturbance permit application which will probably be coming before the board within the next couple of months.

Mr. Vince Pinella (Kings Highway resident for over 40 years) stated that the emergency road for this site runs through a floodplain. He said that he does not think that the site should be changed from being an industrial site to a residential site. He recommended that the Planning Board make a site visit.

Mr. Brent Pinella (Kings Highway) noted his concerns regarding traffic. He noted that many houses are available now. He asked why the applicant thought they could sell the proposed houses. He stated that he has lived on Kings Highway all of his life and that he has never seen any problems with USR Optimix's traffic patterns.

Ms. Beth Styler Barry introduced herself as the Executive Director of the Musconetcong River Watershed Association. She noted her concerns about industrial or residential uses on this Category 1 River which is the second highest protection category in the state. She said that run-off and ground water would have to be considered. Ms. Styler Barry said that the Musconetcong River is categorized as a national wild and scenic river.

Ms. Mc Groarty said that she has concerns with this site becoming vacant and taxes being affected.

Mr. Banisch stated that there is Karst geology on this site. He added that the Category 1 designation needs to be considered along with the possibility that temperature changes could cause issues with the river. He noted that rental housing is at a premium in the township as there is not enough for the demand.

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Mr. Akin said that he has concerns with commercial and housing impacts. He said that these matters need to be discussed.

Mr. Mont recommended that site visit be made by the board. He said that he is interested in the square footage of the units. He added that if the township goes down this road they should want it to be successful. Mr. Mont asked that a comparison be made of a fully occupied industrial site versus the housing proposal. He asked that more information be provided about the contaminated soil and the environmental clean-up.

Mr. Trevena said that he would like to keep the site as OR/I Zone but that he might be amenable to other proposals.

Chairman Leavens stated that issues that need to be addressed are traffic, emergency access, buses going down Kings Highway, concerns with the density of the project, recreation on the site, affordable housing, native species buffering along the Musconetcong River. He noted that he would prefer that the site be kept industrial because later there may be a need for a small industrial site.

Planner Banisch reviewed that the following should be done before coming back before the Planning Board:

- Traffic Study
- Fiscal Impact Study (Tax comparisons - industrial versus single family residential)
- Development Impact Study (Projections of school age children)
- The square footage of the proposed units (giving a not to exceed number)
- The status of the environmental clean-up of the site by an environmental expert

A site walk is to be scheduled after the information has been provided to the Planning Board.

***DISCUSSION / CORRESPONDENCE***

1. Washington Township Housing Construction Report for 2011

Engineer Hall stated that in 2011 there were 8 Certificates of Occupancy issued and 5 were for single family housing. He said that he believes that number will be a decrease in 2012.

2. Vouchers

Mr. Di Salvo made a motion to approve the vouchers reviewed by the Chairman and found in order and send them on for payment, seconded by Mr. Mont. A voice vote was taken; all were in favor and the motion carried.

Mr. Di Salvo made a motion to adjourn, seconded by Mr. Trevena. A voice vote was taken; all were in favor and the meeting was adjourned at 9:28 p.m.

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Respectfully submitted,

Barbara J. Margolese, Clerk