

Washington Township Planning Board
APRIL 25, 2012

Chairman Leavens called the regular meeting of April 25, 2012 of the Washington Township Planning Board to order at 7:30 p.m.

MEMBERS PRESENT

CLASS IV:	William Leavens, Eric Trevena, Lou Mont, Mark Bauerlein
ALTERNATES:	Sam Akin (arrived at 7:40 p.m.)
CLASS I:	-
CLASS II:	-
CLASS III:	Dave Kennedy
ABSENT:	Kathleen McGroarty, Howard Popper, Ken Short, Roger Read, Charles DiSalvo
OTHERS PRESENT:	Engineer Hall, Attorney Buzak, Planner Banisch, Clerk Margolese

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 March 12, 2012 (Regular Session & 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.

2. Minutes from the March 28, 2012 (Regular Session)

Mr. Bauerlein made a motion to approve the minutes as presented, seconded by Mr. Mont. A voice vote was taken and the motion carried.

Ayes: Leavens, Mont, Trevena, Bauerlein

Nays: None Abstentions: Kennedy

RESOLUTIONS

None

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

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 by the Board of Adjustment. Mr. Freiday stated that Jones Lane has been damaged and that just patching the road is not sufficient. Engineer Hall stated that as part of the approval for Block 13, Lot 13 the Holleys were required to post a \$5000 cash bond for road repairs

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resulting from their soil disturbance permit. He noted that this is not required by ordinance if the amount of soil removal does not exceed 100 cubic yards.

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 through the Jones Lane Home Owners' Association rather than only those property owners within 200 feet.

Mr. Freiday stated that he feels that both John Holley (Block 13, Lot 17) and James and Carol Holley (Block 13, Lot 13) should be required to join the Jones Lane Home Owners' Association.

PUBLIC HEARING/APPLICATIONS -

1. Nextel of New York, Inc. – Block 13, Lot 8 – Keltz's Lane – R-5 Zone -24.01 Acres - Minor Site Plan for Collocation of Antennas on existing JCP & L Tower and installation of 99.375 sq. ft. Equipment Cabinet- Determination of Completeness Only

It was announced that there were no representatives for the applicant in attendance. The application was described as a proposal for a collocation of antennae on an existing JCP&L tower with an equipment cabinet. This application has been classified as requiring minor site plan approval. Engineer Hall stated that he has reviewed the application and that he found it to be complete.

Motion to deem the application complete was made by Mr. Trevena, seconded by Mr. Bauerlein. A roll call vote was taken:

Ayes: Leavens, Mont, Trevena, Kennedy, Bauerlein, Akin

Nays: None Abstentions: None

The public hearing for this application was set for May 14th, 2012 at 7:30 p.m.

DISCUSSION / CORRESPONDENCE

1. An Ordinance Amending the Land Use Ordinance of the Township of Washington to Update Submission Requirements for Applications for Development – Highlands Checklist

Planner Banisch introduced the proposed Highlands Checklist ordinance by stating that Washington Township's Waste Water Management Plan has been revised a couple of times. He said that after the NJDEP review a notice had to be placed asking for comments during a thirty day period. He noted that the NJDEP has requested proof that the Township is adhering to their Highlands Plan before giving their complete approval for the Waste Water Management Plan. Mr. Banisch stated that the Township's adoption of the Highlands Checklist Ordinance will show the NJDEP that the Township is in compliance with the Highlands Plan.

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Planner Banisch informed the Board that new legislation is being considered which will effect new connections to the existing sewer service lines. He noted that the Township has three possible paths that they can take: 1. adopt the Highlands Checklist Ordinance, 2. adopt a land use ordinance, or 3. go through the Morris County approval process.

The Highlands Checklist, Mr. Banisch stated, addresses exemptions and gives a list of exclusions that can be considered by a Township appointed person. He stated that the ordinance requires that all development applications must meet the requirements even in the Highlands Planning Area.

Engineer Hall referred to Page 5 exemptions "D1" and "D2". He noted that an applicant must have the exemption determination made by the Highlands Council if the property is located wholly in the Planning Area; however, if it is in the Preservation Area the determination for the exemption must include a Highlands Applicability Determination issued by the NJDEP. Engineer Hall also noted that on Page 3 it states that the Washington Township Planning Board cannot deem an application complete unless a Consistency Determination from the Highlands Council is received in writing.

Mr. Akin stated that he is not really in favor of the Township adopting this ordinance. He said that he feels that the Township's Waste Water Management Plan is good and that the Township should not need to adopt the Highlands Checklist Ordinance to have the WWMP approved. Mr. Akin pointed out that all of the stakeholders that are counting on the WWMP need to be considered and taken care of.

Mr. Mont noted that the Board needs to make the Township Committee aware of their opinion and that the Board finds the adoption of this ordinance objectionable as NJDEP is requiring Washington Township to adopt the unrelated Highlands Checklist Ordinance to get its WWMP approved.

The Board considered the Highlands Checklist Ordinance with regard to it being consistent with the Township Master Plan. It was decided that there is a potential for inconsistency with the current Washington Township Master Plan but that the ordinance will not be inconsistent when the Township adopts the Highlands Master Plan requirements.

The Planning Board authorized Mr. Banisch to draw up a resolution addressing the possible inconsistencies with the Township Master Plan and also informing the Township Committee of its objections to the ordinance being adopted. The Board decided to continue their discussion and adopt the resolution regarding this matter at the May 14th meeting.

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

Ayes: Leavens, Mont, Trevena, Kennedy, Bauerlein, Akin
Nays: None Abstentions: None

Mr. Mont made a motion to adjourn, seconded by Mr. Bauerlein. A voice vote was taken; all were in favor and the meeting was adjourned at 8:45 p.m.

Ayes: Leavens, Mont, Trevena, Kennedy, Bauerlein, Akin

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Nays: None

Abstentions: None

Respectfully submitted,

Barbara J. Margolese, Clerk