

**Washington Township Planning Board
June 26, 2013**

Vice Chairman Mont called the regular meeting of June 26, 2013 of the Washington Township Planning Board to order at 7:30 p.m.

MEMBERS PRESENT

CLASS IV: William Leavens, Charles DiSalvo, Lou Mont, Eric Trevena
CLASS I: Ken Short
CLASS II: Roger Read
CLASS III: -
ALTERNATES: Sam Akin, Howard Popper
ABSENT: Kathleen McGroarty, Mark Bauerlein, James LiaBraaten
OTHERS PRESENT: Attorney Buzak, Engineer Hall, Planner Banisch, Clerk Margolese

Adequate notice of this meeting was sent to the Observer-Tribune on January 17, 2013 and posted on the Bulletin Board on the same date. Notices were mailed as per requests.

MINUTES

Minutes from April 24, 2013

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

Ayes: Leavens, Mont, DiSalvo, Popper, Short
Nays: None Abstentions: Roger Read, Eric Trevena, Sam Akin

Minutes from May 13, 2013

Mr. DiSalvo 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, DiSalvo, Popper, Short, Akin, Read
Nays: None Abstentions: Eric Trevena

Minutes from May 22, 2013

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

Ayes: Mont, DiSalvo, Trevena, Read, Akin Nays: None Abstentions: Short, Popper, Leavens

Executive Session Minutes from April 24, 2013

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

Ayes: Leavens, Mont, DiSalvo, Popper, Short Nays: None Abstentions: Trevena, Read, Akin

PUBLIC COMMENT ON NON AGENDA ITEMS

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. Long Valley Gas – Block 35.01, Lot 32 – 69 East Mill Road – C-1 Zone - .92 Acres
Preliminary & Final Site Plan Application with a Front Yard Setback Variance
Proposed Gasoline Pump Canopy & Propane Filling Center - Public hearing
Representatives present: Robert Mielich, Esq., George Gianforcaro, P.E., Manjit Singh

The Board Secretary noted that the applicant had renoticed for this meeting. For the record, it was noted that Mr. Singh was still under oath from having been sworn-in at the March 27, 2013 meeting. It was also noted that since the March 27th meeting the applicant had hired a new engineer for this project. The applicant's new engineer, Mr. George Gianforcaro was worn-in and gave his credentials to the board. The Board accepted Mr. Gianforcaro as an engineering expert.

The applicant's attorney Robert Mielich referred to the latest set of plans for this project with a revision date of May 29, 2013. The following exhibits were submitted for the record: Exhibit "A-4" - Plan Sheet SP-1, Exhibit "A-5" - Plan Sheet SP-2, Exhibit "A-6" - Plan Sheet SP-3, Exhibit "A-7" - Plan Sheet S-100.

Mr. Gianforcaro noted that trees had been added along Old Farmers Road and along the property line and that plantings have been added to the island along East Mill Road. Mr. Banisch stated that Norway spruce trees have been proposed. Mr. Akin said that he has concerns about the Norway spruce trees growing fast and tall. He stated that he recommends that a smaller evergreen be planted instead. Mr. Banisch noted that rhododendrons, blue junipers, and laurels have also been proposed for the site. Mr. Short said that he has concerns regarding the higher maintenance of the proposed shrubs. Engineer Hall stated that all trees and shrubs must be maintained and must not interfere with sight distance at the corner. Mr. Gianforcaro stated that the rhododendrons can be replaced with other junipers on the plan. Chairman Leavens stated that he would prefer that native species be used. Planner Banisch was directed to work with the applicant with regard to the site's landscaping plan.

Mr. Gianforcaro referred to plan sheet S-2 stating that the canopy lights have been changed to now reflect that they will be recessed. It was noted that there will be no resulting sky glow from the canopy lights. Mr. Hall noted that the range on the site will be from 25 to 45 foot candles.

Mr. Gianforcaro stated that the NJDEP had told him that the propane filling station area can only be enclosed on two sides. He stated that the fence will be a black chain link fence with black privacy slats. Mr. Banisch noted that a person driving up Old Farmers Road would see the back of the propane filling station. Mr. Trevena recommended that the Old Farmers Road side be enclosed and the side facing the pumps will be open so that the gas station attendant could see the tank from under the canopy. Mr. Hall agreed saying that the fence should be flipped to the sides that are currently shown as open. Mr. Gianforcaro stated that when it is dark there will be no propane filling and therefore no lights have been proposed for that area. He stated that one parking space has been provided for people getting propane refills. He noted that the flat bed parking space is located in this area of the site as well.

The Board noted concerns with the gravel parking area in the back of the site. Mr. Singh stated that no cars will be parked in the back gravel area long term. Mr. Gianforcaro pointed out that the curb for the site has been changed to Belgian block. He noted that the concrete slab will not go beyond the canopy footprint. A shed for storage is to be attached to the rear of the building and is to be shown on the plans. The floodlights on the site have been set an angle of 45 degrees and the new mounting height is to be 15 feet. Mr. Gianforcaro stated that all of Engineer Hall's comments noted in his June 24, 2013 report will be satisfactorily addressed. The Board decided that as a condition of approval the lighting is to be inspected by Engineer Hall after its installation to insure that the lights have been shielded properly and do not result in any glare.

The Board discussed the need to continue sidewalks along the site. It was decided that sidewalks would not have to be installed for this application. The Chairman opened the hearing to public comment on this application. No comments or questions were offered. The hearing was closed to public comment.

Mr. DiSalvo made a motion to direct the attorney to prepare a resolution memorializing the approval of the preliminary and final site plan with a variance for the front yard setback allowing a 20 foot setback when 50 feet is required for the location of a new canopy over the existing pumps along with a propane dispensing station with the following conditions:

Prior to the Certificate of occupancy being issued the applicant shall conduct lighting test that shall be witnessed by the Township Engineer.

No automobile repairs are to be done outside of the existing building.

The applicant will submit a revised plan showing the revised location of the propane filling station on the gravel area of the site rather than on a grassed area.

The shrubs on the site will be maintained and will their selection coordinated with the Board's planner and the proposed Norway Spruce trees will be substituted with other evergreen trees that have been approved by the Engineer and Planner.

No sale or display of merchandise is to be permitted outside of the building on the site.

There is to be no long term storage of vehicles in the gravel area on this site.

The site is to be cleaned up with non-operating cars being removed from the site.

All items noted in Attorney Buzak's April 8, 2013 letter and Engineer Hall's June 24, 2013 letter and Planner Banisch's June 26, 2013 will be satisfactorily addressed.

The motion was seconded by Mr. Mont. A roll call vote was taken and the motion carried.

Ayes: Leavens, Mont, DiSalvo, Read

Nays: None Abstentions: Trevena, Short, Popper, Akin

2. Highlands Re-Examination Report

Mr. Leavens recused himself due to a conflict of interest. Planner Banisch stated that he had incorporated the three comments offered by the Board as well as the six comments received from the Highlands Council. Mr. Banisch reviewed the changes made to the document.

Mr. Akins noted that the proposal of the water line from the well located behind the WTMUA to the Combe fill South should be noted in the report. It was also noted that the proposed new location for the fire house is to be noted in the report as well. Mayor Short noted that local wineries selling their own vineyard products should be incorporated into the report. Mr. Buzak stated that the report could be changed to reflect the change in zoning to permit wineries and their sale of wine products.

Mr. Trevena made a motion to adopt the Highlands Re-Examination Report with the noted changes, seconded by Mr. Short. A roll call vote was taken and the motion carried.

Ayes: Leavens Mont, DiSalvo, Trevena, Read, Akin, Short, Popper

Nays: None Abstentions: None

DISCUSSION/CORRESPONDENCE

1. Kings Highway Investment Company, LLC – Block 30, Lots 70, 70.01 & 70.02
214 Kings Highway - R-20 Zone – 42 Acres
Conceptual Plan for Multi Family Housing Units
Representatives present: Michael Selvaggi, Esq., Richard Blanchard

Planner Banisch gave a brief review of the history of this proposal along with an overview of the draft letter to the Township Committee pertaining to the proposed Kings Highway Development. Engineer Hall noted that on Page 3 item #3 setbacks should be inserted. Mr. Mont asked how many years the pilot program runs for the redevelopment plan. Mr. Banisch stated that he would note that the time for the pilot program is negotiable and that the time can run up to 30 years. The Board briefly spoke about incorporating the words rental housing into the letter. Mr. Buzak stated that redevelopment plans tend to be very specific. Mr. Banisch stated that he would leave this as an open question.

Attorney Michael Selvaggi stated that he had read the letter and that it was fairly representative of what had been discussed at the meetings. He said that he and his client take no exception to what is in the letter.

The Board discussed the difference between rezoning and redevelopment of the site. It was decided that the letter talk about rezoning but note that redevelopment could be considered. Mr. Selvaggi suggested that the letter state that the proposal may qualify for redevelopment.

The Board decided to have the letter revised by Mr. Banisch and to have him re-circulate the letter to each of the Board members. The Board members are to send comments to him individually to Mr. Banisch before he sends the letter to the Township Committee from the Planning Board.

2. Nextel cell tower landscaping

Engineer Hall explained to the Board that the landscaping that had been installed for the collocation of the cell tower antennae at the police station was making it difficult for the police officers to park their personal vehicles. Mr. Hall said that the DPW Supervisor Scott Frech had said that the shrubs could be relocated on the site. He noted that the 2 year warranty for the shrubs would not be in affect if the shrubs are relocated by the township. The Board told Mr. Hall to tell Mr. Frech to relocate the shrubs.

3. §217-46 - Parking and Storage of Motor Vehicles (Continuation of discussion)

The Board briefly recapped what had been said at previous meetings. It was decided that the ordinance should be changed to reflect the prohibition of trailers that are connected with businesses.

4. Vouchers

Mr. DiSalvo 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. Mont made a motion to adjourn, seconded by Mr. DiSalvo. A voice vote was taken; all were in favor and the meeting was adjourned at 9:55 p.m.

Respectfully submitted,

Barbara J. Margolese, Clerk