

Washington Township Planning Board
JANUARY 23, 2013

Chairman Leavens called the regular meeting of January 23, 2013 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: Howard Popper, Sam Akin
CLASS I: Ken Short
CLASS II: -
CLASS III: James LiaBraaten
ABSENT: Mark Bauerlein, Roger Read
OTHERS PRESENT: Engineer Hall, Attorney Cofoni, Clerk Margoese

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

1. Minutes from January 7, 2013 (Regular & Reorganization Meetings)

It was noted that Mr. DiSalvo made the motion to nominate the Chairman and the Vice Chairman and that Mr. Akin was present at the meetings and the minutes should be noted as such.

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

Ayes: Leavens, Mont, DiSalvo, Popper, Short, Akin, McGroarty
Nays: None Abstentions: LiaBraaten

2. Minutes from December 10, 2012 (Executive Session Meeting)

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

Ayes: Leavens, Mont, DiSalvo, Popper, Short, Akin, McGroarty
Nays: None Abstentions: LiaBraaten

3. Minutes from January 7, 2013 (Executive Session Meeting)

Mr. Short 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, McGroarty
Nays: None Abstentions: LiaBraaten

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JANUARY 23, 2013 ¶

Washington Township Planning Board
JANUARY 23, 2013

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. 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
Completeness Determination Only

The following checklist items were found to be deficient:

Preliminary Site Plan Checklist Part B:

- #1 Information required by Ordinance Chapter 159 (Site Plan Review, Article V)
Section 159-20 items:

- 159-20A Key Map
- 159-20M Lighting details
- Signature Block for Professional Land Surveyor was not signed

In addition, the following checklist item waiver requests were considered and the Planning Board rendered the following decisions regarding these requests:

Preliminary Site Plan Checklist Part B:

- #1 Information required by Ordinance Chapter 159 (Site Plan Review, Article V)
Section 159-20 items:

- 159-20D Structures within 200' -Waiver granted for completeness only
159-20G Location of existing features within 200' - Waiver granted for completeness only
159-20L Landscaping & buffering - Waiver granted for completeness only

- #8 Development Impact Statement – Waiver granted for completeness only

- #9 Surface Water Management Plan – Waiver granted for completeness only

- #10 Wetlands Delineation – Waiver granted for completeness only

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JANUARY 23, 2013 ¶

Washington Township Planning Board
JANUARY 23, 2013

#11 Soil Disturbance Application – Waiver granted for completeness only

Final Site Plan Checklist Part B:

#6 Letter from MUA or Board of Health regarding water, sewage and solid waste disposal – Waiver granted for completeness only

#8 Letter from Engineer regarding the installment of improvements – Waiver granted for completeness only

Planner Banisch noted that the property to the rear of this site is owned by this applicant and that this area is filled with parked cars. He recommended that the Board consider screening for this area.

Mr. Short made a motion to deem the Long Valley Gas application as incomplete with the noted approved waivers, seconded by Mr. Popper. A roll call vote was taken and the motion carried.

Ayes: Leavens, Mont, Short, Trevena, DiSalvo, LiaBraaten, McGroarty, Popper, AkinAkin
Nays: None Abstentions: None

2. Dr. Anthony Iuvone – Block 2, Lot 6 – Route 46 – C-1 Zone - .544 Acres
Preliminary & Final Site Plan Application- Proposed Dental Offices & Rental Units
Deemed Complete on October 8, 2012 – Extension to hear application granted by applicant through January 24, 2013 - Public Hearing
Representatives present: Michael Selvaggi, Esq., Dr. Anthony Iuvone, Jason Dunn, AICP, PP, Owen Dykstra, P.E.

Dr. Anthony Iuvone was sworn-in. He stated that he currently has dental practice with his father in the Panther Valley Mall on Route 517. Dr. Iuvone stated that he has been a practicing dentist for 9 years. He stated that his father has had his dental practice since 1976. Dr. Iuvone stated that he would like to relocate his practice to the proposed site on Route 46 in Washington Township. He noted that he would like his practice to be similar to his father's practice in the Panther Valley Mall. Dr. Iuvone stated that he feels this is a good location and added that he grew-up in Hackettstown.

Dr. Iuvone told the Board that the proposed building will house 1400 square feet for his dental practice and 1300 square feet for a rental unit. He noted that his current dental practice is 1400 square feet in size. He said that the hours of operation will be Monday through Thursday 9:00 a.m. to 6:00 p.m. with Fridays closed and Saturdays 9:00 to 1:00 p.m. Dr. Iuvone stated that the employees for the practice are the dentist, the hygienist, and the dental assistant. He noted that when he and his father shared their practice they off-set their hours. Dr. Iuvone stated that appointments take from 45 minutes to two or three hours. He stated that there will be 4 offices, a laboratory, a sterilization area, and a reception area. He stated that they usually see six to eight patients per day.

Dr. Iuvone stated that the rental will be rented by something that would compliment his dental practice. He noted that he is not looking to become a residential landlord. Engineer Hall stated that if the maximum number of employees is 4 then the

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Washington Township Planning Board

JANUARY 23, 2013

proposed parking would be alright. Planner Banisch stated that if the rental is not for a medical office then 10 employees would be allowed as the parking requirement for a general office is less than for a medical office.

Mr. Jason Dunn was sworn-in and accepted by the Board as a professional planner. He told the Board that he is employed by Dykstra Associates, 11 Lawrence Road in Newton, NJ. Mr. Dunn referred to Sheet 1 and 2 of the submitted plans giving an overview of the proposed project. He stated that the proposed dental office is to be located on Route 46 and is located next Ryn Robin Pools and the Union Cemetery. Mr. Dunn stated that the proposed site is vacant. He noted that test holes have been dug on the site and it has been verified that several feet of fill has been put on the site.

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Mr. Dunn informed the Board that the Highlands Council has issued their determination of consistency and the Board's geotechnical engineer Dr. Oweis has sent a letter stating that he is satisfied with Dr. Iuvone's plans. He stated that an NJDOT access permit has been received for this site. Mr. Dunn stated that he had had a discussion with the Hackettstown Municipal Utility Authority's Bruce Smith and he had said that there are no plans in the immediate future for sewer hookup to this property. Mr. Dunn stated that the applicant is proposing to install an on-site septic system. He noted that there is a water line that can be connected to.

The Board addressed the design waivers for this application. Ordinance section 159-40A and 159-42G (9A) were discussed. Mr. Dunn noted that the free standing sign setback location will be consistent with the other signs located on that side of Route 46 and that the sight distance was studied and it was found that the sight line would not be impeded by the sign. It was noted that the size of the proposed internally sign is alright. Ordinance section 159-39F (driveway width) was discussed. The proposed driveway is to be 25 feet in width and the applicant does not anticipate any truck deliveries. It was noted that the small size of the site is driving the need for the site design waivers for this application. Mr. Hall said that he does not have a problem with the Board granting this design waiver.

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Planner Banisch addressed his report of January 21, 2013. He noted that he had a comment in his report regarding the size of the proposed building. Dr. Iuvone stated that the size of the building was calculated so that a rental could be offered as it was found to make the proposal more financially stable. Mr. Dunn stated that a visual analysis was done of the surrounding area. He stated that the site will generate less than 100 trips per day as per ITE standards. Mr. Dunn said that the proposed plan will increase tax revenues and will be a low impact site for the township. He said that the township's noise ordinances will be adhered to and that construction for the site will be limited to Monday through Friday 7:00 a.m. to 7:00 p.m., Saturday 8:00 a.m. to 7:00 p.m. and no work on Sunday. Mr. Dunn noted that the sign will have an automatic shut off with the lights shutting off one hour after closing.

The Board addressed the proposed landscaping for the site. Mr. Banisch stated that the proposed trees for the site are suitable. Engineer Hall recommended that the red maple on the site be placed 10 feet back. Mr. Hall asked about the proposed fountain grass. Mr. Dunn stated that the proposed fountain grass is a dwarf species. It was decided that the second tree on the site should use a smaller tree species. It was also decided that instead of a chain link fence around the detention pond being used a tight dense shrub could be used. It was noted that the proposed soil disturbance will require a barrier.

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Washington Township Planning Board
JANUARY 23, 2013

Mr. Trevena noted that the access to the trash dumpster on the site appeared to be inaccessible. The applicant's engineer Owen Dykstra of Dykstra Associates, 11 Lawrence Rd., Newton NJ was sworn-in and accepted as an engineering profession by the Board. Mr. Trevena recommended that the proposed island be removed and that paving and striping be used. Mr. Dykstra said that he was okay with paving and striping the area with white paint.

The Board had a brief discussion regarding the lack of a mechanism to ask for a non-residential fee for the half of a COAH unit that this plan would generate.

The meeting was opened to Board comments. Mr. Leavens asked the applicant if they had considered using a clivus multrum toilet system for this building. Mr. Dykstra stated that it was considered but that the septic system was found to be better. Mr. Leavens asked if impervious parking was considered. Mr. Dykstra said that impervious parking would require much more maintenance.

The Board opened up the hearing for public comments. Mr. Fred Seraphin, 109 Mine Hill Road noted his concerns regarding water runoff and lighting. He stated that JCP&L still has a 30 foot high pole on this property. Mr. Dykstra stated that it is not the applicant's intention to use this light and that they will inquire with JCP&L to see if can be taken down. Mr. Seraphin said that he has no objection to this project.

Mr. Short made a motion to have the Board's attorney draw-up a resolution granting site plan and soil disturbance approval and granting the requested waivers consistent with the professionals' comments for Dr. Anthony Iuvone Block 2, Lot 6, seconded by Mr. Mont. A roll call vote was taken and the motion carried.

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

EXECUTIVE SESSION

Mr. Short made a motion to go into executive session to discuss potential litigation, seconded by Mr. Popper. A voice vote was taken and the motion carried.

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

Mr. Akin recused himself from the meeting citing a conflict of interest. The Board went into closed session at 9:28 p.m.

The Board came out of executive session at 9:42 p.m.

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