

**Washington Township Planning Board  
October 8, 2012**

Chairman Leavens called the regular meeting of October 8, 2012 of the Washington Township Planning Board to order at 7:30 p.m.

MEMBERS PRESENT

CLASS IV: William Leavens, Mark Bauerlein, Kathleen McGroarty, Eric Trevena, Charles DiSalvo  
ALTERNATES: -  
CLASS I:  
CLASS II: Roger Read  
CLASS III: -  
ABSENT: Dave Kennedy, Lou Mont, Ken Short, Howard Popper, Sam Akin  
  
OTHERS PRESENT: Engineer Leon Hall, Attorney Tiena Cofoni, Planner Frank Banisch, Clerk Barbara 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 June 27, 2012 & August 22, 2012 & September 10, 2012  
It was announced that there were not enough members in attendance to vote on these sets of minutes. Approval of the minutes was tabled until the next board meeting.

*RESOLUTIONS*

None

12-11 Emmanuel Bible Church – Block 31, Lot 26 - 3 Pleasant Grove Road - R-5 Zone  
Soil Disturbance Permit Application – Public hearing held on 8/22/12  
Representatives present: Gary Davies, P.E., Reeves Geraghty, James Foran

For the record, Mr. Di Salvo was contacted by telephone (on speaker phone at 7:45 p.m.) and joined the meeting for this application. Engineer Hall reminded the applicant to pay all fees before disturbing any soil.

Mr. Short made a motion to adopt Resolution 12-11 as presented, seconded by Mr. Popper.

A roll call vote of eligible board members was taken:

Ayes: Leavens, Mont, Di Salvo, Popper, Short  
Nays: None Abstentions: None

**Washington Township Planning Board**  
**October 8, 2012**

*For the record, Mr. Di Salvo left the meeting at 7:47 p.m.*

*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. Dr. Anthony Iuvone – Block 2, Lot 6 – Route 46 – C-1 Zone - .544 Acres  
Preliminary & Final Site Plan Application for a Dental Office  
Completeness Determination and possible Public Hearing  
Representatives present: Attorney Michael Selvaggi, Dr. Anthony Iuvone, Dr. Ben Iuvone

The applicant's attorney Michael Selvaggi from the law firm of Courter, Kobert and Cohen introduced the proposed project. He stated that Dr. Iuvone is hoping to move his dental practice from Panther Valley to Washington Township. Attorney Selvaggi stated that the applicant is asking for a temporary for the payment of taxes. He stated that \$14,000 is currently owed by the property owner. He said that his client is asking that the payment of taxes be made a condition of approval. He stated that the taxes will be paid 30 days after the resolution of approval is adopted by the Planning Board. Mr. Selvaggi said that the seller is refusing legal counsel on the matter. He noted that the Municipal Land Use Law does not specifically address this issue.

Mr. Selvaggi stated that the applicant has had contact with the Hackettstown Municipal Utility Authority and has been instructed that in order to receive a commitment letter a formal application is needed. It was noted that a letter dated October 5, 2012 had been received from the Health Department Health Officer. Mr. Selvaggi stated that the site plans and application documents had been forwarded to the Fire Chief in August; however, no response has been received.

It was noted that a review letter has been received from the Board Geotechnical Consultant Dr. Issa Oweis. Mr. Selvaggi stated that Dr. Oweis is on vacation and unable to be at this meeting. He stated that Dr. Oweis' letter addresses the need for the proposed infiltration basin to be moved on the plan and that this may result in a reconfiguration of the parking area.

Attorney Selvaggi informed the Board that this matter has been noticed to the public and that he is requesting that the Board deem the application complete and carry the public hearing to the October 24<sup>th</sup> Planning Board meeting.

Engineer Hall stated that Attorney Selvaggi had touched on all of his completeness items noted in his October 2, 2012 letter. He said that the issue of the tax payment waiver is unique and if the Board grants it there should be a specific time period given for the taxes to be paid. Chairman Leavens asked if the taxes could be kept in an escrow for payment. Attorney Cofoni stated that she had never seen it handled that way but that she agreed with Engineer Hall about the required time limit for tax payment.

**Washington Township Planning Board**  
**October 8, 2012**

Ms. Mc Groarty made a motion to deem the application for Dr. Anthony Iuvone, Block 2, Lot 6 preliminary and final site plan complete with approval of waivers for completeness for the HMUA, Board of Health and Fire Department letters being received and with the temporary waiver for the payment of taxes which are to be paid prior to the adoption of the resolution of approval by the Board, seconded by Mr. Di Salvo.

Ayes: Leavens, Trevena, McGroarty, Bauerlein, Di Salvo, Read  
Nays: None                      Abstentions: None

Attorney Cofoni announced that the public hearing for this application is being carried to October 24, 2012 at 7:30 p.m., 43 Schooley's Mountain Road, Long Valley NJ and that no further notice will be given.

***DISCUSSION / CORRESPONDENCE***

1. Consideration of Changes to the Washington Township Highlands Information Questionnaire and Certification Form

It was announced that Planner Banisch had forwarded a copy of the latest version of the Highlands Questionnaire to the highlands Council for their review and that he is awaiting their comments.

2. Vouchers

Mr. Bauerlein made a motion to approve the vouchers, seconded by Mr. Di Salvo. A voice vote was taken; all were in favor and the motion carried.

Ayes: Leavens, Trevena, McGroarty, Bauerlein, Di Salvo, Read  
Nays: None                      Abstentions: None

Mr. Bauerlein made a motion to adjourn, seconded by Mr. Di Salvo. A voice vote was taken; all were in favor and the meeting was adjourned at 7:55 p.m.

Ayes: Leavens, Trevena, McGroarty, Bauerlein, Di Salvo, Read  
Nays: None                      Abstentions: None

Respectfully submitted,

Barbara J. Margolese, Clerk