

**Washington Township Planning Board
April 13, 2015**

Chairman Louis Mont called the regular meeting of April 13, 2015 of the Washington Township Planning Board to order at 7:30 p.m.

MEMBERS PRESENT

CLASS IV: William Leavens, Eric Trevena, Mark Bauerlein, Louis Mont, Charles DiSalvo

ALTERNATES: Howard Popper, Sam Akin

CLASS I: William Roehrich

CLASS II: Roger Read

CLASS III: ABSENT: Kathleen McGroarty, Matthew Murello

OTHERS PRESENT: Engineer Leon Hall, Attorney Edward Buzak, Planner David Banisch, Clerk Barbara Margolese

Adequate notice of this meeting was sent to the Observer-Tribune on January 30, 2015 and posted on the Bulletin Board on the same date. Notices were mailed as requested.

MINUTES

Minutes from the February 9, 2015 Regular Meeting

Mr. Popper made a motion to approve the minutes as presented, seconded by Mr. Murello.

A voice vote was taken and the motion carried. Ayes: Bauerlein, Trevena, Murello, Roehrich, Leavens, Read, Popper, Akin Nays: None Abstentions: DiSalvo

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.

RESOLUTIONS

15-09 Mary and Peter Markiewicz – Block 42.04, Lot 15 – 15 Carriage Hill Drive – R-1 Zone Certificate of Compliance for Ridgeline, Mountainside, Hillside, & View shed Protection Area

The Board reviewed the resolution. A motion was made by Mr. Bauerlein, seconded by Mr. Popper to adopt the resolution as presented. A roll call vote was taken and the motion carried.

Ayes: Bauerlein, Trevena, Roehrich, Leavens, Read, Popper, Akin, Mont

Nays: None Abstentions: None

APPLICATIONS & DISCUSSION

1. Dr. Anthony Iuvone – Block 2, lot 6 – Route 46 – C-1 Zone - .544 Ac

Request for extension for preliminary and final site plan approval for proposed dental offices & rental unit

Attorney Buzak advised the Board to consider only a one year extension. It was noted that the resolution of approval had been approved for this application on 2/27/13 and that the one year extension would run from 2/27/15 to 2/27/16. Dr. Iuvone told the Board that his architect is finishing the plans for the building and that he is hopeful to have a spring 2016 project start.

A motion was made by Mr. Popper, seconded by Mr. Leavens to grant a one year extension from 2/27/15 to 2/27/16. Ayes: Bauerlein, Trevena, Roehrich, Leavens, Read, Popper, Akin, Mont, Di Salvo

Nays: None Abstentions: None

2. Sign Ordinance Amendment

Planner Banisch stated that the ordinance currently allows time and temperature changing signs. He noted that signs for things like gas stations currently use changeable signs which must be manually changed. Mr. Banisch stated that the proposed amendments to the sign ordinance address LED, LCD and neon signs as seen from the roadway as being prohibited. Mr. Banisch stated that the ordinance would not allow blinking or flashing lights except for holiday displays. Mr. Popper stated that the Board should address the level of luminescence that is emitted from signs that are lit. Mr. Trevena stated that, in his opinion, LED open signs should be permitted. The Board consensus was to allow the LED open signs but not to allow other types of LED signs, such as lottery signs or coffee signs. The Board directed Mr. Banisch to make some minor changes and bring a final revised version of the sign amendment ordinance to the Board for the May meeting.

Mr. Leavens left the meeting at 7:45 p.m. as he had to recuse himself for the next two agenda items.

2. Musconetcong Age-Restricted Overlay Zoning Ordinance (Heath Village) –revised conceptual plans Block 19, Lots 5, 6, and 7 – Schooley’s Mountain Rd. & Newburgh Rd.

Representatives present: Engineer Ed Bogen, Architect, Patrick Brady, Attorney Edward Palmer and Architect David Danton.

Planner Banisch stated that the provisions noted in the ordinance amendment pertain to the number of units and land cover. He stated that deed restrictions for open space can come before the Planning Board for possible changes later. Mr. Banisch stated that Heath Village has reviewed the changes to the ordinance and have said that they are acceptable.

A motion was made by Mr. DiSalvo, seconded by Mr. Bauerlein to pass the proposed ordinance amendment to the Musconetcong Age-Restricted Overlay Zoning Ordinance on to the Township Committee for their consideration. Ayes: Bauerlein, Trevena, Roehrich, Read, Akin, Mont, Di Salvo
Nays: None Abstentions: None

Mr. Roehrich recused himself for this matter and left the meeting.

3. Consideration of the findings of the Planning Board's preliminary investigation to determine whether Block 30, Lots 70, 70.01, 70.02 and 71.03 is a non-condemnation redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5- Public Hearing

It was announced that this is a public hearing. Planner Banisch stated that this hearing pertains to Block 30, Lots 70, 70.01, 70.02 and 71.03. He stated that Lot 71.03, the Martini Foundation property, is technically landlocked but would require a D-35 variance because it does not have direct access to a publically dedicated right of way. Mr. Banisch stated that the Martini lot is an agricultural lot and that it would have to be only partially used for access to the Kings Highway property. Engineer Hall stated that storm water will have to be addressed with a storm water management facility but the road does not need to be wider than 30 feet. Mr. Akin noted that he thought that the portion of the Martini property being used would be closer to the hedgerows on the property not in the center. Mr. Akin noted his concerns with regard to the inclusion of the Martini property for access. Mr. Mont stated that Esna Drive access provides the ability to get to the site in case of an emergency like flooding that could occur on Kings Highway. He said that he thought the Board would be remiss if they did not include this lot.

Attorney Buzak stated that the Planning Board has been tasked by the Township Committee to consider these properties for possible need for redevelopment. The Board took a straw poll on the matter. Mr. Akin stated that he does not find it necessary to include Lot 71.03 as needing redevelopment.

The Board opened the hearing to the public. Ms. Amy Drahos, 118 Kings Highway, asked if Esna Drive could possibly be the only access to the Kings Highway Investment site. Mr. Banisch said that it probably would not be the only access but that that will be decided later. Mr. Fred Smith, 167 Kings Highway, stated that the Martini property, Lot 71.03 is listed for farmland preservation with state. He noted that there are several other lots along Esna that would have to provide access because Esna is a private road and that they are not being considered for redevelopment. Mr. Bob Larsen, 100 Kings Highway, asked if a fourth lot is included would that increase the total density allowable for the proposed development. Mr. Banisch stated that it could; however, that is a question that is not a part of the task for this public hearing. Mr. Michael Selvaggi, attorney for Kings Highway Investment, stated that the Highlands Council has rendered an opinion regarding the development of this site which was based upon allowing 25% over the already existing impervious coverage. He noted that statutorily the Planning Board is only charged with determining if there is a need for redevelopment. Mr. Michael Smith, 9 Esna Drive, stated that his issue is with the Martini property and that he does not understand why Lot 71.03 is being included as needing redevelopment. He said that he feels that the Martini property should be considered separately.

The hearing was closed to the public. Mr. Popper stated that he believes that the Board should consider all four properties for redevelopment as this development is much less likely to work with this access than without it. Attorney Buzak advised the Board to handle this action as a resolution and that the current tax assessments for these properties be added to the resolution

A motion was made by Mr. DiSalvo, seconded by Mr. Popper to instruct the Board attorney to draw-up a resolution approve and adopt a preliminary redevelopment investigation report for Block 30, lots 70, 70.01, 70.02 and a 100 foot wide swath of 71.03 to designate these as areas in need of redevelopment. Ayes: Bauerlein, Trevena, Read, Mont, Di Salvo Nays: Akin Abstentions: None

DISCUSSION/CORRESPONDENCE

1. 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. Popper. A voice vote was taken; all were in favor and the motion carried.

Mr. DiSalvo made a motion to adjourn, seconded by Mr. Popper. A voice vote was taken; all were in favor and the meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Barbara J. Margolese, Clerk