

Washington Township Planning Board September 14, 2015

Chairman Louis Mont called the regular meeting of September 14, 2015 of the Washington Township Planning Board to order at 7:30 p.m.

MEMBERS PRESENT

CLASS IV: Charles DiSalvo, Kathleen McGroarty, Eric Trevena,

CLASS I: William Roehrich

CLASS II: Roger Read

CLASS III: -

ALTERNATES: Sam Akin

ABSENT: Howard Popper, Mark Bauerlein, Matthew Murello, Louis Mont, William Leavens

OTHERS PRESENT: Engineer Leon Hall, Attorney Tiena Cofoni, 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 July 13, 2015 & August 10, 2015 Regular Meeting

The approval of the minutes was tabled due to a lack of eligible voters present to vote.

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.

APPLICATIONS & DISCUSSION

1. Sam Barsa – Block 33, Lot 6 – Schooley's Mountain Road – R-5 Zone -11 Acres- Two lot minor subdivision with variance for flag lot staff, lot area, rear yard setback & 2-1 slope – previously approved 9-23-09 Resolution 09-12 – Second Extension Request (time of extension (8-31-15) expired)

Representative present: Sam Barsa

Mr. Barsa stated that he is still in the process of getting the deeds approved and that the extension given to him by the Board had expired. He asked the Board for a second extension.

A motion was made by Ms. McGroarty, seconded by Mr. Roehrich to grant a second extension of 90 days beginning on 8-31-15 and ending on 11-29-15. A roll call was taken; all were in favor and the motion carried.

Ayes: DiSalvo, Roehrich, McGroarty, Akin, Trevena, Read Nays: None Abstentions: None

2. Eric Jania – Block 56 Lot 26.05 – 56 Turtle Back Road – R-5 Zone – Soil Disturbance Permit Application & Ridgeline Protection Area Certificate of Compliance application – Completeness

Representatives present: Eric Jania, Engineer Nick Wunner

The applicant Eric Jania, and his project engineer Nick Wunner were sworn-in. The Board reviewed Engineer Hall's 9-11-15 review letter. Engineer Hall stated that because the applicant is importing 1300 cubic yards he is required under ordinance chapter 164 to have a soil analysis submitted to the Board. He also noted that a lot grading plan must be submitted and that Chapter 164 requires that public notice be sent out to property owners within 200 feet. Mr. Hall stated that based upon his review letter of 9-11-15 he recommends that the Board deem this application incomplete. A motion was made by Mr. DiSalvo, seconded by Mr. Read to deem the application incomplete as per comments made in Engineer Hall's 9-11-15 report. A roll call was taken; all were in favor and the motion carried.

Ayes: DiSalvo, Roehrich, McGroarty, Akin, Trevena, Read Nays: None Abstentions: None

3. Clucas Farm/16 Hands Farm – Agricultural Minor Subdivision (lot line adjustment) – Block 34, Lots 1.01 & 50.10 – Farmersville Road & Fairmount Road – Completeness & public hearing
Representative present: William Boak, Esq.

Attorney William Boak introduced the application as an agricultural land minor subdivision where both pieces of land are in farmland preservation. He stated that the NJ State Agricultural Development Board has approved the land swap between the two property owners. A motion was made by Mr. DiSalvo, seconded by Mr. Roehrich to deem the application complete. A roll call was taken; all were in favor and the motion carried.

Ayes: DiSalvo, Roehrich, McGroarty, Akin, Trevena, Read Nays: None Abstentions: None

Planner Banisch told the Board that the agricultural minor subdivision requires that each property have at least 5 acres and no new streets being proposed. The Health Department's letter dated 9-14-15 was addressed regarding wells being located on the property that are open. Attorney Boak stated that the wells are to be used for irrigation. Mr. Banisch recommended that a note be placed on the plans regarding the use of the wells on the property.

The Board opened the meeting to the public. No public comment was received. A motion was made by Mr. Roehrich, seconded by Mr. DiSalvo to approve the agricultural minor subdivision with the condition that a note be placed on the plans which addresses the wells located on the property. A roll call was taken; all were in favor and the motion carried.

Ayes: DiSalvo, Roehrich, McGroarty, Akin, Trevena, Read Nays: None Abstentions: None

4. Peter & Cindy Ruggiero/ Washington Township – Minor Subdivision (lot line adjustment) & Variance- Block 20.10, Lots 49 & 49.02 - 15 Spring Lane – Completeness & possible public hearing
Representative present: Cindy Ruggiero, Peter Ruggiero

Cindy Ruggiero and Peter Ruggiero were sworn-in. Mr. Ruggiero stated that two months prior he and his wife had had a variance approved by the Board of Adjustment to allow a detached garage to be

constructed within the required front yard setback. He stated that along with the setback variance they also received variance approval for lot coverage. Mr. Ruggiero noted that he and his wife are applying for minor subdivision approval because their well is located on the adjacent Washington Township property and purchasing land from the Township will make their lot conforming with regard to lot size and lot coverage. He stated that a variance is being requested for lot area of the new Township lot.

Mr. Ruggiero stated that the incomplete checklist items noted in Engineer Hall's letter of 9-11-15 are minor in nature, and asked that waivers be granted to allow the application to continue with its public hearing as notice has been published in the newspaper and sent to property owners within 200 feet. He stated that no disturbance is proposed as a part of this minor subdivision application. Engineer Hall stated that there is an existing 50 ft. wide conservation easement on the Township property which will then be located on the Ruggiero property. He noted that there is a current NJDEP application to determine the location of wetlands on the Ruggiero property. A motion was made by Mr. DiSalvo, seconded by Mr. Roehrich to deem the application complete with granting of waivers for completeness only of those items found in Engineer Hall's 9-11-15 letter to be incomplete. A roll call was taken; all were in favor and the motion carried.

Ayes: DiSalvo, Roehrich, McGroarty, Akin, Trevena, Read Nays: None Abstentions: None

Planner Banisch stated that the proposed minor subdivision will be correcting the Ruggiero's lot size so that it conforms to the ordinance. He stated because the Washington Township's new lot will be non-conforming it requires a variance for lot size. Ms. Ruggiero pointed out that the Board of Adjustment approval for a lot coverage variance would no longer be necessary with their lot becoming larger. She asked if the Board could allow the gravel parking area which would have to remove as a condition of the Board of Adjustment approval which was done to avoid stormwater mitigation on the site. Attorney Cofoni stated that it could be noted in the resolution of approval that the Board recognizes that the enlarged lot size will eliminate the need for the 970 square foot gravel area to be removed.

A motion was made by Mr. DiSalvo, seconded by Mr. Akin to instruct the Board attorney to draft a resolution of approval for the Ruggiero minor subdivision with the approval of the variance for lot size with the condition that the minor subdivision plat be revised to add those checklist items that were found to be deficient in Engineer Hall's letter dated 9-11-15 with the exception of item #9, and to include the existing conservation easement on the plat, and to allow the 970 square foot of gravel area now that the lot area on the Ruggiero lot has been increased (the Board secretary will attach a copy of the Planning Board resolution to the Board of Adjustment resolution). A roll call was taken; all were in favor and the motion carried.

Ayes: DiSalvo, Roehrich, McGroarty, Akin, Trevena, Read Nays: None Abstentions: None

5. Public hearing to determine whether the investigation area on Esna Drive noted in Washington Township Resolution #RO 113-15 is a redevelopment area

Mr. Roehrich recused himself from this hearing because of a conflict of interest. A legal representative from Block 30, Lot 2 (one of the two property owners that were noticed for the public hearing) requested that the Board postpone having the public hearing until the property owners have had a

chance to hire a planner. A straw poll of the Board members resulted in a unanimous agreement that the hearing be postponed. Planner Banisch stated that public notice was sent out for the meeting and that new notice will be sent out for the October 12th meeting.

Mr. Roehrich rejoined the Board.

DISCUSSION/CORRESPONDENCE

1. Housing Plan Element and Fair Share Plan

Attorney Cofoni informed the Board that the Township is required to have the Housing Plan Element and Fair Share Housing Plan submitted to the State by the beginning of January. Planner Banisch stated that the Board should schedule a work session to discuss the Housing Plan Element shortly.

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

Ms. Laura Akin commented that the Board professionals need to provide their review comments with better timeliness.

Mr. DiSalvo made a motion to adjourn, seconded by Mr. Roehrich. A voice vote was taken; all were in favor and the meeting was adjourned at 8:53 p.m.

Respectfully submitted,

Barbara J. Margolese, Clerk