

**Washington Township Planning Board
December 9, 2013**

Chairman Leavens called the regular meeting of December 9, 2013 of the Washington Township Planning Board to order at 7:30 p.m.

MEMBERS PRESENT

CLASS IV: William Leavens, Lou Mont, Eric Trevena,
CLASS I: -
CLASS II: Roger Read
CLASS III: James LiaBraaten
ALTERNATES: -
ABSENT: Howard Popper, Mark Bauerlein, Kathleen McGroarty, Ken Short,
Sam Akin, Charles DiSalvo
OTHERS PRESENT: Attorney Cofoni, 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 September 25, 2013

Mr. LiaBraaten 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, LiaBraaten, Trevena, Read Nays: None Abstentions: None

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

13-17 Black Oak Golf Club, LLC - Block 18, Lots 1.09, 2, 3, 8.11, 8.13, 8.14, 8.15, 27, 27.05, 29 & 29.01 and Block 18.01, Lots 1.01, 1.02, 1.03, 1.04, 1.05, 1.06, 1.07, 1.08 & 1.09 - Amended Preliminary Major Site Plan and Final Major Site Plan With Variances for building height and lighting & location of platform tennis courts
Approval granted on October 14, 2013
Eligible voters: Mont, LiaBraaten, Leavens, Akin, Popper

The Board reviewed the resolution. Mr. Mont made a motion to adopt the resolution as presented, seconded by Mr. LiaBraaten. A roll call of the eligible voters was taken and the motion carried.

Ayes: Leavens, Mont, Read, Trevena, LiaBraaten Nays: None Abstentions: None

PUBLIC HEARING/APPLICATIONS

1. Long Valley Bagel – Block 33, Lot 46 – 6 West Mill Road – C-1 Zone
Minor Site Plan Application for Bagel Bakery and Delicatessen

Applicant Attia Darwish was sworn-in. The Board discussed if the submitted application constituted a major or a minor site plan application. The discussion revolved around the number of parking spaces required for the proposed use. Mr. Darwish stated that the majority of the space consists of bakery retail. He stated that he would like to put several seats in the front of the

store so that a few customers could sit down to eat. Mr. Darwish stated that he would not be selling his bagels wholesale. The Board took a break from 8:00 to 8:10 p.m. to allow the professionals to confer about the number of parking spaces would be required for this mixed use of bakery and eatery.

The Board considered the floor plan of the proposed shop. It was determined that the restaurant seating area would be 780 square feet and that would require 10 spaces. The bakery portion of the shop's parking that would require an additional 4 spaces for a total of 14 spaces. The application was determined to be a minor site plan.

A motion was made by Mr. Mont seconded by Mr. Read to deem the minor site plan application complete. A roll call was taken and the motion carried.

Ayes: Leavens, Mont, Trevena, LiaBraaten, Read Nays: None Abstentions: None

Engineer Hall addressed his report dated December 9, 2013. Mr. Hall noted that the side spaces would have to be eliminated and that the total number of parking spaces required, including the handicap accessible space, is 14 spaces. He stated that the applicant should be aware that cars backing up in the rear parking lot might hit the refrigerator on the concrete slab and that bollards should be provided to protect it.

The lighting for the site was noted to be a flood light in the rear of the building and a fluorescent light in the front of the building. The applicant was asked what the hours of operation would be. Mr. Darwish stated that the shop will be 5:00 a.m. to 3:00 p.m., 7 days per week. Mr. Trevena asked that Engineer Hall inspect the lights for security and to insure that no light glare is found on adjacent properties.

The applicant asked that the requirement for a landscaping plan be waived because the entire site is already developed. Planner Banisch stated that he would be okay if the board waived this requirement.

Historic Preservation Commission Chairperson Eileen Stokes spoke to the Board about the signs which have been attached to the façade of the building on its front and side. She stated that the applicant needs to submit an application to the Historic preservation Commission and that their next meeting is scheduled for January 15th. The Board decided that prior to the issuance of a Certificate of Occupancy; the applicant would have to submit an application to the Historic Preservation Commission.

Engineer Hall noted that the applicant's contractor will have to use thermal plastic striping paint for the parking space delineation. He stated that the contractor should call him before striping is done. Engineer Hall noted that woodchips had been sprayed along the river bank behind the rear parking area of the property. Planner Banisch informed the applicant that no disturbance may take place along the water in the future and that includes more woodchips.

The applicant was asked when he would be receiving deliveries. He stated that he would receive deliveries around 1:00 p.m. He stated that he would ask for permission from the adjacent bicycle shop to be able to use his lot for deliveries.

The Board discussed the application to the Morris County Planning Board being required. It was noted that the shop is located on a county right-of-way. The Board advised that parking spaces on the site plan numbered 12 and 15 be left out until the county approves the applicant having parking spaces in the county right-of-way.

Engineer Hall pointed out that the refrigerator located to the rear of the building should have NJDEP approval because of its location near the C-1 Stream. He also noted that the dumpster in the rear parking area needs to have a new door put on the front of it. Engineer Hall stated that the proposed lighting and the handicap accessible parking space need to be done prior to the Certificate of Occupancy. He added that the application to the Morris County Planning Board and the Township's Historic Preservation Commission must be submitted prior to the issuance of a Certificate of Occupancy as well. Mr. LiaBraaten noted his concern with all the noted conditions being done.

The hearing was opened to the public. No comments or questions were offered by the public and the hearing was closed to the public.

A motion was made by Mr. Mont seconded by Mr. Read to have the Board's attorney draft a resolution of approval for the Long Valley Bagel Shop and Delicatessen minor site plan with the approval of the waiver for the landscaping plan and with the following conditions:

1. No wholesale sales in establishment.
2. Lighting inspection to be carried out by Township Engineer prior to the Certificate of Occupancy.
3. Parking space #12 and #15 not to be striped until approved by Morris County Planning Board #9 and #16 can be striped for a total of 14 spaces
4. Historic preservation Commission application to be filed prior to Certificate of Occupancy
5. Striping is to use Thermal Plastic paint and striping is to be coordinated with the Township Engineer
6. The handicapped space is to be provided to the front of the building prior to the Certificate of Occupancy.
7. Morris County Planning Board approval is to be obtained.
8. It is noted that there is a conservation easement on this property to the rear of the property.
9. A flood hazard area is also located on this property
10. The wood gates on the dumpster enclosure must be replaced.
11. No additional wood chips are to be placed in the conservation easement area and no further disturbance is to take place in the conservation easement.

A roll call was taken and the motion carried.

Ayes: Leavens, Mont, Trevena, LiaBraaten, Read

Nays: None Abstentions: None

DISCUSSION/CORRESPONDENCE

1. Vouchers

Mr. Mont made a motion to approve the vouchers reviewed by the Chairman and found in order and send them on for payment, seconded by Mr. Trevena. A voice vote was taken; all were in favor and the motion carried.

Mr. Mont made a motion to adjourn, seconded by Mr. Trevena. A voice vote was taken; all were in favor and the meeting was adjourned at 9:10 p.m.

Respectfully submitted,

Barbara J. Margolese, Clerk