

## **Washington Township Planning Board March 9, 2015**

Chairman Louis Mont called the regular meeting of March 9, 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

ALTERNATES: Howard Popper, Sam Akin

CLASS I: William Roehrich

CLASS II: Roger Read

CLASS III: Matthew Murello

ABSENT: Charles DiSalvo, Kathleen McGroarty

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 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 Nays: None Abstentions: Akin

### **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**

#### 15-05 Planning Board Committee Assignments for 2015

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

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

Nays: None Abstentions: None

15-08 Eric Jania – Block 56, Lot 26.05 – 56 Turtle Back Road – R-5 Zone – Request to have condition from Resolution 84-37 removed

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

Ayes: Bauerlein, Trevena, Murello, Roehrich, Leavens, Read, Popper

Nays: None Abstentions: None

### **DISCUSSION / CORRESPONDENCE**

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

Mary and Peter Markiewicz were sworn-in. Mrs. Markiewicz told the Board that she and her husband are proposing to build a one-story ranch house which will be sided in gray flagstone. She stated that their property is relatively flat and that they will only be taking down three trees for the construction of their new home.

Engineer Hall stated the Markiewicz's property is located in Parker Acres which was developed over thirty years ago and that the applicants are required to get a Certificate of Compliance for the Ridgeline, View shed Mountainside, hillside protection area because this area crosses the subject property. He stated that this is a stray undeveloped lot in that subdivision. Planner Banisch stated that he has no concerns regarding the construction of the dwelling.

A motion was made by Mr. Akin, seconded by Mr. Popper to approve the Certificate of Ridgeline, Mountainside, Hillside, View Shed protection Area Compliance for the construction of a single family dwelling at 15 Carriage Hill Drive. A roll call vote of members eligible to vote was taken and the motion carried.

Ayes: Bauerlein, Trevena, Murello, Roehrich, Leavens, Read, Popper

Nays: None Abstentions: None

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.

Architect David Danton told the Board that Heath Village would like to be able to add Three-plex and four-plex buildings as possible options. He said that Heath Village would like to have one tow, three and four family dwelling unit options. He stated that the maximum width of the four-plex building would be 160 feet. Mr. Danton stated that the façade would be broken-up to individualize each unit. The Board voiced concerns with allowing three and four plex buildings. After a brief discussion, the Board advised the Heath Village representatives that one and two family units would be allowed and that three and four family buildings would require a variance. Attorney Cofoni stated that the variance for three and four family buildings would have to be heard by the Board of Adjustment.

Engineer Ed Bogen stated that Heath has concerns regarding the use of native meadow habitat being used as land cover. The Board advised that native meadow habitat or other land cover will be subject to Board and Dr. Keller's approval except where agricultural use is proposed and where another land cover is required by the NJDEP. Planner Banisch recommended that an open space management plan be submitted by the developer.

Mr. Banisch stated that he will revise the Musconetcong Age-Restricted Overlay Zoning Ordinance for the April 13<sup>th</sup> Planning Board meeting.

3. Preliminary Investigation to determine whether Block 30, Lots 70, 70.01, 70.02 AND 71.03 is a redevelopment area according to the Criteria set forth in N.J.S.A. 40A:12A-5 1.

Mr. Roehrich and Mr. Murello recused themselves for this matter and left the meeting. It was announced that this meeting would have further discussion regarding the Nicholas Martini property and whether it can be considered as redevelop able property.

Mr. Banisch stated that a letter has been received from the Martini foundation's attorney, Anthony Sposaro that states that a right of access can be granted on the Martini property but not on the other adjoining lot to give access to Esna Drive.

Attorney Cofoni stated that agricultural land is not vacant land; however, a redevelopment area may include a portion of Lot 71.03. She stated that because the secondary access is needed to support the redevelopment permission is needed that allows access to Esna Drive along with Esna Drive because Esna is a private road.

Mr. Banisch stated that in Attorney Sposaro's memorandum of 3-9-15, it states that the Martini Foundation would be okay with Lot 71.03 being used for 100% affordable housing. Mr. Banisch referred to his 3-6-15 memorandum. Chairman Mont stated that if a plan is to be created that it should have a secondary access. Mr. Akin recommended that the burden be on Kings Highway Investment Company to make that secondary access happen.

The Board opened the meeting to public comment. Mr. Fred Smith, 167 Kings Highway, noted that the Martini Foundation is currently under consideration for farmland preservation of Lot 71.03. Mr. Charles Shoop, 9 Esna Drive, asked if Esna Drive can become a public road. Mr. Banisch stated that under a redevelopment scenario it should become a public road. Mr. Steve Dempski, 1 Cobblestone Lane, asked if the Board is in favor of this road becoming a public road. Mr. Frank Baguaio, 190 Kings Highway, stated that the residents of Kings Highway have to live with the decision that the Board makes. He asked the Board to think about how this project will impact the local roads. Mr. Michael Smith asked if the property was rezoned what zone it would be. He noted that once the property is no longer zoned for Office research and Industrial use that use will be lost forever. Planner Banisch noted that the property owner testified that that is not much demand for Office research and Industrial use. Ms. Sue Jones, 127 Kings Highway, stated that the Board should consider how difficult the roads get during the snow season. Mr. Charles Shoop, 9 Esna Drive, asked if this project would include affordable housing. Mr. Banisch stated that as a redevelopment plan it would have affordable housing. Ms. Patrice Schaeffer, 182 Kings Highway, stated that the bridge should be considered as it often becomes flooded and emergency vehicles will have to access this property.

It was announced that the Planning Board would be continuing the public hearing on the redevelopment of this property at its April 13, 2015 meeting.

#### DISCUSSION/CORRESPONDENCE

##### 1. East Mill Gas Station LED Sign

The Board had a brief discussion about the replacement of the sign at the Delta Gas Station on the corner of Old Farmers Road and East Mill Road. The Board voiced strong concerns regarding the use of LED lighting for signs. Secretary Margolese was asked to check into the permitting for the gas station sign replacement.

##### 2. Vouchers

Mr. Popper 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. Popper made a motion to adjourn, seconded by Mr. Bauerlein. A voice vote was taken; all were in favor and the meeting was adjourned at 10:00 p.m.

Respectfully submitted,

Barbara J. Margolese, Clerk