

WASHINGTON TOWNSHIP LAND USE BOARD

PUBLIC MEETING MINUTES

August 12, 2009, 7:30 p.m.

CALL TO ORDER and PUBLIC NOTICE

Vice Chairman Robert Klingel called the meeting to order at 7:30 p.m. Mr. Klingel said this is a regular meeting of the Land Use Board of the Township of Washington. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that a Notice was published in *The Star Gazette*. Notice was posted on the municipal bulletin board in the Township Administration Building in Washington Township, New Jersey, and notice was filed with the Township Clerk.

ROLL CALL

Present: Robert Christine, Erich Sodtalbers, Evan Howell, James Vergos, Gordon Wallace, Robert Klingel

Absent: Efrem Zaret, Leonard Artigliere, Samir Elbassiouny, Mark Rossi, Barry Mueller

Professionals: Donald Scholl, Esq.; William Gleba, P.E.

APPROVAL OF MINUTES

Motion to approve the minutes of July 29, 2009 was made by Erich Sodtalbers and seconded by James Vergos

Members in favor: Robert Christine, Erich Sodtalbers, Evan Howell, James Vergos

RESOLUTIONS

Grodkiewicz, Jeffrey, Application #2008-09
Block 64, Lot 8, Route 31 South

Preliminary site plan approval with variance relief to construct a one-story addition to the existing building.

Members eligible to vote: James Vergos, Mark Rossi, Robert Klingel, Efrem Zaret, Robert Christine, Gordon Wallace, Leonard Artigliere

Consideration of this resolution was tabled till August

COMMUNICATIONS

PUBLIC HEARING

Mikell, Diane, Application #2009-1
Block 45, Lot 14, McCullough Road and Roseberry Road

Minor subdivision creating 2 new lots.

Requisite fees having been paid and jurisdiction established, Anthony Sposaro, Esq., introduced himself on behalf of the applicant.

Mr. Sposaro called Carlton Frost, P.E., who was duly sworn. His credentials were accepted by the Board.

Mr. Frost distributed Exhibit A-2, a color rendering of the site. Mr. Frost described the property, part in hay and part cultivated. He explained the property was divided in two 15-acre parcels served by a common driveway. Exhibit A-3 is a map of a cul de sac with 5 lots. Mr. Frost noted this subdivision would be fully conforming.

Applicant proposes two lots, 15 acres, each accessed by a common driveway. Drainage is covered by State regulations. Mr. Frost described the drainage plan. Mr. Frost explained there is an easement to the property, which applicant would stipulate would be used for agricultural purposes only.

Applicant proposes that there will be no further subdivision of this property.

Two variances are required. Road frontage is limited to 125' where 225' are required, necessitating a variance for road frontage. In addition, both lots require a variance for width (225' required) as described in Mr. Gleba's letter at page 3.

Mr. Sposaro observed the proposed design is better for the municipality in that there is less coverage.

Mr. Gleba agreed that the design for the lots is conforming.

Mr. Frost noted a C-1 stream runs through the property, which requires a 300' buffer. In addition, there are wetlands delineated requiring a 150' buffer. There is an LOI on file.

Mr. Frost testified that the benefits outweigh the detriments. Environmentally sensitive areas are not disturbed with the proposed plan.

Mr. Sposaro referenced Mr. Gleba's letter of August 11. On page 4, request was made for color photos. Access from Butler Park Road will be limited to agricultural use.

Power and cable companies have indicated they will provide service to the area. Item #10 on page 5 references the conservation easement. There is no fencing currently, and the area is in farm use. Relief is requested from fencing the wetlands area. Mr. Gleba recommended that the area be monumented with fencing near the monuments. The Board opined that the monuments be placed at the edge of the property with a post to protect the monuments.

Utility easements will be provided as a condition of issuance of a building permit.

Mr. Sposaro indicated that the applicant agreed to all of the other terms of the review letter.

This property is located in the planning area. Maintenance and access for the common driveway will be provided. Applicant will work with the Board engineer as to limiting access.

The Board referenced the County Planning Board disapproval in May. Mr. Sposaro contended resubmission has been made to the County and approval is pending.

Mr. Gleba asked about the applicant's contact with the Fire Department. Mr. Sposaro indicated there had been discussion with the Fire Department, and applicant will meet the necessary requirements.

Members of the public were invited to question the applicant.

Mr. Donahue, neighbor, who owns the land in the referenced easement, asked about the agricultural access only. He asked about maintenance. Mr. Sposaro said this is a matter between the owners. Mr. Gleba observed the note should be changed on the plans.

There being no further questions, the public was invited to comment.

Mr. Teichman, neighbor, introduced himself and addressed the agricultural access only easement as to how it affects each lot. Mr. Teichman was concerned about the drainage and filtering of the silt.

Motion to close the public hearing was made by James Vergos and seconded by Erich Sodtalbers with all members in concurrence.

This is a subdivision with C2 variances requested. Applicant notes this subdivision is in character with the rural nature of the area.

The common driveway with cross access easements is subject to the Board professionals' approval. Deeds will have a restriction that there will be no further subdivision and no utilization of the stem portion from McCullough Road. Should the location of the residences be changed significantly, it would be subject to engineering review.

At the end of the property line, there will be monuments with concrete posts to delineate

easements. Applicant must receive approvals by the County Planning Board and Soil Conservation District. Scarce resource restraint will be a condition of approval.

Doyle and Gleba letters were marked B-1 and B-2 and will be annexed to the minutes.

Access easement from Butler Park Road would be limited to agricultural use.

Payment of taxes and escrow accounts should be kept current.

Motion to grant frontage and lot width variances was made by Erich Sodtalbers and seconded by Jim Vergos.

Members in favor: Erich Sodtalbers, James Vergos, Robert Christine, Robert Klingel, Evan Howell

Motion to grant minor subdivision was made by Erich Sodtalbers and seconded by Jim Vergos.

Members in favor: Erich Sodtalbers, James Vergos, Robert Christine, Robert Klingel, Evan Howell

OLD BUSINESS

NEW BUSINESS

The Board referenced a memo from CFO, Barbara Emery, noting there is \$752 in the account for payment of professional fees. Money will be transferred in November.

PUBLIC COMMENT

ADJOURNMENT

The meeting was adjourned at 8:35 p.m.

These minutes were approved September 9, 2009.

Alice Oldford, Secretary to the Board