

Washington Township Board of Adjustment

August 3, 2016

Chairman Spina called the regular Meeting of the Board of Adjustment of August 3, 2016 to order at 7:00 p.m.

MEMBERS PRESENT: Anthony Spina, Morris Bauer, Geoffrey Price, Robert Bridgman
Alternate Members: Eric Raes, Dorothy Walter
Members Absent: Harvey Ort, Mark Soga, Derrick Thauer
Others Present: Engineer Leon Hall, Attorney Gail Fraser, Secretary Barbara Margolese, Traffic Engineer Harold Maltz

STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT - Adequate notice of this meeting was published in the Observer-Tribune on January 21, 2016 and posted on the Bulletin Board on the same date. Notices were mailed as requested.

Pledge of Allegiance

MINUTES

1. July 6, 2016 regular meeting

Minutes of the July 6, 2016 meeting were reviewed. A motion was made by Mr. Bauer, seconded by Mr. Bridgman to approve the minutes as presented. A voice vote was taken and the motion carried.

Ayes: Anthony Spina, Geoffrey Price, Eric Raes, Morris Bauer, Robert Bridgman

Nays: None Abstentions: Dorothy Walter

The meeting was opened to the public for items not on the agenda.

No comments were received and the meeting was closed to the public for items not on the agenda.

RESOLUTIONS

Chairman Spina announced that the Board Secretary Barbara Margolese is leaving. He read into the record a resolution recognizing her work with the Board.

A motion was made by Mr. Price, seconded by Ms. Walter to adopt the resolution as presented.

Ayes: Bauer, Price, Spina, Raes, Walter, Bridgman Nays: None Abstentions: None

APPLICATIONS

1. **Kevin Peach** – Block 43, Lot 63.03 – 87 Old Turnpike Road – Steep Slope Variance & Ridgeline Protection Area Certification for the construction of a garage - *public hearing cont.*

The applicant's attorney, Randall Peach stated that he believed the resolution of approval for this application was in order. No further public comment was offered.

A motion was made by Mr. Bauer, seconded by Mr. Bridgman to adopt **Resolution 2016-12** as presented. A roll call vote of all eligible voters was taken and the motion carried. Ayes: Bauer, Price, Spina, Raes, Bridgman Nays: None Abstentions: None

2. **Anthony Cappuccio** – Block 13, Lots 12 & 12.01- Jones Lane - Variance to allow single family dwelling construction on a non-dedicated Street – *Public Hearing continued*

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Attorney Fraser noted that a correction regarding Robert Drake being the Deputy Fire Chief needed to be made along with Lot 12 not having an existing 5000 gallon water tank for fire protection. Attorney for the applicant, Mike Selvaggi stated that the resolution looked satisfactory. A motion was made by Mr. Price, seconded by Mr. Raes to adopt **Resolution 2016-13** as presented. A roll call vote of all eligible voters was taken and the motion carried. Ayes: Price, Spina, Raes, Bridgman Nays: None Abstentions: None

3. **Hackettstown Honda** – Block 4, Lot 7 – 28 Route 46 - Use Variance & amended preliminary & final site plan – additional gravel parking area on site constructed that does not meet the condition of the conditional use for an auto dealership that all parking must be paved – *Completeness only*

Engineer Hall stated that the application had several incomplete checklist items which were noted in his August 2, 2016 review letter. Engineer Hall stated that an application must be made for a sign variance for the two existing building mounted signs that had never been approved by the Planning Board during site plan approval unless the signs are removed. A motion was made by Mr. Bauer, seconded by Ms. Walter to deem the Hackettstown Honda application as incomplete. A voice vote was taken and the motion carried. Ayes: Bauer, Price, Spina, Raes, Bridgman, Walter Nays: None Abstentions: None

4. **Heritage Senior Living** – Block 8, Lot 8 – Use Variance – 67 Drakestown Rd. –OR Zone Use Variance for 36-Bed Assisted Living Facility – *Public hearing continued*
Representatives present: Michael Selvaggi, Esq., Sameer Jani, James Glasson, P.E.

Engineer James Glasson presented Exhibit “A-2” (a colorized version of sheet 2 of 5 dated 4/12/16). Mr. Glasson stated that the property is located in the Office Research Zone on Drakestown Road, and that the applicant is allowed to have 60% impervious surface in that zone. Mr. Glasson stated that the property is located in the Highlands Preservation Area and that the Highlands Council has given them a Highlands Consistency Determination. He stated that the existing slopes have been shown on the plan and that there are no wetlands located on this property. Mr. Glasson noted that the proposed assisted living building will be 127 feet from Route 46 and 157 feet from Drakestown Road. He noted that a 35 foot ladder fire truck can access the site and circulate it.

Mr. Glasson stated that two small retaining walls are to be built and one larger retaining wall. He said that an 8 foot fence will installed around the site with a locking gate. He noted that tress will only be removed to achieve the required 35 foot sight distance from the driveway.

Traffic Engineer Harold Maltz noted that Drakestown Road has reverse curves. Mr. Glasson stated that he would rather direct traffic towards East Avenue from the site. Mr. Maltz recommended that as a part of preliminary and final site plan, yellow striping and chevron marking and warning signs should be proposed on the plan. Engineer Hall recommended that the applicant and his engineer sit down with the Fire Department prior to site plan application to discuss this site.

Mr. Spina stated that he would like to see more room for residents’ activities. Mr. Glasson stated that he can take a look at expanding the outside space to accommodate this for the site plan application. Engineer Hall advised that ta water test be done prior to the preliminary and final site plan application submission.

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Planner Jessica Caldwell was sworn-in. She stated that the assisted living use is inherently beneficial and that it passes the SICA case balancing test and meets the Medici case standards for negative criteria. She stated that the proposed use is for senior housing and dementia care and that the type of facility is compatible with the neighborhood and is an efficient use of the land. She stated that it will create minimal traffic that the positives of this use outweigh the negatives and that is why it meets the SICA case balance test.

The applicant granted an extension to hear this application through September 7th. The secretary was directed to send an email to determine meeting attendance for the September board meeting.

A motion was made by Mr. Raes, seconded by Mr. Price to direct the attorney to draw-up a resolution to approve the use variance for the September 7th meeting with all conditions previously noted during the hearing. A roll call vote of all eligible voters was taken and the motion carried. Ayes: Bauer, Price, Spina, Raes, Bridgman Nays: None Abstentions: None

It was noted that Ms. Walter was not in attendance at the July meeting but would be listening to the recording for the September continuation of this hearing. It was announced that the public hearing for this application is to continue at the September 7th meeting of the Board of Adjustment and that no further notice would be given.

DISCUSSION/CORRESPONDENCE

1. Vouchers

A motion was made by Ms. Walter, seconded by Mr. Raes to approve the vouchers as reviewed by the Chairman. A voice vote was taken, all were in favor and the motion carried.

A motion was made by Mr. Bauer, seconded by Mr. Raes to adjourn the meeting at 8:42 p.m. A voice vote was taken all were in favor and the meeting adjourned.

Respectfully Submitted,

Barbara Margolese, Secretary