PLANNING BOARD
BOROUGH OF WATCHUNG
DECEMBER 16, 2003

1. **Call to Order**

2. **Roll Call**

3. **Statement of Compliance with N.J.S.A. 10:4-6**

4. **Approval of minutes, November 18, 2003**

5. **Continued Applications**

   PB03-10 Villa Domenico, An Adult Community at Watchung
   72 Stirling Road
   Block 40.01, Lots 3 & 4
   Amended site plan for age adjustment & distribution of units

   PB03-08
   Map Investment Co.
   40 Stirling Road
   Block 40.01, Lot 1
   Minor Site Plan

6. **Resolution**

   Resolution PB03-12
   Rosegate Associates
   401 Johnston Drive
   Bl. 65.01, Lot 2
   Minor Subdivision

7. **New Applications**

   PB03-11
   Stonegate Construction
   Request for extension of filing date

   PB03-02
   Scott Subdivision
   105 Washington Rock Road
   Block 5.01. Lot 2
   Minor Subdivision

PB03-07
Sarah Tennenbaum
Oakwood Road East
Block 74.01, Lots 6, 7, 8, Bl. 74.03, L. 5
Major Subdivision

PB03-09
Bartholomew Subdivision
195 Old Somerset Road
Block 70.03, Lot 1
Minor Subdivision

Reports

A. **Site Plan and Subdivision Committee**
B. **Ordinance Committee**
C. **County Planning Liaison**
D. **Village Center**
E. **Environmental Commission**
F. **Finance Committee**

8. Public Hearing

9. Vouchers

10. Communications

A. **Lee Ehrenworth, November 14, 2003, re: advising the first stage of Watchung Crest has been completed, the second stage, the building of 3 homes will commence, requesting an extension of signage for 730 days – c: D. Speeney**
B. **Somerset County Planning Board, November 30, 2003 – re: comments on proposed Whitting subdivision – c: file**
C. **Somerset County Planning Board, November 25, 2003 – re: Approval of Wal Mart turn-around – c: file**
D. **Girodano, Halleran, & Ciesla, November 26, 2003 – re: PB02/6, Townsend/Shobin advising his client Mr. Salz had not reached an agreement with the Townsends – c: file**
E. **A. V. Agovino Associates, L.L.C., Environmental Specialists, December 4, 2003- advising there were no wetlands present on Block 70.03, Lot 4, 350 Ridge Road c: file**
F. **Board of Chosen Freeholders, December 8, 2003 – re: Invitation to attend Annual Reorganization meeting to be held Tuesday, January 6, 2004 at 3:00 p.m. – c: file**

11. Adjournment

PLANNING BOARD

BOROUGH OF WATCHUNG

DECEMBER 16, 2003

Chairman Speeney called the meeting to order at 7:30 P. M. and stated that notice of this meeting had been posted in the Borough Hall, filed with the Borough Clerk and given by way of notice to the Courier News, Echoes Sentinel, the Journal and Star Ledger in conformance with N.J.SA.10:4-6 et seq.

Present on call of the roll were: Speeney, Boyd, Havas, Addario, Page and Haveson . Mr. Mobus arrived at 7:40 P. M., Mayor Ellis arrived at 7:43 P. M., Ms. Pennett arrived at 7:50 and Mr. McCumber arrived at 8 P. M. Also present were Board Engineer Richard Moody and Board Attorney Robert Rusignola. Mr. Boyd left the meeting at 7:55 P.M.

A motion to approve the minutes of November 18, 2003 was made by Mr. Havas, seconded by Mr. Addario. Mr. Speeney noted there were several typos on page four and a correction regarding Map Investment. He noted that Map Investment was scheduled to be heard at a special meeting to be held December 1, 2003. The meeting room was unavailable and the meeting cancelled. Ms. Rubright, attorney for the applicant, was to call and reschedule. No one has heard from Ms. Rubright. Mr. Havas motioned for approval of the minutes as amended, seconded by Mr. Addario and unanimously approved on voice vote.

Mr. Havas called:

PB03-10 Villa Domenico, An Adult Community at Watchung
72 Stirling Road
Block 40.01, Lots 3 & 4
Amended site plan for distribution of units and age adjustment

Mark Breitman, attorney for the applicant, said the COAH distribution of the 8 units would be modified to 5 two- bedroom units and 3 one- bedroom units. There are no changes in the size of the units. After review of surrounding age restricted living facilities, the applicant requested lowering the age requirement to 57 years old.

Mr. Speeney said prior approval limited the COAH units. Mr. Breitman stated the amount of units is the same distribution would differ. The previous approval was for 8 one-bedroom COAH units. We would propose changing it to five two-bedroom units and three one-bedroom units. Five marketable bedroom units would become COAH units.

Mr. Speeney said the new ordinances addresses the number of COAH units for each project. The proposed change in the COAH mix is taking a step in the right direction towards complying with the new ordinance. Mr. Speeney stated the age restriction in the

ordinance mentions 62 but the County Planning Board recommends that the owner of the unit be 55 and there be no one in residence under the age of 19.

Mr. Havas asked the purpose of the change. Mr. Breitman said more families would be eligible.

Mr. Mobus inquired if there would be any impact on the school system. Mr. Breitman stated it is age restricted so there would not be any school age children.

Mr. Page thought it was a good change.

Mr. Havas stated he was not in favor of providing housing for seniors.

Mr. Addario stated there is a need in Watchung for senior housing for those that may be downsizing from the enormous houses they owned previously.

Mr. Speeney said he felt the Board had no objection to the change in COAH units, however, the age restriction was an open issue. He asked that the application be continued to the next meeting, January 20, 2004. Mr. Breitman consented to the continuation.

Mr. Rusignola stated Mr. Breitman should be prepared to list the benefits and detriments of his application at the next meeting.

PB03-08
Map Investment Co.
40 Stirling Road
Block 40.01
Amended Site Plan

Chairman Speeney announced that this application would not be heard. It was placed on the Agenda to preserve Board continuity. It will be carried to the January 20, 2004 meeting.

Resolution PB03-12
Rosegate Associates
401 Johnston Drive
Bl. 65.01, Lot 2
Minor Subdivision

Joe Cohen, Attorney for the Applicant, advised that he had received a draft of the Resolution from Mr. Rusignola and he had addressed his comments to him and was now satisfied with the Resolution.

Mr. Havas asked Mr. Moody if the contribution to the sidewalk fund was $4.00 per sq. ft. Mr. Moody replied that was correct.

Mr. Havas having read the Resolution it was a motion for approval, motion seconded by Mr. Addario and unanimously approved on roll call of those eligible to vote. Ayes: Speeney,Havas, Addario,Ellis, Pennett, Mobus and Mc Cumber. Noes: None

Mr. Havas called:

PB03-11
Stonecreek Construction
Request for extension of filing

Jay Bohn, attorney for the applicant, contacted Mr. Rusignola regarding an extension of time in which to perfect the subdivision. Mr. Rusignola explained that under state statutes an applicant for a minor subdivision has 190 days in which to perfect the subdivision, in other words, comply with all the conditions of the Resolution of Memorialization. If there are conditions beyond the applicant's control, an extension of that time period may be requested from the Board. Mr. Rusignola read the applicable citation. He informed that he had also received a call from the attorney for the proposed buyer of the property and was informed the closing was set for Friday. That is why a Resolution had also been drafted granting the extension.

Matt Neilson, Stonecreek Construction, informed that they had diligently moved to have the subdivision perfected, but circumstances beyond their control, i.e. Compliance Review Package, was returned after the 190-day period in which to file their deed. A discussion ensued. Mr. Rusignola asked if Stonecreek had moved diligently in an attempt to meet the deadline. Mr. Neilson replied that they had.

Mr. Rusignola asked Mr. Moody if he had any objection to the time extension. Mr. Moody replied no, but it was not his office that was responsible for the delay.

Chairman Speeney opened to the public. No one wished to speak. Mr. Speeney closed the public portion.

Mr. Havas read

Resolution PB03-12
Approval of extension of filing date
Stone Creek Realty Minor Subdivision

Mr. Havas having read the Resolution it was a motion for approval, motion seconded by Mr. Haveson and unanimously approved on roll call.

Mr. Mobus asked what happens if the Resolution was not adopted. Mr. Rusignolas explained the Applicant was back to square one and would have to seek approval from the Board for the original application.

Mr. Speeney announced that it was the Board's intent to create the subdivision so granting of the extension of time was in keeping with the Board's original intention.

Mr. Havas called:

PB03-02
Scott Subdivision
105 Washington Rock Road
Block 5.01, Lot 2
Minor Subdivision

Eric Wasser, Attorney, represented the applicant. He stated that this was a minor subdivision creating 2 lots from one existing lot, with a minor variance.

Thomas Andersen, P E. of Pequest Associates cited his credentials. Mr. Rusignola accepted them as engineer and professional planner; he was sworn. Mr. Andersen advised the applicant wished to create two lots. The new lot would conform to all the zoning requirements. The lot with the existing house is short on lot width at the set back line. There are presently 5 houses in the vicinity that have less lot width. The applicant is also applying for waivers. One waiver would be for sidewalks; there are no sidewalks near the Scott house. The applicant will contribution to the sidewalk fund in lieu of installation of sidewalks. The second waiver is for tree removal replacement plan. The house shown on the plat depicts a box house. There are very few of this type house constructed. We would have to wait to see the type of house actually constructed. The applicant would comply with the replacement plan at that time.

Mr. Wasser informed that the in-ground pool at the Scott residence will be removed. A variance for lot set back would be required for the existing house. The house has been there for sixty years and that lot is the one that requires a variance. There is no variance needed on proposed lot 2. A deed restriction would note in event the house was sold, torn down and rebuilt, the 61 ft. setback would be retained.

Karen Pennett questioned tree replacement on proposed lot 2. Mr. Wasser noted the waiver was needed because the plan was not presented at this time. The replacement plan will be submitted with the application for a land disturbance permit.

Chairman Speeney opened to the public.

George Cassaro, 69 Washington Rock Road, stated he was opposed to any further development in Watchung. Watchung was not the rural town it was when he purchased his home seventeen years ago.

No one else wished to speak. Mr. Speeney closed the public portion.

Chairman Speeney explained that the Board had little leeway when there was a minor subdivision. Minor subdivisions are governed by state statute and can be approved by Committee as long as it is in compliance with the zoning ordinances.

Chairman Speeney motioned to have the attorney draw a Resolution of Approval for the application, motion seconded by Mr. Addario and unanimously approved on voice vote.

Mr. Havas called:

PB03-07
Sarah Tennenbaum
Oakwood Road East
Block 74.01, Lots 6, 7, 8 Bl. 74.03, L. 5
Major Subdivision

It was noted that Mr. Lachs had been present but left. Mr. Speeney continued the application to the January 20, 2004 meeting.

Mr. Havas called:

PB03-09
Bartholomew Subdivision
195 Old Somerset Road
Block 70.03, Lot 1
Minor Subdivision

Jay Bohn, representing the applicant, stated he would like a continuance to the next meeting. He said the applicant and the engineer were not present. Jim Richardson came forward and said he represented of the homeowner.

Mr. Moody stated there were two waivers needed on this application. One was for sidewalks and the other was for the tree removal/replacement plan. Mr. Rusignola asked if the newly created ordinances have been adopted. Mr. Moody said they haven't. It was noted that the Environmental Committee is sent copies of all proposed applications; they had not commented on this application. Ms. Pennett said she planned on discussing it at the next Environmental meeting.

Mr. Bohn asked for a continuance to the January 20, 2004 meeting. Mr. Speeney granted his request advising him that the meeting would have a full agenda just as this one had.

Committee Reports

Site Plan and Subdivision Committee – Mr. Boyd was not in attendance.
Ordinance Committee – Mr. Havas advised the ordinances are 90% distributed and the committee will meet after the reorganization meeting to

hopefully present the completed ordinances to the Board on January 20th.

County Planning Liaison – Mr. Speeney advised he had attended a meeting last month but it was uneventful.

Village Center - Mr. Havas advised that they had not met. He informed as Liaison to Open Space they had a meeting regarding the trailway on Old Somerset Road on Tuesday. There was talk of creating a zoning ordinance change that would keep an application with one Board only.

Environmental Commission – Ms. Pennett advised that 190 Washington Drive was not to remove as many trees as had been requested. She noted the committee was drafting a new tree ordinance. Mr. Rusignola requested a copy be submitted to him. A discussion ensued regarding contents of the proposed ordinance.

Finance Committee – Mr. Havas advised that he would be submitting the 2004 Budget shortly.

A discussion ensued regarding the O'Conner's site for senior housing. Mr. Speeney said he would bracket age limits so the school system was not over-burdened.

Mr. Rusignola stated he had read the communication from Dr. Ehrenworth regarding signage extension; he advised that Mr. Ehrenworth would need to appear before the Board for any extension. Mr. Moody commented that the subdivision was not complete; Mr. Ehrenworth has items that need completion.

Mr. Speeney advised that the re-organization meeting would be held January 6th, 2004.

Adjournment

The meeting was adjourned to the call of the Chair or the next meeting scheduled for January 6, 2004.

Respectfully submitted,

Dorothy D. Figel
Planning Board Clerk