

**READINGTON TOWNSHIP BOARD OF ADJUSTMENT
MINUTES
January 20, 2011**

A. Attorney Donald Moore called the reorganization meeting to order at 7:35 p.m. announcing that all laws governing the Open Public Meetings Act had been met and that the meeting had been duly advertised.

B.

Betty Ann Fort	present
Marygrace Flynn	absent
Keith Hendrickson	present
Diana Hendry	present
Meredith Goodwin	absent
Britt Simon	present
Eric Stettner	present
Richard Thompson	present
Michael Denning	present

**Michael Sullivan, Clarke Caton & Hintz
John Hansen, Ferriero Engineering
Donald Moore, Esq., Kelleher & Moore**

Attorney Moore stated on the record that the following Board members were sworn and took their oaths of office prior to the meeting.

**Betty Ann Fort - Four year term
Michael Denning – Four year term
Keith Hendrickson 1st Alternate (one year)**

C. Nominations:

1. Chairman: Attorney Moore asked for nominations for Chairman. Mr. Simon nominated Betty Ann Fort as Chairman. Mr. Denning seconded the motion. There were no other nominations. Motion was carried with a vote of ayes all, nays none recorded.

The meeting was turned over to Chairman Fort.

2. Vice Chairman: Mr. Simon nominated Michael Denning for Vice Chairperson. Mr. Thompson seconded the motion. There were no other nominations. Motion was carried with a vote of Ayes all, nays none recorded to nominate Michael Denning as Vice-Chairperson.

3. Secretary: Mr. Simon nominated Linda Jacukowicz for Board Secretary. Mr. Denning seconded the motion. There were no other nominations. Motion was carried with a vote of Ayes all, nays none recorded.

4. Professional Services Contracts

**Donald K. Moore, Esq., Attorney Services
Jacobs, Edwards & Kelsey – Traffic Engineering Services
Michael Sullivan Clarke – Caton – Hintz, Professional Planning Services
Key-Tech - Inspection and testing services
John Hansen, Ferriero Engineering
Princeton Hydro – Environmental Consultants**

Mr. Simon made a motion to approve the professional contracts. Mr. Denning seconded the motion. Motion was carried with a vote of ayes all, nays none recorded. Ms. Hendry abstained.

Madam Chair made a motion to appoint Eric Zwerling, of The Noise Consultancy, LLC, as the acoustical expert. Ms. Hendry seconded the motion. Motion was carried with a vote of ayes all, nays none recorded.

4. Schedule of Meeting Dates for 2011

Third Thursday of each month

****If meeting falls on a legal holiday, the meeting will be held the following day. December meeting will be held on December 13, 2011.***

5. Technical Review Committee

Schedule of meetings. The TRC meetings occur at 7:00 p.m. prior to the regularly scheduled Board of Adjustment meetings.

Mr. Denning made a motion to nominate Betty Ann Fort and Marygrace Flynn to serve on the Technical Review Committee. Mr. Simon seconded the motion. Motion was carried with a vote of ayes all, nays none recorded.

D. PUBLICATIONS

**Hunterdon County Democrat
Hunterdon Review
Courier News
Star Ledger
Express Times**

Mr. Thompson made a motion to approve the publications. Mr. Simon seconded the motion. Motion was carried with a vote of ayes all, nays none recorded.

E. APPROVAL OF MINUTES:

1. December 14, 2010 – Mr. Denning made a motion to approve the minutes. Mr. Thompson seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

F CORRESPONDENCE: -There were no comments regarding the correspondence.

G. OTHER BUSINESS:

1. Voucher approval – Mr. Simon made a motion to approve the vouchers. Mr. Denning seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded. Ms. Hendry abstained.

H. RESOLUTIONS:

- 1. Report on Variances – carried to February 17, 2011**

- 2. Hunterdon Hills Animal Hospital
Block 21.13, Lot 7
Route 22 Eastbound
Corrected resolution – carried to February 17, 2011**

I. OLD BUSINESS:

- 1. Mark Hartman
Extension request to perfect minor subdivision
US Rt. 22
Block 36, Lot 47 & 48**

Mr. Hartman addressed the board. He requested a 90 day extension to his approval in order to perfect the minor subdivision. He informed the board that he has been working with the FX Management property owner's attorney and has not been able to resolve some issues.

Mr. Denning made a motion to grant a 90 day extension of time in order to allow the recording the minor subdivision deed. Mr. Thompson seconded the motion.

Roll call:

Mr. Denning aye
Ms. Hendry aye
Mr. Simon aye
Mr. Stettner aye
Mr. Thompson aye
Mr. Hendrickson aye
Madam Chair aye

J. PUBLIC HEARINGS

- 1. T-Mobile (formerly known as Omnipoint Communications)
Block 13, Lot 74
93 Old Rt. 28
Variance & Preliminary Site Plan
Carried and signed extension to March 17, 2011**

- 2. Winfield Management Corp.
Block 8, Lot 3
422 Route 22 West
Amended Preliminary – Final
Action date: April 29, 2011**

Mark Peck, Esq. stated that he is the attorney for the applicant. He informed the board that the applicant is seeking an amended approval for a preliminary and final site plan approval, and certain variance relief, that was obtained in April 2009. The applicant is seeking an amendment, specifically D-d of the resolution which had to do with certain improvements to the Route 22 median. Tom Flath, applicant and Gordon Meth, traffic engineer were also present. Mr. Peck informed the board that the applicant has complied with every condition, per the review letter of John Hansen dated December 9, 2009, except for this condition. The Haver Place improvements have been completed. The applicant is seeking relief so that he may be able to obtain a Certificate of Occupancy, while still pursuing the approval from NJDOT.

Mr. Moore swore in the following witnesses: Tom Flath, applicant, Gordon Meth, Traffic Engineer, Michael Sullivan, board planner, and John Hansen, board engineer.

Mr. Flath testified that he has tried to obtain approval from NJDOT, but to no avail. He stated that he did meet with the NJDOT. They informed him as to what was required at the site, they also met with Bishops and have taken their requests under advisement, but they have still not received an answer from the

State. He never thought that he would be able to build the building, and still not have a permit from NJDOT. The improvements have been bonded by the applicant.

Gordon Meth addressed the board. He testified that he has been in contact with the NJDOT for the better part of one year. The issue is that the traffic engineering department has lost staff and this is no longer a priority at the State level. They are very cautious of U-turn openings/closing. He testified that the last communication with the NJDOT indicated that Traffic Claims Department claims sent information to the Access Department. When he contacted the Access Department, they indicated they never received any documentation. This is the reason the process is moving so slowly.

Madam Chair stated that she was not opposed to an extension since the applicant has posted a bond for this improvement. She is fearful and does not want anyone getting hurt while the NJDOT approval process continues. Mr. Meth stated that during the hearings, he was vocal that there is a traffic problem at this area.

PUBLIC COMMENTS:

Fran Zangara wanted to know if there was going to be a fence installed between the property lines. Mr. Flath answered that there will not be a fence, but they will plant a heavy buffer of trees.

Mr. Denning made a motion to amend the condition of the resolution to allow the applicant to move ahead with a temporary Certificate of Occupancy based upon the current bonding that is in place, with a caveat that he pursue every possible avenue with the NJDOT. Mr. Simon seconded the motion.

Roll call:

Mr. Denning	aye
Ms. Hendry	aye
Mr. Simon	aye
Mr. Stettner	aye
Mr. Thompson	aye
Mr. Hendrickson	aye
Madam Chair	aye

K. ADJOURNMENT:

Mr. Simon made a motion to adjourn. Mr. Denning seconded the motion. Motion was carried with a vote of ayes all, nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz