

**READINGTON TOWNSHIP  
BOARD OF ADJUSTMENT MEETING  
February 19, 2015**

The Meeting was called to order by Chair Goodwin at 7:33 p.m. stating that the requirements of the Open Public Meeting Law have been satisfied. The Meeting had been duly advertised.

**Members present:** Michael Denning, Meredith Goodwin, Diana Hendry,  
Patrick Ryan, Britt Simon, Richard Thompson

**Members absent:** Marygrace Flynn, Keith Hendrickson, Joanne Sekella

**Also present:** Michael Sullivan, Planner  
Roger W. Thomas, Attorney  
Steven Bolio, Engineer

Attorney Thomas advised that the matter of Ryland Developers, LLC was carried, without further notice, to the March 19, 2015 Board of Adjustment meeting.

**MINUTES:**

A Motion was made by Mr. Denning, seconded by Mr. Thompson, that the Minutes of January 15, 2015 be approved. Motion was carried with a vote of ayes all, nays none recorded.

**TECHNICAL REVIEW COMMITTEE**

**Sirbiant, LLC  
B 34, L30**

The applicant seeks a D variance. The T.R.C. has reviewed the application and determined it to be **incomplete**.

**OTHER BUSINESS**

A Motion was made by Mr. Denning, seconded by Mr. Simon, to appoint Harold Maltz, Hamal Associates, Inc., as traffic engineer. Motion was carried with the following roll call vote:

**Ayes:** Mr. Denning, Ms. Hendry, Mr. Ryan, Mr. Simon, Mr. Thompson, Chair Goodwin

**Nays:** None recorded.

Mr. Thompson advised that he is a neighbor of Applicant before the Board this evening, but was not noticed as he does not reside within two hundred (200) feet of the subject property. He further advised that he will objectively listen to the matter at hand.

**PUBLIC HEARINGS:**

**Della Pello**  
**B. 14, L. 4.06**  
**D Variance**

Present for Applicant: Ernest Renda, Attorney  
John Madden, Planner  
Scott Eichlin, Architect  
Vincent Della Pello, Applicant

Attorney Renda described the application before the Board as a construction of a new dwelling as the previous residence had been destroyed by fire during Labor Day weekend 2014. Applicant is requesting two (2) variances; 1) bulk variance with regard to the front yard setback which is approximately four (4) to five (5) feet short of the seventy-five (75) feet required in the Agricultural Residential zone ("AR"); and 2) a D-4 variance as to the Floor Area Ratio ("F.A.R."). The redesign of the residence and the removal of a shed on the property will increase the F.A.R. by 52 square feet.

Break at 7:41 P.M.

Reconvened at 7:43 P.M.

Diana Hendry recused herself due to a conflict.

Break at 7:45 P.M. Attorney/Applicant strategy conference. Let it be known that a D variance requires five (5) affirmative votes. As there are five (5) Board members present, it would require a unanimous vote.

Reconvened at 7:47 P.M. Applicant will move forward with hearing.

Mr. Eichlin advised that he was contacted by the Applicant approximately six (6) months ago to assess the structure located at 14 Ryland Road North. He determined that the structure was beyond repair from the foundation up, and, subsequently, the foundation had been compromised. The current structure's configuration included a kitchen, living room, dining room, family room, ½ bath, mud room and two (2) car attached garage on the first floor. The second floor included four (4) bedrooms and three (3) bathrooms. In addition, the property has one (1) over-sized detached garage, one (1) shed and an in-ground pool.

Attorney Renda inquired as to whether the pool or septic system had been compromised as a result of the fire.

Mr. Eichlin indicated that they had not. The septic system has been certified by both the County Board of Health and the Readington Township Board of Health for a four (4) bedroom dwelling.

Mr. Eichlin walked the Board through the general design of the replacement dwelling; advising that the first floor configuration included a mud room ½ bath, rec room, living room, den, and an open concept kitchen-dining room-family room. The second floor would have four (4) bedrooms and three (3) full bathrooms.

Attorney Renda inquired whether the location of the proposed replacement dwelling could be placed elsewhere on the property.

Mr. Eichlin advised that because of the in-ground pool, the dwelling could not be moved back. He did suggest to Applicant that they keep the same front yard setback. The square foot of the prior dwelling was 4,250 square feet; and the proposed dwelling is 4,445 square feet. Although Applicant gained approximately 200 square feet of living space; the removal of the shed increases the F.A.R. only 52 square feet.

EXHIBIT A-1 introduced: Google arial map 2012

Mr. Madden advised that the property is located in a subdivision that was created in the 1960s. The property is located in the AR zone which currently requires an eight (8) acre lot and 250 foot lot circle. All of the lots in the subdivision are non-conforming. The proposed lot area, lot circle and minimum front yard setback are all consistent with the neighborhood. The F.A.R. violation is minimal, a deviation of .0007%. Adding the dwelling back into the neighborhood would contribute to restoring the neighborhood pattern.

Attorney Thomas referenced the matter of *Randolph Township Center v. Randolph Township* in that it changes the requirements of a D-4 variance. The requirements no longer look at practical suitability, but rather if the site will accommodate the F.A.R.

Mr. Madden advised that the current application does meet the new standards. The habitable space is similar to the previous dwelling, there is more than adequate space between the houses; indicating privacy is not an issue within this property.

Applicant advised the Board that he has been a resident of Readington Township since his family moved here in 1973; and he purposed his own home in 1998. Applicant advised that he and his family wished to remain in Readington Township and explored

purchasing a house in the Township. When that option fell through, Applicant hired an architect. Applicant requested that the new dwelling keep the basic footprint of the prior home with more open space. The pool and other structures on the property limited their building footprint, but he wanted the new dwelling to accommodate his family for another twenty (20) years.

Mr. Denning, Mr. Thompson and Mr. Simon advised that they supported the application.

Chair Goodwin indicated that the property will support the new home, there would be no negative impact on the neighborhood, and there is no substantial impairment on the Township ordinances.

Attorney Thomas reiterated that the D4 variance requires five (5) affirmative votes and suggested the Board have two (2) votes; one for the bulk variances and another for the D-4 variance.

Attorney Renda indicated that his discussion with Applicant included the ramifications of a vote this evening, given the reduced number of Board members. Applicant is anxious to move forward and would like the Board to vote

Mr. Bolio advised of comments made in John Hansen's, report of January 2, 2015. He requested that the comments be a condition of Board approval. First, confirmation from the Hunterdon County Health Department that the on-site septic system would accommodate the new dwelling is required. Second, the shed should be removed prior to the Township issuing a Certificate of Occupancy. Lastly, signature lines should be added to the plot plan for the Board Secretary, Board Engineer and Board Chair.

Attorney Renda had no objection to the conditions.

A Motion was made by Mr. Simon, seconded by Mr. Thompson, to approve Applicant's request for a D-4 variance as it relates to the F.A.R. requirements. Motion was carried with the following roll call vote:

**Ayes:** Mr. Denning, Mr. Ryan, Mr. Simon, Mr. Thompson, Chair Goodwin

**Nays:** None recorded.

A Motion was made by Mr. Simon, seconded by Mr. Thompson, to approve Applicant's request for variances as they relate to lot circle and front yard setback requirements. Motion was carried with the following roll call vote:

**Ayes:** Mr. Denning, Mr. Ryan, Mr. Simon, Mr. Thompson, Chair Goodwin

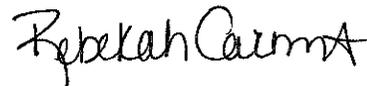
**Nays:** None recorded.

**ADJOURNMENT:**

A Motion was made by Mr. Simon, seconded by Chair Goodwin to adjourn the meeting. The motion was carried with a vote of all ayes, nays none recorded.

The meeting was adjourned at 8:22 P.M.

Respectfully submitted,



Rebekah Harms  
Board of Adjustment Secretary