

**READINGTON TOWNSHIP BOARD OF ADJUSTMENT**

**MINUTES**

January 20, 2005

- A. **Attorney Donald Moore called the reorganization meeting to order at 7:39 p.m. announcing that all laws governing the Open Public Meetings Act had been met and that the meeting had been duly advertised.**

B.

**Roll call:**

<b>Mrs. Fort</b>	<b>present</b>
<b>Mrs. Flynn</b>	<b>present</b>
<b>Mrs. Goodwin</b>	<b>absent</b>
<b>Ms. Hendry</b>	<b>present</b>
<b>Mr. Felicetta</b>	<b>absent</b>
<b>Mr. Shepherd</b>	<b>present</b>
<b>Mr. Staats</b>	<b>present</b>
<b>Mr. Thompson</b>	<b>present</b>
<b>Mr. Denning</b>	<b>present</b>

**Michael Sullivan, Clarke Caton & Hintz  
John Hansen, Ferriero Engineering  
Donald Moore, Esq.  
Nelson Caparas, Edwards & Kelcey**

**Attorney Moore stated on the record that the following Board members were sworn in prior to the meeting.**

**Members that were sworn in:**

**James Staats 1st. Alternate – Two year  
Diana Hendry – Four years**

C. **Nominations:**

**1. Chairman: Attorney Moore asked for nominations for Chairman. Mr. Denning nominated Betty Ann Fort as Chairman. Mrs. Flynn seconded the motion.**

**Attorney Moore asked if there were any other nominations. Mr. Shepherd nominated Michael Denning as Chairman. Ms. Hendry seconded the motion. Mr. Denning stated that he was not going to accept the Chair position for this year.**

**Roll Call:**

<b>Mrs. Flynn</b>	<b>aye</b>
<b>Mrs. Fort</b>	<b>aye</b>
<b>Ms. Hendry</b>	<b>aye</b>
<b>Mr. Shepherd</b>	<b>aye</b>
<b>Mr. Staats</b>	<b>aye</b>
<b>Mr. Thompson</b>	<b>aye</b>
<b>Mr. Denning</b>	<b>aye</b>

**The meeting was turned over to Chairman Fort.**

**2. Vice Chairman: Mr. Shepherd nominated Michael Denning for Vice Chairperson. Mrs. Flynn 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.**

**Roll Call:**

<b>Mrs. Flynn</b>	<b>aye</b>
<b>Mrs. Fort</b>	<b>aye</b>
<b>Ms. Hendry</b>	<b>aye</b>
<b>Mr. Shepherd</b>	<b>aye</b>
<b>Mr. Staats</b>	<b>aye</b>
<b>Mr. Thompson</b>	<b>aye</b>
<b>Mr. Denning</b>	<b>aye</b>

**3. Secretary: Mrs. Flynn nominated Linda Jacukowicz for Board Secretary. Ms. Hendry seconded the motion. There were no other nominations. Motion was carried with a vote of Ayes all, nays none recorded.**

**4. Professional Engineer: Mrs. Flynn nominated John Hansen from the firm of Ferriero Engineering, Inc. Mr. Denning seconded the motion. There were no other nominations. Motion was carried with a vote of Ayes all, nays none recorded.**

**5. Professional Services Contracts**

**Chairman Fort stated on the record that the following professional service contracts had been submitted:**

Donald Moore, Esq., - Attorney Services  
Edwards & Kelcey – Traffic Engineering Services  
Clarke – Caton – Hintz, Professional Planning Services  
Key-Tech - Inspection and testing services  
Ostergaard Associates – Acoustical experts  
Princeton Hydro – Environmental Consultants  
Hatch, Mott & McDonald – Environmental Consultants

**Motion was carried with a vote of Ayes all, nays none recorded to accept the professionals.**

**6. Schedule for the meeting dates for 2005**

**Chairman Fort stated that the meeting schedule would be the third, Thursday of every month.**

**Mrs. Fort made a motion to approve the meeting schedule. Mr. Staats seconded the motion. Motion was carried with a vote of Ayes all, nays none recorded to approve the schedule of dates.**

**7. Technical Review Committee:**

**Marygrace Flynn and James Staats volunteered to be members of the Technical Review Committee for the year 2005.**

**Mrs. Fort appointed James Staats and Marygrace Flynn as members of the Technical Review Committee.**

**D. Publications**

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

**Mrs. Flynn made a motion to approve the publications. Mr. Denning seconded the motion. Motion was carried with a vote of Ayes all, nays none recorded.**

**E. APPROVAL OF MINUTES:**

**December 13, 2004 –Mr. Denning made a motion to approve the Minutes as amended. Ms. Hendry seconded the motion. Motion was carried with a vote of ayes all, nays none recorded.**

**Executive Minutes of December 13, 2004 – Mrs. Flynn made a motion to approve the minutes. Mr. Denning seconded the motion. Motion was carried with a vote of Ayes all, nays none recorded.**

**F. CORRESPONDENCE:**

**Linda Jacukowicz read the correspondence into the record. Mrs. Fort urged the board members to attend the New Jersey Planning Official classes. The board members will notify the secretary if they are interested in attending.**

**G. EXECUTIVE SESSION:**

**RESOLUTION  
(Open Public Meetings Act – Executive Session)**

**WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and**

**WHEREAS, this public body is of the opinion that such circumstances presently exist:  
NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Readington, County of Hunterdon, State of New Jersey, as follows:**

**The public shall be excluded from discussion of the hereinafter specified subject matters. The general nature of the subject matter to be discussed is as follows:**

**Active litigation - Whitehouse First Aid & Rescue Squad v. Readington Township Board of Adjustment**

**It is anticipated at this time that the above matter will remain confidential because litigation remains pending.**

**This Resolution shall take effect immediately.**

**Certified to be a true copy of a Resolution adopted on January 10, 2005.**

**Mrs. Flynn made a motion to close the open session. Mr. Shepherd seconded the motion. Motion was carried with a vote of Ayes all, nays none recorded.**

**Mrs. Flynn made a motion to close executive session. Mr. Shepherd seconded the motion. Motion was carried with a vote of Ayes all, nays none recorded.**

**Mr. Denning made a motion to open the public session. Mr. Shepherd seconded the motion. Motion was carried with a vote of Ayes all, nays none recorded.**

**H. RESOLUTIONS:**

- 1. CVS  
Preliminary Major Site Plan  
Route 202 & Summer Rd.  
Block 95, Lots 16 & 17.01**

**Mr. Denning made a motion to approve the resolution. Mr. Shepherd seconded the motion.**

**Mrs. Flynn            aye**

**Ms. Hendry**            **aye**  
**Mr. Shepherd**       **aye**  
**Mr. Thompson**      **aye**  
**Mr. Denning**        **aye**  
**Madam Chair**       **aye**

**2.      Wilmark Building Contractors, Inc.  
        Minor Subdivision & Variance  
        Block 55, lot 21.01**

**Ms. Hendry had some changes to the resolution. Attorney Moore read those changes into the record.**

**Mrs. Flynn made a motion to approve the resolution with the changes that were indicated. Mr. Shepherd seconded the motion.**

**Mrs. Flynn**            **aye**  
**Ms. Hendry**           **aye**  
**Mr. Shepherd**        **aye**  
**Mr. Thompson**       **aye**  
**Mr. Denning**        **abstain**  
**Madam Chair**        **aye**

**3.      Barbara Bailey  
        Block 48, lot 22.05  
        5 Lightfield Road  
        Variance application**

**Steve Farfiou, Esq., of Gebhart and Kiefer appeared on behalf of the applicant. With respect to the limitation on the two adults residing in the apartment, he wanted to know if there was any language agreed upon that the limitation did not apply to children.**

**Mrs. Fort stated that the subject had been discussed, but that they never concluded on it. Mr. Denning stated that they specifically stated two adults, but they did not say any children.**

**Mr. Farfiou stated that if this was a non issue for the board, then it was a non issue for his client.**

**Mr. Denning made a motion to approve the resolution. Mrs. Flynn seconded the motion.**

**Roll call:**

**Mrs. Flynn**            **aye**  
**Ms. Hendry**           **aye**  
**Mr. Shepherd**  
**Mr. Thompson**       **aye**  
**Mr. Denning**         **aye**  
**Madam Chair**         **aye**

**4        Whitehouse United Methodist Church  
          Block 13, lots 34.01 & 36**

**Attorney Moore that the attorney had requested a 30 day extension on this matter.**

**Ms. Hendry made a motion to approve the resolution. Mr. Shepherd seconded the motion.**

**Roll call:**

**Mrs. Flynn**            **aye**  
**Ms. Hendry**           **aye**  
**Mr. Shepherd**  
**Mr. Thompson**       **aye**  
**Mr. Denning**         **aye**  
**Madam Chair**         **aye**

**Ms. Hendry made a motion to grant a 30 day extension of approval. Mr. Denning seconded the motion. Motion was carried with a vote of Ayes all, nays none recorded.**

**5.       Report on Variance Applications for 2004**

**Mr. Denning made a motion to approve the resolution. Mr. Shepherd seconded the motion.**

**Roll call:**

**Mrs. Flynn**            **aye**  
**Ms. Hendry**           **aye**  
**Mr. Shepherd**  
**Mr. Staats**            **aye**  
**Mr. Thompson**       **aye**  
**Mr. Denning**         **aye**  
**Madam Chair**         **aye**

**I. TECHNICAL REVIEW COMMITTEE:**

- 1. Laurence & Janice Hoffman  
Block 9, lot 6  
Variance application  
Action date: January 16, 2005**

**Mr. Staats stated that the application had major deficiencies and is therefore still incomplete.**

- 2. W. E. Timmerman & Co.  
Final Major Site Plan  
Block 15, lot 10  
3554 Rt. 22 West  
Action date: January 24, 2005**

**Mr. Staats stated that the application had major deficiencies and is therefore still incomplete.**

**Mr. Staats recommended that a final site plan person could be appointed by the chairman to work with the professionals to make sure all issues are addressed before the board hearing.**

- 3. Commerce Bank  
Block 19.01, lot 8  
Preliminary/Final Major Site Plan  
Action date: February 3, 2005**

**Mr. Staats stated that the application had major deficiencies and is therefore still incomplete.**

**Mr. Denning made a motion to have the TRC Subcommittee work with the professional's to expedite the completeness of the plans and report back to the board when it is finished. Mr. Shepherd seconded the motion. Motion was carried with a vote of Ayes all, nays none recorded.**

**J. PUBLIC HEARINGS:**

- 1. Hunterdon Christian Church  
Block 94, lot 1.203  
Preliminary & Final Major Site Plan  
Action date: December 16, 2004**

**Anthony Koester, Esq., stated that he is the attorney for the applicant. He stated that this is a site plan application. The property is located on Summer Road in the AR**

zone. The applicant received a variance approval on June 19, 2003. That variance allowed for the existing non-conforming use to exceed the requirements of the township with regard to lot size and floor area ratio. The application before the board is for a portion of the build out pursuant to the variance. They are proposing a site plan consisting of 8,245 square feet.

A-1 Colorized landscaping plan – Sheet #8 of 15. Dated 1/28/04, prepared by Richard Thomas Cannarella and Julie Nelson Blank is the landscape architect.

Mr. Koester stated that there are no variances associated with the site plan application. However, there are 3 waivers that were identified by Mr. Sullivan and Mr. Hansen.

Attorney Moore swore in the following witnesses: David Dressler, member of the church; Nicholas Bush, Charter Member and Elder of the church; Tom Cannarella Professional Engineer, Project Manager with Goodland and Clearwater; Dan Baker, Pastor; Wayne Egolf, Project Architect with Whitehead Phillippi & Harris, Inc.

Mr. Egolf showed the board a colored rendering of the proposed building.

A-2 Colored rendering prepared by Wayne Egolf undated; however it was prepared one year ago.

Pastor Baker explained that the church needed the expansion because the ministry and the community are growing. They currently have a ministry with the Hunterdon County Correctional Facility and local nursing homes.

Mr. Cannarella described the location of the site. There currently is an existing church with surrounding parking. It is serviced by a septic system and well water. The applicant is proposing to construct an addition to the church to accommodate their need. They have designed the church with all of the applicable regulations, especially the newest stormwater regulations. The new church will also have a new septic system. The applicant is in the process of obtaining Board of Health approval. They will use the existing well.

Mr. Cannarella testified that currently, the rear fields of the existing property are grass fields. There is an existing evergreen row of trees that border the site and the adjoining property. The applicant is proposing to preserve the tree row. There are some existing trees that surround the church that will have to be removed. They may be able to be transplanted. They will screen the parking lot from the street.

Mr. Staats wanted to know how much vegetation they are proposing to plant in order to screen the southwest side. Mr. Cannarella answered that there is an existing deciduous tree row which would not provide a heavy buffer.

**Mr. Sullivan was concerned about the grading near the septic disposal bed. He wanted to know if there were plans to attenuate those plantings. Mr. Cannarella answered that there are a substantial amount of trees in that area already. There are approximately 5 trees that are large in size. He did not feel that they would be harmed by the installation of the septic system. Mr. Cannarella stated that this is a mounded septic system. The location of the system could be pulled back slightly.**

**A-3 Photograph taken by spouse of David Dressler taken recently.**

**Mr. Sullivan wanted to know if the applicant proposed to build the renovation in phases. Mr. Koester answered that this is the first build out within the 10% variance that the applicant received previously. There may be a subsequent build out pursuant to that variance. There is an allowance for the applicant to come back to the board with 3 one year extensions. There is an allowance within that green space that is within the parking at the rear of the building.**

**Pastor Baker stated that every summer they offer the community vacation Bible School. They are looking for that green area for a place for the children to play. The future build out would include a bigger sanctuary and a gymnasium.**

**Ms. Hendry wanted to know what the height of the mounded septic system was. Mr. Cannarella answered 2 feet.**

**Mr. Staats wanted to know where the additional parking would be located. Mr. Cannarella answered around the perimeter of the site.**

**Ms. Hendry wanted to know how many parking spaces are proposed. Mr. Cannarella answered 98.**

**Mr. Caparas of Edwards & Kelcey stated that he has a number of questions and will issue a letter to the board within the next few days.**

**Mr. Hansen asked if the applicant could go over the screening aspects they are proposing to the plan. Mr. Cannarella answered that the dumpster would be screened from view. The architect has not shown the location of the mechanical equipment because the applicant has not received approval at this time.**

**Mr. Egolf testified that mechanical system has not been fully designed at this point. Mr. Hansen requested that this be addressed prior to the next meeting.**

**Mr. Hansen informed that the rest of his report had to do with minor plan revisions, but the one of the last items had to do with the cartway of Summer Road. He stated that he spoke with the township engineer regarding this item. He recommends that the cartway be extended to 14 feet to center line of Summer Road. The road would be 23 feet wide.**

**Mr. Koester provided 2 photographs of the proposed area of Summer Road to be widened.**

**Mr. Moore suggested that the applicant meet with the board's professionals before the next meeting to go over the outstanding issues.**

**Ms. Hendry wanted to know the reasoning behind the number of proposed parking spaces. Pastor Baker answered that they have 2 church services and plan on continuing with that after the expansion. Pastor Baker stated that the way our services work, we have more cars in general.**

**Nicholas Bush informed the board that when his family goes to church, they drive 4 cars. He stated that his family is not unique. Many members have more than 1 car for the family.**

**Mr. Shepherd felt that driving 4 cars was an environmental issue.**

**Ms. Hendry stated that when the applicant was before the board last time, the goal was not to have 2 services. The goal was to have 1 service. The scenario that was just described would be affected by going to 1 service and having more people there at the same time and you wouldn't have as many multiple vehicle families.**

**Mr. Bush answered by saying that the people like the 2 services.**

**Ms. Flynn stated that their reasons for the expansion have changed. Originally it was to have 1 service that could accommodate everyone.**

**Mr. Bush informed the board that their goals have changed and they are trying to accommodate their members.**

**Nelson Caparas, of Edwards & Kelcey stated that that information will change vehicle occupancy and also trip generation.**

**Mr. Thompson stated that he is not arguing how the members choose to attend their church, but to come before this board to ask for additional parking because some people choose to bring 4 cars to church, is not this board's problem. That is something that the applicant needs to address through car pooling.**

**Mr. Moore wanted to let the applicant know that Dr. Souza had some issues regarding this matter. He requested that the applicant work with all of the professionals prior to the next meeting. Mr. Koester agreed to that request.**

**This matter was carried to February 17, 2005. The applicant signed an extension to same.**

**The board took a 5 minute break**

- 2. Yardville National Bank  
Block 5, lot 6  
Preliminary & Final Major Site Plan  
Action date: December 16, 2004**

**Geoffrey Soriano, Esq, stated that he is the attorney for the applicant, Sena Builders, LLC. Yardville National Bank is the project name. The property is located at the corner of Route 22 West and Ramsey Road, in the Business Zone. The property consists of .979 acres. The applicant is requesting preliminary and final major site plan approval. The proposal is to develop a bank branch office for Yardville National Bank. The proposed building will be 3500 square feet. There are 3 drive-thru lanes proposed.**

**Mr. Soriano informed the board that the applicant is seeking D variance relief. Banks are allowed in the B zone, however the lot has to consist of at least 2 acres. Drive-thru facilities are not permitted in this zone. Other relief that is required by the applicant is relief from the maximum impervious coverage. The applicant is proposing coverage at approximately 34%; wherein the B zone a lot of this size you are limited to 30%. They have a minimum frontage of 150 feet and the requirement is 200 feet. There is a minimum setback from the municipal road of 50 feet and the applicant has 14.9 feet. There is also a parking variance requested. They are required to have 18 parking spaces and the applicant is proposing 15 parking spaces. There are 2 façade signs proposed. One sign will be located in the front of the building and the other one will be located at the rear of building. The ordinance requires only 1 sign.**

**Mr. Shepherd disclosed to the board and the applicant that the business that he works for deals with Yardville Bank in the context of their business. He did feel that he could be objective regarding the application; however, he wanted it to be made clear on the record.**

**No one had an issue allowing Mr. Shepherd to continue to hear the application.**

**Robert Sena, Sena Builders, LLC  
David Stires, Project Engineer  
Frank Fuzo, Vice President in charge of Bank Services of Yardville Bank  
Elizabeth McKenzie, Professional Planner for the applicant**

**Mr. Moore swore in the witness, David Stires.**

**Mr. Stires stated that he is a licensed engineer in the State of New Jersey. He advised the board that he received a Bachelor of Science in Engineering from Lehigh University. He**

received his New Jersey Professional Engineer and Planning License in 1990. He has appeared before other boards in the county.

**A-1 Rendering of site plan, dated 4/13/04, latest revision 6/18/04, prepared by David Stires**

Mr. Stires stated that currently the site is located slightly west and across Route 22 from Bishop's market. At the present time a 1 ½ story structure that was previously used as a florist is on the site. The structure is in need of repair. There is a garage located at the rear of the property. This structure is also in need of repair. There is also a concrete foundation towards the north side of the property. The front of the property consists of a lawn area and towards the north side consists of shrubbery and trees. The intent is to leave this vegetation in his current state. There is a 50' paper street, namely Stryker Place.

Mr. Stires informed the board that they are proposing to construct a 3500 square foot branch bank. They are proposing a 15 parking space parking lot to the north and rear of the building. The parking lot would extend around to the west of the structure where there would be 3 drive-thru bays and a one-way access around back to the east and exit to Ramsey Road.

Regarding Mr. Hansen's report dated January 6, 2005, Mr. Soriano stated that the applicant will comply with Roman numeral III, page 2, number 1. The applicant will comply with letter A thru K, absent F. Item F provides that a swale should be built on the property to prevent runoff from flowing on to adjacent lot 5. Mr. Stires informed the board the applicant proposes to create a berm. That berm will provide a barrier from runoff. Mr. Stires will meet with Mr. Hansen to work out issues with the stormwater. They will comply with the recommendations regarding the lighting issue. Regarding the size of the parking spaces, Mr. Hansen's report indicates that the board should decide if 10 by 18 spaces would be more appropriate. The applicant is seeking a design waiver as to the size of the parking spaces.

The applicant has submitted an application to the New Jersey Department of Transportation for approvals. Unfortunately, the State lost their drainage permit. The applicant is tying the storm pipe into a catch basin within the Route 22 right-of-way. They are also proposing to widen Ramsey Road along the frontage. That road widening does not extend to Route 22. Mr. Hansen has requested that they do that. Mr. Stires indicated that they amend their NJDOT application. A letter was received several months ago from the township engineer indicating that this site has 350 gallons per day sewer capacity. With a 3500 square foot bank, this is what they are proposing to use. They will get Board of Health approval for the use of the well. A dumpster will be located in the northern corner of the site.

Regarding Mr. Sullivan's memo, Mr. Stires is requesting a waiver from sidewalks on Ramsey Road. The applicant will work with the planner and engineer regarding the site lighting.

**Currently, the applicant proposes a 16 square foot free standing sign along the Route 22 frontage. There are also two 12 square foot signs that are on the building façade. One of the signs would be located on the front of the building and one sign would be located on the back of the building.**

**Mr. Moore wanted to know if there was any attempt by the applicant to acquire adjoining property. Mr. Soriano stated that they adjoining property is developed with a residence on it.**

**PUBLIC COMMENTS:**

**Paul Weigand stated that he owns the property adjacent to the property. He is concerned about the lights shining in his window and the stormwater runoff.**

**Mr. Stires answered that they are aware of the situation and they are proposing to plant a buffer to screen the lights. They will also address the sheet flow going across his property.**

**The applicant signed an extension to February 17, 2005. This matter is carried to that date.**

**K. ADJOURNMENT:**

**A Motion was made by Ms. Hendry to adjourn the meeting. Mr. Shepherd seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.**

**Respectfully submitted,**

**Linda Jacukowicz,**