

**READINGTON TOWNSHIP BOARD OF ADJUSTMENT
MINUTES
April 19, 2007**

Chairperson Fort called the meeting to order at 7:40 p.m. announcing that all laws governing the Open Public Meetings Act had been met and that the meeting had been duly advertised.

A.

Mrs. Fort	present
Mrs. Flynn	present
Mrs. Goodwin	present
Ms. Hendry	present
Mr. Stettner	present
Mr. Shepherd	present
Mr. Thompson	present
Mr. Denning	absent

Donald Moore, Esq., Kelleher & Moore
John Hansen, Ferriero Engineering
Michael Sullivan, Clark*Catton*Hintz
Dr. Steven Souza, Princeton Hydro

B. APPROVAL OF MINUTES:

1. March 15, 2007

Ms. Hendry made a motion to approve the minutes. Mrs. Flynn seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

C. CORRESPONDENCE:

The secretary read Mr. Sullivan and Mr. Krasner's report regarding the Hunterdon Christian Church, Block 94, lot 12.03. The report indicated that the applicant met all of the conditions of the resolutions. Additionally, there was a letter from Anthony Koester, Esq., who is counsel for the Hunterdon Christian Church, requesting an extension to the approval. The board decided to allow the secretary to review the upcoming agendas and advise Mr. Koester of a date to appear before the board.

D. TECHNICAL REVIEW COMMITTEE:

**1. Vines, LLC/Readington
Block 39, lot 59**

**3523 Route 22 East
Site Plan and Variance
Action date: May 11, 2007**

Mrs. Flynn made a motion to declare the application complete. Mrs. Goodwin seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

**2. Station Center Investors, LLC
c/o Net Property Management
547 Route 22
Variance
Action date: May 13, 2007**

Madam Chair announced that the Technical Review Committee reviewed the application. The application remains incomplete.

**3. Francis P Ciccarino
Karen I. Hiller Ciccarino
Block 66, lot 19.20
Variance
Action date: May 18, 2007**

Mrs. Flynn made a motion to declare the application complete. Mr. Thompson seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

E. RESOLUTIONS:

**1. Hunterdon County Housing Corp.
Block 4, lot 94
27 Oldwick Road
Variance**

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

Roll call

**Mrs. Flynn aye
Mr. Shepherd aye**

Mr. Thompson **aye**
Madam Chair **aye**

F. VOUCHER APPROVAL:

Mrs. Goodwin made a motion to approve the vouchers. Mr. Shepherd seconded the motion. *Motion was carried with a vote of ayes, nays none recorded.*

G. PUBLIC HEARINGS

- 1. Hunterdon County YMCA
 Block 72, lot 31.03
 144 West Woodschurch Rd.
 Final Major Site Plan
 Action date: April 29, 2007**

Lloyd Tubman, Esq., from the firm of Archer & Greiner stated that she is the attorney for the applicant. The witnesses that are present this evening are Frank Barlow, the Chief Operating Officer, and Brian McMorrow, the Engineer.

Ms. Tubman stated that the application received preliminary site plan approval on March 18, 2004. The improvements are in place. The applicant received review letters from H. Clay McEldowney, Michael Sullivan and John Hansen. The only outstanding item is whether or not shrubs should be mulched or a bond posted for those. The shrubs were planted last summer. Mr. McEldowney recommended a \$5,000 bond to insure the survival of the shrubs if they are not mulched. The applicant will mulch the shrubs. Ms. Tubman's only other request was whether or not the plants in the detention basin should be mulched. The applicant would prefer not to post a bond and to mulch all plants except for those in the detention basin. Dr. Souza stated that his preference would be not to mulch in the detention basin. If they had to mulch the detention basin, he suggested compost leaf mulch in the detention basin. Not wood chips.

Madam Chair stated that leaf mulch should be installed in the detention basin. The regular mulch should be placed around the other plants.

Ms. Tubman stated for the record, that there is one area at the edge of the parking lot, where there is a plan note that they do not need to mulch. This will allow the stormwater runoff.

Ms. Hendry made a motion to grant final approval with a condition that the plants in the basin must be mulched as described by Mr. Sullivan and no bond be required.

The remainder of the plants should be mulched with the standard conventional mulch. The plan material should be inspected prior to the issuance of a Certificate of Occupancy. Mr. Shepherd seconded the motion.

Roll Call:

Mrs. Flynn	aye
Mrs. Goodwin	aye
Ms. Hendry	aye
Mr. Shepherd	aye
Mr. Stettner	aye
Mr. Thompson	aye
Madam Chair	aye

- 2. CharDham Hindu Temple/Readington
Use Variance & Preliminary Site Plan
25A Coddington Road
Action date: April 19, 2007**

Lloyd Tubman, attorney for the applicant stated that subsequent to the applicant's last hearing which was in February, they have submitted revised plans. There was a question from a member of the public concerning the Matrix website for which she has provided the board with a correspondence.

Mr. Moore swore in the Board of Adjustment's professionals. James Hill and Brian Bosenberg remained under oath from the last hearing.

Exhibit: A-30 Letter from Ms. Tubman to Jay Warne, President of Matrix dated March 5, 2007 and Mr. Warne's response via email dated March 6, 2007.

Ms. Tubman was sworn by Mr. Moore. She stated that she attended a meeting early in the year 2005. At that time, the applicant did not have an LOI, and they had no wetland's classification. At that time she was shown a plan that had two buildings on the property. It illustrated the proposed temple location to be on the water authority's easement. It also depicted a community facility to the rear in the wetlands buffer. She wrote to Matrix and informed them that this would cause the applicant a problem. Matrix's response is attached to Exhibit A-30 indicating that this was an old website that had not been updated and that they are immediately removing it. Ms. Tubman stated that that concluded her testimony.

A-31 revised parking plan

Ms. Tubman stated that the applicant is proposing parking for 150 congregants since they will be using only two quadrants of the temple. At a prior meeting, Mr. Denning asked why they were not addressing the potential for 300 congregants. They explained many times, that only two quadrants would be used at the same time.

Mr. Hill informed everyone that he handed out an alternative parking plan for 100 spaces. The temple has not been moved. The parking is in the same area that is shown on page 4 of the plans. They left the original filter area in place. Most of the shift of the use was towards the front steps of the temple. This amount of parking is not the applicant's intent, but they can comply with the 100 parking spaces if it is required. The prior plan proposed 55 parking spaces. They would require to bank parking spaces. There is no final design at this point. This is just a layout to let the board know that they can comply. He would not have to change anything in the lower basin.

Mrs. Flynn wanted to know where the "banked" parking spaces would be located. Mr. Hill stated that it would be the parking spaces that are closer to Coddington Road. The applicant would allow Title 39 on the property. This would involve the applicant submitting a plan to the township committee to have the police patrol the lot with the right to issue tickets. They could ticket cars that were parked in excess of the 100 parking spaces.

Mr. Moore stated that the township could create a "no-parking" zone on Coddington Road.

Mrs. Flynn asked Mr. Hill that when he performed his calculations for the amount of parking spaces did he take into account the number of people that would occupy the worship space and the number of people that would be occupying the lower level. Mr. Hill answered that the ordinance states that the calculation to determine the amount of required parking is the number of people divided by three.

Mr. Sullivan stated that the applicant needs to translate the architectural drawing into a seating chart that would show the total number of possible seats.

Mr. Hill stated that they have answered all of questions that the professionals had and have submitted revised plans.

Exhibit A-32 – Sheet 4 "Grading, Utility and Stormwater Management Plan" original date 7-14-05, revised 3-7-07 prepared by Thomas L. Yeager & Associates

Mr. Hill stated pursuant to Mr. Hansen's recommendation, they have a change to the sand filter in the main basin. They clarified the depth of cover for the

pipe along the fire access road which is listed on the plan; and a grass covered graveled based driveway to the north edge of the property that travels down to the recharge area.

Exhibit A-33 – Lighting plan original date 7-14-05, revised 3-7-07.

Mr. Hill stated that the lighting plan represents the discussion of the reduced lighting ranges for the parking lot. They resubmitted a plan showing the reduction of lighting. Currently, they are below the ordinance lighting requirement. If the banked parking spaces were needed, they would redesign the lighting plan.

Exhibit A-34 – Page 6, soil erosion and sediment control plan original date 7-14-05, revised 2-3-07.

Mr. Hill that the Hunterdon County Soil Conservation District, John Hansen and Steve Souza requested that the construction schedule for the stormwater management had to be updated.

Mr. Hill stated that the last item was the Operation and Maintenance Manual. One item that Steve Souza was seeking to have updated was the annual reporting forms. The restructured form would simplify the filing procedure for the applicant since they have to report to the township. This item has been submitted.

Regarding Mr. Sullivan's report, he requested that they provide a larger area for the stream corridor easement. Mr. Hill stated that they have exceeded the amount that was required for the stream corridor ordinance. They do comply with the State's requirements. The area that Mr. Sullivan is requesting is outside the area that is required by ordinance. They will have to wait to get the applicant's approval.

Regarding the walkway for persons coming out of the parking lot, access to the front of the temple is provided on the safe side of the parking lot.

Mr. Hill stated as far as the element for affordable housing, the appellate division has issued a stay. At this point they will follow the 3rd. round plan requirements. The have all of the outside agency approvals.

Dr. Souza wanted clarification regarding the new calculations for the parking lot. Mr. Hill stated that the impervious cover has increased from 57% to 66% or 89,000 square feet of additional impervious cover. He described his calculations to Dr. Souza. The parking lot located near the front of the temple gave him the greatest amount of parking area. The proposed new parking area is not in final form. Dr. Souza stated that he would need to see revised calculations.

Mr. Hansen stated that the alternative parking layout is for discussion purposes so that Mr. Hill can show geometrically what he could do within the bulk requirements of the zone. The architect will define how many seats are involved in this facility based upon the ordinance requirement. Mr. Hansen stated the way the property is designed right now, the applicant meets the intent of the ordinance.

PUBLIC COMMENTS:

Kathryn Petrakis 8 Tunis Cox Road. She stated that her property is along the southern border of this property. The stormwater drains from that lot on to her property via a drainage easement. Mr. Hill stated that she has a previously recorded 25 foot wide drainage easement. This was created when the lots along Tunis Cox Road were created. He stated that the stormwater control plan that they have, does not try to control the water that comes down from the Minalex Company area. Their whole stormwater plan is meant to take the flow directly to the borders of the stream corridor within the confines of the property.

Michael Renda stated that he was appearing on behalf of Mary and Michael Renda. He stated that he is an attorney. He stated that there is only one location in the entire township that is in the ROM-2 zone. Mr. Hill stated that he would have to review the map to make sure that nothing has changed. Mr. Renda stated that there had been testimony regarding the Matrix map. He wanted to know if Mr. Hill ever saw that map. Mr. Hill stated that it was made available to him during the time that they were producing site plan application.

Fred Barden, 9 Tunis Cox Road wanted to know if Mr. Hill was retained to design a plan for a worship area that consisted of 150 seats and a 1500 square foot open area which would have offices, kitchens etc. He wanted to know if Mr. Hill would be required to create a design that addresses the area of the open space above and beyond the worship area. Mr. Hill stated that you are not required by the ordinance to address the uses of the other areas in the building.

Michele Jaunarajs 101 Pulaski Road asked if it is determined that the maximum of 150 congregants are allowed on the second floor that number divided by 3 means that we would need 50 parking spaces. Mr. Hill stated that was correct. Basically, Mr. Denning at a prior meeting asked if they could meet the parking requirement if there were 300 congregants. He prepared a conceptual plan showing 100 parking spaces.

Brian Bosenberg, architect, remained under oath. He revised the plans based upon Mr. Sullivan's last report. Mr. Sullivan is requesting that in order to satisfy the 4 season requirement, the applicant will comply with that request and the 50 foot buffer along Tunis Cox Road.

Mrs. Fort stated that it is difficult to envision what the building would look like on the site. The board would still benefit from the model. Mrs. Tubman stated that she would take this suggestion back to Mr. Bhatt.

Mr. Shepherd asked for clarification. He stated that the applicant had presented architectural renderings depicting how the temple would look from different areas. Ms. Tubman answered that that was correct. He was not sure what the board was looking for from the applicant. Ms. Tubman stated that the applicant previously submitted different sections from different areas.

Mr. Sullivan stated that what he had suggested a few meetings ago were a photo simulation or the model. It was not particular about one or the other.

Ms. Tubman stated that Mr. Bosenberg did not introduce that exhibit into evidence yet.

Exhibit A-35 – Site sections, prepared by Bosenberg dated November 17, 2006.

Mr. Bosenberg stated that this exhibit corresponds to Exhibit A-21 prepared jointly with by Mr. Hill's office and his office.

Mrs. Goodwin did not feel that this exhibit is depicting what the board needs to see.

Mr. Bosenberg stated that this is a section elevation.

Mr. Moore suggested that a smaller version of the exhibit should be provided to the board so that they have the ability to review it closer. Mr. Moore stated that he too is having difficulty reviewing this exhibit. Mr. Bosenberg stated that he would provide a smaller version for distribution.

Mr. Renda wanted to know if the tree locations were plotted accurately on the plan. Mr. Bosenberg answered that the drawing was created as a composite.

Mrs. Goodwin suggested that she needs a picture or model indicating what the temple would look like from Tunis Cox Road and especially what the temple would look like for the neighbors on Coddington Road. She stated that they have asked for this type of information from other applicants.

Ms. Tubman stated that the applicant would be willing to stake the four high points. This would give the board the parameters of the building. This would have to be completed soon before the trees have their leaves.

Mr. Hill stated that previously they had presented Exhibit A-21 which is a vicinity map that has very distinctive distances drawn to the temple from homes and to the

area of the basin from a couple of the homes located on Tunis Cox Road. The shortest point is to the farm house located to the north which is 608 feet. The nearest home on Coddington Road is 699 feet to the temple. Regarding the balloon test, they intend to show the location of the spires and the four corners of the proposed temple. This would help give the idea of the building mass.

Ms. Hendry stated that she would not support a request by the board for a software 3-D view of the temple given the distances of the other homes. If the board needs to see something on site to evaluate the views from various sites, the multiple balloon stakes might be acceptable.

Mrs. Flynn did not feel that the balloon test would have the impact to show the building mass.

Mrs. Goodwin requested that a computer generated image should be submitted.

Mr. Thompson suggested that they should go along with the balloon test.

Mr. Shepherd stated that he did not need a balloon test or a 3-D model.

Mrs. Flynn stated that she could learn from either the balloon test or the 3-D model.

Mrs. Fort stated that she will support the board if they want a balloon test.

Mr. Stettner supported the balloon test.

Ms. Hendry supported the balloon test.

The board agreed to have the balloon test on April 28, 2007 at 7:00 a.m.

This hearing has been carried to May 17, 2007.

3. Whitehouse Management LLC
Block 36, lot 47
669 US Highway 22
Variance
Signed extension to April 19, 2007

Marygrace Flynn and Eric Stettner stated for the record that they had listened to the recording of the last meeting.

Geoffrey Soriano, Esq., stated that he is the attorney for the applicant. He stated that this is continuation hearing. This is an application by which the

applicant is looking to have permission to display and sell aluminum trailers in conjunction with his existing business. He stated that at the prior hearing, there was discussion as to whether or not this business had exceeded what was originally approved. There were also discussions as to whether or not the applicant would be satisfied with something less than his original plan.

Exhibit A-5 – Concept plan.

Dave Stires stated that he remained under oath from a prior hearing. He stated that A-5 is a trailer display layout. He met with Mr. Horvath and they have a concept plan of the layout.

Mr. Stires informed the board that the applicant is proposing planting a double row of pine trees to help buffer the trailers. Additionally, the fence along Coddington Road would have the hedge slats installed. They are proposing to locate the majority of the trailers within an enclosed fenced area. The fenced area is located approximately 40 feet setback off of the pavement. They are proposing to locate 4 trailers in front of the fenced area for display.

Mr. Horvath described the logo that is attached to the trailer.

The numbers of trailers that are proposed on the site are 20. The number out in front of the building for display would be limited to 4. The fence behind the display trailer will have privacy slats installed.

Mr. Hansen stated that what is in front of the board is an exhibit. It is not a site plan. He previously suggested in a letter, that if the board looks favorably on this application, that the approval should be conditioned on obtaining a site plan. The site plan would formalize all of the details, landscaping, fencing, access, etc. This board has to create a record.

Exhibit A-6 Picture of premises prior to Mr. Horvath taking possession of the property.

Exhibit A-7 Picture of premises after improvements

Mr. Thompson asked if the FX Management store in Branchburg belonged to Mr. Horvath. Mr. Horvath answered yes it was his establishment. This location is only a rental location. He has to vacate this property.

Mrs. Flynn wanted to know the reason the applicant needs 20 trailers is so that he can show the different models. Mr. Horvath answered that it is a requirement imposed by his dealership that he have a certain representation of the trailers that they manufacturer. Normally it would require 14 to 15 trailers. But he

knows from experience, that he would have an overlap of sold trailers and ones that are for sale on the site.

Mr. Soriano requested that the board accept the plan that was submitted to be sufficient and that the need for a site plan would not be required.

Mrs. Goodwin stated that she is having difficulty with the different uses. She is concerned that this piece of property could turn into “trailer city”. They need to have assurances that that would not happen.

Mr. Thompson stated that he has the same reservations.

Mrs. Flynn wanted to know if the number of uses that the applicant has on this property has been determined. It is premature to give approval to sell trailers if the board doesn’t have a site plan.

Mrs. Fort stated that there is an FX Car Parts, there is a drivers auto service; there is a van parked in the front of the building with a sign on it; there is an ad in the yellow pages for drivers car services. Plus there is outside storage of snow plow blades. There is an SUV that is displaying snow plow blades. There is more than one use already.

Mrs. Flynn wanted to know if the board would approve this application, would that approval encompasses all of the uses currently on the property. Mr. Moore answered yes. But he indicated that he has a problem because he does not have an old resolution indicating what had been previously approved. He needs a base-line, or in the alternative, the applicant could trade off some of the uses.

Mrs. Fort stated that it has been the board’s goal to clean up the Route 22 corridor. This is a large piece of property and it is sub-dividable.

Mr. Hansen stated that the site plan is the enforcement mechanism. He recommended that the board needs a limited site plan.

Mrs. Flynn stated that she has not heard any testimony regarding the positive criteria testimony. There has only been negative criteria testimony.

PUBLIC COMMENTS

There was no public comment.

Mr. Shepherd made a motion to approve the application to sell trailers on the site conditioned upon the fact that there would never be more than 20 trailers on the site; the fencing and the buffering in accordance with Exhibit A-5; no more than 4

trailers will be displayed outside of the fence area; the current uses are acknowledged. Ms. Hendry seconded the motion.

Roll call:

Mrs. Flynn	nay
Mrs. Goodwin	nay
Ms. Hendry	nay
Mr. Shepherd	aye
Mr. Stettner	aye
Mr. Thompson	nay
Madam Chair	nay

Motion failed.

H. ADJOURNMENT:

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

Respectfully submitted,

Linda Jacukowicz