

**READINGTON TOWNSHIP BOARD OF ADJUSTMENT
MINUTES
December 11, 2007**

A. 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.

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

Donald Moore, Esq., Kelleher & Moore
John Hansen, Ferriero Engineering
Michael Sullivan, Clark*Catton*Hintz

B. APPROVAL OF MINUTES:

1. November 15, 2007 Mr. Denning 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:

Madam Chair read the letter from Mark Wetter, Esq., into the record. Mr. Wetter is counsel to some of the neighboring property owners who live near the proposed CharDham Temple. He made a request to appear at the January 17, 2008 meeting. The board informed the public that the request will be accommodated.

D. TECHNICAL REVIEW COMMITTEE:

1. Wachovia Bank, N.A.
420 Route 22
Block 8, lots 4, 5, 6 & 7
Variance application
Action Date: December 22, 2007
2. New Cingular Wireless PCS, LLC
Block 17, Lot 9
384 Route 22,
Variance
Action date: January 5, 2008

Mrs. Flynn informed the board that both applications were reviewed for completeness and both remain incomplete.

E. VOUCHER APPROVAL: (see attached)

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

F. PUBLIC HEARINGS

1. Station Center Investors, LLC
c/o Net Property Management
547 Route 22
Variance
Action date: December 14, 2007

John Sullivan, Esq., stated that he is the attorney for the applicant. He informed the board that this is a continued hearing from October, 2007. At that meeting, the board made several recommendations concerning the signage. The applicant took those suggestions and attempted to make changes to the sign in order to acquire more closely the size and design similar to the sign at the Bishop Center. They are proposing to reduce the overall height of the sign by 5 feet. That would reduce it to 23 feet. The Bishop Center sign is approximately 21 to 22 feet in height. They would reduce the total panel area by approximately 38 ½ percent. That would furnish the applicant with 16 panels at approximately 9.16 square feet per tenant. That cutback would equate to 146 total square feet of sign area.

Dennis W. Hudacsko planner for the applicant remained under oath.

PUBLIC QUESTIONS:

There were no questions from the public for the applicant's planner.

BOARD QUESTIONS:

There were no questions from the board for the applicant's planner.

PUBLIC COMMENTS:

Marlene Ciattarelli 274 Morning Glory Court stated that she is representing 72 people who signed a petition. Mr. Moore informed her that the board cannot accept a petition. She stated that she is not against business, but feels that Juniper Road and Route 22 East have a problem when people are entering the mall. A sign of any size is going to increase the amount of traffic and will increase the danger at that intersection. She feels that the problem is that the entrance to the mall is too close to Juniper Road. She recommends having the entrance moved to the eastern end of the mall before the sign is installed.

Mrs. Flynn stated that the Board of Adjustment has been struggling to reduce the visual clutter along the Route 22 corridor. She did not feel that the proposed sign would reduce

the encumbered appearance that they are desperately trying to improve along this strip of roadway.

Mr. Thompson informed everyone that since the prior meeting, he has made an effort to look at this shopping center every time he drives by. The Kings' Shopping Center stores need signage because the stores are not visible and sit back from the road.

Madam Chair agreed that upon her review of the other sites, she cannot see the names of the stores from the highway.

Keith Hendrickson stated that he did review the site. He could not get a sense of the size of the sign from the condominium association location. He felt that the entranceway is hard to find driving down Route 22.

Madam Chair stated that she felt that it was the wrong sign for the wrong site. She also wanted to know if the NJDOT had been contacted in order to allow the change to the entranceway. Mr. Hansen informed everyone that the applicant filed an application for a variance, not a site plan application. The relocation of the entranceway would require site plan approval.

George Shepherd stated that he agrees with all of the board's comments.

John Sullivan reminded the board of prior testimony regarding the physical appearance of the property and the fact that there is currently no pylon sign. The applicant is trying to keep the property economically viable and the sign will help accomplish that. They feel that the site needs the sign.

Michael Sullivan informed that board that recalling previous testimony he did not agree with the characterization regarding the visibility of the site. The sign will be difficult to read when you are driving by at 55 miles an hour. This is a significant departure from the sign standard along Route 22. There has never been a tenant sign permitted on multi-tenanted building signs.

Mr. Denning wanted to comment regarding the uniqueness of the site. The property is located on a curve and elevated slightly. He did not feel that that was a detriment to the property; he felt that was a positive location for the site.

Attorney Sullivan stated that his client is present and has heard the sentiment of the board and has instructed him to withdraw the application.

The board took a five minute break.

2. CharDham Hindu Temple/Readington
Use Variance & Preliminary Site Plan
25A Coddington Road
Action date signed extension to December 11, 2007

Lloyd Tubman stated for the record that she is with the law firm of Archer and Greiner and that she represents the applicant. She stated that at an earlier meeting, it came

to the attention to her client that a possible variance might be required for the number of parking spaces. The two quadrants of the temple will be used, and the two quadrants will be vacant. They would have hypothetically 300 seats available. Calculating one parking space for 3 seats would bring them up to 100 parking spaces. She stated that Mr. Hill will testify that they can meet the 100 parking space requirement. However, the applicant would prefer not to have the 100 parking spaces. Originally, the applicant proposed 50 parking spaces.

Madam Chair informed the applicant that she would poll the board regarding the origination of the plan for additional parking.

Ms. Hendry stated that it was her understanding that the board did not request a plan to be drawn up to show the 100 parking spaces. There was a conceptual plan that showed that it could be done. There was no further request by the board. The board never made it a condition that there should be 100 parking spaces. Ms. Tubman answered that the applicant does not want the 100 parking spaces, this was only offered to prove that they could meet the 100 space parking requirement.

Mrs. Flynn agreed with Ms. Hendry's recollection. Additionally, the plan that Mr. Hill devised was to buttress his assertion that there could be 100 parking spaces.

Madam Chair stated that the applicant's traffic expert and the board's traffic expert based their reports on the 55 cars.

The rest of the board members indicated that they agreed with Ms. Hendry and Mrs. Flynn's recollections.

Exhibit A-51 – Gate to Parking Lot

Mr. Hill stated that the exhibit shows a manual gate that will cover the full width of the driveway. The gate has a total span of 26 feet. At the time that the parking lot is filled to capacity, the gate will be closed.

Exhibit A-52 – Page 4 (a) shows gate details.

Mr. Sullivan stated that the esthetics of the gate are acceptable, however, he is concerned about safety. He stated that they will be creating is a gated cul-de-sac.

Mr. Hendrickson wanted to know if anyone could operate the gate. Mr. Hill answered that a staff member from the temple would be the person controlling the gate.

Mr. Hansen stated that if someone will be manning the gate all of the time, they will have to have someone available directing traffic. He thought that the gate was a detriment.

Mrs. Flynn was not in favor of the gate due to emergency access. Madam Chair felt that the gate was cumbersome.

Mr. Sullivan informed the board that by allowing the gate, they are putting another element out by the road. The gate will further affect the existing character of the road.

Mr. Shepherd stated that it appeared to him that the applicant does not want the gate, and the board does not want the gate, so why are they continuing with this discussion. Ms. Tubman answered that the option of the gate has been withdrawn. The applicant does not want the gate.

PUBLIC QUESTIONS:

Catherine Petrakis – 8 Tunis Cox Road – She stated that on the plan that she was shown, the fencing along the conservation easement was not depicted. Mr. Hill stated that a note was added to the plan that fencing will be installed around the entire conservation easement, which will include the property boundary next to the power line.

Harry Nijhuis – 24 Coddington Road - Wanted to know that in the impact assessment report, did Mr. Hill refer to the water usage and was it based upon the square footage of the building. Mr. Hill answered that there was report created by Penny Althoff and it is on file. Ms. Tubman stated for the record that there was a mistake with Ms. Althoff's original report, but it was corrected prior to her testimony with a second report which was based on 30,000 square feet. Mr. Hansen stated that the last report was dated May 4, 2006, and that this report confirms Ms. Tubman's testimony.

Michele Jaunarajs – 101 Pulaski Road - Wanted to know if Mr. Hill felt that the function of the gate would only be as good as the gate keeper. Mr. Hill answered yes. The option of the gate has been withdrawn.

Joan Pieros – 32 Coddington Road - If there is a 55 parking limit and the parking lot is full, is it true that the only way for vehicles to turnaround is for vehicles to go through the parking lot. Mr. Hill answered yes.

Laurie Potter, 3 Tunis Cox Road – Asked that when the parking lot is full, what will prevent people from walking through the property to get to the temple? Mr. Hill answered that the township was entertaining a no parking ordinance for Ridge Road and Coddington Road.

Ms. Hendry wanted to know if Mr. Hill used the most recently revised report from Penny Althoff when he reached his conclusion. Mr. Hill stated that the initial impact statement was based upon the old report. But the total number for the water was taken from the system that covers the 30,000 square feet which was established from the pump down test. This information was discussed with Ms. Althoff and they were assured that the draw down required to facilitate the 30,000 square feet has the same environmental impact as the 15,000 square feet based upon the water supply in the well. Mr. Hill confirmed that his report will be amended to reflect Ms. Althoff's latest calculations. Mr. Hansen stated that the well would be classified as a "public non-community" well. It will require a permit from NJDEP that will require a substantial amount of permitting from the State.

Amy Broderick 9 Tunis Cox Road – Is it a plausible concern to have the parking area increased? Ms. Tubman answered that the applicant would have to return to the board for approval.

Bill Begosh 10 Tunis Cox Road – Wanted to make sure that there would be no run-off from this property coming onto his property. Mr. Hill answered that the design meets or exceeds both the State and township regulations for cutting the flow back to less than what it is in a current event storms.

Andrew Kokinda 5 Tunis Cox Road – What would prevent someone from parking in an area that is not designated as a parking space? Mr. Hill stated that Mr. Hansen recommended that the parking lot fall under Title 39 which means that the township could enforce the parking regulations in the parking lot. They will install signs indicating that there is no parking in the areas where there is not a designated parking space.

Michele Jaunaraajs – 101 Pulaski Road- Wanted to know if the handicap parking spaces were included in the total amount of parking. Mr. Hill answered yes, and there are 3 handicapped parking spaces.

Mr. Hansen stated that on November 5, 2007 new flood hazard control rules were put into affect that deal with riparian buffers off of State open waters, stream corridors, etc. it appears that there is 150 foot riparian buffer requirement off of the little area that is located to the east of the temple and they are only permitted a small amount of disturbance in this riparian buffer. Mr. Hill responded that they prepared an amendment to page 4 (a) but it was not in time to submit 10 days prior to the meeting. They will submit this information in time for the next meeting. He is aware of this new rule and will make the appropriate adjustment.

Bill Begosh 10 Tunis Cox Road – He wanted to know the distance from the driveway to the railroad. Mr. Hill answered probably 250 feet.

Madam Chair announced that this matter would be carried without further notice to the January 17, 2008 meeting. Several of the residents have retained a planner who is scheduling to appear at the January meeting. At that meeting, questions will be asked of the planner and after that the meeting will be opened to the public for comment.

Mr. Moore stated that at that meeting the residents will have an opportunity after the regular hearing to present any type of evidence that they feel is relevant and they also will have the opportunity to make comments about the hearing and their concerns.

G. ADJOURNMENT:

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

Respectfully submitted,

Linda Jacukowicz