

**READINGTON TOWNSHIP BOARD OF ADJUSTMENT
MINUTES
May 17, 2007**

Chairperson Fort called the meeting to order at 7:43 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	absent
Ms. Hendry	absent
Mr. Stettner	present
Mr. Shepherd	absent
Mr. Thompson	present
Mr. Denning	present

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

B. APPROVAL OF MINUTES:

1. April 19, 2007

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

C. CORRESPONDENCE:

There was no correspondence read into the record.

D. TECHNICAL REVIEW COMMITTEE:

- Denise O'Donnell Quinn &
Steven Quinn
Block 1, lot 37.01
Variance application
Action Date: June 17, 2007**

Madam Chair announced that the TRC reviewed this application and it is not complete.

E. RESOLUTIONS:

- Hunterdon County YMCA
Block 72, lot 31.03
144 West Woodschurch Rd.**

Final Major Site Plan
Action date: April 29, 2007

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

Roll Call:

Mrs. Flynn aye
Mr. Stettner aye
Mr. Thompson aye
Madam Chair aye

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

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

Roll Call:

Mrs. Flynn aye
Mr. Stettner aye
Mr. Thompson aye
Madam Chair aye

F. VOUCHER APPROVAL:

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

G. OTHER BUSINESS:

1. **Hunterdon Christian Church**
 Block 94, lot 12.03
 Request for extension to approval

 Anthony Koester, Esq., stated that he is the attorney for the Hunterdon Christian Church, that is located at 71 Summer Road. He indicated that he had corresponded to the board and made a request in writing for an extension of a resolution of approval, No. 2005-88 dated September 15, 2005. The reason for the extension is because they have been acquiring an architect for the plans at the same time they have been working with compliance issues in terms of the professionals' reports. The first architect proposal was

not satisfactory and they have now engaged a second architect, which is the construction architect.

Mrs. Flynn made a motion to extend the approval for one year. Mr. Denning seconded the motion.

Roll Call:

Mr. Denning aye
Mrs. Flynn aye
Mr. Stettner aye
Mr. Thompson aye
Madam Chair aye

H. PUBLIC HEARINGS

1. Francis P Ciccarino
 Karen I. Hiller Ciccarino
 Block 66, lot 19.20
 Variance
 Action date: August 17, 2007

Attorney Moore swore in all of the witnesses and professionals.

Frank Bell, Architect in Pittstown, New Jersey. He has been a licensed architect in the State of New Jersey since 1986. He stated that the applicant is proposing to turn their existing garage into family space and in addition they will be adding on to the side of their house. The requirements for lot size in the zone are 6 acres, and the applicant has 1.95 acres. For the Floor Area Ratio, the requirement is 0.04, the actual is 0.042. The side yard setback requirement is 40 feet, they have 17.2. The rear yard setback is 40 feet, they have 20.8. The pre-existing condition is the lot size. The garage size is 28 x 26 feet.

Mr. Moore wanted to know if the "office" addition labeled on the plan is a home office. Mr. Bell answered that it is a den/home office.

Mr. Denning stated that the location of the proposed addition was governed by the easement that runs through the property.

PUBLIC COMMENTS:

There were no comments from the public.

Mr. Denning made a comment that he did not see any reason why this application should not be approved.

Mr. Hansen stated that he made a site visit. He informed the board that there are no drainage issues. From an engineering standpoint, he does not have a problem with the application.

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

Roll call:

Mr. Denning aye
Mrs. Flynn 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: May 17, 2007**

Lloyd Tubman, Esq., stated that she is the attorney for the applicant.

Madam Chair commented on the balloon test that took place on May 5, 2007. There were 8 balloons flown representing the 4 corners of the building and the 4 spires. Mike Denning, Meredith Goodwin and George Shepherd did not attend. Some of the Board of Adjustment members drove on Tunis Cox Road, Ridge Road, Pulaski Road and Coddington Roads. Mr. Moore noticed that the balloons were most visible behind the Minalex building.

A-36 Balloon test conducted 5/5/07 one page prepared by Thomas L. Yeager & Associates dated 5/14/07.

James Hill continued under oath. He stated that in the upper right hand corner of the exhibit are colored prints that they took at the site during the time between about 7:00 a.m. and 8:00 a.m.

During the balloon test, they staked out 8 locations. They raised 4 balloons, shot the ground elevations and met with the architect. They obtained his elevations for the top edges of the building and the very top point of the spire.

A-37 Schematic of the balloon test and cover letter from Thomas Yeager & Assoc. dated May 8, 2007

Mr. Hill testified that A-37 shows the point locations that they selected and it gives the elevations based on ground data of each point. During the test, he made note of 7 locations where one or more balloons could be observed.

Photo #1 – taken from the location of southbound on Coddington Road just north of the railroad tracks, below the farmhouse. This would be approximately 600 feet away from the location of the proposed temple.

Photo #2 – taken from the open field, north of the farm house, which would place it in excess of 900 feet from the proposed temple.

Photo #3 – taken in the vicinity at the residence that is located on the east side of Coddington Road, north of the open field in a small lot. This would be 1000 feet from the proposed temple.

Photo #4 – 1500 feet from the proposed temple; 9 Pearl Street.

Photo #5 - private residence – 11 Pearl Street

Photo #6 & 8 were taken on the northbound direction along Coddington Road

Mr. Hill testified that he drove along Route 22, the full length of Coddington Road to Pulaski Road, north on Ridge Road, and he did not see any balloons from any of those locations. He stated that driving down Tunis Cox Road he could not observe a sighting from the public road.

PUBLIC COMMENTS:

Joan Pieros – She wanted to know if Mr. Hill drove up to Pulaski Road. Mr. Hill answered that he drove down Pulaski Road and down Honeyman Road and did not see any of the balloons. Additionally she wanted to know the furthestmost point from the site that you could see the proposed temple. Mr. Hill stated he felt that it would be Pearl Street. He did not know the elevation, but he would provide that information at a later date.

Dr. Souza stated that the second story windows are approximately 18 feet above the ground, so that would put them in an elevation of 169 to 172. If those windows are lit in the winter time, would they be observed by the adjacent properties based on the information gathered from the balloon test? Mr. Hill stated that it is not the intent to have the temple lit continuously, except during the service. The only other lights that would be on would be the lights in the parking lot and they would be turned off by 10:00 p.m.

Michael Renda wanted to know if the leaves were on the trees during the test. Mr. Hill answered that the leaves were just budding out.

Bill Begosh – Tunis Cox Road – wanted to know if there would be any fill to raise the temple. Mr. Hill answered that the actual building will be cut in the front and some fill in the back of the building.

Michele Jaunarajs – 101 Pulaski Road – wanted to know how much of the temple would be visible from the clearing on Coddington Road. Mr. Hill stated that based upon the balloons that were visible, there were no more than 2 balloons noticed and they would be the spires.

PUBLIC COMMENT CLOSED

Richard Macieko, LJM Engineering Group. Attorney Moore swore in the witness. Mr. Macieko stated that he is a licensed engineer in the State of New Jersey. He was licensed in New Jersey in 1992.

Mr. Macieko stated that his company designs fire suppression systems. He was asked to design a rudimentary suppression system for a building that did not have a public water supply. He reviewed the code requirements for a “light hazard occupancy” building and submitted an estimate for a minimum fire suppression system which includes an onsite storage tank; a fire pump and a means of powering the fire pump. They estimated an 8,000 gallon storage tank minimum. Fifteen hundred feet of the building would be protected for 30 minutes.

Mr. Denning wanted to know if this system met the minimum fire code. Mr. Macieko answered that all codes are minimum, so they start with the minimum requirement.

PUBLIC COMMENT:

Fred Barden, 9 Tunis Cox Road – he wanted to know how they define light hazard occupancy. Mr. Macieko answered that it has to do with the amount of combustible materials within the space. The majority of the building falls under the classification of light hazard occupancy.

Mr. Barden asked if the applicant informed him that they would use candles in the temple. Mr. Macieko answered no.

Joan Pieros wanted to know if the tank was designated to be used for extinguishing fires. Mr. Macieko answered that it was just for fire.

Michele Jaunarajs – 101 Pulaski Road – he wanted to know did he have information relating to the kitchen and would that change his plan. Mr. Macieko answered that kitchens are protected by a separate fire suppression system.

Michael Renda wanted to know if there would be a different requirement for an auditorium use. Mr. Macieko answered no.

Charlotte Nijenhuis 24 Coddington Road wanted to know what the definition was of a typical assembly type building. Mr. Macieko answered that the assembly use group is based upon the occupancy and their function in the building. It does not matter if there is a kitchen or not.

PUBLIC COMMENTS CLOSED

Penelope Althoff was sworn. She stated that she has a BS, and MS and PhD in geology and has testified as an expert in many courts.

Dr. Althoff testified that in accordance with the township ordinance for water supply she determined the amount of water needed for this project. She had a test well constructed. A pumping test was performed. The well produced far and excessive what was required for this project. She measured drawn down and recovery and also sampled the water for water quality. The average gallons per day would be 3,000 based upon floor space. The well produces 25 gallons per minute. The well is adequate and can easily fill the tank for the fire system. The water quality meets all of the standards. It would take

approximately 6 hours to fill the tank. Currently the water from the well meets all of the water standards, but because of the potential contamination that exists in the area she recommended that potable system should be provided.

Dr. Souza wanted to know what the current standard for arsenic in well water was. Dr. Althoff answered 5. He wanted to know the results of this test. Dr. Althoff answered 4.6.

PUBLIC COMMENTS:

Charlotte Nijenhuis 24 Coddington Road asked if Dr. Althoff could explain the criterion that was used to assess the sufficiency of the water. Dr. Althoff answered that she uses the 1.25 gallons pre square foot. On that basis the water demand for this building would be 3,000 gallons per day. There is also the criterion of what the use of the building is and the maximum occupancy of 150 persons comes up to 1500 gallons. She used the higher number based on the square footage. The well is more than adequate and the recovery was good too.

Savita Saini – Tunis Cox Road – she wanted to know what the square footage was that Dr. Althoff's estimate was based upon. Dr. Althoff answered 29,996 square feet equates to 3,750 gallons per day.

Michele Jaunarajs – 101 Pulaski Road wanted to know how it is handled when the 3,000 could be used in one day, verses spread out over time. Dr. Althoff answered that if there is 150 people, they would use 450 gallons.

PUBLIC COMMENT CLOSED.

The board took a break.

Yogesh Mistry, architect, has been sworn and previously qualified. Ms. Tubman stated that the last time Mr. Mistry testified was March 2006. Ms. Tubman recited the following items that were open questions from that meeting: exterior lighting; finalized façade details; pictures or schematics of the 4 temples in India. At the last hearing the board wanted to know how the seating capacity was calculated when there are no benches or pews. Dr. Souza at a previous meeting had an unanswered question as to how this building complies with the use of energy efficient components as required by the EIS checklist.

Mr. Mistry stated that in response to that question, a letter was produced dated March 9, 2007 that was submitted to the board and Dr. Souza. In short it stated that the applicant would comply with the use of energy efficient components in the construction of this temple.

A-38 Letter dated March 9, 2007 from Mr. Mistry to Lloyd Tubman

The first issue was lighting, specifically at the balconies and porches. The applicant has agreed that all of the lights at the balconies and porches would be eliminated except for emergency lights that are required for the exit points and minimum security lights. There is no other lighting except in the parking lot.

Mr. Mistry testified that there was a question regarding the entry signage. They have agreed to re-submit the sign plan which was included on Sheet A-2.01 that was produced by his firm dated 11-08-06.

A-39 Sheet A-2.01 that was produced by Mr. Mistry's firm dated 11-08-06 depicting the revised entryway sign.

A-40 Sheet A-6.01 produced by Mr. Mistry's firm dated 4-21-07 depicting a partial area of the upper level of the proposed temple.

Mr. Mistry stated that this illustrates one-eighth of the quadrant of the upper level. He has calculated 37 occupants sitting in that one-eighth of a quadrant, which equals 74 occupants for one quadrant. You would multiply that by 2 and that is the total of 150 people. The diagram depicts a four foot by three foot area for each person which is 12 square feet. Some people pray lying down and that would require more space. This is all taken into consideration when they made their calculations. Only two prayers can take place at once.

A-41 PH.03 dated 5/17/07 P

A-42 PH.04 dated 5/17/07

Mr. Mistry testified that he has created 2 presentation sheets, which include a representation of the actual temples that are in India and the line drawings design architect from India. Mr. Mistry stated that he used that design as a basis for his design

A-43 Steeple outlet.com information dated 5-17-7

Mr. Mistry showed the board Exhibit A-6 which shows the color of the building which is a light tan base and the upper portion would be a terracotta color.

Ms. Tubman stated that when this exhibit was first introduced, the public wanted to know if this was the final façade, or was it going to be more ornate. Mr. Mistry's instructions at that time were to give the board the applicant's finalized elevations. Also, Mrs. Fort stated that the question at that time arose as to whether or not there would be carvings on the front. There are carvings that mainly exist at the 4 entry ways.

Mr. Sullivan requested that the diagram of the seating should be forwarded to his office so that he can examine it more closely. Mr. Sullivan also suggested having a rendering of all the elevation exhibits forwarded to his office.

Mr. Sullivan stated that regarding the lighting, it was his understanding the security lighting will be located at each of the exits. He recommended that the lights be directed downward with the source of the light shielded. Lastly, he suggested that they review the site plan regarding the location of the sign. Mr. Sullivan has determined that the free standing sign does need a variance. Attorney Tubman requested that this issue be carried to a future meeting. If a variance is warranted, they will ask for it. She agreed that placing the sign 50 feet back from the street right-of-way line without a significant amount of clearing would not be desirable for the applicant.

Dr. Souza wanted clarification regarding the height of the second story lighting. Mr. Mistry testified that Dr. Souza was correct about the height. Dr. Souza wanted to know if the tree line would screen and shield the majority of the light from the second story windows. Mr. Mistry stated that from the testimony from Mr. Bosenberg, most of the trees are 25-35 feet in height. This would be well above where the windows are located.

Mr. Sullivan asked if there would be window treatments that would offer protection from any light that would be emitted from the windows. Mr. Mistry answered that it is not common to have window treatments.

PUBLIC COMMENTS:

Rakesh Saini, 6 Tunis Cox Road – He wanted to know if 296 people could sit comfortably in the temple. Mr. Mistry answered yes, if you used all 4 quadrants.

Fred Bardon - 9 Tunis Cox Road – Stated that in July 2006, exhibit A-17 was entered into the record. It was supposed to be elevations for the floor plan and the capacity calculation from the original architect in India. He wanted to know if Mr. Mistry had seen that exhibit. Mr. Mistry referred to that exhibit. After reviewing the document he stated that this is a reduced version of the same document that he previously submitted which the line drawing was created by the design architect. Mr. Bardon had more questions about the seating capacity.

Savita Saini – Tunis Cox Road – she wanted to know if Mr. Mistry ever designed a temple with this kind of seating. Mr. Mistry answered that he has never designed a temple from the beginning.

Michele Jaunarajs – 101 Pulaski Road – wanted to know the maximum capacity of the first floor of the building. Mr. Mistry stated that it was listed in Exhibit A-17. The offering room can hold 98 occupants and the kitchen could hold 3 occupants, based on the building code occupants.

Ms. Tubman asked if the staircase was designed to meet fire code. Mr. Mistry answered yes.

Joan Pieros asked if the building had showers. Mr. Mistry answered that there is one shower for the priest. Ms. Pieros asked if there were any bedrooms. Mr. Mistry answered no. Ms. Pieros asked if there would be bells in the spires. Mr. Mistry answered no.

Charlotte Nijenhuis wanted to know if the public would get renderings indicating the colors of the building. Mr. Mistry answered yes.

Andrew Kokinda – Tunis Cox Road – wanted to know if there would be anything that would prevent the owners to make the outside more ornamental if this is approved. Mr. Mistry answered that any work that is performed on the building would require a building permit.

Ms. Tubman stated for the record that the board would impose conditions in their approval stating that the applicant would have to stay within certain conditions.

Madam Chair announced that this matter will be carried to June 21, 2007 with no further notice. Ms. Tubman stated that she anticipates that Mr. Bhatt will appear at that meeting. She will also check with Betsy McKenzie's schedule too. Gary Dean may also appear dealing with traffic. Ms. Tubman stated that the board's noise expert has submitted a letter indicating that the applicant has met all noise standards.

I. ADJOURNMENT:

A Motion was made by Mrs. Flynn to adjourn the meeting at 11:06 p.m. Mr. Denning seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda Jacukowicz