

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES
January 25, 2010**

A. Chairman 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.

B. Attendance:

Mrs. Allen	present
Mr. Cook	present
Mrs. Duffy	present
Mrs. Filler	present
Mrs. Flynn	present
Mr. Shamey	present
Mr. Klotz	present
Mr. Monaco	absent
Mr. Smith	present – arrived @8:30 p.m.
Madam Chair	present

**Michael Sullivan, Clark – Caton & Hintz
Valerie Kimson, Esq.,
John Hansen, Ferriero Engineering
Clay Emerson, Princeton Hydro**

C. APPROVAL OF MINUTES:

1. January 10, 2010 - Mrs. Filler made a motion to approve the minutes as amended. Mrs. Allen seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.

D. CORRESPONDENCE:

Mrs. Duffy referred to the letter received from Calvary Bible Church. The board determined that Calvary Bible Church should file an amended application with the board and requested that they be notified in writing.

E. RESOLUTIONS:

**1. Antonio Ferreira
Block 39, Lot 53.14
31 Tannery Road**

Mr. Klotz made a motion to approve the resolution. Mr. Cook seconded the motion.

Roll call:

Mrs. Allen	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Shamey	aye
Mr. Klotz	aye
Madam Chair	aye

**2. Appendix to Master Plan to include
Readington Township Environmental Resource Inventory
and updated Readington Township Zoning Map**

Mrs. Allen made a motion to approve the resolution. Mrs. Duffy seconded the motion.

Roll call:

Mrs. Allen	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Shamey	aye
Mr. Klotz	aye
Madam Chair	aye

3. Professional Services Resolution

Mr. Klotz made a motion to approve the resolution. Mrs. Duffy seconded the motion.

Roll call:

Mrs. Allen	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Shamey	aye
Mr. Klotz	aye

Madam Chair **aye**

F TECHNICAL REVIEW COMMITTEE:

- 1. Investors Savings Bank
 Amended Preliminary/Final Major Site Plan
 B. 89, Lot 1
 Action Date: February 11, 2010**

Mrs. Filler made a motion to deem the application complete with the requested waivers for the completeness phase only. Mr. Klotz seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

G OTHER BUSINESS:

- 1. Voucher Approval**

Mrs. Filler made a motion to approve the vouchers. Mr. Klotz seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

- 2. By-Laws (revised)**

Mr. Shamey made a motion to approve the By-law amendment. Mrs. Duffy seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

H PUBLIC HEARINGS:

- 1. Ridge Road Realty, LLC
 Preliminary Major Subdivision
 Block 38, Lots 54, 74, 75
 Pearl Street
 Signed extension and carried to January 25, 2010**

Lloyd Tubman, Esq., stated that she is the attorney for the applicant. She announced that this is the fourth public hearing. Due to the comments and the redesign of the plan, the attorney noticed for this hearing.

Deborah D'Amico, from the John Cilo, Jr., Engineering firm remained under oath. She stated that since the last meeting she has created a substantial re-design of the plans incorporating the cluster design.

Exhibit A-16 – Preliminary Plat dated May 24, 2007, revised January 11, 2010

(Sheet #3 of 17)

Ms. D'Amico informed the board that the applicant is proposing twelve building lots net, two lots have existing houses, and ten new lots are proposed and one large open space parcel that will contain the two streams and State open waters. The cul-de-sac previously identified as Michael's Court has been eliminated from this plan.

Ms. Tubman informed the board that in the past they had proposed Michael's Way which was a small cul-de-sac. She stated that Mr. Hansen pointed out that the adjacent Jersey Central Power and Light title ran to the middle of the road. A letter has been provided to the board from Jersey Central Power and Light which states that they would be willing to grant the applicant the site triangle easement which is in the travel way of Ridge Road. To do so, there would be no cost except for the processing fee. In Mr. Hansen's report he mentions that there should be a site triangle for Lot 54.01. Ms. Tubman stated that the board previously stated that if the applicant could establish the site distance from Michael's Way, the board would prefer a flag-lot rather than a public cul-de-sac. But if the applicant is asked to provide a site triangle at that flag-lot stem, they will have to go back to constructing Michael's Way cul-de-sac, unless a waiver of that site triangle is granted.

Mr. Hansen answered that he is requesting that for Lot 54.01 the applicant should show the driveway site distance line that is required. Ms. D'Amico answered that she will review it.

Ms. D'Amico stated that regarding the remaining lots, there is one lot that will front on Pearl Street, identified as Lot 54.02 that already has an existing house located on it.

Mr. Hansen wanted to clarify his comments in his report as to whether or not this is a residential access street or is this classified as a rural lane or a rural street. Since the applicant has been before the governing body and they have discussed the road width this is a moot point. The governing body has proposed a 20 foot wide road. He stated that in his opinion it is a residential access street, because it connects to Route 22. The diminimus exception to reduce the width to 20 feet is in order. But since there will be the four foot graded shoulders, and drainage, there should be a 50 foot wide right-of-way. As far as the sidewalk and curbing, he will not require these improvements. Ms. D'Amico stated that she would agree to the 50 foot right-of-way.

Ms. D'Amico testified that all of the lots that front on the Sophie Street extension, namely lots 54.03 through 54.10 require a variance for a lot circle. The lots vary in size, but they are all approximately 1.9 acres. There is a variance required for the flag lot for the location of lot circle. The requirements for open space is 50% of the net tract area, once the right-of-way is deducted, and 45% of that area is supposed

to be unconstrained and neither requirement is met. Therefore a variance will be needed.

Regarding the Clark, Caton & Hintz's report, it suggests that the applicant expand the open space lot to encompass the constrained areas that are within the lots, but this would create an irregular configuration of the lots. The report was received late and the applicant will make a decision on this suggestion at a future date. They would, of course, not include Mr. Renda's personal gardens.

Another item in the Clark, Caton & Hintz reports deals with the location of the detention basin to be in the open space lot and the dedication to the township in fee. Ms. Tubman stated that this is a discussion that must be taken up with the governing body. The applicant had proposed to have the open space lot owned by the homeowners association which would be responsible for the maintenance of the detention basin.

Ms. Kimson stated that the Planning Board does not make any determination as far as ownership of the open space lot and detention basin. In the resolution they compel the applicant to place the open space and detention basin in a homeowners association unless the applicant offers this to the governing body and they accept.

Mr. Krasner informed the board that in his report, they recommended that the detention basin be placed outside of the open space lot and that it should be maintained by the homeowners association. He also recommended that the open space lot be dedicated to the township.

Mrs. Flynn and Mrs. Filler agreed with Mr. Krasner. Ms. Tubman answered that she will discuss this with the applicant and come back to the board at a future date with a proposal. Mrs. Allen stated that there are two burdens, one to maintain the detention basin and the other is to enforce the easement. The township would have to choose between those two burdens. She stated that it is less of a burden to maintain the detention basin than it is to enforce the easement. Mrs. Allen and Mrs. Duffy would rather that the open space be accepted than in the hands of the homeowners association.

Clay Emerson of Princeton Hydro stated that there is a large distinction between the maintenance requirement of the open space lot and the basin itself. It makes sense to have these handled separately.

PUBLIC QUESTIONS:

Ken Cheski 8 Sophie Street – He wanted to know if any improvements were being proposed on Sophie Street.

Ms. D'Amico answered that the applicant went before the governing body and they have determined that Sophie Street should be widened, but it falls under an off-tract

improvement. So the applicant would only be responsible for part of that expense. The widening will be within the right-of-way only. Due to environmental constraints, this is the only option.

Exhibit A-17 – Grading Plan, Sheet 4 of 17, dated May 24, 2007, revised January 11, 2010.

Ms. D’Amico testified that Exhibit 17 is a colored rendering. There is an existing house that will remain on Lot 54.11 that fronts on to Ridge Road. Each lot has a 12 foot wide driveway, with a turnaround at the garage. The flag lot driveway is longer, because the cul-de-sac has been eliminated. The trees along the eastern side of stream will remain. They are within the open space parcel. Lots 54.12 and 54.01 are in a meadow condition. Lot 54.02 is the existing house and gardens. Lot 53.03 and Lot 54.04 are located on the west side of Sophie Street. These lots are currently wooded and they would need substantial clearing. They are proposing catch basin inlets at the property line to take the runoff that is currently coming down Sophie Street. Lots 54.05 through 54.10 are on the east side of Sophie Street extension. The proposed houses are currently shown on the farm field. They are recommending leaving the woods that are in between the road and the improvements on each lot, however, they are not proposing this to be in easement. The reason is to add privacy and to create a buffer.

Mr. Hansen wanted to know if the applicant is willing to wait until Sophie Street is improved by the governing body before they construct their extension to Sophie Street the reason being is to create a safe and adequate access during construction. Ms. Tubman answered that they cannot dictate when Sophie Street will be improved because that will be decided by the governing body. They can only say that they will secure their obligation by contribution.

The detention basin is shallower than what was originally proposed. Ms. Filler wanted to know if they would consider rain gardens as an option. Ms. D’Amico stated that with the reduced size of the lot, she hesitates to promise the installation of drywells.

Mr. Emerson wanted to know why the applicant is proposing a “one-solution” approach as opposed to a more “distributed approach”. Even with the down-sized lots there are other considerations that have to come into play. Ms. D’Amico answered that there is a roadside grass swale and these figures are not calculated because the stormwater management regulations preclude a way to calculate the roadside swales. Additionally from the crown of the road on the west of Sophie Street is not collected. This is allowed to sheet flow off of the road and use the riparian zone to treat the water before discharging into the streams. The larger lots, 54.01 and 54.12 could have drywells. Mr. Emerson would like to revisit this subject when there is more information provided. Ms. Tubman requested that the applicant’s professionals meet with the board’s professionals to work at the details. At this time, Mr. Emerson stated that he has no confidence that based upon the

details and the design information that the basin will perform as expected. Mr. Emerson questioned how are we to expect that a basin this size will function based upon a single test that was performed outside of the footprint of the basin and not in an elevation that is consistent with the basin. Mr. Emerson stated that there are some minor items too that he did not incorporate into his report. Regarding the construction sequence indicates that the basin will be the first to be built, which for an infiltration basin is the opposite of what you should do. The infiltration basin should be finished once the entire site is stabilized.

COMMENTS FROM BOARD MEMBERS:

Mr. Shamey had a question regarding the tree removal on Lots 53.03 & 53.04. Ms. D'Amico answered that the tree removal on these lots would be significant.

Mrs. Filler was concerned about the removal of trees to install a detention basin, since the trees are effective acting as a recharge area.

Mrs. Allen had a question regarding lot 54.01 which appears to have a 50 foot right-of-way just north of the railroad tracks and a 25 foot line trim line. Ms. D'Amico answered that this a power line from the sub-station. In addition, Mrs. Allen stated that she preferred the new plan layout.

Mrs. Duffy asked if the original plan that was presented was conforming. Ms. D'Amico answered it was fully conforming with no variances and the lot yield was identical. This plan has an additional lot which is the open space lot.

Mrs. Allen commented that she agreed the plan would be improved to move the property lines to include them into the open space lot.

Mrs. Flynn agreed with everyone's comments. She emphasized that she wanted to have a conservation easement to protect the trees in the front of the property.

Mr. Smith stated that he prefers to this plan to the prior plan.

Mr. Cook stated that he is concerned about the stormwater plan regarding this plan layout.

Mr. Hansen wanted to know if they reviewed what the lot yield would be if they had a fully conforming cluster subdivision. Ms. D'Amico answered no she did not review the subdivision in this manner. Mr. Hansen stated that the plans show that they propose to widen Ridge Road by nine feet. Based on the existing Master Plan, Mr. Hansen believes that the circulation element for Ridge Road would require that that is a thirty foot wide road. So therefore, from the centerline to the edge of pavement would be a fifteen foot wide widening of Ridge Road. On the application for the Adner Ebeb application that is located across the road, at that time it was determined that they were going to give a cash contribution because the township

did not feel that Ridge Road should be widened in that area. This discussion is brought up for the board so that they can discuss if this portion of Ridge Road should be widened or a cash contribution. Ms. Tubman answered that the township has an ordinance relating to a proportionate based upon trip contribution and that is what they would be willing to contribute.

Mr. Krasner stated that his issues were the ownership of the open space and the configuration of the open space. The planting plan can be one of the last items once the layout of the stormwater plan is worked out.

PUBLIC COMMENTS:

There were no comments from the public.

Madam Chair stated that this matter will be carried to March 8, 2010, however, and signed an extension to March 22, 2010.

Attorney Kimson stated for the record that this matter is carried to March 8, 2010 and there will be no further notice given to the public.

I. ADJOURNMENT

Mrs. Duffy made a motion to adjourn at 9:06 p.m. Mrs. Filler seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz