

**READINGTON TOWNSHIP PLANNING BOARD  
MINUTES  
June 28, 2010**

**A. Vice Chairman Duffy called the meeting to order at 7:30 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:**

<b>Mrs. Allen</b>	<b>absent</b>
<b>Mr. Cook</b>	<b>present</b>
<b>Mrs. Duffy</b>	<b>present</b>
<b>Mrs. Filler</b>	<b>present</b>
<b>Mrs. Flynn</b>	<b>absent</b>
<b>Mr. Shamey</b>	<b>present – arrived at 7:41 p.m.</b>
<b>Mr. Klotz</b>	<b>present</b>
<b>Mr. Monaco</b>	<b>present</b>
<b>Mr. Smith</b>	<b>present –</b>

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

**C. APPROVAL OF MINUTES:**

**1. June 14, 2010 – Mr. Smith made a motion to approve the minutes. Mr. Cook seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.**

**D. CORRESPONDENCE: -**

**There were no comments from the board.**

**E. RESOLUTIONS:**

- 1. Ridge Road Realty, LLC  
Preliminary Major Subdivision  
Block 38, Lots 54, 74, 75  
Pearl Street**

**The applicant has requested that this be carried to the next meeting.**

- 2. Capital Improvement  
Block 93, Lot 1**

**Mrs. Filler made a motion to approve the resolution. Mr. Smith seconded the motion.**

**Roll call:**

Mr. Cook                    aye  
Mrs. Filler                aye  
Mr. Monaco                aye  
Mr. Smith                 aye  
Madam Chair Duffy aye

3.                    A. Joan Ahern  
                      B. 68, L. 5.11  
                      7 Van Pelt Dr.  
                      Minor Site Plan (ECHO Unit)

Mr. Kotz made a motion to approve the resolution. Mr. Smith seconded the motion.

**Roll call:**

Mr. Cook                    aye  
Mrs. Filler                aye  
Mr. Monaco                aye  
Mr. Smith                 aye  
Madam Chair Duffy aye

4.                    Ferreira Construction Company, Inc.  
                      B. 39, L. 61.04  
                      Amended Major Site Plan

Mr. Smith made a motion to approve the resolution. Mr. Monaco seconded the motion.

**Roll call:**

Mr. Cook                    aye  
Mrs. Filler                aye  
Mr. Klotz                   aye  
Mr. Shamey                aye  
Mr. Monaco                aye  
Mr. Smith                 aye  
Madam Chair Duffy aye

**F. TECHNICAL REVIEW COMMITTEE:**

1. **Somerville Associates c/o Walmart Stores, Inc.  
3572 Route 22 West  
Block 14, lot 49  
Minor Site Plan  
Action date: July 19, 2010**

**Mrs. Filler made a motion to deem the application complete. Mr. Klotz seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.***

**G. OTHER BUSINESS:**

1. **Voucher Approval**

**Mr. Cook made a motion to approve the vouchers. Mr. Monaco seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.***

**H. NEW BUSINESS;**

1. **Ordinance #15-2010  
Amending §148-120.1  
Providing for exemptions for certain municipal capital improvement  
Projects involving open space and farmland preservation**

**Mrs. Filler made a motion that the ordinance is consistent with the Master Plan. Mr. Smith seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.***

**I. PUBLIC HEARING:**

1. **Fallone Properties, LLC  
B. 36, L. 49  
Phasing Plan Application –  
Action date: June 28, 2010**

**Lloyd Tubman, Esq., stated that she is with the firm of Archer & Greiner located in Flemington, New Jersey and represents the applicant. She stated that the applicant has already received preliminary and final approval for 132 unit residential development and club house. The applicant is requesting a revised preliminary and final approval to allow the construction to occur in phases. Plans have been submitted and public notice has been given. The applicant would like to proceed with Phase One consisting of 14 units.**

Attorney Kimson swore in the board's professionals and Kevin Haney.

Kevin Haney, Bohler Engineering stated his credentials for the board. The board accepted his credentials.

Exhibit A-1 – Dated April 15, 2008 – Colored plan

Mr. Haney testified that the colored exhibit was prepared by his office. The anticipated development phases are identified by different colors. This is an illustration for the board's benefit. The most important phase is Phase One. As far as the completion of the subsequent phases, that will depend on the market. They are seeking approval to build Phase One. This will provide the main road that will come into the site, the community building and the amenities to the development as well as provide the utility infrastructure to the site.

Mr. Haney informed the board that he prepared construction documents for Phase One. He stated that the applicant is seeking final approval for Phase One only. The intent is that the applicant will return to the board when they want to construct Phase Two.

Referring to Sheet 3 of 36 of the site plan entitled the "Overall site plan". Mr. Haney stated that the Phase One area has been outlined in bold. The remaining of the site plans are shaded in to show how the subsequent construction will tie in. The major access will be off of Route 22. At the end of Phase One while the 14 houses are being constructed, the main access road will split off to a large loop or temporary cul-de-sacs to spur roads. The temporary cul-de-sacs will be created by easements and will be self-vacated when the roads are extended. They will construct the water main and the sanitary pump station for the entire development. As each subsequent phase is built, the stormwater management systems will be ahead of the curve with respect to the impervious coverage and the stormwater demands for the site. The detention basin was designed to handle significantly more stormwater generated from the entire tract. Under Phase One the detention basin is over designed.

Regarding the NJDEP permits, Mr. Haney stated that they will make sure that they are still valid or extended. All of this documentation will be provided to Mr. Hansen.

Dr. Souza wanted to know the status of the NJDEP permits for the flood hazard area and freshwater wetland. Mr. Haney answered that it is encompassed into the stream encroachment permit for the project. This permit is still valid under the permit extension act.

Dr. Souza asked if the applicant reviewed the Environmental Commission memo. Mr. Haney was not aware of it. Dr. Souza stated that the Environmental Commission is concerned with the protection of the open space areas and whether or not the latter phases of the project could result in an impact to the open space areas. Mr. Haney referred to

Exhibit A-1 and testified that during Phase One, the west side of the main drive, the majority of the land to the west of that road will be deed restricted open space. Under the approval, they are required to install a fence around the entire area of the proposed deed restricted area. A suggestion from Mr. Sullivan was that during Phase One that the southwest corner of the site be included so that the environmental sensitive area should be deed restricted.

Unfortunately, it became apparent during the meeting that Princeton Hydro was listed as the hydrologist. Mr. Haney informed the board that Princeton Hydro delineated the flood plain associated with the watercourse. Dr. Souza was unaware of this fact. Therefore, Dr. Souza no longer participated in this hearing.

Mr. Sullivan continued by stating that he wanted all of the issues tied down all of the elements that will not be disturbed in future phases and have these areas memorialized, and echoes the environmental commission's concerns. Phase One could be the only phase built so the board must be careful that the open space is delineated and dedicated. All improvements must be constructed now. Mr. Haney testified that the applicant has no objection to extending the conservation easement in Phase One to the southwest corner of the site.

Exhibit A-3 – Sheet 15 of 36

Mr. Haney testified that along the main road, they are proposing to plant street trees.

Mr. Klotz was concerned how the site would look if not all of the phases were constructed. Mr. Haney answered that he is not definitively telling the board that the soil that they need for Phase One is going to come from the area shown as Phase Four. Generally the soil that they would need would come from the rear section of the lots and be used for the construction of Phase One.

Mr. Hansen stated that this is a unique situation since the filed map has already been recorded. All of the easements and open space requirements have already been plotted. The hard part during Phase One, is to make sure that these areas that are mapped have a permanent barricade to prevent construction materials and equipment from disturbing it. This item was in his report and should be a condition of approval. During the future pre-construction meeting, this concern will be discussed. The township engineer will make sure that these barriers are in place before any equipment or materials start entering the site.

Mr. Haney stated that all of the conditions in Mr. Hansen's report were acceptable to the applicant. One point of clarification was number 18 of his report which references that homeowner's association should be created prior to construction. Mr. Haney stated that they will make sure that the homeowner's association is in place prior to the issuance

of a Certificate of Occupancy. Mr. Hanson requested verification that all permits are in place. Also, a copy of the previously approved plans and stormwater management reports should be submitted so that they can overlay this project over the original project.

Mr. Sullivan suggested that the applicant provide a temporary loop rather than the cul-de-sac so that circulation could occur to facilitate emergency access. Mr. Haney stated that this was discussed with his client and since the roadway can accommodate emergency vehicles they are not willing to provide the temporary connection. They will however, provide lights at the end of the cul-de-sac to mitigate some of Mr. Sullivan's concerns.

Mr. Sullivan suggested temporary plantings in order to screen the view of the rear of the dwellings. Mr. Haney answered that they are not willing to plant this temporary landscaping.

Vice Chairman Duffy stated that there is no guarantee that this project will ever be built out. Without any screening during Phase One, then forever the back of those houses will be in full view. Mr. Haney stated that within a five year period if the additional phase is not built, then they will plant the landscaping in order to buffer this area.

Mr. Monaco made the comment that this evening, the only application before the board is for Phase One. In the future, the applicant would have to come back to the board for approval to build the subsequent phases. He stated that his philosophy is to assume that the subsequent phases will never be built and is the board satisfied with the conditions of Phase One.

Mr. Hansen suggested is to come to an agreement for permanent landscaping that could be located along the property line between Phase One and Phase Four. This way, it could be planted during the Phase One stage, it would provide buffering.

Mr. Haney stated that in Mr. Sullivan's letter item number section 5.0, items one and two speaks about pedestrian cross access from this development to Mr. Hartman's development. He stated that his client is not willing to promote any cross access for pedestrians from his development to that development or vice-versa. The rationale is that this an age restricted private community. On the other development, there are residential units associated with that development. The applicant is fearful that by promoting pedestrian access they would be exposed to children, skateboards, and the utilization of the pool.

Ms. Duffy stated that by depriving the pedestrian access to the other site that has retail/restaurants will only frustrate your homeowners. She felt that they should have access to the other development.

Mr. Smith asked if they were proposing to construct a boundary between the two developments. Mr. Haney answered no. Mr. Smith said then people could create their own foot paths between the two developments.

Mr. Monaco stated that they are only proposing 14 houses. He suggested that the pedestrian path issue be brought up at a subsequent hearing when the applicant comes back for approval to another phase.

Ms. Duffy asked if there were any questions or comments from the public for this witness. There were no comments.

Mrs. Filler stated that the southwest corner of phase three is included in phase one because they are going to construct a fence along this area.

Mr. Hansen informed the board that one of the stormwater management concerns is that this development was approved years ago. It doesn't mirror the stormwater ordinance as it exists today. A condition of approval should be that the applicant should "green" the stormwater management area up a degree, get rid of the concrete low flow channel and plant the recommended seed mixes. Mr. Haney agreed provided that they would not impact their approvals with NJDEP Stream Encroachment Permits.

Mrs. Filler made a motion to approve the application with the following conditions: along the western side of the project the applicant shall install a post and rail fence; along the road the applicant shall install a construction fence in the Phase Two area in front of the open space until such time as the site is stabilized to the satisfaction of the township engineer; the applicant shall be permitted to create the homeowners association prior to the issuance of a certificate of occupancy for the first building; Mr. Sullivan's report has been modified so that the applicant is not required to install the loop road and is not required to install the buffering, the applicant is not required to install the pedestrian and bicycle connection to the Wilmark property; the applicant is encouraged to modify the stormwater management plan with planting species with the satisfaction of the township engineer as long as it does not impair the NJDEP permits; the applicant shall design homeowners documentation so that the Phase One homeowners are not precluded from installing landscaping at the rear of their own property lots; the open space portion of the southwest corner that is shown as phase three on the map will be included in Phase One; and there will be street lights installed at the end of the cul-de-sacs; the Route 22 frontage is to remain undisturbed. Mr. Cook seconded the motion.

**Roll call:**

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

**Mr. Monaco            aye  
Mr. Smith            aye  
Madam Chair Duffy aye**

**J.                    ADJOURNMENT**

**Mr. Cook made a motion to adjourn the meeting at 9:10 p.m. Mr. Smith seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.**

**Respectfully submitted,**

**Linda A. Jacukowicz**