

READINGTON TOWNSHIP PLANNING BOARD

MINUTES

October 12, 2010

A. Chairman Flynn 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:

Mrs. Allen	present
Mr. Cook	present
Mrs. Duffy	present – arrived @8:10 p.m.
Mrs. Filler	absent
Mrs. Flynn	present
Mr. Shamey	absent
Mr. Klotz	present
Mr. Monaco	present
Mr. Smith	absent

**Michael Sullivan, Clark – Caton & Hintz
Valerie Kimson, Esq.,
Paul Ferriero, Ferriero Engineering**

C. APPROVAL OF MINUTES:

1. September 13, 2010 Mr. Cook made a motion to approve the minutes. Mr. Klotz 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. D. RESOLUTIONS:

None

F. TECHNICAL REVIEW COMMITTEE:

**1. Solberg Aviation Company
Preliminary Major Site Plan
Block 56, Lots 3 & 6**

The board determined that this matter remained incomplete.

G. OTHER BUSINESS:

1. Voucher Approval

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

H. NEW BUSINESS:

- 1. Hassan Nahvi
B. 39, L. 3
Concept plan**

Lloyd Tubman stated that she is the attorney for the applicant. The property is located on Route 22, Eastbound. There was an old retail building on the property. Mr. Nahvi proposes to remove the building and re-build on the foundation. All of the plumbing and electrical work has been completed but when they got to the foundation that needed additional work. He was then told because there are encroachments are the front and side yard setback lines, he needed to obtain site plan approval. The building can be moved behind the front yard setback. They can now move the parking from in front of the building, to the rear of the building. This would also require that the applicant to incur substantial costs to create a major site plan.

Mr. Hill stated that he prepared the concept plan. The property appears to be a vacant lot between the bank and Pelican Pool. The site will be serviced by Elizabethtown Water Company. Soil logs are before the Board of Health which is in connection with the old septic system.

Mr. Hill requested guidance from the board regarding items that are important to the board, i.e. site plan issues, landscaping, lighting, grading, and stormwater management. The applicant is proposing a gravel driveway and parking area.

Ms. Tubman stated that given the layout and the position of the property it does not appear to serve anyone's purpose to map the features that are within 300 feet of the property line or to identify individual trees that are outside the footprint of disturbance. Accordingly, in her opinion it would not warrant a full Environment Impact Statement.

Ms. Tubman stated that under ordinary circumstances, she would not come before the board to request these types of waivers, but the change from the existing conditions is minimal. If she were to submit a straight application it would be incomplete for the number of items that they are requesting be relieved.

Mr. Sullivan was concerned about the size of sign. Mr. Hill answered that this is just a concept.

Ms. Tubman testified that the NJDOT has given them a written statement of "no interest" regarding the driveway connections to Route 22. Ms. Flynn was concerned about the size of the sign. She stated that it is the board's goal to clean up the appearance of Route 22.

Ms. Tubman answered that they hear the board's comments, but their main purpose is to obtain direction from the board as to whether or not a substantial site plan would be warranted since they are not increasing the intensity of the site.

Mr. Monaco stated that without a full EIS they could probably achieve what the need from it since the property is an eyesore right now. Mrs. Allen informed the board that she felt that a minimal EIS would be sufficient. Mr. Klotz stated that he concurs with the rest of the board member's comments.

Ms. Tubman testified that the applicant will locate trees within the footprint of disturbance. The applicant is surrounded by development.

Ms. Tubman informed the board that she was thankful for their comments and would be very specific with her waiver requests when Mr. Nahvi submits his formal application.

2. Rocco Paternostra
B. 36, L. 7
Concept plan

For the record, please note that Mr. Cook recused himself from participating in this concept review.

The board took a 10 minute break.

Larry Fox stated that he is the attorney for the applicant. He indicated that the applicant's engineer could not be present this evening.

Mr. Fox stated that Mr. Paternostra has owned the property for several years. It is located along Central Railroad Lane. The latest layout attempts to comply with the township's regulations. They are left however with a need for a variance on four (4) lots based upon the ordinance requirement to maintain 65,000 square feet of usable space. Beyond that, the concept layout complies with the township's ordinance. Mr. Fox stated that it was his understanding that the reason for the requirement of the 65,000 square feet of usable space is for the contemplation of septic systems. This site will be served by public sewer. There will be private wells. The applicant has tried numerous times, and the site does not perk. The project would also require a pumping station. The expense to develop this site is substantial. Originally the application was for 7 lots. Now they are proposing 4 lots. One of the reasons for the delay in proceeding with the application was that they were waiting for NJDEP approval to be able to cross an easement. The wetlands and transitional areas have been delineated.

Mr. Monaco asked if the applicant had sewer capacity. Mr. Paternostra answered that he has capacity for 7 lots.

Mr. Sullivan stated that the open space calculations result in another variance condition. It is slightly under what is required, approximately 400ths of an acre. There is also a requirement for a 500 foot lot circle in the open space. Finally, he does not think that the engineer interpreted the contiguous usable area in the open space correctly. The open space is required to contain 45% of all of the usable area on the tract. It is not that the open space lot shall consist of 45% usable land.

Paul Ferriero made the following comments: if you look at the roadway intersection the land adjacent to the property to the east isn't controlled by the applicants, so a site triangle would not be on the applicant's property. The road is shown as a 40 foot right of way, which complies with the RSIS standard for cul-de-sac, however, in his experience by the time you construct the road and the drainage swales on each side, you will probably need drainage easements outside of that right-of-way. This may affect the useable area of the property. Stormwater management is not addressed at this time. Another issue is the pumping station for the sewer. The closest pumping station is located 800 feet from the site. An easement would have to be created for the pumping station. Mr. Ferriero wanted to know if the pumping station and the roadway would be dedicated to the township. Mr. Fox answered yes they would be dedicated to the township.

Mr. Sullivan recommended that they construct a cul-de-sac so that the impervious surface can be reduced. Mr. Fox answered that this layout was created from comments from a prior meeting.

Mr. Monaco was uncomfortable granting 4 variances. Madam Chair agreed.

Ms. Allen informed the board that the township recently purchased an easement on open space contiguous this lot. Chambers Brook is just a few feet from the property line. Protecting the wooded wetlands would be a reason to grant the variances.

Mr. Klotz asked if lot 7.05 had road frontage. Mr. Fox answered no it is adjacent to open space. Mr. Sullivan stated that the ordinance is clear that he cannot back up to open space. New lots must front on the open space.

Ms. Duffy stated that when she reviews an application that has variances, she first reviews the plan to see what a conforming application would look like. How many lots would this yield on a conforming application? It seems to her that it could yield one conforming lot, or at the very most 2 lots. This is an unusual piece of property. Ms. Duffy stated that historically, the board does not just approve non-conforming lots without some understanding as to how many conforming lots the property could yield. She would like to see a layout of how three conforming lots could be obtained. Mr. Fox indicated that they would create a second design showing common driveways. He stated that he will take the board's comments back to the engineer and return to the board with a subdivision application.

I. ADJOURNMENT

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

Respectfully submitted,

Linda A. Jacukowicz