

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES
March 14, 2011**

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 @ 7:35 p.m.; left @8:05 p.m.
Mrs. Filler	present
Mrs. Flynn	present
Mr. Gatti	present
Mr. Klotz	present
Mr. Monaco	present
Mr. Smith	present

**Michael Sullivan, Clark – Caton & Hintz
Kevin Van Hise, Esq., Mason, Griffin & Pierson**

C. APPROVAL OF MINUTES:

February 28, 2011 – Mr. Cook made a motion to approve the minutes. Mrs. Allen 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. Professional Services Resolution

Mr. Monaco made a motion to approve the resolution. Mrs. Allen seconded the motion.

Roll call:

Mrs. Allen	aye
Mr. Cook	aye

Mrs. Filler aye
Mr. Gatti aye
Mr. Klotz aye
Mr. Monaco aye
Madam Chair Flynn aye

**2. The Keslowe Companies, LLC
Minor Site Plan
B. 38, L. 77
Dismiss without Prejudice**

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

Roll call:

Mrs. Allen aye
Mr. Cook aye
Mrs. Duffy aye
Mrs. Filler aye
Mr. Gatti aye
Mr. Klotz aye
Mr. Monaco aye
Mr. Smith abstain

**3 James McDonald
Minor Site Plan
B. 23, L. 11
Dismiss without Prejudice**

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

Roll call:

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

Mr. Monaco aye
Mr. Smith aye

4. Heather Liardo
B. 51, L. 25
Minor Subdivision
Dismiss without Prejudice

Mrs. Allen made a motion to approve the resolution. Mr. Monaco seconded the motion.

Roll call:

Mrs. Allen aye
Mr. Cook aye
Mrs. Duffy aye
Mrs. Filler aye
Mr. Gatti aye
Mr. Klotz aye
Mr. Monaco aye
Mr. Smith aye

F. TECHNICAL REVIEW COMMITTEE:

None

G. OTHER BUSINESS:

1. Voucher Approval

Mr. Cook made a motion to approve the vouchers. Mrs. Duffy seconded the motion. Ayes all; nays none recorded.

H. NEW BUSINESS:

1. Ordinance #06-11
Review/comment

Mr. Sullivan educated the board regarding the standards for the Fair Housing Act. In order to not be exclusionary when it comes to age restricted housing, you have to have 80% of the households that are occupied in the development require a resident who is 55 years or older.

Since there is a 20% shortfall, the municipality can use this for family housing. This ordinance was created to address the soft real estate market for senior housing and to allow up to 15% of the units in an age restricted development in all of the zones where it is permitted to be 45 years of age. Mrs. Allen reiterated that in no case, will they allow anyone to live in the complex that is younger than 19 years of age for more than 3 months.

PUBLIC COMMENTS:

Betty Ann Fort stated that it seems that they what they are trying to protect from being exclusionary is the seniors, not the families. Eighty-percent would go to the seniors.

Mr. Smith made a motion that the ordinance is not inconsistent with the Master Plan and recommended that that it be forwarded as written to the Township Committee for adoption. Mr. Cook seconded the motion.

Roll call:

Mrs. Allen	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Gatti	aye
Mr. Klotz	aye
Mr. Monaco	aye
Mr. Smith	aye
Madam Chair Flynn	aye

I. DISCUSSION:

1. Ordinance Review (sample ordinance from Rocky Hill)

Madam Chair stated that there had been discussions regarding the new time of decision rule and a draft ordinance for the township relating to same. She suggested that Mr. Sullivan draft an ordinance that will amend our checklist and amend our ordinance to include a definition of application. Mr. Sullivan referred to the Municipal Land Use Law which states the definition of an "application". All of the mandatory documents required in the municipalities' ordinance must be submitted. This goes well beyond a one page piece of paper submission to maintain a zoning

status. He suggested adjusting the definition in the ordinance to make it clearer what documents are required for approval. He also stated that they will review the checklist and specifically state that when this document is completed, it is not sufficient for approval unless you have all of the binding information included and the application has been deemed complete by the approving authority.

Mrs. Allen recommended that the board move forward with this information.

Mr. Hise stated that in Ms. Kimson's draft ordinance, she added the 90 day provision. Mr. Sullivan will communicate with Ms. Kimson so that they have a final form in time for the next meeting.

Mrs. Allen requested that the sign ordinance be addressed at the same time the other ordinances are reviewed. The governing body will be notified that the sign ordinance will be ready for introduction at the next Township Committee meeting.

2. By-Laws – carry to the next meeting.
3. Bellemead Associates

Elizabeth Duffy recused herself from participating in the discussion of this matter and left the meeting.

Mr. Sullivan stated that he is still sifting through all of the pertinent information.

Mrs. Filler informed the board that there are 3 residents in Tewksbury Township Committees that are working together to fight this approval. The procedure was flawed. When the applicant made application to the NJDEP, the adjacent townships were not notified. Readington Township's issues were not addressed. The Tewksbury Committees are trying to get the process reversed back to the time of the adjudicatory hearing which took place which was in 2007. They are trying to contact those who were present during the last hearing. The meeting takes place on March 24th. The NJDEP informed everyone that the meeting will run from 5:00 p.m. to 8:00 p.m., unless they have members of the public who wish to make a statement on the record.

At the last meeting it was determined that a letter would be created by Mr. Sullivan and Dr. Souza on behalf of the Planning Board. Mr. Sullivan indicated that a draft should be ready by the end of the week or by Monday of next week. Mrs. Filler suggested that it should be

broadcast to everyone as soon as possible so that everyone will have a chance to review and will be prepared to speak at the meeting.

J. OTHER DISCUSSION:

Mrs. Allen informed everyone that there was a public meeting regarding the sewer service area that was held on March 9, 2011. Mr. Sullivan attended the meeting as well. One of the significant items that came up is that an agreement has already been signed with the township.

K. ADJOURNMENT

Mrs. Filler made a motion to adjourn at 8:20 p.m. Mr. Cook seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz