

**READINGTON TOWNSHIP PLANNING BOARD MINUTES**  
**April 27, 2015**

The Meeting was called to order by Vice Chair Filler at 7:35 p.m. stating that the requirements of the Open Public Meetings Law have been met and that this meeting has been duly advertised.

**Members present:** Julia Allen, Jerry Cook, Elizabeth Duffy, Cheryl Filler, Betty Ann Fort, Christopher John, Ronald Monaco, Ben Smith

**Also present:** Attorney, Trishka Waterbury-Cecil  
Planner, Michael Sullivan

**Members absent:** Marygrace Flynn

**MINUTES:**

A Motion was made by Ms. Fort, seconded by Ms. Duffy, that the Minutes of March 23, 2015 be approved as circulated. Motion was carried with a vote of ayes all, nays none recorded.

**CORRESPONDENCE:**

Correspondence for the application/permit to the NJDEP as it relates to Block 36, Lot 17 in Raritan Township. No action to be taken on this matter.

**NEW BUSINESS**

**Agricultural Division**  
**Block 14, Lot 1**

Present: Mr. John Schley, property owner

Ms. Allen recused herself from this matter before the Board.

Mr. Schley was sworn in and testified as to the correspondence he provided to the Planning Board on April 17, 2015 wherein he requested an agricultural division of 21.03 acres within Block 14, Lot 1.

Attorney Cecil explained that the Municipal Land Use Law ("MLUL") 40:55D-7 defines a subdivision and details certain exceptions thereto "...shall not be considered subdivisions within the meaning of this act, if no new streets are created: (1) divisions of land found by the planning board...to be for agricultural purposes where all resulting parcels are 5 acres or larger

in size,..." Mr. Schley's request is to divide a +/-104 acre parcel into two (2) lots, one of which would be 21.03 acres. The Board has little discretion in this area, as long as all three (3) elements are met. The three (3) elements are (i) no new streets, (ii) the parcel is five (5) acres or more; and (iii) the purpose for creating is agricultural.

Attorney Cecil questioned Mr. Schley as to the use of the +/-104 acres as they stand. Mr. Schley confirmed that the property is currently being farmed; and the 21.03 acres will continue to be farmed. The property is currently farmland accessed.

A Motion was made by Ms. Fort, seconded by Mr. Cook to approve the agricultural division of Block 14, Lot 1. Motion was carried with the following roll call vote:

**Ayes:** Mr. Cook, Ms. Duffy, Ms. Filler, Ms. Fort, Mr. John, Mr. Monaco, Mr. Smith

**Nays:** None recorded.

#### **RESOLUTIONS**

**Schley  
Agricultural Division  
B 14, L 1**

A Motion was made by Ms. Duffy, seconded by Mr. Cook, to approve the resolution. Motion was carried with the following roll call vote:

**Ayes:** Mr. Cook, Ms. Duffy, Ms. Filler, Ms. Fort, Mr. John, Mr. Monaco, Mr. Smith

**Nays:** None recorded.

#### **NEW BUSINESS:**

**Readington Holdings  
Block 14, Lot 49**

Mr. Sullivan testified that Readington Holdings (the "Applicant"), leaseholder of Block 14, Lot 49, contacted Readington Township (the "Township") in 2009/2010 during the time the Township was undertaking its chapter of the wastewater management plan with Hunterdon County and indicated that they required more room in the sewer service area. In 2014, Applicant presented a concept plan to the Planning Board wherein to modernize the store and make it more viable, they would need to extend into the Agricultural Residential ("AR") zone.

The Board agreed, and indicated that the next time a re-exam was completed the Township would include this request. Unfortunately, this request was not included in the re-exam completed in December 2014. The issues with not including it in a re-exam or land use element is that i) when you change a boundary line of a zone, there are notice requirements; and (ii) a zone change should be consistent with your Master Plan. In that they missed the re-exam, Applicant has requested that the Board look at the zoning change and suggested that it isn't substantially inconsistent with the Master Plan as it is a minimal boundary line adjustment. After reviewing the Master Plan, Mr. Sullivan agrees that it is substantially consistent with the Master Plan and suggested that the Board recommend to the Township Committee that the zone line be amended. Although the Master Plan does not need to be amended prior to the change, Mr. Sullivan did suggest that it be amended sometime thereafter. Mr. Sullivan is in receipt of a CAD map that outlines the new boundary line requested by Applicant.

Discussion ensued among the Board members regarding the reasoning behind the request for the zone line adjustment as it pertained to Applicant's testimony in September 2014.

Mr. Sullivan described the proposed boundary line adjustment in that it brings the B zone around the septic area, creating an irregular lot line. A more defined lot line is preferred, and he intends to discuss the matter further with Applicant. He suggested that the Applicant work out the exact area they need, allowing room for an adequate buffer, so as to make this as simple as possible.

Ms. Filler inquired as to why Applicant is requesting to move the septic area into the B zone. Ms. Allen advised it was because their septic was failing. In the interim, Applicant went before the Sewer Advisory and requested a sewer line be placed from the Ryland Inn to Walmart. Both the Sewer Authority and Township Committee agreed to the request.

Mr. Sullivan advised that Applicant is requesting the boundary line adjustment to allow for better tractor trailer turning radius. Mr. Sullivan will work with Applicant to determine their precise need and suggest a clean boundary line.

A Motion was made by Ms. Allen, seconded by Ms. Fort, to approve the requested boundary line adjustment subject to Applicant working with Mr. Sullivan on the exact location and configuration of the boundary line.

Mr. Broten requested clarification as to how today's hearing was different from the hearing in September 2014.

Ms. Allen advised that Applicant decided not to move forward with their original intent as to the septic system and, instead, requested approval to run the sewer line to the property.

Mr. Broten referenced the September 2014 meeting minutes and questioned the purpose of the motion.

Ms. Filler clarified that the motion was intended to request and rezone specific pieces of the property. A map was provided as to Applicant's boundary line adjustment, and the Board carried the motion. Today's matter was brought about because Applicant provided the Board with a revised map.

Sullivan testified that the unlike the previous map, the current map is substantially consistent with the Master Plan in terms of zone lines.

A Motion was made by Ms. Fort, seconded by Mr. Smith recommending that the Township Committee approve the requested zoning change. This Motion supersedes the prior Motion from tonight's meeting. Motion was carried with the following roll call vote:

**Ayes:** Mr. Cook, Ms. Duffy, Ms. Filler, Ms. Fort, Mr. John, Mr. Monaco, Mr. Smith

**Nays:** None recorded.

**ADJOURNMENT:**

A Motion was made by Mr. Cook, seconded by Ms. Duffy, to adjourn the meeting at 8:17 P.M. The motion was carried with a vote of ayes all, nays none recorded.

Respectfully submitted,



Rebekah Harms  
Planning Board Secretary