

READINGTON TOWNSHIP PLANNING BOARD MINUTES
June 13, 2016

The Meeting was called to order by Chair Monaco at 7:02 p.m. stating that the requirements of the Open Public Meetings Law have been met and that this meeting had been duly advertised.

Present: John Albanese, Julia Allen, Elizabeth Duffy, Cheryl Filler, Betty Ann Fort, Alan Harwick, Christopher John, Ronald Monaco

Also present: Victoria Britton, Esq.

Absent: Jerry Cook

Ms. Duffy arrived at 7:09pm

Chair Monaco led those present in the *Salute to the Flag*.

MINUTES:

A Motion was made by Ms. Filler, seconded by Ms. Fort, that the Minutes of May 9, 2016 be approved as circulated. Motion was carried with a vote of ayes all, nays none recorded.

EXTENSIONS:

**Regency at Readington
Block 36, Lot 49**

Present for Applicant: Richard J. Hoff, Jr., Esq.
Sean Mulhall, Toll NJ I

Attorney Hoff indicated that Applicant is seeking a one (1) year extension. Applicant's property is currently under construction; however it was noted that there is nothing in the Municipal Land Use Law or Township ordinances that provide formal protection against zone changes. In theory, Applicant could build out half of the property, the approval lapses, and in the meantime the Township changes the zoning provisions. Suddenly, the remaining buildings to be built need variances. To protect against this potential situation, Applicant is seeking an extension of the final approval until construction is completed.

Mr. Mulhall advised that 59 homes have closed, fourteen (14) are in the process of closing, and the final home has received a deposit. Applicant's projected last closing date is November 2016 for the single-family homes. The townhome/carriage house sales began in September 2015 and thus far fifteen (15) of the 137 to be built have sold.

Ms. Filler inquired about the time frame for finishing; and why Applicant was not requesting a three-year extension.

Mr. Mulhall indicated that they would not be completed within a year.

Attorney Hoff indicated that Applicant would ask for a three (3) year extension because that would reduce their need to come before the Board again. Applicant is proceeding with the building of the property. Applicant builds on spec, until the home has a deposit, it is not completed. Feasibly it could take three (3) years to complete the townhome/carriage houses.

Chair Monaco suggested the Board grant a three (3) year extension. He confirmed that there were no conflicts between the Resolution and the original approval.

Ms. Filler inquired about protection as it relates to contributions to affordable housing.

Attorney Britton confirmed that the contributions remain. She confirmed that the final plat had been filed.

A Motion was made by Ms. Fort, seconded by Ms. Filler, to grant a three-year extension. Motion was carried with the following roll call vote:

Ayes: Mr. Albanese, Ms. Allen, Ms. Filler, Ms. Fort, Mr. Harwick, Mr. John, Chair Monaco

Nays: None recorded.

Ridge Road Realty, LLC
Block 36, Lots 54.11, 54.12 and 54.02

Present for Applicant: Guliet D. Hirsch, Esq.

Attorney Hirsch advised that approval was granted for the subdivision on May 14, 2012. The subdivision consists of twelve residential lots, one open space lot, and one infiltration basin lot. She noted that the subdivision has been completed and recorded. At this time, Applicant believes that the market does not support the sale or development of the lots. Attorney Hirsch is open to a longer extension as it would negate the need to return to the Board for future extensions should the need arise.

Chair Monaco advised the Board to take into consideration the fact that the property has not been developed in terms of the length of the extension granted.

A Motion was made by Ms. Allen, seconded by Mr. Albanese, to grant a two-year extension. A Motion was carried with the following roll call vote:

Ayes: Mr. Albanese, Ms. Allen, Ms. Duffy, Ms. Filler, Ms. Fort, Mr. Harwick, Mr. John, Chair Monaco

Nays: None recorded.

PUBLIC:

William and Amelia Edwards – 5 Tamarack Trail - came before the Board to discuss events at the Bouman-Stickney Farmstead (the "Farmstead"). They indicated that the Farmstead has been rented for weekend weddings through October 15, 2016. The Farmstead is located in the SRR Zone which does not include banquet halls as a primary or secondary permitted use. During the weekend events, the music, smoke from grills, and loud voices coming from 150+ guests preclude the Edwards from enjoying the use of their backyard. They advised that beginning Saturday mornings, catering companies set up tents and food, and the noise continues through the night until the event ends at 10 p.m. Many guests linger until approximately 11:30 p.m. The tents are set up within ten (10) feet of the Edwards property line. The disruption continues on Sunday when clean-up crews arrive at all hours of the day. Mr. Edwards referenced Township Ordinance 148-6(A) wherein activities causing nuisance are not permitted. Mr. Edwards also referenced Township Ordinance 148-71 (D) and (E) prohibiting noise and odor to cross property lines.

Chair Monaco advised the Edwards that the Planning Board has no enforcement on this matter. The Board can forward the information to the Township Committee for review.

Ms. Duffy indicated that no one was aware of the goings-on at the Farmstead, nor that there was a home in close proximity to the on-site barn.

Mr. Edwards indicated that there are more than 90 acres of open public land at the Farmstead, and all of the smoke and noise are pushed up to the one acre nearest their property.

Ms. Fort advised that the barn was placed in the current location because archeologic digs indicated that was where the original barn was located.

The Edwards questioned whether the location of the tents, portable bathrooms, etc. can be moved elsewhere until such time a more permanent solution can be made.

Ms. Duffy advised that there are certain things that can be done immediately such as following the signed contracts to the letter of the law, and possibly moving the tent location, but a

signed contract cannot be breached. It was recommended to review and amend the contracts going forward.

Chair Monaco advised that there are things we can do quickly to soften this year and there are things we can do long term to prevent these problems.

Discussion ensued among the Board members, and the Edwards were advised that someone would follow up with them.

ADJOURNMENT:

A Motion was made by Ms. Duffy, seconded by Mr. Harwick, to adjourn the meeting at 7:40 P.M. The motion was carried with a vote of ayes all, nays none recorded.

Respectfully submitted,

A handwritten signature in black ink that reads "Rebekah Harms". The signature is written in a cursive style with a large initial "R".

Rebekah Harms
Planning Board Secretary