

**READINGTON TOWNSHIP PLANNING BOARD MINUTES**  
**June 27, 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, Cheryl Filler, Betty Ann Fort, Alan Harwick, Christopher John, Ronald Monaco

**Also present:** Trishka Waterbury-Cecil, Esq.

**Absent:** Julia Allen, Jerry Cook, Elizabeth Duffy

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

**MINUTES:**

A Motion was made by Mr. Harwick, seconded by Ms. Fort, that the Minutes of June 13, 2016 be approved as circulated. Motion was carried with a vote of ayes all, nays none recorded.

**EXTENSIONS:**

**Bellemead Development Corporation**  
**Block 2.01, Lots 9.01 & 11**

Present for Applicant: Glenn S. Pantel, Esq.

Applicant is seeking a four (4) year extension pertaining to the Hall's Mill Farm project for a 660,600 square foot office project.

Attorney Pantel advised that Applicant's site plan was approved by Resolution on August 8, 1988, but the necessary sewer capacity did not come into existence until August 2000. Applicant was instrumental in working with Readington Township (the "Township") to expand the sewer plant. Attorney Pantel indicated that since approval there has only been a period of nearly three (3) years, when the project was not encumbered by economic emergency or by litigation. In June 2003, a lawsuit was filed by Pulte Homes challenging Applicant's right to sewer capacity because Pulte was developing a project, including affordable housing, and claimed they had a higher right to the sewer capacity.

Attorney Pantel advised that in January 2007 the Permit Extension Act went into effect and approvals were protected until June 30, 2016. In 2010 a lawsuit was filed by Larry Berger against several Township property owners, including Applicant, claiming he had a higher right to the sewer capacity. This litigation is still ongoing, significantly prohibiting Applicant's ability

to market and/or develop the property. Attorney Pantel noted that when the Planning Board approved the site plan in 1988, they granted an eight (8) year vesting period due to the scale of the project.

The key components to this project under the statute to support the extension are the amount of non-residential floor area involved NJSA 40: 55D-2.v. Secondly the MLUL specifically refers to economic conditions which are abundant here.

The project remains viable, consistent with the land use policies of the Master Plan, and the uses allowed by zoning. It represents potential investment in excess of \$80 million and has the potential of creating 2,400 jobs.

Ms. Filler questioned whether Overlook Farms was approved at the same time this project was approved. Attorney Pantel advised that they were both approved in the late 1980s, and Overlook Farm was constructed in early 2000.

Ms. Filler questioned the funding for affordable housing. Attorney Pantel indicated that in procuring sewer capacity, Applicant is obligated to make an additional contribution of \$987,337 to the Township for affordable housing upon construction of the project. The total obligation for Applicant is \$1,605,820.

Chair Monaco advised that in 2008 Applicant was granted an extension using then current regulations of the Township, most notably the stream corridor regulation. Chair Monaco indicated that he was concerned about the public welfare and the Board cannot ignore 28 years. Attorney Pantel agreed to the same conditions that were imposed in 2008.

Attorney Cecil indicated that there are several conditions from the 2008 extension that are continuing conditions of the underlying approval. Chair Monaco advised that the Board would adopt a resolution that is identical to that which was approved in 2008. Chair Monaco suggested including a condition that required Applicant to return to advise how those items were going to affect the building of the project.

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

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

**Nays:** None recorded.

**ADJOURNMENT:**

A Motion was made by Ms. Fort, seconded by Mr. Harwick, to adjourn the meeting at 7:33 P.M.  
The motion was carried with a vote of ayes all, nays none recorded.

Respectfully submitted,



Rebekah Harms  
Planning Board Secretary