

READINGTON TOWNSHIP PLANNING BOARD

MINUTES

April 10, 2006

- A. Chairman called *the meeting to order at 7:10 p.m.* announcing that all laws governing the Open Public Meetings Act had been met and that the meeting had been duly advertised. The Board saluted the flag.**

Valerie Bollheimer, Esq., swore in the new board member, Ben Smith.

- B. Members and professionals present:**

Mrs. Allen	present
Mr. Auriemma	present
Mr. Cook	present
Mrs. Duffy	present
Mrs. Filler	present
Mrs. Flynn	present
Mr. Klotz	absent
Mr. Monaco	absent
Mr. Smith	present

Michael Sullivan, Clarke-Caton & Hintz

Valerie Bollheimer, Purcell, Ries, Shannon, Mulcahy & O'Neill

H. Clay McEldowney, Studer & McEldowney

- C. APPROVAL OF MINUTES**

- 1. March 27, 2006- Mrs. Filler 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. RESOLUTIONS:**

- 1. Shabbecong, LLC
Minor Subdivision
38 Forty Second Street
Block 48, lot 10**

This matter was carried to the next meeting.

- E. TECHNICAL REVIEW COMMITTEE**

- 1. New Cingular Wireless PCS, LLC**

**Preliminary Major Site Plan
Block 17, lot 92
Action date: April 17, 2006**

Mrs. Filler informed the board that since a D variance was identified while reviewing the application for completeness, the Planning Board lacks jurisdiction over this matter. The applicant will be notified of this determination.

- 2. Rolling Meadows
Final Subdivision Plan
Block 55, lot 7.01
Action date: May 1, 2006**

Mrs. Filler stated that the Technical Review Committee recommended that this application should be deemed complete.

Mrs. Filler made a motion to deem the application complete. Mr. Cook seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.

F. OLD BUSINESS:

- 1. Robert & Grace Kiever
Block 42, lots 9 & 10
Request to amend final approval**

Robert Ferb, Esq., stated that he is the attorney for the applicant. The applicant is proposing to modify the lot line for lots 9.01 and 9.02. As the lots are presently configured, there is a large meadow in the rear of lot 9.01 which is also partially located on lot 9.02. This is the reason for the alteration. If that lot line is rotated slightly, the bulk of the meadow would be located on Lot 9.01 and the configuration of the two lots after that modification would still comply with all of the zone requirements.

Mr. Sullivan stated that he did review the plans. He did not create a formal report; however, he did check the lot acreage to make sure that they were still in compliance with the bulk zoning standards. Both lots meet the area requirements.

Mr. McEldowney stated that he agreed with Mr. Sullivan's comments. Also, he had suggested to the applicant that since this was a significant enough change they should go before the full board. The reconfiguration of the lot would be an improvement. They would have to revise their final plat and present same for signature.

Mrs. Allen made a motion to approve the amendment subject to the applicant's revision of the final plans to the satisfaction of the township engineer. Mrs. Filler seconded the motion.

Roll call:

Mrs. Allen	aye
Mr. Auriemma	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Smith	aye
Madam Chair	aye

G. OTHER BUSINESS:

1. Voucher approval

Mrs. Duffy made a motion to approve payment of the vouchers. Mr. Auriemma seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.

H. PUBLIC HEARINGS:

- American Classics, LLC
Preliminary Subdivision
Block 69, lot 12
Action date: April 27, 2006**

Alan Wohl, Esq., stated that he is the attorney for the applicant. He informed that board that this is an application to subdivide an 11.01 acre parcel into 2 lots. There are no variances required.

Attorney Bollheimer swore in the following witnesses:

**H. Clay McEldowney
Michael Sullivan
Edward Herrman, Van Cleef Engineering
Michael C. Monticello, American Classics, LLC**

Mr. Herrman stated that his professional address is 1128 Highway 31, Lebanon, New Jersey. He is employed by Van Cleef Engineering Associates. He is a licensed professional engineer in the State of New Jersey.

Mr. Herrman described the project to the board. The applicant is proposing to subdivide the 11 acre tract into 2 lots. The project is classified as a major subdivision due to the extension of the cul-de-sac into the property.

Mr. Herrman stated that there is currently a cul-de-sac located at Witherspoon Street.

Exhibit A-1 “The grading, drainage and utility and permeability test location plan for American Classics, LLC, Sheet 4 of 11 original date is October 19, 2005, last revised February 1, 2006.”

The existing cul-de-sac is very large. The proposal is to remove a portion of the cul-de-sac and replace it with top soil and seeding and extend the cul-de-sac into the applicant’s property under the RSIS minimum requirements. Regarding Mr. McEldowney’s letter dated March 8, 2006, specifically item C-1, it describes how the applicant proposes to make the transition from the existing cul-de-sac into the proposed subdivision. Mr. McEldowney indicated that the existing cartway on Witherspoon Street is 30 feet in width. The RSIS requirements for a street classified as a rural residential lane would be 18 feet. In order to tie in the stormwater regulations, they have proposed to take the 30 foot wide pavement, transition the size down through the area on the adjacent property to 18 feet and run the 18 feet wide pavement into the cul-de-sac bulb with a smaller cul-de-sac. The net effect of that would be to reduce the amount of impervious coverage as part of the application. Mr. McEldowney’s recommendation would be to maintain the existing 30 foot wide through into the subdivision.

Mr. McEldowney informed the board that this would only apply to 50 feet of road. Right now there is a 30 foot wide road that would then be narrowed down for a very short section and then it would extend to the larger bulb. To narrow down this short section would be ill advised.

Mr. Wohl stated that a letter from the Fire Code Official dated March 25, 2006 indicated that the turning radius for the fire apparatus is satisfactory.

Mr. Hermann stated that part of the reason why the applicant wanted to shave the pavement down, in lieu of curbing the proposed cul-de-sac bulb, is because they proposed to make a high point at the back end and run a collector swale on both sides to funnel the surface water that comes off of the cul-de-sac to the storm drain system.

Mrs. Allen agreed with Mr. McEldowney’s comments. Mrs. Duffy stated that in the context of snow plowing, it is difficult to determine where the streets narrow down.

Mrs. Flynn stated that the board felt that the roadway width should be consistent and the curbing would not necessarily be required.

The applicant is requesting relief from the requirement that since there is no public water available a 15,000 gallon fire storage tank must be installed.

Mrs. Flynn wanted to know if the applicant planned to come back to the board to subdivide the lots.

Mr. Wohl stated due to the irregular shapes they will not be able to subdivide the property in the future.

Mr. Wohl stated that his client would be willing to go along with the recommendations of the fire code official.

Mr. McEldowney will contact John Barczyk to discuss his report.

Mr. Herrman stated that the applicant has asked for a diminimus exception for water quality purposes in the cul-de-sac. The prevailing drainage pattern for surface water is going in a northerly direction down Witherspoon Street into the existing storm drain system. They proposed to provide a natural grass swale in this area to give a water quality component and drain the water directly into the storm collection system.

The stormwater management proposal for the project other than for providing a grass lined swale for treatment purposes was to exchange the water that was falling on the present cul-de-sac and take the new cul-de-sac run off in the same direction. They will provide drywells of an appropriate size to capture the roof water and channel that into the system. They propose only gravel driveways. They will try to minimize the disturbance.

Mr. McEldowney stated that regarding Dr. Souza's report, since there are many technical outstanding issues, they have decided to set up a meeting between now and the next meeting with Mr. Herrman and to resolve the issues.

Mr. Herrman stated that they have all other outside approvals except for the Hunterdon County Health Department for septic design approval. There is a letter of no interest from the County Planning Board. The Hunterdon County Conservation District has given the applicant a "conditional certification letter".

Regarding the letter from Michael Sullivan and Andrea Malcolm dated April 7, 2006 it expands upon the completeness comments. The stream physically runs on the south side of Centerville Road. They decided to run a line to fully encompass all of the environmentally sensitive areas. The applicant would like direction regarding signage and fencing around this area.

Mr. Sullivan stated that the applicant is proposing to delineate a larger area than what would be required for the stream corridor and would encompass the wetlands and the stream corridor. He agreed with this proposal. There is a fence shown across a portion of the lot, but the eastern side of that area is adjacent to a Block 71 lot 1, located in Branchburg Township. It was recommended that the fencing continue down to the wetlands buffer. The applicant agreed to this condition.

Mrs. Flynn reminded the applicant that prior to obtaining building permits the fence must be installed.

Mr. Herrman stated that regarding the language for the easement they will submit same to the board's attorney and it would be on the deed and identified on the plat. There is no need for a sidewalk to be installed, because there are no sidewalks in the area. The applicant will provide 2 trees in the area where they are removing the existing cul-de-sac. No street lighting is proposed.

Regarding Dr. Souza's letter dated April 10, 2006, it was agreed to meet with the professionals. Mrs. Filler wanted the EIS addressed. She stated that the applicant should use the township's ERI. She requested that ETI review the section of the EIS and provide updates.

Mrs. Duffy wanted to know if the applicant delineated the 100' buffer from the stream and along the swales. Also she wanted to know if these areas are identified as protected from any disturbance by means of an appropriate conservation or stream buffer easement. Mr. Herrman did not agree with this condition, but stated if the board wanted this condition his client would provide it.

Mr. Sullivan suggested that the professionals should meet at the site to determine if this delineation is necessary. Mrs. Filler would be included to attend this site visit.

Mr. Wohl indicated that the applicant would be willing to meet in the field with the professionals prior to the next meeting. It was agreed the Mr. McEldowney, Dr. Souza and Mrs. Filler would meet at the site. Mr. Herrman's office will coordinate the meeting arrangements.

PUBLIC COMMENTS:

There were no comments from the public.

Mr. Wohl signed an extension to May 8, 2006. The meeting was carried to that date.

I. CORRESPONDENCE:

1. Mrs. Flynn stated that regarding the correspondence from Vita Mekovetz, regarding a resolution designating our attorney and Phil Caton, Julia Allen and a representative from the Planning Board to participate in mediation with COAH and objectors to the petition filed. Cheryl Filler agreed to represent the Planning Board.

Mrs. Allen made a motion to appoint Cheryl Filler to participate in the mediation. Mrs. Duffy seconded the motion.

Roll call:

Mrs. Allen	aye
Mr. Auriemma	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Smith	aye
Madam Chair	aye

2. Attorney Bollheimer stated that she will send a letter to the board regarding the recent case wherein a municipality adopted an ordinance to mandate that in the event any one dedicates a detention basin to the municipality, that developer would have to post a maintenance guarantee bond for the cost that the town has to assume and maintain the detention basin. This ordinance was challenged by a developer. The court ruled that municipalities can adopt such an ordinance. She recommended that the township introduce this type of ordinance. Mr. McEldowney will work on creating the ordinance.

Ms. Bollheimer informed the board that she had a model ordinance from the municipality that was sued. She stated that she would send a copy of the model ordinance to Mr. Sullivan so that he could compare it to the definitions of the ordinance and then Mr. McEldowney will review it too.

Mrs. Filler stated that storm water issues should be also included in the ordinance.

3. LOI Review

Mrs. Flynn asked Mr. McEldowney that when he reviews the LOI if he feels that the township should be proactive will he let them know. He answered yes. To date he has not seen anything yet that needed the township's attention.

4. Genesis – Stanton Mountain Rd.

Mrs. Filler stated that she spoke to Betty Higley. Apparently her husband had offered to be the liaison between the builder and the Historic Preservation

Commission. The Historic Preservation Commission told her that unless they have a notice from the planning board indicating that we have suggested that the applicant speak to them, they will not get involved. Attorney Bollheimer answered that the conditions were in the resolution. She informed the board that she would contact the applicant's attorney, William Robertson to confirm whether or not they contacted the Historic Preservation Commission. The secretary will forward a copy of that resolution to the Historic Preservation Commission for their information.

J. ADJOURNMENT

Mr. Cook made a motion to adjourn. Mr. Smith seconded the motion. *Motion was carried with a vote of Ayes all, Nays none recorded.*

Respectfully submitted,

Linda A. Jacukowicz