

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES
April 23, 2007**

A. Chairman called *the meeting to order at 7:08 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.

B. Roll:

Mrs. Allen	present
Mr. Cook	present
Mrs. Duffy	present
Mrs. Filler	present
Mrs. Flynn	present
Mr. Gatti	present – arrived at 7:30 p.m.
Mr. Klotz	present – arrived at 7:15 p.m.
Mr. Monaco	absent
Mr. Smith	present
Madam Chair	present

Michael Sullivan - Clarke – Caton & Hintz
Valerie Kimson, Esq. Purcell, Ries, Shannon, Mulcahy & O’Neill
H. Clay McEldowney, Hatch, Mott & McDonald

C. APPROVAL OF MINUTES

1. April 9, 2007– 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. CORRESPONDENCE:

Attorney Kimson referred the board to her letter dated April 13, 2007 concerning Wilmark Builders Contractors, Block 21.12, Lot 46.08. She recommended to the board that they should amend the resolution that was adopted at the March meeting. The amendment would allow the consolidation of the paragraphs that address the developer’s agreement. The point of the developer’s agreement is to collect the money under the affordable housing ordinance as a result of the litigation. It might be confusing in the future if the paragraphs were broken out separately. Therefore she recommended combining the paragraphs. Attorney Sharon Dragan and H. Clay McEldowney also recommended this change.

Mrs. Filler made a motion to adopt the corrected resolution at the next meeting. Mr. Klotz seconded the motion.

Roll call:

Mrs. Allen	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Klotz	aye
Madam Chair	aye

Madam Chair recommended ordering one copy of the booklet offered by the Center for Government Services for planning and zoning board members. After it is reviewed, the board can determine if more copies should be ordered. Everyone was in agreement.

E. RESOLUTIONS:

- 1. Rockaway Creek, LLC
Preliminary Major Site Plan
Block 39, lot 57**

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

Roll Call:

Mrs. Allen	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Klotz	aye
Madam Chair	aye

- 2. Deborah Koch
Minor Subdivision
511 Locust Rd.
Block 65, lot 18.02**

Carried to next meeting.

F. TECHNICAL REVIEW COMMITTEE:

1. **Saint Elizabeth Ann Seton Roman Catholic Church
Final Major Site Plan
Block 95, lot 15
Action date: May 4, 2007**

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

G. OTHER BUSINESS:

1. **Responsibilities of board members and policies – carried to the next meeting.**

H. VOUCHER APPROVAL:

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

I. PUBLIC HEARINGS:

1. **Calvary Bible
Block 67, lot 19.29
Amendment to site plan**

Lloyd Tubman, Esq., with the firm of Archer & Greiner stated that she is the attorney for the applicant. Greg Guthrie, is the project manager for the expansion of the church and Brian Jones, is the landscaper. Both are appearing as the church's witnesses.

Attorney Kimson swore in the applicant's witnesses and the board's professionals.

Greg Guthrie stated that the construction of the church's expansion was completed in the fall of 2006. They are operating under a temporary certificate of occupancy since October 15, 2006. The only remaining outstanding item is to receive final approval for the landscaping and the approval of a deviation of approval to replace their sign on Readington Road.

Regarding the landscaping, it is felt by the church that they have met all of the requirements that are captured in the summary and recommendation section of the letters dated January 4, 2007 from Michael Sullivan and H.

Clay McEldowney with one exception. That exception had to do with approximately 150 square feet of grass.

Exhibit: A-1 Landscaping plan created by Bosenberg Sheet L-2 of 6.

The church is seeking a deviation from landscaping plan to allow what they have already planted.

Brian Jones stated that he planted the landscaping for the church. He stated that all of the summary and recommendations items in Mr. Sullivan's letter have been met and they are ready for the final inspections, except for the "as built" entrance way.

Mr. Jones indicated that the approved landscaping plan showed a large grass area near the entrance way. As the project progressed it became clear that this area would be difficult to mow because there is a drain located in the middle of the beds. He felt that it needed a larger flower bed. The church members were anxious to participate in the plantings.

Exhibit A-2 Photographs – right side

Exhibit A-3 – Attachment to the April 11, 2007 "as built landscaping plan.

Exhibit A-4 – Photograph - entranceway pointing to the front walk- close shot

Exhibit A-5 Photograph –entranceway pointing to the front walk – wide shot

PUBLIC COMMENTS:

There were no comments from the public.

Mrs. Duffy stated that she noticed a lot of mulch in the area of the drain. She wanted to make sure that during a storm, the mulch will not wash into the drain. Mr. Jones assured her that the mulch was settled and that it would not wash into the drain.

Mrs. Duffy stated that the board's professionals reviewed the plans and made comments and recommendations. She informed the applicant that if in the future they want a deviation from the approval, they would have to come back to the board before it is changed.

Mrs. Filler made a motion to approve the landscaping. Mr. Cook seconded the motion.

Roll Call:

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

Greg Guthrie stated that they are also seeking approval to the sign deviation. He referenced a letter from Michael Sullivan dated April 12, 2007 which noted 3 variances connected to the sign. One variance is for the square footage of the sign since it was larger than 24 feet.

Exhibit A-6 Proposed sign

Exhibit A-7 Existing sign

Exhibit A-8 Portion of the final site plan indicating that the sign will remain

Ms. Tubman informed the board the sign change came to the board because the church was unaware that they would need a variance for the new sign. They met with Mr. Barczyk and he instructed the applicant to come back to the Planning Board. The size and the location of the sign were approved during the preliminary and final site plans, but the ordinance has a re-capture provision, which states that if you change a sign face, you have to make the sign conform to the current ordinance. The applicant is replacing the face within the existing brick cabinet.

Mr. Guthrie indicated that the church has already ordered the sign and have placed a 50% deposit on the order. The sign costs \$25,000.

Mr. Sullivan stated that the exhibit that is being shown to the board and what was previously submitted to the board are significantly different. The board cannot determine what the sign proposal is.

Mrs. Duffy requested that the applicant provide more precise information. Mr. Klotz agreed with Mrs. Duffy.

Madam Chair stated that the face of the sign now appears to include the legs that are holding the sign.

Mr. Guthrie informed the board that the text on the sign will not change. The text will not flash or automatically change. They will not change the letters frequently. The sign lights were on a timer.

Mrs. Duffy suggested that a sign that would fit into the neighborhood would be a wooden painted sign that was not lit from within, but from spot lights. This would tie the church into the environment.

Ms. Tubman informed the board that the ordinance section that Mr. Barczyk cited was Ordinance §148-114 (a) and (b).

Mrs. Filler informed the applicant that this sign is not appealing.

PUBLIC COMMENTS:

Ingelore M. Krug, asked the board to go a little modern and approve the sign.

Mr. Smith suggested to the applicant that they remove 6 inches in height off of the sign.

Jerry Cook stated that if you take all of the gaps out, you will lose the effectiveness of the light around what you are projecting. White space around an advertising ad is what projects the image.

Mr. Guthrie stated that all lights on and in the sign will be turned off at 10:00 p.m.

Mrs. Filler suggested that they should change the section of the lettering in the original design and make it LED. But she would not be in favor of changing the entire appearance.

Attorney Kimson stated that the board would have to decide what the word “automatic” means in the ordinance.

Ms. Tubman wanted to clear the record. She stated that Mr. Guthrie stated that the existing sign all around the blue portion and the text portion is 31 something feet by measurement today. Mr. Guthrie answered that the existing sign, not including the brick, the sign structure is 31 square feet.

Mrs. Allen stated that the frame is 30 square feet and the inside portion is 24 square feet.

Ms. Tubman informed the board that the proposed sign face is slightly more than one foot smaller than the existing sign. They will commit that the sign will not be taller than the existing sign.

Attorney Kimson stated that pursuant to Ordinance section 148-5, it states that if you need a deviation from anything in article 4, 5, or 6 that it shall be called a variance deviation. The sign ordinance that we are addressing is

article 12. If the board would make the determination that this is an automatic sign, then the applicant would be seeking a waiver from the requirements of an automatic sign. The board has the discretion to grant or deny that waiver. The position of the existing brick is a pre-existing condition that was already approved by virtue of the board's previous approval. The applicant is seeking permission to replace an existing sign, and to install a 30 square feet sign. If the board makes the determination that this is an automatic sign then the applicant would be seeking a waiver from that section.

Mrs. Duffy made a motion that the requesting signage falls within the definition of sub-section b and that the board would consider that to be an automatic changeable text sign pursuant to section 148-114 b for which a waiver is requested. Mr. Gatti seconded the motion.

Roll call

Mrs. Allen	no
Mr. Gatti	yes
Mr. Cook	no
Mrs. Duffy	yes
Mrs. Filler	no
Mr. Klotz	no
Mr. Smith	no
Madam Chair	yes

The motion failed.

Mr. Smith made a motion to approve the sign with conditions that the size is no more than 30 square feet; the sign does not extend above the existing brick work; that the illumination for the Calvary Bible Church part of it be on from dusk until 10:00 p.m.; and the illumination of the LED portion of the sign be on from dawn until 10:00 p.m; the text will not change frequently. Mr. Klotz seconded the motion.

Roll call:

Mrs. Allen	yes
Mr. Gatti	no
Mr. Cook	no
Mrs. Duffy	no
Mrs. Filler	no
Mr. Klotz	yes
Mr. Smith	yes
Madam Chair	no

The motion failed.

Mr. Smith made the motion that the sign shall not exceed 30 square feet; the sign shall not extend above the existing brick work; the illumination for the Calvary Bible Church portion of the sign shall be limited to dusk to 10:00 p.m.; the illumination for the LED portion of the sign shall be dawn until 10:00 p.m.; the sign may not flash or violate those portions of section 148-114 b, and recommendation that the applicant explore the possibility of white light bulbs in lieu of the red light bulbs. Mr. Klotz seconded the motion.

Roll call:

Mrs. Allen	yes
Mr. Gatti	no
Mr. Cook	no
Mrs. Duffy	no
Mrs. Filler	yes
Mr. Klotz	yes
Mr. Smith	yes
Madam Chair	no

After much discussion, the board decided that the members were confused when they voted on the first motion so the following motion was made.

Mr. Gatti made a motion that this sign falls under the word “automatic” in section 148-114 b. Mr. Klotz seconded the motion.

Roll call:

Mrs. Allen	yes
Mr. Gatti	yes
Mr. Cook	yes
Mrs. Duffy	yes
Mrs. Filler	yes
Mr. Klotz	no
Mr. Smith	no
Madam Chair	yes

Mrs. Tubman stated that the applicant requests a waiver from that ordinance.

Mr. Klotz made a motion to grant a waiver from ordinance section 148-114 b. Mr. Smith seconded the motion.

Roll call:

Mrs. Allen	yes
Mr. Gatti	no
Mr. Cook	no
Mrs. Duffy	no
Mrs. Filler	yes
Mr. Klotz	yes
Mr. Smith	yes
Madam Chair	no

Motion failed.

Mrs. Duffy offered direction to the applicant. She stated that if they came back to the board with a beautifully hand carved wooden sign that was lit from the bottom up, that would be similar to other signs around the township, it was her opinion that it would be approved.

Mrs. Tubman asked if they would frame this type of sign in a more traditional frame, rather than in the brick work, would the board consider a waiver.

Mrs. Duffy asked if they are still proposing an LED sign, it would not be acceptable to her.

Madam Chair stated that the information supplied by the applicant was very poor. To make an informed decision is difficult because there are so many unknown details.

Mrs. Tubman asked if this matter could be carried for one month. The applicant is proposing a modification to the sign.

Madam Chair announced that this matter will be carried to June 11, 2007.

- 2. Sprint Spectrum
Preliminary & Final Major Site Plan
Block 64, Lot 31.03
1110 Barley Sheaf Road
Signed extension and carried to May 14, 2007**

Madam Chair announced that this matter is carried to May 14, 2007 at the request of the applicant.

- 3. Wilmark Building Contractors
Final Major Subdivision
Block 25, lot 38.01 –
Signed extension and carried to May 14, 2007**

Madam Chair announced that this matter is carried to May 14, 2007 at the request of the applicant.

J. OTHER BUSINESS:

The board determined to review the sign ordinances. Copies of the sign ordinance will be forwarded to the board members. The subcommittee could meet telephonically. It was determined that members from the Board of Adjustment should also be included.

Mr. Klotz; Mr. Smith, Mr. Monaco agreed to be on the subcommittee to review the sign ordinance.

Mrs. Allen stated that temporary signs along Route 22 are starting to be a problem. The sub-committee should devise a mechanism to control these signs.

K. ADJOURNMENT

Mr. Cook made a motion to adjourn the public meeting at 9:15 p.m. Mrs. Duffy seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz