

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES
February 9, 2009**

A. Chairman called the meeting to order at 7:35.m. announcing that all laws governing the Open Public Meetings Act had been met and that the meeting had been duly advertised.

B. Attendance:

Mrs. Allen	present
Mr. Cook	absent
Mrs. Duffy	present
Mrs. Filler	present
Mrs. Flynn	present
Mr. Shamey	present
Mr. Klotz	present
Mr. Monaco	absent
Mr. Smith	present - arrived @7:48
Madam Chair	present

**Brent Krasner, Clark – Caton & Hintz
Valerie Kimson, Esq.,
John Hansen, Ferriero Engineering**

C. APPROVAL OF MINUTES:

1. January 26, 2009 Mrs. Filler made a motion to approve the minutes as amended. Mr. Klotz seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.*

D. CORRESPONDENCE:

The board had no comments concerning the correspondence.

E. RESOLUTIONS:

**1. C&E Commercial Properties, LLC
Block 31, Lot 6
Final Site Plan
4 Somerset Street**

Mr. Klotz made a motion to approve the resolution. Mrs. Allen seconded the motion.

Roll call:

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

F. TECHNICAL REVIEW COMMITTEE:

**1 Clyde H. Allison
 Block 76, Lot 2.03
 Preliminary and final subdivision
 Action Date: February 22, 2009**

The TRC stated that this matter remains incomplete.

G. OTHER BUSINESS:

1. Voucher Approval

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

2. 2009 Draft Reexamination

Attorney Kimson stated that this matter will be re-noticed for another hearing. The comments from the Environmental Commission dated January 30, 2009 were submitted and received.

Mr. Krasner stated that he received the comments from the Environmental Commission and is awaiting recommendations from the board. The following comments were recommended by the Environmental Commission.

- Tree Protection/Woodlands should be expanded to include woodland protection outside the scope of the Landscape Project. It should also include protection of certain threatened and endangered trees and flora which are not included in the Landscape Project.**
- The Landscape data is included in the ERI which is part of the Master Plan. This is the portion which needs to be updated to include the latest Landscape Project data instead of including it in the Conservation Plan Element.**
- The recommendations should include an emphasis on Low Impact Development practices and the development of ordinances to assure this.**
- Include developing strict requirements to eliminate the use of invasive species with an emphasis on using native species.**

- In addition to using the nitrate dilution modeling, many towns are now using hydrogeologic studies to determine the long-term groundwater capacity. This method indicates how much the aquifer can handle over time. This information can be used as input to zoning changes as well as enable enforcement of enhanced recharge requirements. Mrs. Filler will reach out to Dr. Souza and Jim Hutzelmann of the Environmental Commission to make sure this information should be included. Recycling of building materials and recycling of “tear down” materials should be addressed as well as recycling of other materials not currently handled.
- Public education and education/training of municipal staff with respect to storm water, hazardous waste, tree trimming, mowing, invasive species, etc. should be included.
- In the section of Changes to Rural Residential (RR) district, indication is made that the district should be adjusted in areas of critical habitat. This direction appears to be valid for all zones. Mrs. Filler explained to the board members that in the RR district it specifies in the reexamination report that the district should be adjusted in areas of critical habitat. This standard should apply for all districts. Mrs. Allen felt that the language should be re-worded to state that the goal of the reexamination is to identify critical habitats and provide for their protection.

Mrs. Filler made a motion that the comments from the Environmental Commission be included into the Reexamination draft. Mrs. Duffy seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.

H. PUBLIC HEARINGS:

1. Renaissance @Readington Block 36, Lot 49

Lloyd Tubman, Esq., of Archer & Greiner stated that she is the attorney for the applicant. The project has preliminary and final site plan approval. They are proposing a phasing plan for the project. Ms. Tubman stated that pursuant to John Hansen’s letter, it was suggested that the applicant present an overview of their proposal. The regular application form was amended to include the word “amended” since the township does not have an ordinance provision for an amended application. An escrow account has been created. She requested confirmation that no completeness review is required since there are no checklist requirements.

Attorney Kimson suggested that the board recommend to the governing body that an ordinance be adopted to establish an application fee and application escrow.

Mr. Hansen stated that the applicant received preliminary and final approval for the project to be built as a whole. The applicant can continue with this approval, however they would have to bond for all of the improvements. Now they are coming to the board for approval to phase the building project. There are many issues to consider regarding phasing the construction of the project for example, public safety has to be preserved, no negative impact to adjacent properties regarding stormwater management and soil erosion.

Mr. Hansen recommended that the applicant use the final checklist, and use this as a completeness document. He could meet with the applicant and help work out the details with the final plat checklist.

Ms. Tubman stated that the proposed phase one can stand alone and any additional health, safety and design requirements will be on the plan that is submitted to the board. The applicant is requesting phase one amended final approval.

Attorney Kimson swore in the witness Kevin Haney, of Bohler Engineering.

Mr. Haney explained that the proposed phase one will involve the construction of the main access road from Route 22 into the site. Under phase one they are proposing to construct the infrastructure and road, they will also construct the main utilities and the access road down to the pump station. The utilities during the subsequent phases will tie into the existing utility. He testified that they are not proposing to change the stormwater management design or number of units.

Mrs. Duffy stated that if phase four or five doesn't get built for ten or fifteen years and COAH's requirements become more onerous at that time, then phase one would have to be built with the extended approval with the one percent requirement and then phase two the applicant would have to meet whatever COAH requirement would be at that time, regardless of when it occurs.

Mrs. Flynn was concerned about the number of houses that are proposed to be built on a cul-de-sac. Also, she was concerned about the appearance of the site during the construction phases. Mrs. Allen stated that conditions of the site would have to be imposed.

Attorney Kimson informed the applicant that due to the amount of the changes requested by the applicant, an amended application must be filed and enough information must be provided. Mrs. Tubman requested a meeting with the board's professionals. Once that occurs, the applicant will return to the board.

Mrs. Tubman stated for the board that there is a filed map. Those lots exist today. Mr. Hansen stated that it is his understanding that the applicant only wants to construct a portion of the roadways. Mrs. Tubman answered yes. Mr. Hansen stated then a new map has to be filed.

Mr. Krasner recommended that when the plans are submitted for review, they would like to see the phases over-laid on all the sheets. It might impact the landscaping plan.

Mrs. Tubman stated that they will re-submit at a future date.

**2. Readington Commons
Block 4, Lot 51**

William B. Savo, Esq., stated that he is the attorney for the applicant. He informed the board that in 2001, the applicant received preliminary and final site plan approval to construct 48,000 square feet of office and medical and 7,000 square feet for a child care center. The applicant started construction of one of the buildings and decided to change the brick façade to a stone façade. He stated that stone will replace all of the brick.

Attorney Kimson swore in the following witnesses: the board's professionals and David Gardner.

David Gardner principal of Larken Associates stated that the rendering that was shown to the board is of a site built in Hillsborough Township.

Mr. Krasner stated that they are comfortable with the change. Mr. Savo also indicated that the monument sign will be changed from brick to stone.

Mr. Savo requested that the building department be notified that this was approved and not wait for the memorialization of the resolution. Ms. Kimson stated that she will write a letter to Mr. Kovonuk.

Mr. Smith made a motion to approve the application. Mr. Shamey seconded the motion.

Roll Call:

Mrs. Allen	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Klotz	aye
Mr. Smith	aye
Mr. Shamey	aye

Madam Chair aye

3. **Tom Jr. Properties
Preliminary Major Subdivision
Block 36, Lot 7
1 Railroad Lane**

Madam Chair announced that this matter is carried to the March 9, 2009 meeting and no further notice will be given.

I. **Executive Session:**

**RESOLUTION
(Open Public Meetings Act – Executive Session)**

WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of Readington, County of Hunterdon, State of New Jersey, as follows:

The public shall be excluded from discussion of the hereinafter specified subject matters.

The general nature of the subject matter to be discussed is as follows:

1. **Pending litigation**

It is anticipated at this time that the above matter will remain confidential because litigation remains pending.

This Resolution shall take effect immediately.

Certified to be a true copy of a Resolution adopted on February 9, 2009.

Linda Jacukowicz, Coordinator

Mr. Smith made a motion to enter executive session. Mrs. Duffy seconded the motion. *Motion was carried with a vote of Ayes all, Nays none recorded.*

Mrs. Filler made a motion to adjourn the executive session at 8:59 and reopen the public meeting. Mr. Smith seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

J. ADJOURNMENT

Mrs. Filler made a motion to adjourn at 9:00 p.m. Mr. Smith seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz