

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES
April 14, 2008**

A. Chairman called the meeting to order at 7:40 p.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	present
Mrs. Duffy	present
Mrs. Filler	absent
Mrs. Flynn	present
Mr. Getz	present
Mr. Klotz	present
Mr. Monaco	present
Mr. Smith	present
Madam Chair	present

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

C. APPROVAL OF MINUTES:

1. March 10, 2008 - Mrs. Allen made a motion to approve the minutes. Mrs. Duffy seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.*

March 24, 2008 – meeting cancelled.

D RESOLUTIONS:

**1. Wilmark Building Contractors
Final Subdivision
Block 25, Lot 38.01 – carried to the next meeting.**

**2. Serra, Anthony & Judith
Preliminary Major Site Plan
Block 36, Lot 96**

Mr. Monaco made a motion to approve the resolution as amended. Mr. Klotz seconded the motion.

Roll Call:

Mrs. Allen aye
Mrs. Duffy aye
Mr. Getz aye
Mr. Klotz aye
Mr. Monaco aye
Madam Chair aye

E VOUCHER APPROVAL

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

F TECHNICAL REVIEW COMMITTEE:

None

G NEW BUSINESS:

1. Ordinance amending #02-2008 that amended
 Section 148-50 – Mandatory language to
 be included in conservation easements

Mrs. Allen stated that the Township Committee had already introduced the ordinance and will have a hearing next week.

Mrs. Duffy made a motion that upon review of the ordinance the board determined that the ordinance was consistent with the Master Plan and recommended same to be forwarded to the Township Committee for approval. Mr. Klotz seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.*

H OTHER BUSINESS:

1. Iellimo extension
 Block 70, Lot 22

Mrs. Allen recused herself from this application.

Attorney Kimson swore in the witness, Dominick Iellimo.

Mr. Iellimo informed the board that the plans had been revised and they were prepared to file the deeds in August of last year. They were delayed because of PSE&G. He is hereby requesting 180 day extension.

Attorney Kimson informed the board that this was approved as a minor subdivision and under the Municipal Land Use Law it requires the applicant to file the deeds to the minor subdivision within 95 days from the date of approval. The applicant is seeking additional time within which to file the deeds.

Mr. McEldowney stated that his firm has reviewed the deed descriptions and have given their approval.

Mr. Smith made a motion to grant a 180 day extension to the minor subdivision approval. Mr. Monaco seconded the motion.

Roll call:

Mr. Cook	aye
Mrs. Duffy	aye
Mr. Getz	aye
Mr. Klotz	aye
Mr. Monaco	aye
Mr. Smith	aye
Madam Chair	aye

I PUBLIC HEARINGS:

1. LFP Holdings, LLC
Minor Subdivision
Block 77, Lot 28
204 Pleasant Run Road
Action Date: April 14, 2008

Ernest Renda, Esq., stated that he is the attorney for the applicant. He informed the board that this is a minor subdivision application. The property is located between Pleasant Run Road and Route 202 north and is also bordered by Old York Road.

James Mantz, P.E. was sworn. He stated that he is a licensed professional engineer and land surveyor in the State of New Jersey. He was licensed as a professional engineer since 1982 and as a professional land surveyor since 1992.

Mr. Mantz informed the board that he prepared the plan for the subdivision.

Exhibit 1 – Minor subdivision plan LFP Holdings, LLC, Block 77, lot 28, dated revised 1-29-08.

Mr. Mantz testified that the tract is irregularly shaped. To the north lies Route 202. The property is situated on the northbound side of Route 202. The property is located east of Pleasant Run Road and north of Old York Road. There is an existing gas pipe line that runs through the property in a north to south direction. There is also an existing single family dwelling on the property with a driveway leading from Pleasant Run Road going easterly to the existing dwelling. There is a watercourse that is located along a large portion of the southerly lot lines and it traverses across the gas pipe line easement and continues in a westerly direction down to the Pleasant Run. The applicant proposes to create a new lot consisting of 3.59 acre parcel of land on the easterly side of the property. Access to the new lot will be by the use of an existing driveway leading from Route 202. There are substantial

areas of steep slopes on the property. Some wetlands along the watercourse and they have been delineated on the map within a conservation easement.

They have Board of Health approval for the soil testing for the proposed lot 28.01. The existing house has a recently constructed and approved septic system and a well.

Mr. Mantz addressed Mr. McEldowney's letter dated February 18, 2008. He agreed to revise the plans to indicate the AR zoning designation that is located west of the property. Additionally, he will change the reference of Pleasant Run Road also as being County Route 629 on the plan. He has a surveyor certification on the plan and will sign the certification on the revised plans. Mr. Mantz agreed to make all of the changes to the plans that Mr. McEldowney has recommended in his letter.

The ordinance speaks that along the conservation easement you must insert survey monuments which have been shown on the plan. It also indicates that fencing should be installed along the conservation easement to prevent encroachment into this area. Mr. Mantz stated that the steep topography is a good indication as to where the conservation easement line is located and did not feel it was necessary to install a fence along this line. The applicant has planted some pine trees in this area.

Mr. McEldowney pointed out that his recommendation was for signage, not for a fence. Mr. Renda stated that in Mr. Sullivan's report, he indicated that fencing was required. Mr. Renda requested that they applicant plant trees, rather than installing a fence in this area.

Mrs. Duffy stated that they are concerned about other people rather than just the homeowners using this property, i.e. ATV use. The fence would provide the township the ability to monitor this easement.

Mrs. Allen indicated to the board that over the years, it has been proven that the fence does provide a good job in protecting the easement. Mr. Klotz stated that homeowners have a tendency to push debris into this area.

Mr. McEldowney announced that the State stormwater management regulations are not triggered by this application. But the ordinance includes a provision that it is discretionary by the Planning Board, and due to the environmental constraints associated with this property, he recommended that a stormwater management plan conforming with the State's requirements must be submitted by the applicant as a condition of approval prior to the issuance of any permits for the newly created lot. Mr. Mantz agreed to this condition.

Regarding Mr. Sullivan's letter dated February 19, 2008, the applicant agreed to comply with the conditions with the exception of the reference to the lot line not meeting section 148-6.8a, which states that in so far as practical, all lot lines should be at right angles to road right-of-ways or radial to street lines. Mr. Mantz stated that the lot line could have been created perpendicular to the street right of way line. He tried to create lot lines that were more parallel to the easterly lot line and to provide as much useable area as possible. Mr. Mantz did not feel that a change to the subdivision layout was warranted so he asked that the board approve the line where it is located.

Mr. McEldowney answered that he felt it was a reasonable lot configuration due to the circumstances on the lot.

Mr. Monaco wanted to know if the applicant had NJDOT permission to open the driveway along Route 202. Mr. McEldowney answered that a letter was submitted dated August 31, 2006 from Richard Nolan from the NJDOT proving that the work performed at the site was in accordance with the State's standards.

PUBLIC COMMENTS:

There were no comments from the public.

COMMENTS FROM THE BOARD:

Mr. Monaco stated that the board has to plan for the future. By looking at the application, he stated that it would seem that the restraints that are left on the remaining land will dictate that there will only be the one lot. He wanted to know why the location of the lot division was decided. Mr. Mantz answered that the property is located in a 3 acre zone and he tried to split the usable area north of the conservation easement line and east of the gas line. It is probably a 60-40 split. There were limitations after they performed the soil testing.

Mr. Renda informed the board the applicant would have no objection to a restriction against further subdivision.

Mrs. Duffy made a motion to approve the application with the conditions that the applicant will comply with all of the recommendations set forth in the Clark, Caton and Hintz letter and the Hatch, Mott and McDonald professional letters; that the applicant will deed restrict the property that there will be no further subdivision on lot 28. Mr. Smith seconded the motion.

Roll call:

Mrs. Allen	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mr. Getz	aye
Mr. Klotz	aye
Mr. Monaco	aye
Mr. Smith	aye
Madam Chair	aye

J. CORRESPONDENCE (continued)

Madam Chair had a question about correspondence #18; she wanted to know if Mr. McEldowney had any information regarding an LOI application for B. 39, L. 3. Mr. McEldowney answered that he would find out and get back to the board.

K. OTHER BUSINESS:

R-1 Density: Mr. Sullivan informed the board that this was to clarify one point that came up regarding the density transfer concept. Essentially the idea is to transfer density from the RR zone into the Whitehouse Corridor in special areas. The areas are located closer to Whitehouse Station. This would protect and preserve the lands outside the

corridor and create density inside the corridor. The land designation was identified as R-1 DT. The concept was that if you didn't transfer density, then the RR density would prevail. However, if you transferring density in, the maximum density you could have would be R-1 density which is one acre zoning. The idea would also be that you could use traditional neighborhood design techniques and guidelines.

Mr. Monaco was still not in favor of this type of zoning on Coddington Road as a receiving location. He was fearful that the township would not get enough sender applications in order to feed both locations. The area in Coddington Road is too far from the center of town. The board felt to leave the ROM zone on Coddington Road.

Mr. Sullivan informed the board that this concept has to be finalized. The land use plan, elements to the conservation plan, utilities, etc. Mrs. Allen stated that at the same time they could revisit the density of the RR zone. Mr. Sullivan stated that they have always been focused on conservation and land preservation, in looking back they have to use the landscape project data created by the State to revisit the zoning and land use designation.

L. ADJOURNMENT:

Mr. Cook made a motion to adjourn at 9:28 p.m. Mrs. Duffy seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz