

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES
May 14, 2007**

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.

B. Roll:

Mrs. Allen	present
Mr. Cook	present
Mrs. Duffy	present
Mrs. Filler	present
Mr. Gatti	absent
Mr. Klotz	present
Mr. Monaco	present
Mr. Smith	absent
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 24, 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:

Regarding the letter from Naik-Prasad, Inc. in which it states that the bridge was going to be replaced on Harlan School Road, Mrs. Filler wanted to know if Mr. McEldowney could check the Environmental Resource Inventory (ERI) to see if there is any kind of endangered habitat located in that area.

On another matter Mrs. Filler referred to the letter from Vita Mekovetz, Clerk, to Ernest Renda, Block 64, lots 19 and 1901. She wanted to know if our conservation easement sign ordinance was sufficient. Attorney Kimson informed the board that she will look into this matter.

Mrs. Filler had a question regarding Mr. McEldowney’s memo concerning Block 8, lot 4. This property is located on the corner of Route 523 and Route 22. She stated that this is a heavily wooded area. She felt that this could be

an environment rich in habitat. She suggested that NJDEP should be made aware of this fact. Mr. McEldowney indicated that according to the ERI, there is not an issue with this property. Without going on the property and examining it, they are not able to confirm this matter. He stated that he would write to the State indicating the township's concerns.

E. RESOLUTIONS:

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

This matter has been carried to the next meeting.

- 2. Wilmark Building Contractors, Inc.
Amended Resolution for Final Major Site Plan
6 Lake Drive
Block 21.12, lot 46.08**

This matter has been carried to the next meeting.

- 3. Professional Services Resolution
Appointing John Hansen as engineer for Adner Ebeb application**

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

Roll Call:

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

F. TECHNICAL REVIEW COMMITTEE:

- 1. Clyde Allison
Minor Subdivision
Block 76, lot 2.03
Action date: May 17, 2007**

Mrs. Filler stated that the matter remains incomplete.

- 2. David & Lisa Lewis
Minor Subdivision
Block 73, lots 38 & 40
Action date: May 17, 2007**

Mrs. Filler stated that the matter remains incomplete.

G. OTHER BUSINESS:

- 1. Responsibilities of board members and policies -

This matter is carried to the work session meeting.**

H. VOUCHER APPROVAL:

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

I. PUBLIC HEARINGS:

- 1. Adner Ebeb Realty Corp.
Minor Subdivision
Block 39, lot 8.01
Signed extension and carried to May 29, 2007**

Madam Chair announced that this matter is carried to May 29, 2007 at the request of the applicant.

- 2. Aurora R. Pipeling
Minor Site Plan
118 Main Street
Block 34, lot 7
Action date: May 24, 2007**

Daniel Lime, Esq., stated that he is the attorney for the applicant. He stated that Ms. Pipeling is the contract purchaser of property located at 118 Main Street. She intends to use the property for professional offices. This is a permitted use in the village commercial zone. The property is comprised of point two seven acres. There are several variances that are required with this application, but the vast majority of the variances are pre-existing non-conforming conditions.

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

Mr. Lime stated that regarding the variance for parking, they would be willing to bank the additional parking space. They would prefer not to install it. They are only proposing 3 employees during the week of Monday through Friday. There would be no parking on weekends and evenings. This is a less intense use than the residential use that is currently at the site at the moment.

Mr. Lime stated that the applicant will comply with the planner's recommendation with respect to buffering. The applicant is not proposing any additional lighting since this is a 9:00 a.m. to 5:00 p.m. operation.

Aurora Pipeling stated that she is the applicant. She described the business as a professional administrative office for a not for profit operation that operates after school programs in school buildings throughout the State of New Jersey.

Madam Chair stated that she just realized that Ms. Pipeling operates an after school program in the school where she teaches. Therefore, she will recuse herself from this hearing.

The meeting was turned over to Vice Chairman Duffy.

Ms. Pipeling testified that there would be 3 employees at the site. There would be no visitors. There would be Fed Ex or UPS deliveries from time to time. She is not proposing any exterior or interior modifications. Presently, there are 6 vehicles parked at the house. It is her intention to park 2 vehicles in the garage and one in the back of the property.

Mr. Monaco spoke about banked parking spaces. He wanted to know where the banked spaces would be located. Mr. Lime answered to the left of the garage.

PUBLIC COMMENTS:

There were no questions from the public.

James Brown stated that he has a Bachelor of Civil Engineering degree from Georgia Tech. He has a Master's of Science and licensed in the State of New Jersey.

Mr. Brown stated that the building was a residential dwelling. They are not proposing any changes except the use. They testified that they would move the driveway towards the south and provide landscaping and buffering

around it. There is a turnaround area in the front where delivery trucks could pull in and backing out on to Main Street. The garage would be used for parking. Based upon the report from Michael Sullivan dated April 3, 2007, they have agreed to this condition.

Exhibit A-1 Plan revised 3-29-07

Exhibit A-2 Photograph dated 5-14-07

Exhibit A-3 Plan

Mr. Brown testified that in his opinion they do not need any additional buffering.

Regarding the letter from Hatch, Mott & McDonald, it discusses the parking requirements, the applicant is willing to bank the additional space. Mr. Brown indicated the location of the proposed banked parking space. Based on Mr. Brown's opinion, he felt that the parking lot would have safe ingress and egress. They believe that they have the adequate site distance for the 30 mile per hour speed limit.

PUBLIC COMMENTS:

There were no comments or questions from the public.

Peter Tolischus stated that he has a Master's Degree in City Regional Planning, Rutgers Graduate School. He has been a licensed professional planner in the State of New Jersey for 42 years.

Mr. Tolischus stated that he reviewed the site plan and reports from the township's professionals. The variances are for minimum lot size, minimum contiguous useable land, and minimum side yard for both the house and the garage, minimum parking area set back and off street parking. There is no new lighting proposed. The applicant has agreed to comply with the recommendations from the township planner dealing with the buffering. The variance and requested waiver relief can be granted without substantial detriment to the public good. Most of the variances already exist. The only change is a change of use that is permitted by the Master Plan and through the zoning. The rear yard is heavily wooded. Regarding the parking variance, as long as the area is there for that banked parking space, then there is no variance required. The variance is a C-1 (hardship) variance. Approving this application would not be a detriment to the zone plan or the surrounding area. The intensity is being reduced.

PUBLIC COMMENTS:

The public had no comments.

Mrs. Filler wanted to know if they could plant landscaping between the two properties. Mr. Tolischus agreed that it would be a good idea.

Mr. Lime stated that if there is a change of ownership, the application has to go to the construction official and that would trigger the installation of the additional parking space.

Mr. Klotz was concerned that if there were 3 cars parked in the parking lot, would there still be room for the UPS truck. Mr. Lime stated that it would be easier if the truck pulled into the driveway and performed a K-turn in the front and then pull out forward.

Exhibit A-4 – Picture of front area.

Mr. Monaco suggested eliminating the parking space in the front and using the parking in the back. He suggested that to utilize the banked parking space that would be triggered by a change in ownership or if the number of employees increases to the number 5.

Attorney Kimson asked if the applicant had a suggestion as to the lighting times. Mr. Lime answered the lights will be turned off at 6:00 p.m.

Mrs. Filler made a motion to approve the application subject to the following: the applicant shall eliminate the front parking space; the applicant shall plant landscape buffer pursuant to ordinance section 148-70 a. and will provide planting details to the satisfaction of the board's planner; the applicant shall have the banked parking area and proposed landscaping approved by the board's planner and engineer; one parking space shall be banked on the plans and the trigger for the construction of the banked parking space would be if there is a change in ownership or if the number of employees meets 5 employees the banked space shall be constructed; no lighting is proposed, the only light will be the two existing lights located on the garage which will be controlled by a timer so that the lights are not on past 6:00 p.m.; the applicant shall post a sign on the interior of the building door to require that all visitors and employees exit the site by driving forward and not backing out; landscape buffer will be placed on the northwesterly side and no landscaping buffer would be required on the southerly side which is adjacent to the existing gravel driveway; the board approves a design waiver for the gravel parking lot and the applicant shall install 6 foot pre-cast bumper stops in the proposed parking area. Mr. Monaco seconded the motion.

Roll Call:

Mrs. Allen	aye
Mr. Cook	aye

Mrs. Duffy **aye**
Mrs. Filler **aye**
Mr. Klotz **aye**
Mr. Monaco **aye**

- 3. Sprint Spectrum
 Preliminary & Final Major Site Plan
 Block 64, Lot 31.03
 1110 Barley Sheaf Road
 Action date: May 14, 2007**

Gregory Meese, Esq., stated that he is the attorney for the applicant. He stated that this is an application for a wireless communication facility on an existing PSE&G electric transmission tower. This is a permitted conditional use in all zones in the township. The application meets all of the conditions set forth in the ordinance. The only variance is for the 8 foot high fence. The reason being is so that the fence is consistent with an existing fence installed by another carrier who received approval recently by the Board of Adjustment. They are seeking site plan approval and waivers.

Mr. Meese stated there is a change to the plans that were submitted to the board due to the fact that recently the Board of Public Utilities adopted regulations for which they severely restrict the landscaping which could be installed within the electric utility rights-of- way and beneath the “wire zone”.

Attorney Kimson stated that the board received letters in opposition to the application. She reminded the board that they are not allowed to consider petitions as a result of the Municipal Land Use Law, N.J.S.A. 40:55D-10 subsection D. This requires that any witnesses be sworn before testifying. Additionally it provides that any interested parties have the right of cross examination. If the authors of any of those letters are present, they may read their letter into the record.

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

Frank Pazden stated that has a Bachelor of Science in Civil Engineering. He has over 10 years experience in the telecommunication field with an emphasis in structural design. He is licensed in the State of New Jersey.

Exhibit A-1 Sheet #Z-1 the site plan and notes

Exhibit A-2 Sheet #Z-3 – partial site plan, tower elevation and antennae details

Mr. Pazden testified that the applicant will utilize the same gravel access road that is being installed for the Verizon compound that was recently approved. They will be using the utilities that are already in their compound. Verizon has been approved to locate directly to the south of the compound. The Sprint compound that is proposed is a 15 foot by 25 foot compound that is located to the east at the base of the tower. They are proposing to install 4 equipment cabinets that will be located on steel rails to elevate them off of the ground. It will be a graveled surface within that fenced area. They are proposing an 8 foot high wood composite fence that would match the type and color that is going to be installed by Verizon. This is an unmanned facility that will be visited every four to six weeks by a maintenance person. There is a turnaround area on the access drive that will be utilized as a parking area. They are proposing to install 9 antennas which are going to be located in 3 sectors. They will be located at 120.5 feet and will be below the existing tower. Two antenna sectors will be mounted on that same mast that Verizon will be utilizing. The third sector will be mounted on the west horn of the tower; otherwise it would block the signal. Based upon the NEC codes for both the Verizon installation and all of the Sprint installation it is structurally adequate. There is no generator proposed for the site. There is no equipment that would make noise.

PUBLIC COMMENTS:

There were no comments from the public.

James T. Bryant stated that he has a Bachelor of Science Degree in Engineering. He has been working in this field since 1990. He has testified before other boards in the State of New Jersey with respect to radio frequency matters. He stated that he designs cell sites based upon predictions and drive tests indicating coverage.

He stated that in order to provide improved service, the applicant needs antennae locations that are referred to as cell sites. The services that are offered by Sprint are pursuant to an FCC license. He prepared an exhibit that demonstrated the location of Sprints' existing on air sites.

Exhibit A-4 – Topographic map showing the boundary of the township and indicating the existing sites within the township. (3 overlays)

Mr. Bryant indicated that currently there are two existing sites in Readington Township. The clear overlay shows the coverage that would be gained with the addition of the subject site. Mr. Bryant testified that there would be no interference from this applicant's antennas to the surrounding area. The proposed closest site is located on Hillcrest Road. The height will be 120 feet. The site is an unmanned facility. It will be monitored off site 24

hours a day. Therefore if there was a malfunction, Sprint would know about it immediately.

PUBLIC COMMENTS:

Mary Ann Orlando stated that her property is 1153 Barley Sheaf Road. She stated that this will be located across the street from her property. She was concerned about the height and coverage of the tower. Mr. Byrant answered that if they had more height they would get better coverage.

PUBLIC COMMENT CLOSED

Joseph Chiaravallo stated that he has a Bachelor's Degree from Cornell University. He has more than 20 years experience in area of radio frequency and communications engineering.

Mr. Chiaravallo stated that his office prepared a report dated June 23, 2006. The report gauged the emissions from the proposed site to determine whether it would be in compliance with the Federal Communication Standards. Based upon the analysis this facility would have a maximum emission of approximately point one seven percent of the FCC standards, more than 500 times less than the standards. The State of New Jersey standards are 5 times less stringent than those of the Federal government. Therefore, if you meet the Federal government standards you automatically meet the New Jersey standards.

A-4 Antenna Site FCC RF Compliance Assessment and Report dated June 23, 2006

PUBLIC COMMENTS:

Maryann Orlando wanted to know if the emissions would be considered toxic. Mr. Chiaravallo answered no.

PUBLIC COMMENT CLOSED

Chris Nevill stated that he is a professional planner in the State of New Jersey. He has a Bachelor of Science in civil engineering. He has appeared before approximately 150 boards throughout the State of New Jersey.

Mr. Nevill stated that he had an opportunity to review the application. He stated that this is a conditional use application that is permitted in all zones. The site currently has antennas that are being installed on the tower by another applicant. This is a stealth design. The top of the Verizon antennas are at 130 feet. The applicant is proposing the antennas to be installed at a height of 120.5 feet. They meet all of the setback distances in the zone. The

cabinets are less than 200 square feet. There is no lighting proposed. They are co-locating their antennas on an existing structure. He prepared photo-simulations. He verified that the photos are accurate.

A-5 Photo-simulation board

PUBLIC COMMENTS:

There were no comments from the public.

Mr. Nevill stated that the applicant is seeking a height variance for an 8 foot fence. This is requested in order to maintain the continuity between the fences of Sprint and Verizon Wireless. This variance could be granted without substantial detriment to the zone plan and zoning ordinance.

PUBLIC COMMENTS:

There were no comments from the public or the board.

Madam Chair wanted to know who was required to regulate that the plantings are no higher than 3 feet. Mr. Meese stated that there is a new regulation in place. He provided a copy to the secretary.

PUBLIC COMMENTS:

Maryann Orlando stated that she did not know how they can provide something that is referred to as a facility and call it natural. She was concerned about the impact to the countryside.

Ingelore M. Krug stated that was she was in favor of the application.

PUBLIC COMMENT CLOSED

Mr. Meese stated that the tower already exists. What will be visible is a side of a fence that will be 20 feet in length that will be located 208 feet from the right-of-way. The compound is 20 feet by 15 feet. The reason for the fence is so that the equipment is not visible.

Mr. Klotz stated that the ordinance was written in order in eliminate the large structures. He did not feel that the board had much of a choice in this matter given that scenario.

Mr. Monaco stated that he agreed with Mr. Klotz. The board is in a difficult position. In the future, perhaps the ordinance will need to be revised.

Mrs. Filler stated she agreed with Mr. Klotz and Mrs. Orlando. She wanted to know if a prolific vine could be planted against the fence that faces the road to help buffer the fence.

Mr. Sullivan suggested the “Virginia Creeper” vine.

Mr. Meese stated that the applicant would comply with that request providing that PSE&G agrees.

Mr. Cook stated that the tower is already there and the need is there for the communication industry.

PUBLIC COMMENTS:

(inaudible public member) Wanted to know if the equipment could be placed underground.

Mr. Bryant stated that this idea had been looked into in other cases, but you get into the problem of a “confined space.”

Maryann Orlando did not think that PSE&G would care what is placed here since it is their tower. She wanted this approval delayed in order to research to see if there was another site where the equipment could be hidden better.

PUBLIC COMMENT CLOSED

Mrs. Duffy made a motion to approve the application and waivers and a fence variance with a provision that the Virginia Creeper vine should be planted along the fence, subject to PSE&G’s consent and/or work with Mr. Sullivan to come up with an alternative planting. Mr. Cook seconded the motion.

Mr. McEldowney stated that in his report he mentioned the survey requirement; he suggested that the site plan be revised to provide clarification so that there is no confusion as to who is responsible for what; he suggested that the minimum required setback lines must be shown on the site plan; before any installation of the fence is conducted that the applicant provide a sample of the fence for review and approval; a preconstruction meeting should be held at the site so to make sure that the inspection escrow be established; and that the applicant follow the resolution. Mr. Meese stated that he will forward this information on to the applicant. The board should also grant a waiver requirement for the driveway. The driveway apron should be constructed. Madam Chair suggested that this could be waived at this point, but if another carrier comes in, then they would address this matter again.

Ms. Duffy amended her motion to approve the application with all of the conditions that was previously discussed and to waive the requirement for the driveway apron and to provide a sample of the fence; and the applicant be required to have a pre-construction meeting and a construction escrow be submitted; but grant a waiver for the survey. Mr. Cook seconded the amended motion.

Roll Call:

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

The board took a break.

- 4. Heather Liardo
Minor Subdivision
92 Dreahook Rd.
Block 51, lot 25
Signed extension to May 14, 2007**

Daniel Matyola, Esq., stated that he represents the applicant. He stated that they are seeking a minor subdivision of an existing 9 plus acre lot that has 2 separate residential dwellings. The purpose is to divide the lot into one lot containing approximately 6 acres and the other lot containing 3 acres and each lot will have one of the two existing dwellings on the lot. They are not proposing any additional construction, except a new driveway. The connection between the two lots via a driveway will be removed and replaced.

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

Heather Liardo stated that she purchased the property approximately 18 months ago. The prior owners informed Ms. Liardo that they had submitted an application for a subdivision. That application was withdrawn.

Ms. Liardo described the neighborhood that surrounds her property. She is not aware of any other properties that have 2 dwellings on the same property. She indicated that her lot is a little over 9 acres. She testified that currently there is a primary residence and a carriage house with a barn located on her property. The primary residence has 3 bedrooms. She

informed the board that she lives in this house. The carriage house consists of 3 bedrooms. Currently Ms. Liardo's mother lives in this home. She testified that she would like to reside on the 6 acre parcel and keep the property in farmland assessment. She intends to sell the main residence and move into the carriage house once her mother no longer resides at the property.

PUBLIC COMMENTS:

Ted Schiller, Esq., stated that he represents the neighbors. He asked if Ms. Liardo's intention for the subdivision was so that a lot could be sold. Ms. Liardo answered yes. He stated that neither lot will conform if the subdivision is approved. He wanted to know what benefit this would be to anyone else in the neighborhood. Ms. Liardo answered that she would like to remain at the property. She stated that she is remodeling the existing house.

Mr. Schiller wanted to know what the barn is used for. Ms. Liardo answered that it is used for storage.

PUBLIC COMMENTS CLOSED

Thomas Decker stated that he is a licensed professional engineer and planner in the State of New Jersey. He is employed by Gilmore and Associates, 8 Bartles Corner Road in Flemington, NJ. He has a Bachelor of Science Degree from Rutgers's University and has worked in this profession for 20 years.

**Exhibit A-1 Minor subdivision plan dated May 14, 2007
Exhibit A-2 – features within 200 feet**

Mr. Decker stated that he is familiar with the property. He stated that the neighborhood is residential in nature. Most of the lots are wooded. He testified that there are no other properties in the neighborhood that have 2 residences on the property. The existing lot has frontage on Dreahook Road. The existing main house is located on the western side of the property and the carriage house and barn are located to the east. Each residence is served by their own septic system and well. The proposed subdivision takes this into account maintaining both systems. Currently there is a single driveway access off of Dreahook Road.

Mr. Decker testified that the total property has 9.382 acres. The applicant is proposing to subdivide the western portion of the lot into a 3 acre lot in accordance with the township zoning and maintain the existing primary residence. To the east she proposes to create 6.3 acre lot containing the existing barn so that the farmland assessment will remain. Mr. Decker testified that the site is not suitable for a 3rd. building lot. The only change

that is being proposed would be a driveway to access the main house. The variances that are required relate to the 250 foot diameter circle that is required for a building lot.

Mr. Decker testified that despite the variances that are needed for the subdivision, this would bring the property closer to conforming to the zoning ordinance.

Regarding Mr. McEldowney's letter dated January 8, 2007; Mr. Decker stated that the applicant will comply with items one through four. He stated that item 5 the applicant will need a waiver. Item number 6 regarding the unusual shape of the lot, the driving fact was to maintain the farmland assessment.

Regarding Mr. Sullivan and Mr. Krasner's report dated January 3, 2007, Mr. Decker stated that all of those comments were addressed. The applicant is requesting a waiver from the sidewalk requirement. The front portion of the property is wooded. They may to do some selective clearing to obtain site triangles. Additional street trees could be planted behind the proposed site lines.

Mr. Decker stated by granting the circle variances, they will eliminate the non-conformity for having 2 principal uses. The inability to satisfy the circle requirement is driven by the unusual shape of the lot.

Mr. Monaco wanted to know the square footage of the cottage. Mr. Decker answered that the FAR is point zero three. The total footprint is approximately 1600 square feet.

Mrs. Allen stated that one of the options could be to return the barn to a barn and then clear an area of mature woodland for a large house. Mr. Matyola stated that it could be an option.

Attorney Kimson stated that the zoning officer issued 2 reports. One report is dated February 3, 2007 and the other report is dated February 20, 2007.

Mr. McEldowney asked if there had been any attempt to acquire additional property from the adjacent property owners. Mr. Matyola answered no.

Mr. McEldowney asked if there had been any septic problems on this property in the past. Mr. Decker answered that the French drain was installed some time ago. There is no indication that the septic system is failing. Ms. Liardo had it tested when she purchased the home 18 months ago.

Mr. McEldowney suggested another way to divide the property was to have the lots meet the requirements of the ordinance and not have them so oddly shaped. He informed the board that this is a matter that should be considered when they are making their consideration.

Madam Chair stated that the applicant would have to carry this matter to the next meeting. This matter is carried to May 29, 2007. No further notice will be given to the public.

- 5. Wilmark Building Contractors
Final Major Subdivision
Block 25, lot 38.01 –
Signed extension and carried to May 29, 2007**

Madam Chair announced that this matter is carried to May 29, 2007 at the request of the applicant.

J. ADJOURNMENT

Mr. Cook made a motion to adjourn the public meeting at 10:41 p.m. Mrs. Duffy seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz