

READINGTON TOWNSHIP PLANNING BOARD

MINUTES

May 26, 2009

A. Chairman called the meeting to order at 7:35 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	present
Mrs. Flynn	present
Mr. Shamey	present
Mr. Klotz	present
Mr. Monaco	present
Mr. Smith	present
Madam Chair	present

**Michael Sullivan, Clark – Caton & Hintz
Valerie Kimson, Esq.,
John Hansen, Ferriero Engineering
Stephen Souza, Princeton Hydro**

C. APPROVAL OF MINUTES:

1. April 27, 2009 Mr. Monaco made a motion to approve the minutes. Mr. Cook seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.

D. CORRESPONDENCE:

The board had no comments regarding the correspondence.

E. RESOLUTIONS:

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

Madam Chair announced that this matter will be carried to the next meeting.

F. TECHNICAL REVIEW COMMITTEE:

1. **John & Tracy Wall**
4 Headquarters Rd.
Minor Site Plan
B. 25.02, L. 3
Action Date: June 18, 2009

Mrs. Filler informed everyone that this matter is not within the jurisdiction of the Planning Board. Attorney Kimson will contact the applicant's attorney and inform him of the Technical Review Committee's determination.

2. **Nelson Ferreira**
Old 31 Tannery Road
Block 39, Lots 53.17, 61.03 & 61.04
Amended Site Plan
Action Date: June 6, 2009

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

G. OTHER BUSINESS:

1. **Voucher Approval - Mr. Klotz made a motion to approve the vouchers. Mr. Cook seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.**

2. **Professional Services Agreement**
Kevin Smith
Finelli Consulting
Alternate consulting engineer –

Mrs. Duffy made a motion to approve the professional services agreement with Kevin Smith of Finelli Consulting as the alternate engineer. Mr. Smith seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.

H. NEW BUSINESS:

Mrs. Filler announced that she was in receipt of a memo from the New Jersey Planning Officials regarding the League of Municipality's position on Bill A-3062 which concerns renewable energy. She stated that she had a conversation with Senator Karrow concerning this bill. This is a non-permissive bill and Senator Karrow recommended that the Planning Board should comment on the bill. The bill is for renewable energy and it includes making this type of energy an inherently beneficial use. She requested that comments should be made to our Assemblyman

in the 23rd. District to make sure that the bill is not adopted unless the township would have the ability to zone for the use.

Mrs. Filler made a motion to recommend that the Township Committee and Planning Board write a letter opposing this bill. Mrs. Allen seconded the motion. *Motion was carried with a vote of Ayes all, Nays none recorded.*

I. PUBLIC HEARING

**1 Clyde H. Allison
Block 76, Lot 2.03
Preliminary and final subdivision
Action Date: June 11, 2009**

Lloyd Tubman, Esq., stated that she is the attorney for the applicant. The applicant is proposing a 3 lot subdivision. The property consists of 19 ½ plus acres. The lots are all conforming in the RR zone standard.

Attorney Kimson swore in the board's professionals along with Thomas Decker.

Thomas Decker of Gilmore & Associates stated that he has a Bachelor of Science degree in Civil Engineering from Rutgers University and is a licensed professional engineer and planner in the State of New Jersey.

Exhibit A-1 dated May 26, 2009 – Color rendering of the preliminary and final major subdivision plan

Mr. Decker testified that the property contains over 1600 linear feet of road frontage along Craig Road. It is located in the Rural Residential zone, having a minimum lot size of 3 acres. The majority of the property is currently meadow. There is a pond on the property. The applicant is proposing two new lots having areas of 3.9 and 3.7 acres. There would be a remaining lot consisting of 11.4 acres, which would contain the existing single family dwelling and would encompass the existing pond and the waterway. Each of the new lots have been tested for septic suitability and have received Readington Township Board of Health approval. All lots will have individual wells. The applicant has designed a stormwater management system for each of the lots to demonstrate that the stormwater management facilities can be provided for each lot independently. There are no proposed improvements to be installed in the wetlands or in the wetland transition areas that would require NJDEP permits. There are no proposed interior roads associated with this application. The two new lots would have frontage along Craig Road and access Craig Road with individual driveways.

Mrs. Filler stated that she is in favor of low impact development and suggested that every possible way besides detention basins must be used in order to handle the stormwater.

Dr. Souza stated that his initial report was issued in 2008. He has not commented since that time since they are in a situation where they are dealing with a concept. This is a subdivision and there is no concentrated development, meaning there is no access road servicing a number of lots and they will be relying on individual stormwater management systems for each lot. This is difficult to evaluate since they do not know where the house, nor the size of the house, will be located. In concept, this can work. There are details that are lacking however, that will have to be provided at the time an application is made for a building permit. The lots are large enough to handle the stormwater for a house.

Mr. Hansen stated that the board could recommend that the applicant use non-structural best management practices and this would satisfy the board's concerns. Attorney Tubman indicated that no one knows what those standards will be if the construction takes place 10 years from now.

Mrs. Duffy suggested that in the approval language it should include that the planning board's stormwater management professional must also review the stormwater management plan.

Mr. Decker stated that pursuant to the report from John Hansen, dated May 21, 2009 the applicant will comply with items one through six. Regarding the existing pond (number seven of the report), the proposed lot lines have been configured to keep the pond in its entirety on the remaining lot. The property line between proposed lot 2.05 and remaining lot 2.03 has been pulled back in order to provide ample space around the pond. Mr. Decker testified that this is a Class Four dam. It is not subject to additional review by the NJDEP. Item number eight of the report pertains to the hundred foot stream corridor. As part of the revisions, an analysis was created on the flood plane using NJDEP method number 5 which is a conservative approximation method. It is shown as a blue line on the exhibit A-1. This is the flood plane limit. The orange line is the stream corridor. Mr. Decker stated that he will revise the plans to include a line one hundred feet from the flood plane limit. The house, septic, and driveway location will be shifted slightly, but will still be within the required distance for the lots. The net lot area will be decreased on lot 2.05, but it will still comply with the ordinance. On the remaining lot 2.03 the lot line will be adjusted. The hundred foot stream corridor will overlap the existing building and driveway. Therefore the applicant is requesting that no fence be installed in this area. The stream corridor ordinance allows for agriculture activities to take place on the property and all of the lots are currently farmed. The applicant asked that the fencing and signage not be installed at this point. They would be agreeable to have the fencing installed at the tree line, however.

Mr. Hansen stated that he agreed with the board's concerns to have language in the deed regarding the stream corridor and fence to be installed prior to the issuance of any building permit. The board recommended to install the fence along the wetland line and along the western line, and to install the fence along the tree line.

Attorney Kimson swore in Clyde Allison.

Mr. Allison asked the board why he needed the fence.

Madam Chair answered that the fence is a visual reinforcement. Mr. Hansen stated that the fence would consist of cedar or redwood post with a sign attached, and approximately six feet high. The details would be worked out with Mr. Sullivan's office.

Mr. Decker continued with Mr. Hansen's report, items seven through eleven have been addressed. Regarding item number twelve, it deals with the installation of the shade trees. Mr. Hansen suggested that they be installed at the time of construction. Ms. Tubman suggested that the trees will be installed prior to a Certificate of Occupancy accompanied with a two year bond.

Mr. Decker addressed the cart-way width of Craig Road, including sidewalks. Mr. Hansen had recommended that the board grant a diminimus exception to these items. Regarding item number seven, at page three, suggesting paving driveways the entire length, the applicant would request that they be paved the first twenty-five feet from the center line. Mr. Hansen stated that the reason he made that request, and there is no requirement in the ordinance, is due to the way the stormwater management plans have been set up and what is necessary to collect stormwater off of a driveway surface. Therefore he recommended that the driveways must be paved or the installation of a pervious paving material. Otherwise, with a long gravel driveway, two tire ruts develop in the middle of it and the water runs out to the street. The water never gets collected. The board agreed that the driveways shall be paved or be of a pervious material so as to adequately collect stormwater to the satisfaction of the township engineer with a lot development plan.

Mr. Decker stated that according to Mr. Sullivan's letter dated April 20, 2009, the tree locations have been approved.

Regarding item number two, page three, the tree removal, this will be shown at the time of the lot development plan is submitted.

Mr. Hansen stated that since there is a meadow condition currently the plan is shown as a manicured lawn and not meadow so the stormwater calculations should be corrected to reflect that information.

Dr. Souza recommended that the stock-pile area be relocated. Mr. Decker agreed. Another point that Dr. Souza had was that there was no note in the soil erosion control notes speaking about “no compaction” in the areas of the drywell or the bio-retention area that is going to be constructed.

Madam Chair made a recommendation that the driveways avoid being installed near the significant size trees. They do not want those trees removed. The board is only concerned to save the mature Oak and Maple healthy trees. The applicant shall attempt to locate the driveway in order to preserve these trees.

Regarding demarcation, it will run along the right-of-way prior to the map filing.

Regarding Mr. Sullivan’s report dated April 20, 2009, Mr. Decker stated that the lot numbering had to be corrected. There was an approval of tree species and the trees to be added. Mr. Decker agreed with all conditions of the report.

PUBLIC COMMENTS:

There were no comments from the public.

Mr. Hansen wanted to know if the lots would be deed restricted from further development. Ms. Tubman stated that it was not part of this application.

Mrs. Filler made a motion to approve the application with the conditions previously set forth. Mr. Monaco seconded the motion.

Roll Call:

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

J. OTHER BUSINESS:

Mrs. Filler stated that Clinton Township Environmental Commission has requested that the Planning Board write a letter in opposition of the New Jersey Transit 500 space parking lot located at Block 14, lot 5 of Clinton Township for the following reasons: the headwaters of South Branch Rockaway Creek which is a Category One stream.

Mrs. Filler made a motion to approve writing a letter on behalf of the Planning Board to New Jersey Transit opposing the application and also recommended that the Township Committee write a letter in opposition as well. Mrs. Allen seconded the motion. *Motion was carried with a vote of Ayes all, Nays none recorded.*

K. ADJOURNMENT

Mrs. Filler made a motion to adjourn at 9:23 p.m. Mr. Monaco seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz