

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES**

June 22, 2009

- 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	absent
Mr. Cook	present
Mrs. Duffy	present
Mrs. Filler	present
Mrs. Flynn	present
Mr. Shamey	absent
Mr. Klotz	present
Mr. Monaco	present
Mr. Smith	absent
Madam Chair	present

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

C. APPROVAL OF MINUTES:

- 1. June 8, 2009 - Mr. Cook made a motion to approve the minutes. Mr. Monaco seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.**
- 2. June 8, 2009 Executive Minutes – Mr. Klotz made a motion to approve the executive minutes. Mr. Cook seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.**

D. CORRESPONDENCE:

Mr. Klotz referred to the letter from Mr. Beardslee regarding Mountain Woods wherein the applicant is requesting an RSIS waiver from the State. Mr. Hansen will review the resolution and follow up with same.

E. RESOLUTIONS:

- 1. Professional Services Contract Award
Kevin Smith**

Finelli Consulting
Alternate consulting engineer

Mr. Klotz made a motion to approve the resolution. Mr. Cook seconded the motion.

Roll Call:

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

2. Clyde H. Allison
Block 76, Lot 2.03
Preliminary and final subdivision – Carried to next meeting

3. Nelson Ferreira
Old 31 Tannery Road
Block 39, Lots 53.17, 61.03 & 61.04
Amended Site Plan – Carried to next meeting

F. TECHNICAL REVIEW COMMITTEE:

1. Serra – Whitehouse Prep.
Final Site Plan
B. 36, L. 96
Action Date: July 10, 2009

The TRC determined that the application remained incomplete.

G OTHER BUSINESS:

1. Voucher Approval - Mr. Cook 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. Inter Office Memo
Amending the Land Use Ordinance

Madam Chair stated that this amendment will allow 15% of the units within the age restricted community to be occupied by an individuals under the age of 55 years, provided that at least one of the residents is 45 years of age and that none of the permanent residents are under the age of 19 years of age.

Attorney Kimson stated that this emanated from someone who owns an age restricted project. The 55 years and older age limitation is an exemption from the Federal Fair Housing Act. The Federal Fair Housing Act prohibits discrimination in housing and families with children. There is an exemption that if it is age restricted 55 years and older community it does not violate the Federal Fair Housing Act. Therefore 45 years of age is an odd number. This is not something that the board should decide on without first doing research. The applicant's attorney should do the research, and then the township attorney and Ms. Kimson will look at their information.

A memo will be forwarded to the governing body letting them know that the Planning Board will wait until the research is reviewed and then will make their recommendation.

H. PUBLIC HEARINGS:

1. Master Plan Amendment

Michael Sullivan and Brent Krasner were present and gave a power point presentation regarding the Master Plan Amendment.

Mr. Sullivan stated that this amendment started with the Reexamination Report that was adopted March of 2009. A sub-committee was created to explore the issues of the reexamination report and those recommendations were cataloged into the draft that was reviewed at the June 8, 2009 Planning Board meeting.

The general nature of the amendment is that it relates to natural resource protection, wildlife habitat, protection of ground water resources, the alignment of development capacity as it relates to wastewater and also the zoning.

The four elements that are being addressed are the Goals and Policies; Conservation and Natural Resources; Utility Service Plan and finally the Land Use Plan. These policies are intended to strengthen some of the township's development patterns. Regarding the Goals and Policies, they have refined and changed the policies that have been in existence since 1990. They relate to natural resources, habitat, groundwater and wastewater policies.

The Conservation and Natural Resources Element addressed the flood plains. They reviewed surface water quality and wetlands. They delineated critical lands, grasslands habitat, wetlands around the South Branch habitat, and the wooded

wetland and stream corridor areas. This information is going to be used as a basis for reflecting land use policies in this element. They also show farmland soils. In order to handle wastewater within the township without public sewer, there may be rationale regarding the number of disposal beds. Due to the conditions such as wildlife habitat, stream corridors, critical areas, and the disposal limitations those reductions in density occurred. They are recommending that clustering be mandatory, protecting existing land forms from dramatic changes in topography, protecting view sheds, and increasing open space set asides in order to protect habitat.

The topic of septic suitability leads into the Utility Service Plan. This addresses the zoning capacity that they can document exceeds available public sewer capacity. They are also reflecting new watershed based requirements for water quality management planning, which the NJDEP promulgated changes to last year that will link land use planning with sub-watersheds and the water quality within. This will require NJDEP permitting that the zoning be aligned with the wastewater management plan.

Mr. Sullivan stated that Readington Township has an allocation of 960,000 gallons per day for the Readington/Whitehouse sewer service area. All available capacity that has been allocated to the township has been spoken for with people who have allocation, emergency fund, or affordable housing. There is no plan to increase capacity. The anticipated flow based upon the zoning would exceed the capacity that the township has been allocated. There has been a recommendation to reduce the sewer service area. There is also a recommendation to remove the discharge to groundwater provision to 20,000 gallons per day, which were voided by the NJDEP with this round of the Wastewater Management plans. In Three Bridges, the allocations are done; there are a few properties that are outside of the sewer service area. There is no plan to expand the capacity to service the township. So the recommendation is to reduce the sewer service area to exclude those parcels that are not currently being served by the RTMUA and to reflect the zoning changes. He demonstrated to the board the locations on the map of the new sewer service areas. The recommended boundary changes have been forwarded to the engineering office for the preparation of the Wastewater Management Plan chapter that the township is submitting to the county.

Mr. Monaco stated that the main reason for the revisions is the requirement is to have the sewer match the area that is being served.

Mr. Sullivan stated that he referred to the watershed based planning and the HUC (hydrologic unit code amendment). This provides the framework within which they can model the zoning that is not served by public waste water and they are also going to model what the theoretical nitrate dilution would be. Working with the engineer, they have requested information regarding what minimum lot size per dwelling unit would be needed for each HUC. The answer was under normal conditions it would 5 acres per dwelling and the drought conditions would be 7

acres per dwelling. It was determined that the township would use the drought standard as the floor for the nitrate dilution modeling. Their analysis was based on the proposed zoning.

Mr. Sullivan stated that the Land Use Plan has some changed based upon the other 3 elements. The first zone is the SRR (Special Resource Residential zone). This is a new zone. This zone wraps around Round Valley and extends to the C-1 watershed areas in the northwest portion of the township and also around Stanton Mountain and along the South Branch of the Raritan. The lots size for a conventional subdivision would be 10 acres, and mandatory clustering for 30 acre tracts. The AR zone which occupies the largest section of the township is being expanded. The minimum lot size is recommended to be raised from 6 acres to 8 acres and mandatory clustering would be in affect at 24 acres rather than 30 acres with an 80% set aside. The RR zone has been reduced in size that reflects the area around Whitehouse Station. The lot size has been increased to 5 acres. Also clustering would be mandatory for 20 acre plus parcels, with a 60% set aside. Another new zone is the two areas that have been designated as Hamlet Residential. PND zone is another new zone. Two senior citizen zones have been removed. Mr. Sullivan stated that the HR zone is located where the Ryland Inn is located. This zone has been created so that the historic complex is the gateway to East Whitehouse. This zone would permit hotel, spa, and restaurants. The B zone has been reduced. It has been replaced in some areas with the PO zone. The Professional Office zone is the B zone without retail use.

Under the existing zoning, they would anticipate 1,264 homes. Under the proposed zoning there would be 772. The non-residential build-out, under the existing zoning, would result a projected build-out of 6.7 million square feet of construction. With the Wastewater Management constraints, they propose 2 million square feet. This build out would have no time frame connected to it. Based upon the new zoning, the change would be from 2 million square feet to 1.8 million square feet. The proposed zoning has benefits to open space and habitat protection. They found that there was an increase of 279 acres of critical habitat in the open space that would be protected.

Mrs. Filler wanted to know if the State Plan still existed. Mr. Sullivan stated that the State Plan is still in effect.

PUBLIC COMMENT:

There were no comments from the public.

Mrs. Filler made the recommendation that the Planning Board accept these changes to the Master Plan. Mrs. Duffy seconded the motion.

Roll Call:

Mr. Cook aye

Mrs. Duffy **aye**
Mrs. Filler **aye**
Mr. Klotz **aye**
Mr. Monaco **aye**
Mr. Smith **aye**
Madam Chair **aye**

I. NEW BUSINESS:

**1. Land Use Ordinance Amendment
 Ordinance #19-2009**

Mrs. Filler made a motion that the amendment was substantially consistent with the master plan and recommended that it be forwarded to the Township Committee for approval. Mr. Monaco seconded the motion.

Roll Call:

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

Madam Chair announced that in the near future the definitions and the ordinance will be reviewed to make sure that ordinance is consistent throughout. A subcommittee will have to be created and anyone interested in participating should let the Chairman know.

J. ADJOURNMENT

Mr. Cook made a motion to adjourn at 8:49 p.m. Mrs. Filler seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz