

**READINGTON TOWNSHIP PLANNING BOARD  
MINUTES**

**August 24, 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:**

<b>Mrs. Allen</b>	<b>present</b>
<b>Mr. Cook</b>	<b>absent</b>
<b>Mrs. Duffy</b>	<b>absent</b>
<b>Mrs. Filler</b>	<b>present</b>
<b>Mr. Shamey</b>	<b>present</b>
<b>Mr. Klotz</b>	<b>absent</b>
<b>Mr. Monaco</b>	<b>present</b>
<b>Mr. Smith</b>	<b>present</b>
<b>Madam Chair</b>	<b>present</b>

**Dr. Stephen Souza, Princeton Hydro  
Michael Sullivan, Clark – Caton & Hintz  
Britt Simon, Esq.,  
John Hansen, Ferriero Engineering**

**C. NEW BUSINESS:**

- 1. Professional Services Agreement - Alternate Planning Board Solicitors  
Donald Moore, Esq.,  
Britt Simon, Esq.**

**Mrs. Allen made a motion to approve the contracts. Mr. Monaco seconded the motion.**

**Roll Call:**

<b>Mrs. Allen</b>	<b>aye</b>
<b>Mrs. Filler</b>	<b>aye</b>
<b>Mr. Shamey</b>	<b>aye</b>
<b>Mr. Monaco</b>	<b>aye</b>
<b>Madam Chair</b>	<b>aye</b>

**D. APPROVAL OF MINUTES:**

- 1. August 10, 2009**

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

**E. CORRESPONDENCE:**

There were no comments from the board.

**F. RESOLUTIONS:**

1. Serra – Whitehouse Prep.  
Final Site Plan  
B. 36, L. 96

This matter is carried to the September 14, 2009 agenda.

**G. TECHNICAL REVIEW COMMITTEE:**

1. Investors Savings Bank  
Preliminary/Final Major Site Plan  
B. 89, Lot 1  
Action Date: September 3, 2009

Mrs. Filler made a motion that the application be deemed complete for preliminary only. Mrs. Allen seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.

**H. PUBLIC HEARINGS:**

1. Ridge Road Realty, LLC  
Preliminary Major Subdivision  
Block 38, Lots 54, 74, 75  
Pearl Street  
Action date: August 24, 2009

Lloyd Tubman, Esq., from the law firm of Archer & Greiner, stated that she is the attorney for the record. This is the third public hearing on this application. At the June 8, 2009 meeting, the board recommended a modification to the plan, particularly the proposed Maria's Court. A concept is before the board this evening that would require variances. At this point in time, no stormwater design has been created and there are also outstanding issues relating to the roadway.

Attorney Simon swore in Dr. Souza.

## Exhibit A-15 – Concept plan

Debra D'Amico stated that she is the engineer for the applicant and she has been previously sworn. She stated that she prepared a conceptual cluster plan that eliminates Maria's Court. The concept plan has the same number of building lots as proposed on the current application. There is an increase of one lot for the open space. There are two existing dwellings that will remain. The Maria's Court stream crossing is eliminated. Only lots on the Sophie Street extension have been clustered. The lots that front on Ridge Road, Michael Way and Pearl Street still meet the zone requirements. In addition to the clustering there is a large open space lot that contains both constrained and un-constrained lands. The clustering will allow the basin to be raised.

Mrs. Allen wanted to know the proposed size of the open space lot. Ms. D'Amico answered that it is 18.979 acres, less the retention area, for a net 17.65 acres. The total tract is 52.389 acres. She testified that they are requesting variances for lot circles on seven of the lots and the two open space variances. Both stream corridors would remain in one of the open space tracts. It would eliminate the need for a manufactured treatment device.

Mr. Sullivan informed the board that there are items that warrant discussion regarding the concept plan. One item is lot D is still across one half of the stream thread on the northern side of the tract. He suggested that that lot be made narrower and smaller so that it does not encroach into the open space. That stream thread and the associated riparian areas are included in the open space. An improved way to handle the open space would be to reduce the size of the lots so that they are as close as possible to the minimum lot area. He was not in favor of lots A, B and C not meeting the non-cluster criteria. He also suggested that the applicant should be more flexible with the location of the roadway design to pull it away from woods, which are part of the riparian corridor, and to place it more into the field.

Mrs. Filler stated that since the stormwater design has not been created, it is difficult to be certain that the system will be sufficient. Ms. D'Amico answered that having designed the stormwater system numerous times before; she has a good feeling that it would work using this layout.

Mrs. Allen agreed with Mr. Sullivan to have lots A, B and C reduced to a clustered size. Ms. D'Amico answered that they kept the lots the same size because the septic testing had been completed.

Mrs. Allen requested that the applicant provide a walkway access for residents to the open space and Sophie Street from Pearl Street and Ridge Road.

**Mr. Hansen informed the board that to make the lots smaller at the extension of Sophie Street makes the Sophie Street development more consistent. It wouldn't change the size or width of the road. His recommendation is a 22 foot wide road, either with or without curb. Regarding the Michael's Way issue as to whether or not a flag lot is appropriate, the entire design criteria has not been presented to show that that is a viable street. He was also concerned about the water line extension and cul-de-sac at the end of Pearl Street. These items are not shown on the concept plan.**

**Ms. Tubman answered that the board will be looking for direction from the Township Committee. The applicant is not proposing a cul-de-sac on Pearl Street. Regarding the extension of the water line, that will be up to this board and the Township Committee. The applicant's obligation for the water line expense is fifty-percent of the total cost. There is also case law that the existing houses on Pearl Street immediately benefit. So it would be a general improvement from the municipal budget, or a special assessment against the current residents on Sophie Street. Ms. Tubman stated that the recommendation is to make the short cul-de-sac wider than Ridge Road which is a major road. As far as the roadway width of Ridge Road, there would be tree removal associated with the road widening.**

**Mr. Hansen answered that it appears that the applicant is drawing a comparison between Ridge Road and Sophie Street. In his opinion, the road must be wide enough to accommodate on street parking and for pedestrian travel.**

**Dr. Souza commented that he was pleased to see that the Maria's Court crossing had been eliminated. He felt that this court had significant problems based upon his review of the earlier plan. He was concerned as to the need for the cul-de-sac on lot C and the configuration of the roadway that is the extension of Sophie Street. Ms. D'Amico answered that this is an existing paper street. This has not been abandoned by the township.**

**Dr. Souza reviewed the prior plans and got a sense that the basin could be placed in the similar location that was proposed prior with a reduction of impervious coverage associated with the roadways and the elevation of the basin bottom. He questioned the need for the cul-de-sac that extends into lot C off of Ridge Road.**

**Mr. Monaco agreed that the two lots off of Ridge Road be less deep. He does not want the lots to be too narrow.**

**Mr. Smith stated that assuming that the Michael's Way is conforming he would prefer to preserve the open space and more of the riparian buffer. He would not be opposed to the creation of a flag lot in this case. He agreed with Mr. Monaco's concerns too.**

**Dr. Souza informed the board that his primary issue with the stormwater plan was the depth of the basin. Although there was one soil log that identified no issue with**

ground water, in his opinion, he was concerned because the other soil logs showed issues with regard to the depth of ground water. He received some added measures that would be taken by the applicant for example utilizing dry wells to reduce some of the volume, and roadside swales. A lot of the outstanding issues were driven by the Maria's Court crossing.

Mrs. Allen agreed with Mr. Sullivan's comments regarding Lot D. Additionally there is a road right-of-way coming off of Pearl Street and she felt that this should be improved slightly so it could be an obvious walking path between Sophie Street and Pearl Street, also, it would be desirable to have another connection between Sophie Street to Ridge Street.

Mrs. Filler felt that the concept plan was an improvement over the original submission. She wanted to know how much of the previous plan was still viable. Ms. Tubman stated that at the first hearing they were asked if they could eliminate Maria's Court and cluster as long as they came up with the same number of lots. It was reconfigured twice.

Mr. Shamey stated that this configuration is improved over the first plan. The professionals are indicating that it could be feasible. He agreed with the comments from the other board members. He was in agreement to connect the path between Pearl Street and Sophie Street.

Madam Chair stated that the property has a lot of constraints. The plan would be better configured if there was one less lot. She recommended that the road be moved over towards the meadow. She stated that she is supportive of this concept plan if the stormwater management plan meets with the board's professionals' approval. She also agreed to have the open space access for the residents. A recommendation was made to reduce the size of the lots. She suggested having the lot with the existing house (applicant's house) be included in a conservation easement. She recommended that the road be widened to 22 feet.

Mrs. Filler wanted to be clear about her interpretation of Lot C. Since the street width is not valid, that would make the lot not a valid lot. Mr. Hansen answered that the street is designed to provide frontage and access to this lot. If the street doesn't work regarding the intersection standards, then they would not have a valid lot. The applicant indicated that they have additional information that they need to provide regarding this lot.

Attorney Simon stated for the record that the individual comments from the board members are subject to change based upon their findings that they will receive from the board's professionals.

Dr. Souza indicated that there would have to be additional septic analysis performed due to the newly configuration of the lots.

**Ms. D'Amico requested further direction regarding the variance required for the open space and the unconstrained area which is both less than what is required.**

**Ms. Tubman stated that under this plan they will not meet the ordinance requirements. But instead of having stream corridors and riparian zones through the owner's yards, they will be getting a significant open space, deed restricted lot.**

**Mr. Smith would agree to grant these variances because he is content with obtaining the open space.**

**Dr. Souza informed the board that the applicant's plan is eight acres undersized. This does not significantly reduce the deviation. He suggested that this does involve less of an environmental impact in its configuration than what was proposed in the prior plan. The property lies within the "stream headwater". The proposed concept plan is an improvement.**

**This matter was carried to December 14, 2009.**

**I. ADJOURNMENT**

**Mrs. Filler made a motion to adjourn at 8:51 p.m. Mr. Monaco seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.**

**Respectfully submitted,**

**Linda A. Jacukowicz**