

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES
November 24, 2008**

A. Madam Chair called the meeting to order at 8:21 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	absent
Mrs. Filler	present
Mr. Getz	present
Mr. Klotz	present
Mr. Monaco	present
Mr. Smith	present
Marygrace Flynn	present

**Donald Moore, Esq., Kelleher & Moore
Joseph Modzelewski – Hatch, Mott & McDonald
Dr. Stephen Souza, Princeton Hydro
Michael Sullivan – Clark, Caton & Hintz**

C. MINUTES

1. November 10, 2008 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: - No comments from the board.

E. VOUCHER APPROVAL - Mrs. Filler made a motion to approve the vouchers. Mrs. Allen seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.*

F. TECHNICAL REVIEW COMMITTEE:

None

G. RESOLUTIONS:

1. **Janet Rollero/Healthy U Personal Training, Inc.
Block 21.01, Lot 8
Minor site plan**

Carried to the next meeting.

H. PUBLIC HEARINGS

- 1 **TC& D Builders, Inc.
Minor Subdivision
636 Old York Road
Block 97, Lot 4
Action date: November 24, 2008**

Lawrence Vastola, Esq., stated that he is the attorney for the applicant. This is a continued hearing.

Attorney Moore swore in the applicant's engineer Craig Stires.

Mr. Stires stated that he is the project engineer for this matter. He informed the board that since the last meeting, he responded to the all of the conditions set forth in the professionals' letters. With regard to the issue of the dumped oil tank, the applicant retained Act Engineers and has been actively resolving this issue. The conclusion today is that a report was filed by Act Engineers that no further action is needed and that all of the levels in the ground were below the residential standards. Regarding the stormwater management, they were trying to implement some additional procedures.

Exhibit B-1 Plot Plan revised date October 1, 2008 – lots 4.04 & 4.05 Block 97

Mr. Stires demonstrated to the board the additional measures for the stormwater management rain garden or small bio-retention basin. This will take care of the runoff from the proposed driveway for lot 4.04. With regard to lot 4.05, a drywell will be installed located behind the proposed house. This will serve as the ground water recharge for lot 4.05. Additional testing was performed today to make sure that the stormwater plan is acceptable. The trees will be located in the area of the driveway in order to preserve the existing trees through the 50 foot swath. A buffer was added on lot 4.05 so that the adjacent lot 4.01 had privacy. Mr. Stires will provide the off site stability information to Dr. Souza. This information is to make sure that the two driveways will remain stable.

Mr. Stires addressed Dr. Souza's letter dated November 14, 2008. Regarding the Environmental Impact Statement, the testing and the soil removal and tank removal have all been completed and the report has been submitted to NJDEP. Dr. Souza stated that when the NFA (no further action) letter from NJDEP is received it will verify that the clean up was conducted satisfactorily and that there is no contamination at the site.

Mr. Sullivan wanted to know if the NFA letter should be obtained prior to the map filing or the Certificate of Occupancy. This is an important part to the approval. It was determined that no plans would be signed until the NFA letter was received from the State.

Dr. Souza stated that he reviewed the preliminary data that Mr. Stires provided to him today and he was satisfied with the results.

Mrs. Filler wanted to know if a provision could be placed in the deed so that the homeowner does not tamper with the drywell. Dr. Souza stated that the O & M (Operation and Maintenance) manual should be made part of the deed.

Mr. Stires stated that typically a copy of the O & M manual will be sent to the township. The zoning officer must be made aware of this type of inspection and follow-up of the drywell and rain garden facilities. However, Dr. Souza stated that the overall construction is very simple.

Mr. Stires stated that all of the conditions of Dr. Souza's letter have been resolved and the applicant will comply with all of the conditions. Mr. Stires stated that he will provide all of the outstanding information to Dr. Souza within a few weeks.

Mrs. Filler wanted to know what types of trees were being planted. Mr. Stires answered White Pines and Spruce trees.

Mr. Modzelewski informed the board that it is important that the testing for the drywells is completed. Once that information is received, his office will be satisfied. Another condition in Mr. McEldowney's letter related to a pro rata share for the potential improvement to the roadway. Mr. Modzelewski stated that this number for the roadway improvement should come from the governing body based upon a detailed analysis.

Mr. Stires stated that all of the swales along the edge of the road from the two driveways were very stable. There was no show of any type of erosion. There is flooding further down the road, but that has nothing to do with this property.

Mrs. Allen wanted to know if the applicant would deed restrict the wooded area into a conservation easement so that it will not be clear cut. If this was clear cut, it would exacerbate the flooding. The applicant agreed to place a conservation easement in the northeast corner of lot 4.04.

Dr. Souza stated that the applicant is not increasing the volume of runoff. They are also obtaining the water quality requirement.

Mrs. Allen stated that in addition there will be a conservation easement to the east of the PSE&G easement. The applicant agreed.

Mr. Stires stated that there are two sets of PSE&G towers bisecting the property running northeast to southwest. There is 350 feet separating the easements. These are existing easements.

PUBLIC QUESTIONS:

Brian Battell, 632 Old York Road – He wanted to know how the neighbors would benefit from the two houses being built. Mr. Vastola answered that the applicant does not have to demonstrate that matter. Also, Mr. Battell wanted to know if there were any additional plans that dealt with the runoff. Mr. Stires answered that they have supplied a stormwater management report that meets the requirements of the township and the State of New Jersey. Mr. Battell also wanted to know if the property could be subdivided again.

Mrs. Allen requested that language be placed in the deed that it can be no longer subdivided.

Mr. Battell asked if the houses were moved one house length to the left on this plan. Mr. Stires answered they considered moving the house location, but they felt that currently the placement is the right position for the house. Mr. Battell was concerned about the road from Robin Way. Mr. Stires stated that it goes into a conservation easement and will not be a road.

Mr. Stires read into the record and will follow up with a report regarding the type of tests that were performed and the results of same. A hole was dug. It was 76 inches deep. He wanted to make sure that they would be at least two feet below the drywells. No ground water was encountered. While the hole was opened, they performed a perk test. They had five inches of water in the whole within 5 minutes. This was in excess of the minimum standard for the drywell. Dr. Souza stated that equates to point two inches per hour which is sufficient.

COMMENTS FROM PUBLIC

There were no comments from the public.

Mr. Vastola stated regarding the NFA (No further Action letter), he recommended that the approval can move forward. He stated that a condition of approval is that no Certificate of Occupancy be issued until they receive the NFA letter from the NJDEP. Also, Mr. Vastola stated that the site will be free and clear of all garbage and debris.

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

Roll Call

Mrs. Allen	aye
Mr. Cook	aye
Mrs. Filler	aye

Mr. Getz aye
Mr. Klotz aye
Mr. Monaco aye
Mr. Smith aye
Madam Chair aye

I. EXECUTIVE SESSION:

**RESOLUTION
(Open Public Meetings Act – Executive Session)**

WHEREAS, N.J.S.A. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED by the Planning Board in the Township of Readington, County of Hunterdon, State of New Jersey, as follows:

The public shall be excluded from discussion of the hereinafter specified subject matters. The general nature of the subject matter to be discussed is as follows:

1. Contract negotiations

It is anticipated at this time that the contents of the above discussions will remain confidential.

This Resolution shall take effect immediately.

Certified to be a true copy of a Resolution adopted on November 24, 2008.

Linda Jacukowicz, Coordinator

Mr. Smith made a motion to enter into executive session at 9:18 p.m. Mr. Cook seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.

J. ADJOURNMENT

Mr. Cook made a motion to adjourn at 9:46 p.m. Mrs. Filler seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz