

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES
September 11, 2006**

A. Chairman Flynn called the meeting to order and announced 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. Members and professionals present:

| | |
|---------------------|----------------|
| Mrs. Allen | present |
| Mr. Auriemma | present |
| Mr. Cook | absent |
| Mrs. Duffy | present |
| Mrs. Filler | present |
| Mrs. Flynn | present |
| Mr. Klotz | absent |
| Mr. Monaco | present |
| Mr. Smith | present |

**Michael Sullivan, Clarke-Caton & Hintz
Valerie Kimson, Esq., Purcell, Ries, Shannon, Mulcahy & O'Neill
H. Clay McEldowney, Studer & McEldowney**

C. APPROVAL OF MINUTES

1. August 28, 2006 – Mr. Smith made a motion to approve the minutes. Mr. Auriemma seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.*

D. CORRESPONDENCE:

There were no comments regarding correspondence. Mrs. Filler did state that Dr. Souza is going to be responding to the State for the township since there is a comment period for the proposed stormwater regulations.

E. OTHER BUSINESS:

1. LOI review procedure

Mr. McEldowney stated that he has been requested by the board to examine the materials that relate to Letters of Interpretation and freshwater wetlands permitting and other similar reports that come into the township. He is supposed to comment on them and keep the Planning Board informed if there are any issues of particular concern. He stated that by the time information is received by his office, the comment period has expired.

Madam Chair stated that the board is seeking to have the engineer make the appropriate comments to the State in the timeframe that is allowed. Mr. McEldowney stated that he wishes to be responsive as to what the board wants him to do. He informed the board that by the time he receives the material and comes to the board for direction, the 30 day period has lapsed. Madam Chair stated that the board does not want him to come back to the board to get their direction, they want him to be proactive when there is an issue that needs to be addressed. Mr. McEldowney stated that he will coordinate with the clerk's office to try to get the information in a timely manner.

Mrs. Filler informed everyone that the Environmental Commission also reviews the LOI's and they will compare the information with the township's Environmental Resource Inventory. She stated that if they feel there is an issue on the property, they will write a letter to the State.

Mr. McEldowney told the board that he would work the procedure out with the clerk's office. He also stated that he might do a site visit.

E. RESOLUTIONS:

1. **Shabbecong, LLC**
Minor Subdivision
38 Forty Second Street
Block 48, lot 10

Carried to the next meeting.

2. **Iellimo**
Block 70, lot 21.01
Request for extension to approval

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

Roll Call:

| | |
|---------------------|------------|
| Mr. Auriemma | aye |
| Mrs. Duffy | aye |
| Mrs. Filler | aye |
| Mr. Monaco | aye |
| Mr. Smith | aye |
| Madam Chair | aye |

3. **Ominpoint Communications, Inc.**

**Preliminary Site Plan
Block 20, lot 6
Action date: September 7, 2006**

Carried to the next meeting.

- 4. Darren Pincus
Conditional Use
Block 63, lot 53.05
Action date: September 7, 2006**

Carried to the next meeting.

- 5. Emmet
Amended Minor Subdivision
Block 12.01, lot 14.01 and 15
Action date: September 7, 2006**

Carried to the next meeting.

F. TECHNICAL REVIEW COMMITTEE

None

G. OLD BUSINESS:

- 1. New Cingular Wireless
Block 46, lot 14.03**

Judy Babinski, Esq., from the law firm of Pitney Hardin stated that she is the attorney for the applicant. She informed the board that the applicant received approval last year. She is before the board to request that the board accept the survey that they have submitted. Currently, the township engineer will not sign off on the survey. The property is more than 12 acres. The leased area is approximately 1,000 square feet. There is an existing PSE&G tower. They have an easement running through the property. The antennas will be placed on a tower and the equipment will be placed next to the tower. The survey that was submitted shows all of the contours, and utilities in an area of approximately 1 acre. It shows the complete access and all items that their application would have to do with regarding the 12 acres. They do not have a complete full survey on all 12 acres. The survey is signed and sealed. Presently Sprint and Verizon are located at the site and this applicant submitted the same survey that they submitted and it was accepted.

Frank Pazden, Civil Engineer for the applicant was sworn in by Attorney Kimson.

Mr. McEldowney stated that there is a technical problem in that the survey that was submitted with the application shows the topography, road location, etc., however, it shows property lines that were plotted from a deed. He stated that the survey includes existing features; it is not a property boundary survey. The township requirement and the New Jersey Administrative Code requires that any plan that is submitted to a public body either include a survey of the application and be based on a property boundary survey. Mr. McEldowney informed the board that this was a requirement in his report when the approval took place. There was no objection from the applicant at that time.

Mr. Monaco made a motion to amend the resolution to accept the signed and sealed survey that had been submitted by the applicant. Mrs. Filler seconded the motion.

Roll Call:

| | |
|---------------------|------------|
| Mrs. Allen | aye |
| Mr. Auriemma | aye |
| Mrs. Duffy | aye |
| Mrs. Filler | aye |
| Mr. Monaco | aye |
| Mr. Smith | aye |
| Madam Chair | aye |

J. PUBLIC HEARINGS:

- 1. Nelson & Natalie Ferreira
Amended Site Plan
Block 39, lot 53.17, 61.04
Action date: September 14, 2006**

William Savo, Esq., stated that he is the attorney for the applicant. The board had previously granted site plan and amended site plan approval for this applicant. He stated that the building is a unique project. It is the largest commercial building of this type to be totally powered by solar energy. In order to make the building even more weather proof so that it can be powered by the solar panels on the roof, the applicant decided to install a vestibule on the front of the building. They started constructing the vestibule, but construction code official advised the applicant to stop. In the course of reviewing the minor site plan, other issues have arisen that the applicant would also request to be addressed.

Greg Reddington of REDCO Engineer, Michael Sullivan of Clark, Caton & Hintz and H. Clay McEldowney of Studer and McEldowney were sworn.

Mr. Reddington stated that Exhibit A-1 is a computer generated colored rendering of the proposed vestibule located in the front of the building. Exhibit A-2 dated September 11, 2006 is the front elevation, computer colored rendering of the building depicting the front vestibule.

Mr. Reddington stated that the proposed vestibule is 9'x12', approximately 96 square feet. It is constructed of architecturally split faced block glass, and color coordinated with the existing building.

A-3 copy of colored drawing entitled "Amended minor site plan" revised 8/10/06.

Mr. Reddington addressed the other minor changes that the applicant is requesting. First is the vestibule. The second item is the installation of a front sidewalk to the building. Later with the installation of the vestibule, it was discovered the front sidewalk would run into the side of the vestibule. The applicant is requesting to leave the sidewalk out and to landscape the entire area. Also, regarding the existing parking lot curb lines, they are closer to the property than what were shown on the engineering drawing. There is an offset of 18.15 feet at one location and 16.9 feet at another location. The applicant received a variance in the prior applications to have a setback of 22 feet. Therefore, they are requesting relief for the as built condition and agree to provide additional buffering and landscaping to assist with the distance loss. The previously approved number of parking spaces remains the same. Additionally, the applicant chose to install a transformer pad as well as generator near the building. They were only able to fit 14 parking spaces in that area in lieu of the original 19 parking spaces that was planned. These parking spaces were designated "banked parking" spaces. The parking spaces on the other side of the existing paving were reconfigured. The total number of parking spaces has not changed. Additionally, Mr. Reddington stated that it was brought to his attention that there is an over-head door at the very end of the building, with adjacent banked parking. If in the future, the 91 parking spaces are needed, then this door would be eliminated. The proposed side walk was included in the impervious calculations. But this area is proposed now to be landscaped. The lighting will not change. The FAR number on the plan is correct.

Mr. McEldowney stated that he has no engineering issues. He stated that the building is almost complete. The vestibule is currently a shell. It was started and the township issued a stop work order.

Mr. Sullivan stated that he did not have a problem with the architecture of the building. He does have an issue with the parking layout. He stated that the ordinance does require pedestrian circulation. In this case, people would walk behind the cars in the parking lane to the little bump out, then to the vestibule. He

stated that it is different than what was originally approved. He stated that given the volume of employees, it is not a high turnover parking lot. The parking set back can be remedied through some enhanced buffering along the front. The encroachment on the side is now more significant than the encroachment in the front yard. There should be some plantings planted along the side.

Mr. Reddington informed the board that the building is occupied. All of the asphalt is installed. The landscaping is planted. The proposed vestibule is in a "shell" state. He informed the board that a landscaping plan for the additional landscaping will be submitted to Michael Sullivan for his review.

Mr. Monaco made a motion to approve the application subject to the landscaping that was described in the two locations with the planner's approval. Mrs. Filler seconded the motion.

Roll Call:

| | |
|--------------|-----|
| Mrs. Allen | aye |
| Mr. Auriemma | aye |
| Mrs. Duffy | aye |
| Mrs. Filler | aye |
| Mr. Monaco | aye |
| Mr. Smith | aye |
| Madam Chair | aye |

2. Wilmark Building Contractors
Final Major Subdivision
Block 25, lot 38.01
Extension and carried to September 25, 2006

I. VOUCHER APPROVAL:

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

J. OLD BUSINESS:

1. Ordinance revisions

Mrs. Allen stated that the enactment of the ordinance involving the FAR prompted some discussion since the passage looking at the zoning ordinance indicates that the allowable FAR in the AR zone is actually 4% rather than something higher. There is a grandfathering for old lots. It is not a problem moving forward because 6 acre lots in the AR zone are 4%. That is calculated to be

fair and reasonable. When you cluster it at 1 ½ acres, it goes to 12%. The problem comes in that the grandfathering clause for the old existing lots in the AR just go on the inverse comparison of lot circles and it does not work. For example on a 1 ¾ acre lot at 4% might generate a 3,000 square foot house.

Mr. Sullivan suggested that this issue has to be addressed on a per zone basis. Mrs. Allen suggested that this should be worked on and finalized in the next few weeks. Mrs. Allen suggested to start with the SSR, RR and the AR zones.

Mrs. Allen read the definition of FAR from the ordinance. Basements, attics and garages would not be included in the FAR.

Ron Monaco, and Ben Smith agreed to Michael Sullivan over the next few weeks.

2. Historic House

Mr. Smith stated that the Historic Commission asked him to inform the board that there is a historic home which is the Wyckoff house. It is located where Route 523 hits Route 22 on the north, near the Wachovia Bank. They want the board to watch for a new application on this site and to keep in mind the historic features.

K. ADJOURNMENT:

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

Respectfully submitted,

Linda A. Jacukowicz