

**READINGTON TOWNSHIP PLANNING BOARD  
MINUTES  
November 27, 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:**

<b>Mrs. Allen</b>	<b>present</b>
<b>Mr. Auriemma</b>	<b>present</b>
<b>Mr. Cook</b>	<b>present</b>
<b>Mrs. Duffy</b>	<b>present</b>
<b>Mrs. Filler</b>	<b>present</b>
<b>Mrs. Flynn</b>	<b>present</b>
<b>Mr. Klotz</b>	<b>present</b>
<b>Mr. Monaco</b>	<b>present</b>
<b>Mr. Smith</b>	<b>present</b>

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

**C. APPROVAL OF MINUTES**

**1. October 10, 2006 – Mr. Cook made a motion to approve the minutes. Mr. Klotz seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.***

**D. CORRESPONDENCE:**

**Ben Smith had a comment regarding the Historic Preservation request. They would like to have an ordinance to require that if the structure is going to be demolished that the applicant must be required to perform line measured drawings and photographs in order to preserve the information about the structure.**

**Beth McManus stated that this ordinance is something that other municipalities have, but she is not too familiar with that type of ordinance.**

**Attorney Kimson stated that if the dwelling is privately owned, they have the right to demolish it. If it is in the Historic Preservation District and the township wants to preserve it, they would have to purchase the structure.**

**Attorney Kimson stated that she would research this matter and get back to the board.**

**Regarding the letter from Attorney Tubman concerning the street vacation, Ms. Kimson stated that an application was made to the Township Committee to ask them to vacate what is shown as a paper road on the official map. The Township Committee asked the applicant to have a discussion with the Planning Board for their recommendations on whether or not the Planning Board would recommend that the street be vacated. The question is whether or not the Planning Board could make this decision or if it must be reviewed by the board's professionals. The applicant was asked if they would post escrow if the Planning Board finds that the professionals should review same. The applicant has confirmed that there is sufficient escrow money in their account. Mr. Monaco recommended that the board professionals should review the information.**

**Mr. Monaco made a motion that the planner should review the information. Mrs. Filler seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.**

**Madam Chair referred to the letter from Mr. McEldowney relating to Verizon - Block 46, lot 14.03. She asked if the applicant did not meet their conditions of approval what methods can be imposed. Mr. McEldowney stated that it is a matter of enforcement. He stated that the applicant was supposed to have a pre-construction meeting to go over the plans and the resolution. They were also supposed to obtain a certificate to operate from Mike Kovonuk's office. Until they meet these conditions, they cannot get approval to operate. Mr. McEldowney will follow up with this matter.**

**Cheryl Filler brought up another matter, the Genesis application on Kosciusko Road. She stated that they are applying for a CO and they have not installed their conservation fence. They must finish the fence immediately. Mr. McEldowney stated that it was not stated that way in the resolution. He said that the fence is a bonded item.**

**Attorney Kimson stated that in the future the resolutions will be more specific with conditions having time lines.**

**E. RESOLUTIONS:**

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

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

**Roll call:**

<b>Mrs. Allen</b>	<b>aye</b>
<b>Mr. Cook</b>	<b>aye</b>
<b>Mrs. Duffy</b>	<b>aye</b>
<b>Mrs. Filler</b>	<b>aye</b>
<b>Mr. Klotz</b>	<b>aye</b>
<b>Madam Chair</b>	<b>aye</b>

**2. Ernest E. & Elizabeth Renda  
Minor Subdivision  
Block 64, lot 19**

**Mrs. Allen recommended a revision to number 11. She stated that when it mentions the signage and split rail fencing, they should be installed prior to the issuance of a building permit. The new number 11 will state that the split rail fencing and signage on the newly created lot prior to the issuance of a building lot and on the remainder existing lot prior to the issuance of the CO.**

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

**Roll call:**

<b>Mrs. Allen</b>	<b>aye</b>
<b>Mr. Cook</b>	<b>aye</b>
<b>Mrs. Duffy</b>	<b>aye</b>
<b>Mrs. Filler</b>	<b>nay</b>
<b>Mr. Klotz</b>	<b>aye</b>
<b>Mr. Monaco</b>	<b>aye</b>
<b>Madam Chair</b>	<b>aye</b>

**F. TECHNICAL REVIEW COMMITTEE**

- 1. Rockaway Creek, LLC  
Preliminary Major Site Plan  
Block 39, lot 57  
Action date: December 14, 2006**

**Mrs. Filler stated that the TRC recommends that this application be deemed complete with 2 conditions. It was determined that the proposed impervious coverage should be revised to reflect the net lot area pursuant to Ordinance No. 31-2006. This information should be provided at the time of the hearing. The TRC recommended that the waivers from the requirement to provide cross-sections and details for Route 22 and County Line Road, as well as to provide an estimate of construction costs be granted for the purposes of completeness, but may be required at the time of the hearing.**

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

**G. OLD BUSINESS:**

- 1. Hunterdon Properties LLC to Emmet  
Block 12.01, Lot 14.01 & 15  
Resolution #2006-208  
Request for an Extension**

**The board is in receipt of a letter from the applicant's attorney requesting an extension. The board determined to grant a ninety (90) day extension to this matter.**

**Mr. Klotz made a motion to grant an extension for 90 days. Mrs. Filler seconded the motion.**

**Roll Call:**

<b>Mr. Cook</b>	<b>aye</b>
<b>Mr. Monaco</b>	<b>aye</b>
<b>Mr. Smith</b>	<b>aye</b>
<b>Mrs. Duffy</b>	<b>aye</b>
<b>Mrs. Allen</b>	<b>aye</b>
<b>Mrs. Filler</b>	<b>aye</b>
<b>Mr. Auriemma</b>	<b>aye</b>

**Mr. Klotz**                    **aye**  
**Madam Chair**            **aye**

**H.        OTHER BUSINESS:**

**1.        Ordinance Review**

Elizabeth McManus stated that since the prior meeting when the board discussed this matter, she was able to obtain the tax estimate data on every lot in the AR, RR, and SSR zone districts. This enabled her to be capable of performing an analysis as far as what the existing house sizes are and what the existing total floor areas are for all lots for homes and accessory buildings. She stated that she has performed an analysis of what the existing FAR's are in the district. They are now working to determine what is the most appropriate FAR. They are expecting to have another meeting in the near future and she will report back to the board after the meeting.

**2.        Discussion of Whitehouse Station Affordable Units**

Mrs. Allen informed the board that this has to do with the application that is currently before the Board of Adjustment. The application is located in the Village Commercial zone. The question is whether or not 4 moderate income unit apartments would be acceptable to the township. Mrs. Allen stated that the township does not need these units in the 3<sup>rd</sup> COAH Round. They can be carried to the 4<sup>th</sup> round.

Ms. McManus stated that the applicant is proposing to give the township 4 moderate income units. COAH rules require that all developments containing affordable housing be balanced with a 50/50 split between low income and moderate income units. Since this development is only proposing to provide the township with 4 moderate income units, they won't be eligible for credit until the township can acquire 4 low income units elsewhere. The reason they are recommending to carrying these units until the 4<sup>th</sup> round is because that would give the township time to acquire the 4 low income units. They are proposing if the project is approved, that any deed restriction on the 4 moderate income units would be 30 years as required by COAH, however, 30 years from the effective date of 4<sup>th</sup> round rules. This would insure that these moderate income units wouldn't lose their deed restriction prior the 4 low income units that are needed for the balance. In the future when the township obtains the 4 low income units, they will not just get 4 credits from those low income units, but they also get 4 credits from the moderate income units, for a total of 8 credits for the 4<sup>th</sup> round.

**Ms. McManus stated that the Board of Adjustment is looking to the Planning Board for guidance as far as whether they would be agreeable to take on the burden of acquiring the 4 low income units.**

**Madam Chair stated that the Board of Adjustment is trying to find out what the negative impact and positive impact would be on the town.**

**Mrs. Filler and Mr. Smith stated that they were in agreement with this proposal.**

**Attorney Kimson stated that the Board of Adjustment is just trying to find out if this solution is a palpable solution for the affordable housing plan. The minutes should be sufficient to capture the discussion.**

**I. VOUCHER APPROVAL:**

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

**J. PUBLIC HEARINGS:**

- 1. Wilmark Building Contractors  
Final Major Subdivision  
Block 25, lot 38.01  
Requested extension and carried to December 11, 2006**

**Madam Chair announced that his matter was carried to December 11, 2006.**

**K. ADJOURNMENT:**

**Mrs. Filler made a motion to adjourn the open session and enter closed session. Mr. Cook seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.***

**L. 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 of the Township of Readington, County of Hunterdon, State of New Jersey, as follows:**

- 1. The public shall be excluded from discussion of the hereinafter specified subject matters.**
- 2. The general nature of the subject matter to be discussed is as follows: Employment contract pursuant NJSA 10:4-12 (8). This Resolution shall take effect immediately.**

**Certified to be a true copy of a Resolution adopted on November 27, 2006.**

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**Linda Jacukowicz**

**M. ADJOURNMENT:**

**Mrs. Filler made a motion to close executive and adjourn the public meeting. Mr. Cook seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.***

**Respectfully submitted,**

**Linda A. Jacukowicz**