

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES
June 8, 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:

Mrs. Allen	present
Mr. Cook	present
Mrs. Duffy	present – left the meeting @9:16 p.m.
Mrs. Filler	present
Mrs. Flynn	present
Mr. Shamey	present
Mr. Klotz	present
Mr. Monaco	present
Mr. Smith	absent
Madam Chair	present

**Michael Sullivan, Clark – Caton & Hintz
Valerie Kimson, Esq.,
John Hansen, Ferriero Engineering
Kevin Smith, Finelli Consulting Engineers
Clay Emerson, Princeton Hydro**

C. APPROVAL OF MINUTES:

1. May 26, 2009 - 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:

The board had no comments regarding the correspondence.

E. RESOLUTIONS:

**1. Tom Jr. Properties
Preliminary Major Subdivision
Block 36, Lot 7
1 Railroad Lane**

Mrs. Duffy made a motion to approve the resolution. Mrs. Allen seconded the motion.

Roll Call:

Mrs. Allen	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Monaco	aye
Mr. Shamey	aye
Madam Chair	aye

2. **Professional Services Contract Award**
Kevin Smith
Finelli Consulting
Alternate consulting engineer – Carried to the next meeting

3. **Clyde H. Allison**
Block 76, Lot 2.03
Preliminary and final subdivision - Carried to the next meeting

F. TECHNICAL REVIEW COMMITTEE:

None

G. 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:

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. Potential litigation
2. 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 June 8, 2009.

Linda Jacukowicz, Coordinator

Mrs. Allen made a motion to close the meeting and enter into executive session at 7:42 p.m. Mr. Shamey seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.*

Mrs. Filler made a motion to open the meeting at 7:58.m. Mr. Klotz seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.*

H. OTHER BUSINESS:

1. Voucher Approval - Mr. Klotz made a motion to approve the vouchers. Mr. Cook seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded.*
2. Master Plan discussion – carried to the end of the meeting.

I. PUBLIC HEARINGS:

1. Nelson Ferreira
Old 31 Tannery Road
Block 39, Lots 53.17, 61.03 & 61.04
Amended Site Plan
Action Date: July 11, 2009

John Hansen stated on the record that he recused himself from the application. Kevin Smith of Finelli Consulting Engineers filled in as alternate engineer.

Howard Apgar, Esq., from the law firm of Mauro, Savo, Camerino & Grant stated that he is the attorney for the applicant. He stated that the application is a small amendment to the site plan approval.

Attorney Kimson swore in the following witnesses: Michael Seelman; Tony Ferreira; Kevin Smith; Michael Sullivan and Clay Emerson.

Mr. Seelman stated that he is employed by Ferreira Construction. He has a professional engineer's license in the State of New Jersey.

Exhibit A-1 Survey prepared by REDCO Engineering dated July 22, 2002

Mr. Seelman stated that the applicant has applied for an application before Bureau of Public Utilities for a photovoltaic system to be installed on the Old Tannery Road building, located at the northeast portion of the parcel. A study was performed on the structure and it was determined that structure cannot support the system on the roof. To keep the project viable, the proposed application is an alternate solution, which is a ground mounted area. This area would never be used for any other purposes. The system is a 22KW photovoltaic system. It is a single post mounted system.

Exhibit A-2 Insert (A) indicating where the system would be located.

Exhibit A-3 Cross section through the array.

Mr. Seelman stated that the array would consist of 4 rows of solar panels placed 19 feet apart from each other. Below the arrays they are proposing a 4 inch gravel base.

Exhibit A-5 PV Watts print out

Mr. Seelman stated that the system will consist of 102 panels. The output of the system is approximately 27,214 kilowatt hours. This system will save or avoid the production of 46,000 pounds of carbon monoxide or 20.7 metric tons. As far as a carbon footprint, that would equate to approximately 6.2 acres of trees.

Mr. Apgar referred to the professional reports. He stated that the applicant will comply with the contents of Mr. Sullivan's letter. Mr. Smith's letter dated June 5, 2009 was referred to. Mr. Smith stated that there are not a lot of engineering issues related to this facility, but in his report he found that this area would be identified as not being impervious coverage. Pursuant to 3-A of his report, he stated that he would rather 6 inches of stone. During construction there are a total of 27 two foot diameter holes that will be dug into the ground and filled with concrete it would be best to keep construction equipment off of this area. Mr. Smith did not feel that constructing the panels would have a negative impact on the property.

Clay Emerson of Princeton Hydro stated that he agreed with the board's engineer's comments.

PUBLIC COMMENTS:

There were no comments from the public.

Mrs. Duffy made a motion to approve the application. Mrs. Filler seconded the motion.

Roll call:

Mrs. Allen	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Shamey	aye
Mr. Klotz	aye
Mr. Monaco	aye
Madam Chair	aye

The board took a 5 minute break.

- 2. Ridge Road Realty, LLC
Preliminary Major Subdivision
Block 38, Lots 54, 74, 75
Pearl Street
Action date: June 12, 2009**

Lloyd Tubman, Esq., with the law firm of Archer & Greiner stated that she is the attorney for the applicant. Approximately two years ago, Ms. Tubman went before the board requesting that the paper road extension be vacated. The planner recommended at that time that any action regarding vacating those paper roads be deferred to such time as a subdivision was before the board. In the interim, NJDEP adopted new flood hazard area rules which resulted in a redesign of the project. The new flood hazard area buffers fully compliant 12 lot subdivision. The board's planner found a variance that they were unaware of and that dealt with changing from the R-1 standards to the R-2 standards. When that occurs there is a requirement for an offset of Michael's Court of 25 feet from the property line. The court has been relocated for exhibit purposes and there are no variances.

Attorney Kimson swore in Debra D'Amico and the board's professionals.

Debra D'Amico stated that she is a licensed professional engineer in the State of New Jersey.

Ms. D'Amico introduced the project. She stated that it is located on the east end of the township, south of Route 22 and east of Coddington Road. It is bound on the east by Ridge Road and on the south by a railroad right-of-way at the northeast corner is at the termination of Pearl Street and Sophie Street. The total tract area consists is 52.4 acres, including the right-of-way area. It is located in the R-1 zone.

Exhibit A-1 Cover sheet major subdivision dated May 24, 2007, last revised October 20, 2008.

Exhibit A-2 Topographic boundary survey and removal plan Sheet 2, dated May 24, 2007, last revised October 20, 2008.

This exhibit has been rendered to emphasize the lot lines and right-of-way location. Lot 75 is encumbered by the extension of Pearl Street from the west and the extension of Sophie Street from the north. Lot 54 fronts on Ridge Road to the east and bound to the south by a power transfer station and the railroad right-of-way. The central lot is a flag lot that fronts at Ridge Road to the east, between lots 75 and 54 and it is encumbered with stream encroachments. The property has a NJDEP Letter of Interpretation which states that the wetlands on the site consist of intermediate resource value which requires a 50 foot buffer. The streams according to the LOI are subject to a 25 foot riparian buffer. The township ordinance also designates this area to have a 100 foot stream corridor that is depicted on the plan. The new regulations require that all 3 streams are subject to a 150 foot riparian zone. The plan delineates the streams, the wetlands are shaded in blue, and the riparian zone is also shown on the plan. The existing right-of-way on lot 75 is south of Pearl Street. The Sophie Street right-of-way is bisected by the riparian zone. The Pearl Street right-of-way cuts through the end of the riparian zone and that right-of-way is rendered unusable.

Exhibit A-3 Preliminary Plan of the major subdivision plan, known as Sheet 3, Dated May 24, 2007 and last revised date is January 27, 2009.

The plan is a colored rendering to show the environmental constraints and the proposed right-of-ways. Michael's Court is located on the southeast corner of the lot, next to the electrical substation, and Maria's Court comes off of Sophie's Street which crosses the stream. The cul-de-sac on the bottom right of the plan is the one that will require a variance because it is within 25 feet of the side yard lot line. However, Ms. D'Amico prepared a sketch that shifts the cul-de-sac to the north so that they would clear the variance.

Exhibit A-9 Hand drawn sketch

Ms. D'Amico stated that the resulting lot areas are for Lot 54.01 and that lot would have 6.08 acres; Lot 54.11 would have 3.76 acres; Lot 54.12 would have 3.14 acres. All lots continue to conform in lot size.

Madam Chair alerted the applicant that there was insufficient information provided to the board, specifically in the EIS. Ms. Tubman informed the board that additional requested information will be provided to the board.

Mrs. Filler was concerned that the EIS was deficient. Ms. Tubman answered that they would address this matter and resubmit any additional information that might be needed pursuant to the professional's reports.

Mrs. Allen stated that it appeared as though the applicant had performed soil suitability testing prior to getting the letter from NJDEP. She wanted to make sure that the applicant would not install septic systems within the buffer area. Ms. D'Amico stated that the plan is to use the site suitability test that is outside of the NJDEP riparian zone. The additional testing has been completed.

Exhibit A 4 - Preliminary plan sheet 3 of 21 colored. Dated May 24, 2007 and last revised date is January 27, 2009.

Ms. D'Amico stated that this exhibit is to indicate the existing Sophie Street and Pearl Street right-of-ways and the proposed right-of-way for the Sophie Street extension. This plan is fully conforming.

Madam Chair suggested that the applicant re-design the layout in order to cluster the development so that the same number of lots could be achieved. If there were variances required, the board might be able to consider those.

Ms. Tubman stated that her client's direction was to come before the board with a fully conforming subdivision.

Ms. D'Amico stated that regarding the Pearl Street extension, it gives Lot 54.06 double frontage. That would mean that he would have the right to come off of either right of way for access. There would also be 2 front yard setbacks. Lot 54.05 would have frontage on both right-of-ways. It currently is accessed from Pearl Street.

Exhibit A-5 Topographic boundary survey and removal plan.

Exhibit A-6 Grading plan dated May 24, 2007 last revised date October 10, 2008.

Ms. D'Amico testified that Lot 54.05 will contain the existing house that fronts Pearl Street. Lot 54.12 will contain the home that fronts on Ridge Road. The proposed home location is oversized in order to give calculations for decks, etc. They do not anticipate the homes being this large. The lots are all conforming in size. The smallest lot is 54.07 which consist of 3.03 acres. The largest lot is 54.01. They propose one detention basin.

Ms. D'Amico briefly discussed the stormwater detention system.

Madam Chair referred to the letter from John Barczyk, Fire Official dated April 3, 2009. He strongly recommended that the applicant install an 8 inch water main along Sophie Street. Ms. D'Amico answered that the water line is 800 feet from their site. The cost of the water extension would be approximately \$271,000. The cost of 8 wells and one 10,000 gallon fire suppression tank would be approximately \$36,000.

Exhibit A-10 Ridge Realty Major Subdivision engineers estimate of quantities and opinions of probable cost for the fire suppression tank and wells.

Exhibit A-11 Engineer's estimate of quantities and opinions of probable cost for Sophie Street water line extension.

PUBLIC COMMENTS:

Theresa Hilgar 19 Ridge Road wanted to make sure that the wetlands will not be disturbed. Ms. D'Amico answered that was correct with the exception of removing the existing dwelling, the barns and the gravel roads. The driveway that serves the middle lot will also be removed. The driveway, however, will remain.

Mrs. Filler asked if they removed the lot near Maria's Court and one other lot, would the water line be a necessity. Ms. D'Amico would take a look at that suggestion.

Exhibit A-7 Landscaping plan sheet 9

This exhibit is rendered to show the trees that are proposed to be planted.

Exhibit A-8 Remaining plan sheets.

Mr. Emerson stated that he did not feel that the crossing of the western tributary is warranted. They would be willing to discuss this matter with the applicant's professionals. Furthermore, the stormwater management plan that has been submitted is not the best place to manage the stormwater.

Attorney Tubman requested an extension to July 13, 2009. No further notice will be required by the applicant and this matter is carried to that date.

J. OTHER BUSINESS:

1. Master Plan discussion

Mr. Sullivan informed the board that a significant amount of the changes to the Land Use Plan relate to the availability of public sewer and water service and

the ability to comply to NJDEP standards with respect to nitrate dilution as it relates to the un-sewer portion of the township and new information for the critical habitat of threatened and endangered species. In the AR zone, the minimum lot size is proposed to be 8 acres where now it is 6 acres. In the RR zone, they are proposing a minimum of 5 acres where it currently is 3 acres. The formal steep slope residential zone is now being absorbed into a new zone entitled "Special resource Residential Zone" to reflect the fact that it is not just the steep slope area that is important, but forest, habitats and other resources too. The lot minimum lot size will be raised from 5 acres to 10 acres. There are additional zones that are being proposed. A "New Village Hospitality Zone" is proposed. This zone is intended to support historic character to the gateway to Whitehouse and to support the continuation of the Ryland Inn to serve as the gateway. There is another zone, identified as the "Professional Office" zone. This zone would reduce the amount of strip commercial development. It removes the retail zone. The lot sizes will remain the same.

Mrs. Allen wanted to know what the recommended impervious coverage for the Village Hospitality zone? Mr. Sullivan answered 35%.

Mr. Monaco wanted to know if anything was added to the Village Hospitality Zone dealing with constraints since it is a dense dwelling unit per acre. Is there a minimum contiguous lot area in the VR Zone? The change should be that in the VR zone the lot should be 100% useable. Mrs. Allen stated that in years past, there have been issues for example when the water pipe-line took up somebody's entire backyard.

Mr. Sullivan informed the board that there is another proposed zone entitled the "Hamlet Residential Zone" which will recognize the hamlets of Stanton and Readington within the larger environs created by the AR district. The minimum lot size is recommended to be 2 acres.

Mr. Sullivan suggested that "churches" should be classified as another type of land use. They are more akin to an assembly use. If they strip away the religious overtones, they can identify areas where assembly uses are most appropriate. These areas would most likely be along Route 22. He would recommend defining "assembly use" as including churches among several other uses and that those are not permitted in the RR zone.

Mr. Sullivan recapped the changes for the board. They will change the VR zone, and the recommendation for the contiguous useable area and a recommendation of how to characterize houses of worship and where they will be permitted.

K. ADJOURNMENT

Mr. Shamey made a motion to adjourn at 10:04 p.m. Mrs. Filler seconded the motion. Motion was carried with a vote of Ayes all, Nays none recorded.

Respectfully submitted,

Linda A. Jacukowicz