

**READINGTON TOWNSHIP COMMITTEE  
MEETING – June 15, 2009**

Mayor Allen *calls the meeting to order at 6:30 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

**PRESENT:** Mayor J. Allen, Mr. T. Auriemma, Mr. F. Gatti, Mrs. B. Muir,  
Mr. G. Shamey

**ALSO PRESENT:** Administrator Mekovetz, Attorney S. Dragan

**ABSENT:** None

**EXECUTIVE SESSION:**

Clerk read the following Resolution:

**RESOLUTION**  
**EXECUTIVE SESSION**

**WHEREAS**, N.J.S.A. 10:4-6 *et seq.*, the Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Township Committee is of the opinion that such circumstances presently exist and desires to authorize the exclusion of the public from the portion of the meeting in accordance with the act;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the specified subject matter as set forth in the following Exhibit "A."

**EXHIBIT A**

<b><u>Subject Matter</u></b>	<b><u>Basis Of Public Exclusion</u></b>	<b><u>Date Anticipate When Disclosed to Public</u></b>
Personnel.....	Police .....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Personnel.....	Three Bridges Library.....	“ “ “
Contract Negotiations.....	Building and Grounds.....	“ “ “
Contract Negotiations.....	Block 93, Lot 1 (Amawalk).....	“ “ “
Contract Negotiations.....	Block 94, Lot 6.02, 8 and 11..... (Readington Properties, LLC)	“ “ “
Contract Negotiations.....	Block 94, Lots 15.01, 17 and 19..... (Toll NJ, VI, LLP)	“ “ “
Contract Negotiations.....	ECHO Unit Lease .....	“ “ “
Attorney-Client Privilege.....	Executive Session Minutes..... (May 18 and June 3, 2009)	“ “ “

Litigation..... Block 48, Lot 23; Block 55, Lot 33; “ “  
Block 56, Lots 1, 3, 6 & 8; Block 39,  
Lot 24 and Block 67, Lot 2  
(Solberg Aviation/Hromoho)

It is anticipated at this time that the stated subject matter will be made public on or about the time set forth in Exhibit “A.”

2. This Resolution shall take effect immediately.

A **MOTION** was made by Mr. Shamey to adopt this resolution, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

The meeting reconvened 8:01 p.m.

Mayor Allen led those present in the *Salute to the Flag*.

**Mayor Allen announced that the following business was completed during Executive Session:**

***Personnel/Police***

Mayor Allen stated this matter remains in Executive Session.

***Personnel/Three Bridges Library***

A **MOTION** was made by Mr. Auriemma to hire Jeanne Vitale as a library assistant for 17 hours per week at \$13.49 per hour effective June 22, 2009, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye  
Mr. Gatti - Aye  
Mrs. Muir - Aye  
Mr. Shamey - Aye  
Mayor Allen - Aye

***Contract Negotiations/Building and Grounds***

Mayor Allen stated this matter remains in Executive Session.

***Contract Negotiations/Block 93, Lot 1 (Amawalk)***

Mayor Allen stated this matter remains in Executive Session.

***Contract Negotiations/ Block 94, Lots 6.02, 8 and 11 (Readington Properties, LLC)***

Mayor Allen stated this matter remains in Executive Session.

***Contract Negotiations/Block 94, Lots 15.01, 17 and 19 (Toll NJ, VI, LLP)***

Mayor Allen stated this matter remains in Executive Session.

***Contract Negotiations/ECHO Unit Lease***

A **MOTION** was made by Mr. Auriemma to approve the lease as written for the ECHO Unit for Adolfina Estrada at 47 Old Highway 28, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye  
Mr. Gatti - Aye  
Mrs. Muir - Aye  
Mr. Shamey - Aye

Mayor Allen - Aye

***Attorney-Client Privilege/Executive Session Minutes (May 18 and June 3, 2009)***

A **MOTION** was made by Mr. Shamey to approve the Executive Session Minutes of May 18, 2009 for content only, seconded by Mr. Gatti with a vote of ayes all, Mr. Auriemma and Mrs. Muir abstained since they were not present at that meeting.

A **MOTION** was made by Mr. Gatti to approve the Executive Session Minutes of June 3, 2009 for content only, seconded by Mrs. Muir with a vote of ayes all, Mr. Shamey abstained since he was not present at that meeting.

***Litigation/Block 48, Lot 23; Block 55, Lot 33; Block 56, Lot 1, 3, 6 & 8; Block 39, Lot 24 and Block 67, Lot 2 (Solberg Aviation/Hromoho)***

Mayor Allen stated this matter was not discussed in Executive Session.

Mayor Allen stated an additional matter was added to the Executive Session.

***Contract Negotiations/Block 64, Lots 26 & 40 (Lackland Associates)***

Mayor Allen stated this matter stays in Executive Session.

**CONSENT AGENDA:**

Mayor Allen read the following statement:

All items listed with an asterisk “p” are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

1. **APPROVAL OF MINUTES** of meeting of May 18 and June 3, 2009

The minutes were removed from the consent agenda to be approved individually since there were some absences.

- p2. **2009-2010 Alcoholic Beverage License Renewals**

The following resolution was offered for consideration:

**#R-2009-70**

**TOWNSHIP OF READINGTON**

**RESOLUTION AUTHORIZING ALCOHOLIC BEVERAGE LICENSE RENEWALS**

**BE IT RESOLVED**, by the Township Committee of the Township of Readington that the following Readington Township Alcoholic Beverage License Renewals for 2009-2010 be approved:

**PLENARY RETAIL DISTRIBUTION:**

<b><u>LICENSE NUMBER</u></b>	<b><u>LICENSE HOLDER</u></b>	<b><u>MUNICIPAL FEE</u></b>	<b><u>STATE FEE</u></b>
1022-44-008-005	Bishop & Bishop Bar & Liquors	\$1,537.92	\$200.00
1022-44-015-002	Readington Wine & Spirits	\$1,537.92	\$200.00

**Resolution #R-2009-70 cont'd:**

**PLENARY RETAIL CONSUMPTION:**

<u>LICENSE NUMBER</u>	<u>LICENSE HOLDER</u>	<u>MUNICIPAL FEE</u>	<u>STATE FEE</u>
1022-33-001-002	Chanco (Stanton Ridge Country Club)	\$1,537.92	\$200.00
1022-33-009-004	ASKJAC LLC, Daniel Straffi Trustee	\$1,537.92	\$200.00
1022-33-002-009	Mitnick, Steve J. As Signee of Pirantello	\$1,537.92	\$200.00
1022-33-007-006	Bensi of Whitehouse Station, LLC.	\$1,537.92	\$200.00
1022-33-005-005	Readington Diner, Inc.	\$1,537.92	\$200.00

**CLUB:**

<u>LICENSE NUMBER</u>	<u>LICENSE HOLDER</u>	<u>MUNICIPAL FEE</u>	<u>STATE FEE</u>
1022-31-012-001	Polish American Citizens Club	\$ 150.00	\$200.00
1022-31-010-001	Whitehouse American Legion	\$ 150.00	\$200.00
1022-31-014-001	Three Bridges Volunteer Fire Co 1 Inc.	\$ 150.00	\$200.00

ρ3. ***Payment of Bills***

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND	9-01	\$ 697,236.41
TRUST FUNDS	X-03	\$ 10,548.85
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 29,550.37
PAYROLL DEDUCTIONS	X-06	\$ 156,165.56
DUE TO STATE OF NJ	X-09	\$ 100,000.00
<b>TOTAL OF ALL FUNDS</b>		<b>\$ 993,501.19</b>

A **MOTION** was made by Mr. Shamey to approve the Consent Agenda, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma -Aye  
 Mr. Gatti -Aye  
 Mrs. Muir -Aye  
 Mr. Shamey -Aye  
 Mayor Allen -Aye

**APPROVAL OF MINUTES**

A **MOTION** was made by Mr. Gatti to approve the minutes for the May 18, 2009 meeting, seconded by Mr. Shamey and on Roll Call vote the following was recorded:

Mr. Auriemma - Abstain  
 Mr. Gatti - Aye  
 Mrs. Muir - Abstain  
 Mr. Shamey - Aye  
 Mayor Allen - Aye

A **MOTION** was made by Mr. Gatti to approve the minutes for the June 3, 2009 meeting, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma -Aye  
 Mr. Gatti -Aye  
 Mrs. Muir -Aye  
 Mr. Shamey -Abstain  
 Mayor Allen - Aye

**CORRESPONDENCE/OTHER INFORMATION**

1. Letter from Lou Cattuna, Northern Delaware Regional Supervisor, Department of Environmental Protection regarding **Letter of Interpretation/Line Verification, Block 2.01, Lot 9**. No action taken.
2. Memorandum dated May 29, 2009 from Tricia Houck, Deputy Clerk, Clinton Township regarding the following:
  - **An Ordinance Supplementing and Amending Chapter 165 Entitled “Lane Use Regulations” of the Code of the Township of Clinton, 2003, to Provide for the Development of Residential Swimming Pools within the AH-3 Affordable Housing District Subject to Requirements and Procedures to Address Concerns Related to the Critical Geological Formation Area (Limestone) within which the AH-3 District is located**
  - **An Ordinance Supplementing and Amending Chapter 165 Entitled “Land Use Regulations” of the Code of the Township of Clinton, 2003 to Provide for the Development of Multiple Principal Uses and Apartment Dwellings Subject to Certain Requirements within the Office Building or OB-2 District**No action taken.
3. Letter dated May 29, 2009 from Frances L. Sundheim, Vice President and Corporate Rate Counsel, Public Service Electric and Gas Company regarding **a Petition with the New Jersey Board of Public Utilities (BPU) requesting an increase in the charges for electric and gas service**. (Entire File Available in Clerk’s Office for Review) No action taken.
4. Notice of Hearing from Lawrence A. Vastola, Attorney regarding **consideration of an application for the Zoning Board of Adjustment, Branchburg**. No action taken.

**OLD BUSINESS**

1. **Mitnick (Pirantello) to Fiddler’s Elbow (Lamington Hospitality) Liquor License** – Person to Person/Place to Place – Denial of Application –

The following resolution was offered for consideration:

**#R-2009-71**

**TOWNSHIP OF READINGTON  
RESOLUTION MEMORIALIZING DECISION ON APPLICATION MADE BY  
LAMINGTON HOSPITALITY, LLC FOR APPROVAL OF PERSON-TO-PERSON AND  
PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LLICENSE #  
1022-33-002-009**

**WHEREAS**, the Township of Readington received an application filed by Lamington Hospitality, LLC d/b/a Fiddler’s Elbow Golf and Country Club (hereinafter “Applicant”), for a Person-to-Person and Place-to-Place Transfer Approval of Plenary Retail Consumption License #1022-33-002-009, which is an inactive liquor license that the Applicant purchased from Steven Mitnick, Esq., Assignee for the Benefit of Creditors of Pirantello, LLC, t/a Anthony’s Restaurant; and

**WHEREAS**, Fiddler’s Elbow and Country Club is located in two municipalities, specifically: Block 11, Lots 8, 9B 13, 14, 15 in Readington Township and Block 37A, Lots 1 and 1.01 in Bedminster Township, Somerset County. The property in Readington Township consists of land used for the golf course and property in Bedminster contains the club house building

**Resolution #R-2009-71 cont'd:**

which currently holds a Club Liquor License. Associated buildings and structures are located on portions of the golf course in both townships; and

**WHEREAS**, the Applicant proposes to post and utilize the plenary retail consumption license in question at a ranch-style house located on a portion of the golf course property situated in Readington Township, specifically Block 11, Lot 13; and

**WHEREAS**, the Township Committee considered the application at a public hearing held on May 18, 2009, at which appeared Applicant's attorney Anthony Koester, Esq. as well as David McGhee, General Manager of the Applicant; and

**WHEREAS**, Township Committee received the following documentation for consideration at the public hearing:

- letter dated September 10, 2008 from Anthony Koester
- Application for a Person to Person and Place to Place Transfer dated October 31, 2008
- Police Department Reports dated February 26, 2009 and March 3, 2009
- Zoning Official's memo of March 10, 2009, together with a copy of the Planning Board
- Resolution dated February 24, 1992, attached.
- Copies of various marked-up maps provided by the Applicant, including an updated aerial map; a map entitled "Plan and Profile Proposed Alignment of Tree Top Road", a topographic survey, and a grading and soil erosion/sediment control plan; and

**WHEREAS**, the Township also considered Chapter 66 of the Readington Township Code, pertaining to the regulation of Alcoholic Beverages in the Township, as well as N.J. Administrative Code Rule N.J.A.C. 13:2-5.3 which provides a procedure for the issuance of a special permit for golf facilities; and

**WHEREAS**, no members of the public appeared with respect to the application; and

**WHEREAS**, as a result of said review and Public Hearing, the Township Committee hereby makes the following findings:

1. This is the second application made to the Township by the Applicant for approval of a person-to-person and place-to-place transfer of Liquor License No. 1022-33-002-009. The Applicant originally purchased the license from Steven Mitnick, under the Assignment for the Benefit of Creditors of Pirantello, LLC pursuant to a Bankruptcy Court Order dated June 7, 2002. The Court Order stated that the sale was not contingent on the Purchaser's ability to actually obtain the transfer. The previous application was denied by the municipality as appears in the minutes of the public hearing held on November 6, 2006 and in the ensuing resolution adopted by the Township Committee. As stated by the applicant, the first application was different from the current application in that it involved a request for approval of the transfer of the license for use at the Fiddler's Elbow club house facility located in Bedminster Township. An appeal of that denial was made to the N.J. Division of Alcoholic Beverage Control and was subsequently referred to the Office of Administrative Law where it still is pending. While the applicant's attorney stated the approval of the within transfer application would settle the appeal filed for the first application, he acknowledged that the present application was a new one that had to be considered by the Township on its own merits.
2. The applicant now proposes to place the license at a ranch-style house located near the 9<sup>th</sup> hole of the golf course which is located in Readington Township, specifically Block 11, Lot 13, but its Manager stated that it seeks to extend it for use on the entire golf course facility. Access to the ranch house would be along an internal road leading from the golf cart area located near the club house on the Bedminster portion of the property. Mr.

***Resolution #R-2009-71 cont'd:***

McGhee testified that the applicant's intent is to provide mobile cart service to golf course members from the ranch house, which is currently being used as a "snack shack", where food is now being served from an outside grill. The liquor license application filed with the municipality further describes the licensed premises as being for "restaurant" and "catering" use.

3. When questioned, Mr. McGhee was uncertain as to how long the ranch house has been in use as a "snack shack" but thought it began after the Planning Board approval was granted. According to the Township's Zoning Official's memo, although not currently zoned for golf course use, the property previously received preliminary and final site plan approval from the Readington Township Planning Board in 1992 for conditional use as a golf course with ancillary facilities. The Zoning Official opined that a snack bar on the course would be considered an "ancillary facility". Notwithstanding, the Committee notes that the copy of the Planning Board resolution it received contains a representation by the Applicant that this specific dwelling, as well as other on the golf course property, would be used to house employees of the country club. As part of this application, the Committee makes no finding as to whether or not this particular ranch house may properly be used as a "snack shack" as testified by the Applicant, or as a restaurant/catering facility (as set forth in applicant's liquor license application), and leaves such an interpretation up to the Board of Adjustment and/or Planning Board, as may be applicable.
4. The Committee also notes that the conditional use approval received by the Applicant was based on its ability to meet the definition of a "membership club(s) for open air recreation and accessory buildings have "no nuisance factor". The Committee believes that serving alcohol at the proposed locations may create a "nuisance factor".
5. The Applicant's manager testified that the Applicant has been in business since 1965 and that the current application should be approved because the golf course facility provides several hundred acres of open space which benefits the Township, employs many local people and except for one incident involving a drunken patron in the parking lot outside the club house facility, has not experienced any criminal incidents related to its club liquor license.
6. The Committee finds that it must primarily consider the Applicant's application in conjunction with the Township's Alcoholic Beverage ordinance which was amended by Ordinance #34-2004, set forth in Chapter 66-1, et seq. of the Township Code. This provision is separate from the Township's Land Use Ordinances and specifically requires, in Sec. 66-2 that plenary retail consumption licenses shall, among other things, be situated "on properties located on or within 500 feet of New State Highway Routes 28, 523, 22 or 202, as the same run through the Township of Readington in the Village Commercial and Business Zones". The current Application does not meet this requirement. This Committee further agrees that the purpose of the ordinance's location requirement was to keep liquor licenses within the township's commercial areas so as to revitalize certain areas of Readington. The within application does not meet this purpose, the ordinance contains no variance procedure and the Township Committee is not inclined to amend or otherwise overlook it.
7. In addition to the above, the Township Committee finds that the N.J. Division of Alcoholic Beverage Control has adopted a rule specific to golf course facilities such as the Applicant's. Under the new rule, the Applicant can obtain a special liquor permit for the same purposes sought in this application, by the following process outlined in N.J.A.C. 13:2.5.3, et seq. Accordingly, the Township Committee finds that the Applicant has an available remedy without the Township having to amend or violate the conditions set forth in its own alcoholic beverage control ordinance.

***NOW THEREFORE BE IT RESOLVED*** by the Mayor and Township Committee of the Township of Readington as follows:

**Resolution #R-2009-71:**

1. For all the reasons listed in the findings set forth above, which are wholly incorporated herewith and made part hereof, the Township Committee hereby disapproves the application for a person-to-person and place-to-place transfer of plenary retail consumption license #1022-33-002-009 to be sited at the ranch house facility located on Block 11, Lot 13 in Readington Township, as proposed by the Applicant Lamington Hospitality, LLC.
2. This Resolution memorializes the Township Committee’s vote taken at the public hearing on May 18, 2009. It shall take effect immediately and the Township Administrator/Clerk is directed to supply a copy to the Applicant.
3. If the provision of any section, subsection, paragraph, subdivision or clause of this Resolution shall be judged invalid by any Court of competent jurisdiction, such Order or Judgement shall not affect or invalidate the remainder of such section, subsection, paragraph, subdivision or clause of this Resolution are hereby declared to be severable.

A **MOTION** was made by Mr. Shamey to adopt this resolution, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mr. Auriemma	-Aye
Mr. Gatti	-Aye
Mrs. Muir	-Aye
Mr. Shamey	-Aye
Mayor Allen	-Aye

**NEW BUSINESS**

1. ***AN ORDINANCE SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, AND THE ZONING MAP IS HEREBY SUPPLEMENTED AND AMENDED***

A discussion took place on the various suggested revisions to the language on the applicability of this ordinance. Mr. Shamey read the revised language for the record as follows:

*Applicability. This Ordinance shall be applicable to all lands in Readington Township, except for lands that are the subject of a pending major subdivision application or site plan approval before the Planning Board that has been deemed complete as of the effective date of this Ordinance, (pursuant to NJSA 40:55D-10.3). Applications before the Zoning Board of Adjustment that have been filed with and deemed complete by the Board of Adjustment (pursuant to NJSA 40:55D-10.3) on or prior to the adoption date of this Ordinance, shall be reviewed according to the zone classification and standards in place prior to this zone change. In the event said application is withdrawn, or denied, the exemption applicable to the land shall lapse and this amended Ordinance shall be applicable.*

Mrs. Muir questioned why in the RR Zone, agriculture was crossed off for the utilization purposes. Mary Grace Flynn, Chairman of the Planning Board, stated the reason agriculture was deleted was because in an RR Zone it was felt that the capacity of the land has already been utilized.

Mr. Shamey requested some clarification on some of the conditional uses.

The following ordinance was offered for consideration:

***AN ORDINANCE SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON, 2000, AS HERETOFORE SUPPLEMENTED AND AMENDED, AND THE ZONING MAP IS HEREBY SUPPLEMENTED AND AMENDED.***

***ORDINANCE # 19-2009***

**BE IT ORDAINED**, by the Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey, as follows:

1. Section 148-9 entitled “Definitions” of Article II entitled “Definition of Terms” is hereby supplemented and amended to create a new definition of Assembly Use. (Deletions are indicated ~~thus~~; additions are indicated thus):

ASSEMBLY USE — A use or structure which is a permanent facility, building, structure, or installation which attracts, or may attract, for purposes of assemblage, persons, including, but not limited to, non-profit or for profit: churches, synagogues or other houses of worship, theatres, lodges, fraternal organizations, civic organizations, and clubs.

2. Section 148-10 entitled “Zoning districts” within Article III entitled “Zoning Districts and Zoning Map” is hereby supplemented and amended to replace the SSR Steep Slope Residential Zone with the SRR Special Resource Residential Zone, to remove the SC Senior Citizen Zone and SC-3 Senior Citizen-3 Zone, and to add the newly created HR Hamlet Residential Zone, VH Village Hospitality Zone, and PO Professional Office Zone as follows (deletions are indicated ~~thus~~; additions are indicated thus):

§ 148-10. Zoning districts.

For the purposes of this chapter, the Township of Readington is hereby divided into ~~16~~ 17 districts as follows:

<del>SSR</del>	<del>Steep Slope Residential</del>
<u>SRR</u>	<u>Special Resource Residential</u>
AR	Agricultural Residential
RR	Rural Residential
R-1	Residential One-Acre
VR	Village Residential
<u>HR</u>	<u>Hamlet Residential</u>
PND	Planned Neighborhood Development
PND-1	Planned Neighborhood Development
VC	Village Commercial
<u>VH</u>	<u>Village Hospitality</u>
<u>PO</u>	<u>Professional Office</u>
B	Business
ROM-1	Research Office Manufacturing
ROM-2	Research Office Manufacturing Park
RO	Research Office
RO-1	Research Office

**Ordinance #2009-19 cont'd:**

SC	<del>Senior Citizen Residential</del>
SC-2	Senior Citizen-2
SC-3	<del>Senior Citizen-3</del>

3. Section 148-11 entitled “Zoning Map” within Article III entitled “Zoning Districts and Zoning Map” is hereby supplemented and amended to update the reference to the current zoning map as follows (deletions are indicated ~~thus~~; additions are indicated thus):

§ 148-11. Zoning Map.

The boundaries of the zoning districts are established on the map entitled “Zoning Map of the Township of Readington,” dated ~~December 1998~~ June 2009, which accompanies and is hereby made part of this chapter.

4. Section 148-14 entitled “SSR Steep Slope Residential Zone” within Article IV entitled “District Regulations” is hereby replaced in its entirety with a new zone entitled “SRR Special Resource Residential Zone” that will allow for low density residential development as follows (deletions are indicated ~~thus~~; additions are indicated thus):

§ 148-14. ~~SSR Steep Slope Residential~~ SRR Special Resource Residential Zone.

A. Principal permitted uses. One of the following:

- (1) Detached single-family dwelling units.
- (2) Public and private open space and parks.
- (3) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and adult family care homes for elderly persons and physically disabled adults, and the requirements therefore shall be the same as for single-family dwelling units located within this District.

B. Accessory uses - ~~SSR~~ SRR Zone.

- (1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.
- (2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure.
- (3) Off-street parking.
- (4) Fences and walls as regulated in Article VI.
- (5) Signs as regulated in Article XII.
- (6) Outdoor barbecue structures.
- (7) Essential utility services, including the provision of electric, water, sewer, telephone and cable service.

**Ordinance #2009-19 cont'd:**

- (8) Home occupations as regulated in § 148-53.
- C. Conditional uses - ~~SSR~~ SRR Zone (subject to regulations set forth in Article V).
  - (1) Home occupations.
  - (2) Public utilities.
  - (3) ECHO housing.
  - (4) Removal of more than two living trees.
- D. Maximum building height - ~~SSR~~ SRR Zone. No building shall exceed 35 feet in height and 2 1/2 stories ~~except that churches shall not be limited in height.~~
- E. Area and yard requirements - ~~SSR~~ SRR Zone.
  - (1) Conventional subdivision, detached dwellings:
    - (a) Minimum lot area: ~~five~~ ten acres.
    - (b) Minimum lot circle: ~~350~~ 500 feet.
    - (c) Minimum lot frontage: ~~50~~ 100 feet.
    - (d) Minimum front yard: 75 feet.
    - (e) Minimum side yard (each): ~~40~~ 60 feet.
    - (f) Minimum rear yard: ~~40~~ 80 feet.
    - (g) Maximum F.A.R.: ~~0.04~~ 0.02.
    - (h) Maximum distance of lot circle from street right-of-way: 150 feet.
    - (i) Each lot shall have a minimum of 75,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot to support a residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement of the system.
  - (2) ~~Cluster subdivision. Tracts of land 30 acres or greater in size either at the time of the adoption of this chapter or that are assembled after the adoption of this chapter shall develop as a two –acre open space cluster with the following requirements:~~
    - (a) Minimum tract area: 30 acres.
    - (b) Minimum building lot size: two (2) acres.
    - (c) Minimum open space: ~~60%~~ 80% of tract.
    - (d) Minimum lot circle: 275 feet.

**Ordinance #2009-19 cont'd:**

- (e) Minimum lot frontage: 50 feet.
- (f) Minimum front yard: 75 feet.
- (g) Minimum side yard (each): 40 feet.
- (h) Minimum rear yard: 40 feet.
- (i) Maximum F.A.R. on residential lot: 0.07.
- (j) Maximum distance of lot circle from street right-of-way: 150 feet.
- (k) Each lot shall have a minimum of 75,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for onsite wells and septic systems and space for future replacement system.

F. ~~Minimum~~ Off-street parking - SSR SRR Zone. Each individual use shall provide Parking spaces shall be provided according to the NJ Residential Site Improvement Standards (NJSA 5:21-1 et. seq.) ~~the following minimum provisions.~~ No parking area or driveway shall be located within 15 feet of any property line, except where common driveways are approved by the Board.

~~(1) Dwelling units shall provide two parking spaces per dwelling unit.~~

G. Open space in two-acre cluster developments shall be permanently deed restricted from further development except for open space, natural resource conservation, or passive recreation approved by the Township and subject to the following regulations:

- (1) At the time of subdivision application for cluster development under § 148-14E(2), the applicant shall designate whether the proposed open space shall be owned and maintained by ~~an open space organization~~ a property owners' association or be offered for acceptance by the Township or other governmental agency. If open space is not to be dedicated to the Township or other governmental agency, then the developer shall provide for a property owners' association ~~an organization~~ to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the property owners' association ~~open space organization~~ shall be in a form that is consistent with § 148-59 of this chapter and the Municipal Land Use Law, N.J.S.A. 40:55D-43.
- (2) ~~To the greatest extent possible,~~ Proposed roads should be located within the development portion of the property. It is the intent to keep the open space portion continuous and free of intrusions; however, adequate access must be provided to this area. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said stormwater elements may be located within the open space, at the discretion of the Approving Authority, provided that the area occupied by said elements shall not count towards the required minimum open space area.
- (3) The set-aside of common open space shall comply with § 148-60.

***Ordinance #2009-19 cont'd:***

- (4) Residential lots developed as part of the cluster that are adjacent to the open space should be configured to front on the open space. Although not encouraged, side yards may face open space to permit a degree of flexibility. In no case shall a new residential lot be configured in such a manner as to create a rear yard that faces open space.
- (5) Where a side yard of a residential lot is adjacent the open space, the side yard shall be considered a front yard for bulk zoning purposes.
- (6) Where residential lots developed as part of the cluster front on the open space, an improved public street shall be created between the residential lot and the open space. The un-paved area within the half of a street right-of-way that is located directly adjacent to the open space (those streets having homes on only one side, with open space on the opposite side) may be counted towards the minimum open space requirement.
- (7) Notwithstanding minimum lot circle requirements for the open space, the minimum width or depth for any portion of the open space shall be 500 feet.

H. Street Setback. New streets shall be located no closer than 50 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development.

5. Section 148-15 entitled “AR Agricultural Residential Zone” within Article IV entitled “District Regulations” is hereby supplemented and amended to increase the required minimum lot size, increase the required open-space set-aside for cluster developments and to remove “agricultural commercial villages” from the list of conditionally permitted uses as follows (deletions are indicated ~~thus~~; additions are indicated thus):

A. Permitted principal uses – AR Zone.

- (1) Farms (see §148-9 for definition of farm) and agricultural uses, including crops, nurseries, poultry, small animals and livestock raising and training, including outdoor parking of farm vehicles and equipment.
- (2) Detached single-family dwelling units.
- (3) Public and private open space and parks.
- (4) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and adult family care homes for elderly persons and physically disabled adults, and the requirements therefore shall be the same as for single-family dwelling units located within this District.

B. Accessory uses – AR Zone.

- (1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.
- (2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure and as regulated in Article VI.
- (3) Off-street parking.
- (4) Fences and walls as regulated in Article VI.

- (5) Signs as regulated in Article XII.
- (6) Outdoor barbecue structures.
- (7) Essential services.
- (8) Farm storage sheds and barns.
- (9) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (10) Home occupations as regulated in § 148-53.

C. Conditional Uses – AR Zone (subject to regulations set forth in Article V.)

- (1) Cemeteries
- (2) Home Occupations
- (3) Public Utilities
- (4) ECHO Housing
- (5) Previously converted agricultural buildings such as barns, wagon sheds and chicken coops for storage and warehousing prior to the effective date of this chapter.
- ~~(6) Agricultural commercial villages to provide a concentration of agricultural services and retail village atmosphere.~~

D. Maximum **building** height - AR Zone. No **building** shall exceed 35 feet in height and 2 1/2 stories except that ~~churches and~~ farm structures shall not be limited in height.

E. Area and yard requirements – AR Zone.

- (1) Tracts of land less than ~~40~~ 24 acres in size either at the time of adoption of this chapter or that are assembled after the adoption of this chapter:
  - (a) Minimum lot size: ~~six~~ eight acres.
  - (b) Minimum **lot** circle: 350 feet.
  - (c) Maximum floor area ratio per building lot: .04.
  - (d) Minimum setback from street line: 75 feet.
  - (e) Minimum setback from side or rear line: 40 feet.
  - (f) Minimum frontage on a street: 50 feet.
  - (g) Circumference of the minimum lot circle may not be more than 150 feet from the street right-of-way.
  - (h) Each **lot** shall have a minimum of 75,000 square feet of contiguous usable **land**. This standard is established to provide a minimum area on each **lot** for residence, accessory buildings and structures, usable yard area and adequate

space for onsite wells and septic systems and space for future replacement system.

(2) Tracts of land ~~30~~ 24 acres or greater in size either at the time of the adoption of this chapter or that are assembled after the adoption of this chapter shall develop as one-and-one-half-acre open space clusters with the following requirements:

- (a) Minimum tract area: ~~30~~ 24 acres.
- (b) Minimum open space: ~~70%~~ 80% of tract.
- (c) Minimum Residential lot size: 65,000 square feet
- (d) Minimum lot circle: 200 feet.
- (e) Maximum floor area ratio per building lot: 12.
- (f) Minimum front yard setback: 60 feet.
- (g) Minimum rear yard setback: 35 feet.
- (h) Minimum side yard setback: 35 feet.
- (i) Minimum frontage on a street: 50 feet.
- (j) Circumference of the minimum lot circle may not be more than 125 feet from the street right-of-way.
- (k) Each lot shall have a minimum of 65,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for onsite wells and septic systems and space for future replacement system.
- (l) A minimum 50-foot-wide buffer shall be provided between residential uses and any land utilized for agricultural purposes. This buffer area shall be deed restricted from development and shall contain at a minimum a staggered double row of evergreen plantings, five feet in height or equivalent as approved by the Planning Board.
- (m) The open space parcel shall contain a minimum of ~~70%~~ 80% of the gross tract area which shall contain a minimum of 65% of the unconstrained tract area. The "unconstrained tract area" shall be defined as the area of the tract that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25%, easements (excluding sight triangles), and right-of-way areas. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said stormwater elements may be located within the open space, at the discretion of the Approving Authority, provided that the area occupied by said elements shall not count towards the required minimum open space area
- (n) The open space parcel shall contain a minimum lot circle of 500 feet.

- (o) Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required open space area, except as provided for in §148-14.G(6).
- (p) The minimum required distance between a residential lot line and the right-of-way of Route 22, Old Highway 28, or Route 202 shall be 500 feet.

- (3) Lots within the RR Zone that were approved as agricultural cluster subdivisions under previously agricultural cluster requirements, prior to the adoption of this chapter, shall be permitted to continue as approved.

F. Open space regulation - AR Zone. Open space in one-and-one-half-acre cluster developments shall be permanently deed restricted from further development and shall be utilized either for agriculture, natural resource conservation, open space or passive recreation /~~passive open space or recreation~~ as approved by the Township's approving authority and shall be subject to the following regulations:

- (1) At the time of subdivision application for cluster developments under § 148-15E(2), the applicant shall designate whether the proposed open space shall be owned and maintained by ~~an open space organization~~ a property owners' association or be offered for acceptance by the Township or other governmental agency. If the open space is not to be dedicated to the Township or other governmental agency, then the developer shall provide for ~~an organization~~ a property owners' association to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the property owners' association ~~open space organization or trust~~ shall be in a form that is consistent with § 148-59 of this chapter and the Municipal Land Use Law, N.J.S.A. 40:55D-43.
- (2) It is the intent of this chapter to preserve open space and farmland within Readington Township. Open space parcels shall either be devoted to agriculture, recreation, ~~or~~ natural resource conservation ~~or~~ passive recreation ~~open space~~. Where practical, to the extent that land intended for open space uses is presently being farmed, it should remain as farmland.
- (3) New agricultural construction (e.g., barns, shelters and greenhouses) shall not result in an F.A.R. of greater than 4% nor an impervious surface coverage in excess of 10% of the total acreage of the preserved open space parcel.
- (4) The deed of any single-family dwelling sold as part of a cluster development under this section shall contain a notification that the Township Zoning Ordinance specifically includes farming as a permitted use in the AR Zone and that the open space in the development may be deed restricted for farming use. Furthermore, the developer and/or landowner who plans to sell the dwellings referenced above shall inform prospective purchasers in writing of the protection the Township ordinance conveys to agricultural operations.
- (5) The set-aside of common open space shall comply with § 148-60.
- (6) Residential lots developed as part of the cluster that are adjacent to the open space should be configured to front on the open space. Although not encouraged, side yards may face open space to permit a degree of flexibility.

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In no case shall a new residential lot be configured in such a manner as to create a rear yard that faces open space.

- (7) Where a side yard of a residential lot is adjacent to open space, the side yard shall be considered a front yard for bulk zoning purposes.
- (8) Where residential lots developed as part of the cluster front on the open space, an improved public street shall be created between the residential lot and the open space. The un-paved area within the half of a street right-of-way that is located directly adjacent to the open space (those streets having homes on only one side, with open space on the opposite side) may be counted towards the minimum open space requirement.
- (9) Notwithstanding minimum lot circle requirements for open space, the minimum width or depth for any portion of the open space shall be 500 feet.

G. Minimum off-street parking - AR Zone. Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within 15 feet of any property line, except where common driveways are approved by the Board.

- (1) Dwelling units shall provide parking spaces in accordance with the Residential Site Improvement Standards N.J.A.C. 5:21-4.14.
- (2) Farm stands shall provide a minimum area for parking to accommodate two parking spaces for customers plus one for each employee at maximum shift if not residing on the premises.

H. Street Setback. New streets shall be located no closer than 50 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development.

6. Section 148-16 entitled “RR Rural Residential Zone” within Article IV entitled “District Regulations” is hereby supplemented and amended to increase the required minimum lot size, to require that properties 20 acres and greater develop according to the standards contained herein for a one-and-one-half-acre-cluster subdivision, to increase the required open-space set-aside for cluster developments, to remove agriculture as a permitted use in dedicated open space areas in cluster developments, and to remove “agricultural commercial villages”, “churches and houses of worship”, and “social clubs, lodges, and fraternal organizations” from the list of conditionally permitted uses as follows (deletions are indicated ~~thus~~; additions are indicated thus):

A. Permitted principal uses – RR Zone.

- (1) Detached single-family dwelling units.
- (2) Farms (see §148-9 for definition of farm) and agricultural uses, including crops, nurseries, poultry, small animals and livestock raising and training, including outdoor parking of farm vehicles and equipment.
- (3) Public and private open space and parks.
- (4) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and adult family care homes for elderly

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persons and physically disabled adults, and the requirements therefore shall be the same as for single-family dwelling units located within this District.

B. Accessory uses – RR Zone.

- (1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.
- (2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure and as regulated in Article VI.
- (3) Off-street parking.
- (4) Fences and walls as regulated in Article VI.
- (5) Signs as regulated in Article XII.
- (6) Outdoor barbecue structures.
- (7) Essential services.
- (8) Farm storage sheds and barns.
- (9) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (10) Home occupations as regulated in § 148-53.

C. Conditional Uses – RR Zone (subject to regulations set forth in Article V.)

- (1) Public and private day schools of elementary and/or high school grades licensed by the State of New Jersey.
- ~~(2) Churches and houses of worship.~~
- ~~(3) 2) Cemeteries.~~
- ~~(4) 3) Home Occupations.~~
- ~~(5) 4) Hospitals.~~
- ~~(6) Social clubs, lodges and fraternal organizations having no nuisance factor.~~
- ~~(7) 5) Public utilities.~~
- ~~(8) 6) ECHO Housing.~~
- ~~(9) 7) Previously converted agricultural buildings such as barns, wagon sheds and chicken coops for storage and warehousing prior to the effective date of this chapter.~~
- ~~(10) Agricultural commercial villages to provide a concentration of agricultural services and retail village atmosphere.~~

***Ordinance #2009-19 cont'd:***

- D. Maximum building height - RR Zone. No building shall exceed 35 feet in height and 2 1/2 stories except that ~~churches and~~ farm structures shall not be limited in

height.

E. Area and yard requirements – RR Zone.

(1) Tracts of land less than 20 acres in size either at the time of adoption of this chapter:

- (a) Minimum lot size: ~~three~~ five acres.
- (b) Minimum lot circle: 250 feet.
- (c) Maximum floor area ratio per building lot: 0.10.
- (d) Minimum setback from street line: 75 feet.
- (e) Minimum setback from side or rear line: 40 feet.
- (f) Minimum frontage on a street: 50 feet.
- (g) Circumference of the minimum lot circle may not be more than 150 feet from the street right-of-way.
- (h) Each lot shall have a minimum of 65,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for onsite wells and septic systems and space for future replacement system.

(2) Tracts of land ~~30~~ 20 acres or more in size ~~may elect to~~ shall develop as one-and-one-half-acre open space clusters with the following requirements:

- (a) Minimum open space set aside: ~~50%~~ 60% of tract.
- (b) Minimum residential lot size: 65,000 square feet.
- (c) Minimum lot circle: 200 feet.
- (d) Maximum floor area ratio per building lot: 0.12.
- (e) Minimum front yard setback: 60 feet.
- (f) Minimum rear setback: 35 feet.
- (g) Minimum side yard setback: 35 feet.
- (h) Minimum frontage on a street: 50 feet.
- (j) Circumference of the minimum lot circle may not be more than 125 feet from the street right-of-way.
- (j) Each lot shall have a minimum of 65,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for onsite wells and septic systems and space for future replacement system.

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- (k) A minimum 50-foot-wide buffer shall be provided between residential uses and any land utilized for agricultural purposes. This buffer area shall be deed

restricted from [development](#) and shall contain at a minimum a staggered double row of evergreen plantings, five feet in height or equivalent as approved by the Planning [Board](#).

- (l) The [open space](#) parcel shall contain a minimum of ~~50%~~ [60%](#) of the gross [tract](#) area which shall contain a minimum of 45% of the unconstrained [tract](#) area. The "unconstrained [tract](#) area" shall be defined as the area of the [tract](#) that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25%, easements (excluding sight triangles), and right-of-way areas. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said stormwater elements may be located within the open space, at the direction of the approving authority provided that the area occupied by said elements shall not count towards the required minimum open space area.
- (m) The [open space](#) parcel shall contain a minimum [lot](#) circle of 500 feet.
- (n) Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required [open space](#) area, except as provided in § 148-15F(8).
- (o) The minimum required distance between a residential lot line and the right-of-way of Route 22, Old Highway 28, or Route 202 shall be 500 feet.
- ~~(3) Tracts of land 30 acres or greater in size may, as an alternative to developing under the standards of §148-16E(1) or (2), elect to develop as a two-acre cluster subject to the following requirements:~~
  - ~~(a) Minimum [tract](#) size: 30 acres.~~
  - ~~(b) Minimum residential [lot](#) size: two acres.~~
  - ~~(c) Minimum [open space](#) set aside: 33% of [tract](#).~~
  - ~~(d) Minimum [lot](#) circle: 250 feet.~~
  - ~~(e) Maximum floor area ratio per [building lot](#): 0.10.~~
  - ~~(f) Minimum [front yard](#) setback: 75 feet.~~
  - ~~(g) Minimum [rear yard](#) setback: 40 feet.~~
  - ~~(h) Minimum [side yard](#) setback: 40 feet.~~
  - ~~(i) Minimum [frontage](#) on a [street](#): 50 feet.~~
  - ~~(j) Circumference of the minimum [lot](#) circle may not be more than 150 feet from the [street](#) right-of-way.~~
  - ~~(k) Each [lot](#) shall have a minimum 65,000 square feet of contiguous usable [land](#). This standard is established to provide a minimum area on each [lot](#) to support a residence, accessory buildings and structures, usable yard area and adequate space for [on-site](#) wells and~~
    - ~~septic systems and space for future replacement system.~~

***Ordinance #2009-19 cont'd:***

- ~~(l) The open space parcel shall contain a minimum of 33% of the gross tract area which shall contain a minimum of 30% of the unconstrained tract area. The "unconstrained tract area" shall be defined as the area of the tract that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25%, easements (excluding site triangles) and right-of-way areas.~~
  - ~~(m) The open space parcel shall be able to accommodate a minimum lot circle of 400 feet.~~
  - ~~(n) A minimum fifty-foot-wide buffer shall be provided on site when adjacent to any land utilized for agricultural purposes. This buffer area shall be deed restricted from development and shall contain at a minimum a staggered double row of evergreen plantings, five feet in height or equivalent as approved by the Planning Board.~~
  - ~~(o) Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required open space area.~~
- ~~(4) On tracts of land over 100 acres and with at least a portion of the tract located within the public sewer service area, the following cluster regulations may be elected, provided that adequate sewer capacity is available to serve the entire development and adequate water supply is available through public water supply or wells as approved by the Planning Board. If public water supply is unavailable and wells are to be used, adequacy of water supply must be established prior to approval. Water quality of the nearest existing wells on adjoining properties should be sampled for generic indexes to determine baseline quality. Well testing shall be done in accordance with a plan approved by the Board of Health with the advice of a qualified hydrogeologist. Well maintenance and annual water quality testing should be subject to contracted management by a designated agency, if wells are to be shared. The maximum number of single-family lots shall be calculated by dividing the total tract acreage by three. A minimum of 70% of the tract shall be preserved for open space.~~
- ~~(a) Minimum tract size: 100 acres.~~
  - ~~(b) Minimum open space set aside: 70%.~~
  - ~~(c) Minimum lot size: 20,000 square feet.~~
  - ~~(d) Minimum lot circle: 100 feet.~~
  - ~~(e) Maximum F.A.R. per building lot: 0.20.~~
  - ~~(f) Minimum front yard setback: 30 feet.~~
  - ~~(g) Minimum side yard setback: 20 feet.~~
- Ordinance #2009-19 cont'd:***
- ~~(h) Minimum rear yard setback: 20 feet.~~
  - ~~(i) Maximum building height: 35 feet.~~

- ~~(j) Minimum frontage on a street: 50 feet.~~
- ~~(k) Circumference of the minimum lot circle may not be more than 100 feet from the street right-of-way.~~
- ~~(l) Each lot shall have a minimum of 20,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot to support a residence, accessory buildings and structures, usable yard area and on-site wells.~~
- ~~(m) A minimum fifty-foot-wide buffer shall be provided on site when adjacent to any existing residential properties or land utilized for agricultural purposes. This buffer area shall be deed restricted from development and shall contain, at a minimum, a staggered double row of evergreen plantings, five feet in height or equivalent as approved by the Planning Board.~~
- ~~(n) The open space parcel shall contain a minimum of 70% of the gross tract area which shall contain a minimum of 60% of the unconstrained tract area. The "unconstrained tract area" shall be defined as the area of the tract that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25% (excluding sight triangles) and right-of-way areas.~~
- ~~(o) The subdivision shall be designed so that the lots and the wastewater treatment facilities are located with sensitivity to any existing or prospective residential development on adjacent properties.~~
- ~~(p) Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required open space area. [Added 12-21-1998 by Ord. No. 43-98]~~

~~(5 3)~~ Lots within the RR Zone that were approved as agricultural cluster subdivisions under previously agricultural requirements, prior to the adoption of this chapter, shall be permitted to continue as approved.

F. Open space regulation-RR Zone.

- (1) Open space in one-and-one-half-acre ~~and two-acre~~ cluster developments shall be permanently deed restricted from further development and shall be utilized either for agriculture, **natural resource** conservation, open space or passive recreation ~~/passive open space or recreation~~ as approved by the Township's approving authority and shall be subject to the following regulations:
  - (a) At the time of subdivision application for cluster developments under § 148-16E(2) ~~or (3)~~, the applicant shall designate whether the proposed open space shall be owned and maintained by ~~an open space organization~~ a property owners' association or be offered for acceptance by the Township or other governmental agency. If the open space is not to be dedicated to the

**Ordinance #2009-19 cont'd:**

Township or other governmental agency, then the developer shall provide for ~~an organization~~ a property owners' association to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the property owners' association ~~open space organization~~ shall be in a form that is consistent with § 148-59 of this chapter and the Municipal Land Use Law, N.J.S.A. 40:55D-43.

- ~~(b) It is the intent of this chapter to preserve open space and farmland within Readington Township. Open space parcels shall either be devoted to agriculture, recreation or conservation/passive open space. The preferred use for open space created through cluster subdivisions is passive open space or conservation lands.~~
- (e) To the greatest extent possible, Proposed roads should be located within the development portion of the property. It is the intent to keep the open space portion continuous and free of intrusions; however, adequate access must be provided to this area. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said stormwater elements may be located within the open space, at the discretion of the Approving Authority, provided that the area occupied by said elements shall not count towards the required minimum open space area.
- ~~(d) New agricultural construction (e.g., barns, shelters and greenhouses) shall not result in a F.A.R. of greater than 4% or an impervious surface coverage in excess of 10% of the total acreage of the preserved open space parcel.~~
- ~~(c) The deed of any single-family dwelling sold as part of a cluster development under this section shall contain a notification that the Township Zoning Ordinance specifically includes farming as a permitted use in the RR Zone and that the open space in the development may be deed restricted for farming use. Furthermore, the developer and/or landowner who plans to sell the dwellings referenced above shall inform prospective purchasers in writing of the protection the Township ordinance conveys to agricultural operations.~~
- (f) The set-aside of common open space shall comply with § 148- 60.
- (g) Residential lots developed as part of the cluster that are adjacent to the open space should be configured to front on the open space resulting from that cluster. Although not encouraged, side yards may face open space to permit a degree of flexibility. In no case shall a new residential lot be configured in such a manner as to create a rear yard that faces open space.
- (h) Where a side yard of a residential lot is adjacent to open space, the side yard shall be considered a front yard for bulk zoning purposes.
- (i) Where residential lots developed as part of the cluster front on the open space, an improved public street shall be created between the residential lot and the open space. The un-paved area within the half of a street right-of-way that is located directly adjacent to the open space (those streets having homes on only one side, with open space on the opposite side) may be counted towards the minimum open space requirement.
- (j) Notwithstanding minimum lot circle requirements for open space, the

***Ordinance #2009-19 cont'd:***

minimum width or depth for any portion of the open space shall be 300 feet.

- G. Minimum off-street parking - RR Zone. Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within 15 feet of any property line, except where common driveways are approved by the Board.
- (1) Dwelling units shall provide ~~two spaces per dwelling unit~~ parking spaces in accordance with the Residential Site Improvement Standards N.J.A.C. 5:21-4.14.

- (2) Farm stands shall provide a minimum area for parking to accommodate two parking spaces for customers plus one for each employee at maximum shift if not residing on the premises.

H. Street Setback. New streets shall be located no closer than 50 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development.

7. A new Section within Article IV “District Regulations”, §148-16.1 entitled “HR Hamlet Residential Zone.”, is hereby created as a new zone in the hamlets of Stanton and Readington for the primary purpose of preserving the existing character of these traditional rural hamlets as follows:

§ 148-16.1. HR – Hamlet Residential Zone.

A. Principal Permitted Uses – HR Zone. One of the following:

- (1) Detached single-family dwelling units.
- (2) Public and private open space and parks.
- (3) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and the requirements therefor shall be the same as for single family dwelling units located within this District.

B. Accessory Uses – HR Zone.

- (1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.
- (2) Residential tool sheds, garages and storage buildings not to exceed the height of the principal structure.
- (3) Off-street parking.
- (4) Fences and walls as regulated in Article VI.
- (5) Signs as regulated in Article XII.
- (6) Outdoor barbecue structures.

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- (7) Essential utility services, including the provision of electric, water, sewer, telephone and cable service.
- (8) Farm storage sheds and barns.
- (9) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (10) Home occupations as regulated in § 148-53.

C. Conditional Uses - HR Zone.

- (1) Cemeteries.
- (2) Public utilities.
- (3) ECHO housing.

D. Maximum building height – HR Zone. No building shall exceed 35 feet in height and 2 ½ stories.

E. Area and yard requirements – HR Zone.

(1) Single-family detached dwellings:

- (a) Minimum lot area: 2 acres
- (b) Minimum lot circle: 50 feet
- (c) Minimum lot frontage: 20 feet
- (d) Minimum front yard: 25 feet
- (e) Minimum side yard (each): 25 feet
- (f) Minimum rear yard: 30 feet
- (g) Maximum F.A.R.: 0.10
- (h) Maximum distance of lot circle from street right-of-way: 150 feet
- (i) Each lot shall have a minimum of 65,000 square feet of contiguous usable land. This standard is established to provided a minimum area on each lot to support a residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement of the system.

F. Off-street parking - HR Zone. Parking spaces shall be provided according to the NJ Residential Site Improvement Standards (NJSA 5:21- 1 et. seq.) No parking area or driveway shall be located within 15 feet of any property line, except where common driveways are approved by the Board.

G. Street setback. New streets shall be located no closer than 25 feet to the original tract boundary of any development, except at the point at which a

***Ordinance #2009-19 cont'd:***

new street intersects an existing street for the purpose of providing access to the development.

8. Section 148-17 entitled “R-1 Residential One-Acre Zone” within Article IV entitled “District Regulations” is hereby supplemented and amended to remove “churches and houses of worship”, and “social clubs, lodges, and fraternal organizations” from the list of conditionally permitted uses as follows (deletions are indicated ~~thus~~; additions are indicated **thus**):

C. Conditional Uses – R-1 Zone (subject to regulations set forth in Article V.)

- (1) Public and private day schools of elementary and/or high school grades licensed by the State of New Jersey.

- ~~(2)~~ Churches and houses of worship.
- ~~(3)~~ 2 Cemeteries.
- ~~(4)~~ 3 Home Occupations.
- ~~(5)~~ 4 Hospitals.
- ~~(6)~~ 5 Nursing homes.
- ~~(7)~~ Social clubs, lodges and fraternal organizations having no nuisance factor.
- ~~(8)~~ 6 Open air clubs.
- ~~(9)~~ 7 Public utilities.
- ~~(10)~~ 8 ECHO Housing.

9. Section 148-18 entitled “VR Village Residential Zone” within Article IV entitled “District Regulations” is hereby supplemented and amended to remove “churches and houses of worship”, and “social clubs, lodges, and fraternal organizations” from the list of conditionally permitted uses as follows (deletions are indicated ~~thus~~; additions are indicated thus):

C. Conditional Uses – VR Zone (subject to regulations set forth in Article V.)

- (1) Public and private day schools of elementary and/or high school grades licensed by the State of New Jersey.
- ~~(2)~~ Churches and houses of worship.
- ~~(3)~~ 2 Cemeteries.
- ~~(4)~~ 3 Home Occupations.
- ~~(5)~~ 4 Hospitals.
- ~~(6)~~ 5 Nursing homes.
- ~~(7)~~ Social clubs, lodges and fraternal organizations having no nuisance factor.

***Ordinance #2009-19 cont'd:***

- ~~(8)~~ 6 Open air clubs.
- ~~(9)~~ 7 Public utilities.
- ~~(10)~~ 9 ECHO Housing.

10. Section 148-19 entitled “PND Planned Neighborhood Development Zone” within Article IV entitled “District Regulations” is hereby supplemented and amended to remove “churches and houses of worship”, and “social clubs, lodges, and fraternal organizations” from the list of conditionally permitted uses as follows (deletions are indicated ~~thus~~; additions are indicated thus):

C. Conditional Uses – PND Zone (subject to regulations set forth in Article V.)

- (1) Public and private day schools of elementary and/or high school grades licensed by the State of New Jersey.
- ~~(2) Churches and houses of worship.~~
- ~~(3) 2) Cemeteries.~~
- ~~(4) 3) Home Occupations.~~
- ~~(5) 4) Hospitals.~~
- ~~(6) 5) Nursing homes.~~
- ~~(7) Social clubs, lodges and fraternal organizations having no nuisance factor.~~
- ~~(8) 6) Open air clubs.~~
- ~~(9) 7) Public utilities.~~
- ~~(10) 8) Transmission lines over 69 kilovolts and radio and television transmitting aerials and antenna.~~

11. Section 148-27 entitled “SC Senior Citizen Residential District” within Article IV entitled “District Regulations” is hereby repealed in its entirety as follows (deletions are indicated ~~thus~~; additions are indicated thus):

~~§ 148-27. SC Senior Citizen Residential District.~~

- A. ~~Principal permitted uses - SC Zone. The following types of units are intended exclusively for occupancy by households of low- or moderate-income with at least one member who is 62 years of age or older, except that in the case of an apartment or condominium development one unit may be reserved for an on-site manager whose unit is not subject to age or income restriction.~~
- ~~(1) Townhouses (provided public water and sewer service are available).~~
  - ~~(2) Apartments/condominiums (provided public water and sewer service are available).~~
  - ~~(3) Public and private open space and parks.~~

**Ordinance #2009-19 cont'd:**

B. ~~Accessory uses - SC Zone.~~

- ~~(1) Community room(s) for the primary use by residents of the development.~~
- ~~(2) Ancillary rooms for provision of social and medical services primarily to residents of the development.~~
- ~~(3) Office for manager of the building.~~
- ~~(4) Apartment for the manager or superintendent, if resident on site.~~
- ~~(5) Maintenance building or buildings.~~
- ~~(6) Recreational facilities for the primary use by residents of the development.~~

~~(7) — Off-street parking, on surface lots and enclosed.~~

~~(8) — Signs as regulated in Article XII.~~

~~(9) — Accessory uses customarily incidental to the principal permitted use.~~

~~C. Maximum building height - SC Zone. No principal building shall exceed 35 feet in height and 2 1/2 stories.~~

~~D. Maximum number of dwelling units permitted SC Zone. The maximum density of dwelling units within a senior citizen development shall be 11.0 dwelling units per acre.~~

~~E. Area, yard and coverage requirements - SC Zone.~~

~~(1) — Minimum tract area: 4.8 acres.~~

~~(2) — Minimum lot circle: 250 feet.~~

~~(3) — Minimum lot frontage: 100 feet.~~

~~(4) — The minimum distances between townhouse and apartment buildings shall be measured from the front, side and rear of each building. The corner of a building offset by more than a twenty-degree angle from a line drawn parallel to another building shall be considered a side of the building.~~

~~(5) — The minimum distance between townhouse and apartment buildings shall be:~~

~~**Measurement — Minimum Distance**~~

~~Front to front — 50 feet~~

~~Front to side — 40 feet~~

~~Front to rear — 45 feet~~

~~Side to side — 30 feet~~

~~Side to rear — 35 feet~~

~~Rear to rear — 40 feet~~

**Ordinance #2009-19 cont'd:**

~~(6) — No building shall be located closer to a street right-of-way than the following minimum distances:~~

~~**Type of Street — Minimum Distance**~~

~~Arterial street — 50 feet~~

~~Collector street — 40 feet~~

~~Local street — 25 feet~~

~~Private road or parking area — 15 feet~~

~~(7) — The minimum building setback from any tract line shall be 60 feet.~~

~~F. Off-street parking - SC Zone.~~

~~(1) — Developments for senior citizens in the SC Zone shall provide a minimum of one parking space for each unit.~~

~~(2) — For townhouses, the parking space shall be provided either in a garage or on a driveway leading from the street up to the unit, provided that the driveway is at least 20 feet in length.~~

~~G. Low and moderate income housing requirements - SC Zone. All dwelling units subject to age restriction shall also be restricted in rent or sales price to households of low and moderate income in accordance with the regulations of the New Jersey Council on Affordable Housing (N.J.A.C. 5:93) and with those standards of § 148-20I, Low and moderate income housing requirements - PND-1 Zone, of this chapter which are applicable to one-bedroom units for senior citizen occupancy.~~

~~H. Open space requirements - SC Zone.~~

~~(1) — Recreation facilities shall include, at a minimum, indoor community space for planned activities, casual gatherings and game tables and chairs. Outdoor recreation shall include space for games such as bocce or shuffleboard, a community garden and space for quiet relaxation.~~

~~(2) — Development in the SC District shall be subject to the requirements of § 148-19H, Open space requirements - PND Zone, of this chapter.~~

~~I. Townhouse and apartment regulations - SC Zone. Development in the SC District shall be subject to the requirements of § 148-19I, Townhouse and apartment regulations - PND Zone, of this chapter.~~

12. Section 148-27.2 entitled “SC-3 Senior Citizen-3 District” within Article IV entitled “District Regulations” is hereby repealed in its entirety as follows (deletions are indicated **thus**; additions are indicated **thus**):

~~A. Purpose.~~

***Ordinance #2009-19 cont'd:***

~~(1) — The SC-3 Senior Citizen-3 District is intended for age-restricted development in the Village of Three Bridges designed to meet the diverse housing and health-care needs of the aging population, at densities of up to three dwelling units or six beds per acre. Certain small-scale convenience retail and office uses designed to serve senior citizens are also allowed.~~

~~(2) — All dwellings shall be age-restricted to residents that are at least 55 years of age.~~

~~B. Permitted uses. In the SC-3 Senior Citizen-3 Zone, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:~~

~~(1) — Single-family detached dwelling.~~

~~(2) — Semidetached dwelling.~~

~~(3) — Townhouse dwelling.~~

~~(4) — Apartment dwellings.~~

~~(5) — Continuing-care retirement community consisting, at a minimum, of independent-living units and long-term care.~~

~~(6) — Assisted-living residence.~~

~~(7) — Congregate-care apartment.~~

- ~~(8) — Long-term-care facility.~~
- ~~(9) — Combinations of uses in Subsection B(1) through (8).~~
- ~~(10) — Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and the requirements therefor shall be the same as for single-family dwelling units located within this District.~~

~~C. — Bulk requirements.~~

- ~~(1) — Tract requirements.~~
  - ~~(a) — Density. The maximum permitted density shall not exceed three dwelling units or six beds per acre.~~
  - ~~(b) — Highway setback. All structures, including parking, drives and utilities, shall be at least 200 feet from a state or United States Highway.~~
  - ~~(c) — Street setback. All structures, including parking, drives and utilities, shall be at least 100 feet from a county or municipal street.~~
  - ~~(d) — Tract boundary setback: 50 feet for principal structures of 35 feet/two stories; 100 feet for principal structures of 45 feet/three stories; 25 feet for parking, drives, accessory structures and utilities.~~
  - ~~(e) — Principal building height: 45 feet or three stories for apartment dwellings, continuing-care retirement communities, independent living units, long-term-care assisted living residence, congregate-care apartment and long-term-care facility; 35 feet or two stories for all other dwellings.~~
  - ~~(f) — Maximum accessory building height: 28 feet or 1 1/2 stories.~~
  - ~~(g) — Maximum floor area ratio: .20.~~
  - ~~(h) — Maximum impervious coverage: .40.~~
  - ~~(i) — Minimum open space: 50% of the gross tract area, which shall~~

***Ordinance #2009-19 cont'd:***

~~contain a minimum of 40% of the unconstrained tract area, shall be set aside as open space. The "unconstrained tract area" shall be defined as the area of the tract that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25%, easements (excluding sight triangles), roads, drives and rights-of-way.~~

~~The storm water management system for the proposed subdivision may be located in the open space parcel; however, the land area of any detention or retention basin(s) shall not be counted toward the minimum area requirements in this section. Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required open space area.~~

- ~~(j) — Open space lot circle. The open space parcel shall contain a minimum lot circle of 300 feet.~~
- ~~(k) — Open space ownership. Open space shall be owned and maintained by an open space organization or other management entity. The developer shall provide for an organization or trust to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the open space organization or trust shall be in a form that is consistent with § 148-59 of the Readington Township Land Development Ordinance and the Municipal Land Use Law, N.J.S.A. 40:55D-43.~~

~~(l) — Pedestrian and vehicular access to the pedestrian and vehicular network of the Village of Three Bridges shall be incorporated into the overall development plan.~~

~~(2) Single family-detached dwellings.~~

- ~~— (a) — Minimum lot area: 7,200 square feet.~~
- ~~— (b) — Minimum lot frontage: 50 feet.~~
- ~~— (c) — Minimum lot circle: 50 feet.~~
- ~~— (d) — Minimum front yard: 30 feet.~~
- ~~— (e) — Minimum side yard: 10 feet; 25 feet for both sides.~~
- ~~— (f) — Minimum rear yard: 40 feet.~~
- ~~— (g) — Maximum floor area ratio per lot: .50.~~
- ~~— (h) — Maximum distance between lot circle and right-of-way: 40 feet.~~

~~(3) Semidetached dwellings.~~

- ~~— (a) — Minimum tract area: seven acres.~~
- ~~— (b) — Minimum lot area: 3,000 square feet.~~
- ~~— (c) — Minimum lot frontage: 30 feet.~~
- ~~— (d) — Minimum lot width: 30 feet.~~
- ~~— (e) — Minimum lot depth: 100 feet.~~
- ~~— (f) — Minimum front yard: 30 feet.~~
- ~~— (g) — Minimum side yard: zero feet, one side; five feet, other side.~~
- ~~— (h) — Minimum rear yard: 25 feet.~~
- ~~— (i) — Maximum lot coverage: 50%.~~

~~(4) Townhouses.~~

- ~~— (a) — Minimum tract size: seven acres.~~

***Ordinance #2009-19 cont'd:***

- ~~— (b) Minimum lot area: 2,000 square feet.~~
- ~~— (c) — Minimum lot frontage: 20 feet per unit.~~
- ~~— (d) — Minimum lot width: 20 feet per unit.~~
- ~~— (e) — Minimum front yard: 30 feet for units with garages; 15 feet for units without garages.~~
- ~~— (f) — Minimum side yard: zero feet for a common wall; 15 feet otherwise.~~
- ~~— (g) — Minimum rear yard: 20 feet.~~
- ~~— (h) — Maximum number of units per building: eight.~~
- ~~— (i) — Townhouse units attached on a single linear plane shall not exceed a length of 160 feet.~~
- ~~— (j) — Each townhouse shall have a private rear yard a minimum of 200 square feet.~~
- ~~— (k) — A minimum of 300 square feet of storage shall be provided for each unit in the basement, attic or other area attached to unit. This area shall include storage for garbage in the front of the unit, bicycles, garden equipment, barbecue equipment and so forth.~~
- ~~— (l) — Accessory building setbacks for townhouses.
  - ~~— [1] — Minimum side yard: five feet.~~
  - ~~— [2] — Minimum distance to rear line: five feet.~~
  - ~~— [3] — Minimum distance to other building: 10 feet~~
  - ~~— [4] — Maximum height: 15 feet.~~~~

~~(5) Continuing-care retirement community, assisted-living residence, congregate-care units, long-term-care facility, and combinations thereof.~~

- ~~(a) Minimum gross acreage of tract:
  - ~~[1] Continuing-care retirement community: 20 acres.~~
  - ~~[2] Long-term-care facility, congregate-care units or assisted-living facility: seven acres.~~~~

- ~~(a) Combinations of uses: seven acres.~~
- ~~(b) Minimum tract frontage: 500 feet.~~
- ~~(c) Maximum number of units in one building: 60.~~
- ~~(d) Maximum number of beds in one building: 120.~~
- ~~(e) Principal building setback from internal common driveway or street: 25 feet.~~
- ~~(f) Minimum distance between buildings: 50 feet.~~
- ~~(g) Convenient linkages shall be provided between existing mass transportation transfer points and pickup points that are within 1,000 feet of the subject development, or provisions shall be made for the transportation of residents to such locations.~~
- ~~(h) Buildings shall have a gable or hipped roof, unless waived by the Board with a minimum pitch of 6/12. Architecture shall be consistent with the vernacular residential and rural vocabulary and styles found in the villages of Whitehouse Station, Whitehouse and Three Bridges.~~
- ~~(i) Individual dwelling units shall meet or exceed minimum design requirements specified by the New Jersey Housing Mortgage Finance Agency or the New Jersey Department of Health and Senior Services, as applicable.~~
- ~~(j) Accessory uses:
  - ~~[1] Community room(s) integrated into a residential building or center in a separate building for the common uses of residents.~~
  - ~~[2] Commercial swimming pool for the common use of residents.~~
  - ~~[3] Outdoor recreational facilities, including tennis or other court sports for the common use of residents.~~
  - ~~[4] Off-street parking, including automobile sheds.~~
  - ~~[5] Fences, walls, gazebos, mail kiosks and other site furniture.~~~~

***Ordinance #2009-19 cont'd:***

- ~~[6] Signs.~~
- ~~[7] Satellite dish and television antennas.~~
- ~~[8] Maintenance facility.~~
- ~~[9] Facility management office.~~
- ~~[10] Social service facility for the benefit primarily of residents.~~
- ~~[11] Congregate dining facility.~~
- ~~[12] Personal and medical services integrated into a residential building occupying no more than 30% of the gross floor area.~~

13. A new Section within Article IV “District Regulations”, §148-22.1 entitled “PO Professional Office Zone.”, is hereby created as a new zone along sections of Route 22 for the purpose permitting office and residential uses as follows:

§ 148-22.1. PO – Professional Office Zone.

A. Principal permitted uses – PO Zone:

- (1) Professional and general offices excluding medical and dental offices.
- (2) Banks, not including drive-in facilities.
- (3) Small appliance repair services, excluding automotive repair.
- (4) Public and private open space and parks.
- (5) Childcare Centers
- (6) Multiple permitted principal uses shall be permitted on one lot.

B. Accessory uses – PO Zone.

- (1) Public and private parking facilities
- (2) Fences and walls as regulated in Article VI.
- (3) Signs as regulated in Article XII.
- (4) Other uses and structures customarily incidental to a principal permitted use.

C. Conditional Uses - PO Zone.

- (1) Public utilities.
- (2) Assembly uses.

D. Prohibited Uses – PO Zone.

- (1) Retail sale of goods.
- (2) All uses not specifically permitted.

E. Area and yard requirements – PO Zone.

- (1) Minimum lot size: 1 acre.

***Ordinance #2009-19 cont'd:***

- (2) Minimum lot width: 100 feet.
- (3) Building requirements:

<u>Lot Size</u>	<u>Less than 1.00 Acre</u>	<u>From 1.00 Acre But Less than 3.00 acres</u>	<u>3 .00 acres or greater</u>
<u>Maximum floor area Ration (F.A.R.)</u>	<u>.10</u>	<u>.15</u>	<u>.20</u>
<u>Maximum Impervious Coverage (MIC)</u>	<u>.30</u>	<u>.45</u>	<u>.55</u>
<u>Maximum Height in stories</u>	<u>2 stories</u>	<u>2 stories</u>	<u>2 1/2 stories</u>
<u>Maximum building height in feet</u>	<u>35 feet</u>	<u>35 feet</u>	<u>40 feet</u>

- (4) Required building setbacks:
  - (a) Minimum front yard setback: 30 feet.
  - (b) Maximum front yard setback: 60 feet.
  - (c) Minimum side yard setback: 30 feet; 75 feet when adjacent to a residential use or zone.
  - (d) Minimum rear yard setback: 30 feet; 75 feet when adjacent to a residential use or zone.
- (5) Parking shall not be located between a building and a street right-of-way.

(6) Buffers:

(a) A 50 foot screening buffer shall be required along any rear property line adjacent to a residential use or zone.

(b) A 25 foot screening buffer shall be required along any side property line adjacent to a residential use or zone.

F. Minimum off-street parking – PO Zone. Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within 10 feet of any property line, except where adjacent to a residential use or zone, in which case no parking area or driveway shall be located within 25 feet of any property line. Parking shall be permitted in side or rear yards and shall be suitably screened from view from the street.

(1) Banks, commercial and professional offices shall provide one space per 200 square feet of gross floor area.

(2) Childcare centers shall provide one space per three children.

***Ordinance #2009-19 cont'd:***

(3) Small appliance repair services shall provide one space per 500 square feet of gross floor area

14. Section 148-21 entitled “B Business Zone” within Article IV entitled “District Regulations” is hereby supplemented and amended to revise the maximum permitted floor area ratio and maximum permitted impervious coverage limit for lots not served by public sewer and to revise the list of conditionally permitted uses to add assembly uses, as follows (deletions are indicated ~~thus~~; additions are indicated thus):

C. Conditional Uses – B Zone

(1) Service Stations and automobile repair shops.

(2) Hotels

(3) Conference inns.

(4) Public utilities.

(5) Assembly uses.

E. Area and yard requirements – B Zone.

(1) The minimum lot size shall be two acres.

(2) Requirements.

Existing Lots Less Than 2 acres <u>(with public sewer)</u>	From 2 Acres But Less than 5 acres <u>(with public sewer)</u>	5 acres or greater <u>(with public sewer)</u>	<u>Lots without public sewer</u>
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Maximum floor area Ration (F.A.R.)	.10	.15	.20	<u>.10</u>
Maximum Impervious Coverage (MIC)	.30	.45	.55	<u>.30</u>
Maximum Height in stories	2 1/2	2 1/2	2 1/2	<u>2 1/2</u>
Maximum building height in feet	35 feet	35 feet	40 feet	<u>35 feet</u>
Minimum required frontage	50 feet for home either owned or otherwise 200 feet minimum	200 feet minimum occupation use controlled by applicant via legal easement providing for joint traffic access/egress and parking	200 feet minimum occupation use controlled by applicant via legal easement providing for joint traffic access/egress and parking	<u>200 feet</u>

***Ordinance #2009-19 cont'd:***

(3) Minimum setbacks:

Front: 75 feet from right-of-way of any state or county road.  
 50 feet from right-of-way of any municipal road.

Side: 75 feet minimum side yard when adjacent to residential zone.  
 15 feet minimum side yard when not adjacent to a residential zone.  
 50 feet minimum combined side yard unless adjacent to a residential zone.

Rear: 75 feet minimum rear yard when adjacent to a residential zone.  
 25 feet minimum rear yard when not adjacent to a residential zone.

(4) Buffers:

(a) Buffer to county or state road:

- [1] Fifty feet for lots less than two acres.
- [2] Seventy-five feet for lots of two acres to less than five acres.
- [3] One hundred feet for lots five acres and greater.

(b) Buffer to local street:

- [1] Twenty-five feet for lots less than two acres.
- [2] Fifty feet for lots of two acres to less than five acres.
- [3] One hundred feet for lots five acres and greater.

(c) Twenty-five-foot-wide screening buffer required in side and rear yards of lots less than two acres in size when adjacent to any residential use or zone.

(d) Fifty-foot-wide screening buffer required in side and rear yards of lots two acres or more in size when adjacent to any residential use or zone.

(5) Screening. The required screening buffers shall be planted in accordance with § 148-63.

15. A new Section within Article IV “District Regulations”, §148-22.2 entitled “VH Village Hospitality Zone.”, is hereby created as a new zone on the Ryland Inn property and surrounding lands for the purpose encouraging hospitality uses while preserving the

historic character of the inn and respecting adjacent residential areas, as follows:

§ 148-22.2 VH – Village Hospitality Zone.

A. Principal permitted uses – VH Zone:

- (1) Hotels
- (2) Restaurants
- (3) Spa/salon facilities
- (4) Conference Centers/ Conference Inns
- (5) Public and private open space and parks.
- (6) Multiple uses shall be permitted on one lot.

B. Accessory uses – VH Zone.

- (1) Public and private parking facilities

***Ordinance #2009-19 cont'd:***

- (2) Fences and walls as regulated in Article VI.
- (3) Signs as regulated in Article XII.
- (4) Childcare centers
- (5) Other uses and structures customarily incidental to a principal permitted use.

C. Prohibited Uses – VH Zone.

- (1) Retail sale of goods not related to a principally permitted use.
- (2) All uses not specifically permitted.

D. Regulations for development – VH Zone.

- (1) Intent. The intent of the VH District is to preserve the gateway to Whitehouse Village by preserving the landscape and buildings associated with the historic Ryland Inn complex. As such, the regulations contain incentives to encourage the re-utilization of the existing Ryland Inn complex.

- (2) Minimum lot size: 10 acres.

- (4) Minimum lot width: 500 feet.

- (5) Building requirements:

(a) Maximum Floor Area Ratio: 0.05, except 0.10 if reusing the existing Ryland inn building.

(i) If reusing the existing Ryland Inn building, the floor area of the existing Ryland Inn building, as well as the other existing buildings within the overall building complex, shall not be counted towards the total floor area ratio for the tract.

(b) Maximum Impervious Cover: 20%, except 35% if reusing the existing Ryland Inn building.

(c) Maximum Building Height: 2 stories/35 feet, except 3 stories/45 feet for a hotel use.

(4) Required building setbacks:

(a) Minimum front yard setback: 300 feet from Route 22/Old Highway 28.

(b) Minimum side yard setback: 40 feet

(c) Minimum rear yard setback: 75 feet

(5) Parking shall not be located between a building line and a street right-of-way.

(6) Development of the zone district shall be fully integrated:

***Ordinance #2009-19 cont'd:***

(a) Pedestrian and vehicular circulation shall provide convenient access between all public areas.

(b) Architectural design shall be similar to the existing Ryland Inn

(7) Buffers:

(a) A 50 foot screening buffer shall be required along any rear property line adjacent to a residential use or zone.

(b) A 25 foot screening buffer shall be required along any side property line adjacent to a residential use or zone.

F. Minimum off-street parking – VH Zone. Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within 10 feet of any property line, except where adjacent to a residential use or zone, in which case no parking area or driveway shall be located within 25 feet of any property line. Parking shall be permitted in side or rear yards and shall be suitably screened from view from the street.

(1) Hotels shall provide 1.25 spaces per guest room.

(2) Restaurants shall provide one space per every four seats.

(3) Spas/salons shall provide one space per every 400 sf. of floor area devoted to patron use

16. Section 148-23 entitled “ROM-1 Research Office and Manufacturing Zone” within Article IV entitled “District Regulations” is hereby supplemented and amended to add assembly uses to the list of conditionally permitted uses as follows (deletions are indicated ~~thus~~; additions are indicated thus):

D. Conditional Uses – ROM-1 Zone (subject to regulations set forth in Article V.)

(1) Mixed-use corporate office park.

(2) Public utilities.

(3) Assembly uses.

17. Section 148-24 entitled “ROM-2 Research Office and Manufacturing Park Zone” within Article IV entitled “District Regulations” is hereby supplemented and amended to add assembly uses to the list of conditionally permitted uses as follows (deletions are indicated ~~thus~~; additions are indicated thus):

D. Conditional Uses – ROM-1 Zone (subject to regulations set forth in Article V.)

(1) Public utilities.

(2) Assembly uses.

***Ordinance #2009-19 cont'd:***

18. Section 148-25 entitled “RO Research Office Zone” within Article IV entitled “District Regulations” is hereby supplemented and amended to add assembly uses to the list of conditionally permitted uses as follows (deletions are indicated ~~thus~~; additions are indicated thus):

D. Conditional Uses – ROM-1 Zone (subject to regulations set forth in Article V.)

(1) Public utilities.

(2) Assembly uses.

19. Section 148-30 entitled “Churches” within Article V entitled “Conditional Uses, Exceptions, Modifications and Critical Areas” is hereby replaced in its entirety with a new conditional use entitled “Assembly uses”, as follows (deletions are indicated ~~thus~~; additions are indicated thus):

~~§ 148-28 Churches~~ Assembly uses.

A. Safe and adequate access to a public street

B. Meet the minimum lot size, area and setback requirements for the zone where it is located.

C. Building height not to exceed ~~50~~ 40 feet (Towers and Steeples are exempt).

D. A minimum off-street parking of one space per every three seats or one for every 72 inches when benches are used or one for every twenty-five square feet of assembly area, whichever is greater.

E. One freestanding sign not exceeding 24 square feet in area. See Article XII for additional standards.

20. Section 148-35 entitled “Clubs, lodges and fraternal organizations” within Article V entitled “Conditional Uses, Exceptions, Modifications and Critical Areas” is hereby repealed in its entirety as follows (deletions are indicated ~~thus~~; additions are indicated thus):

~~§ 148-30 Clubs, lodges and fraternal organizations.~~

~~A. Such uses shall be on lots of not less than five acres.~~

- ~~B. — Eating and drinking facilities shall be accessible only from within the main structure, except for loading and unloading areas, kitchen and emergency exits.~~
- ~~C. — Minimum planted buffer of 20 feet when adjacent to a residential use or zone, planted in accordance with § 148-63.~~
- ~~D. — Minimum front setback of 75 feet.~~
- ~~E. — Minimum rear setback of 100 feet.~~
- ~~F. — Minimum side yard of 50 feet.~~
- ~~G. — Maximum F.A.R. of 0.10.~~
- ~~H. — Maximum impervious surface coverage of 50%.~~
- ~~I. — A minimum of 20 off-street parking spaces, plus one additional space for~~

***Ordinance #2009-19 cont'd:***

~~each 200 square feet of gross floor area.~~

- ~~J. — One freestanding sign not exceeding 24 square feet in area and one facade sign not exceeding 24 square feet. See Article XII for additional standards.~~

21. The Zoning Map is hereby amended to depict the SRR – Special Resource Residential Zone, HR – Hamlet Residential Zone, PO – Professional Office Zone, VH- Village Hospitality Zone, and to depict other boundary changes to the existing zone districts as described herein. (see Exhibit 1, Zoning Map)

22. Applicability. This Ordinance shall be applicable to all lands in Readington Township, except for lands that are the subject of a pending major subdivision application or site plan approval before the Planning Board that has been deemed complete as of the effective date of this Ordinance, (pursuant to NJSA 40:55D-10.3). Applications before the Zoning Board of Adjustment that have been filed with and deemed complete by the Board of Adjustment (pursuant to NJSA 40:55D-10.3) on or prior to the adoption date of this Ordinance, shall be reviewed according to the zone classification and standards in place prior to this zone change. In the event said application is withdrawn, or denied, the exemption applicable to the land shall lapse and this amended Ordinance shall be applicable.

23. Severability. If any paragraph, section, subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining paragraphs or sections hereof.

24. Inconsistency. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

25. Effective Date. This ordinance shall take effect immediately upon final passage and publication thereof according to law.

**A MOTION** was made by Mr. Shamey to introduce this Ordinance with the revisions placed on record, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

- Mr. Auriemma - Aye
- Mr. Gatti - Aye
- Mrs. Muir - Aye
- Mr. Shamey - Aye
- Mayor Allen - Aye

A Public Hearing was scheduled for July 6, 2009 at 8:00 p.m.

2. ***AN ORDINANCE APPROPRIATING \$35,000 FROM THE HOUSING TRUST FUND FOR THE ACQUISITION OF A DEED RESTRICTION OF AN AFFORDABLE HOUSING UNIT (BLOCK 34, LOT 36.127) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY***

The following ordinance was offered for introduction:

***ORDINANCE APPROPRIATING \$35,000 FROM THE HOUSING TRUST FUND FOR THE ACQUISITION OF DEED RESTRICTION OF AN AFFORDABLE HOUSING UNIT (BLOCK 34, LOT 36.127) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY.***

***ORDINANCE # 20-2009***

***BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:***

Section 1. \$35,000 is hereby appropriated from the Housing Trust Fund for the acquisition of a Deed Restriction of an affordable housing unit located at 127 Buttercup Court, Whitehouse Station, New Jersey, also known as Block 34, Lot 36.127 on the tax maps of the Township, including all related costs and expenditures incident thereto, in and by the Township of Readington, in the County of Hunterdon, New Jersey (the "Township").

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

A ***MOTION*** was made by Mr. Auriemma to introduce this Ordinance, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Gatti	- Aye
Mrs. Muir	- Aye
Mr. Shamey	- Aye
Mayor Allen	- Aye

A Public Hearing was scheduled for July 6, 2009 at 8:00 p.m.

3. ***AN ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING THE CODE OF THE TOWNSHIP OF READINGTON TO AUTHORIZE THE TOWNSHIP AND VOLUNTEER EMERGENCY SERVICES TO CLEAN UP OR ABATE DISCHARGES FOR TIME AND MATERIALS EXPENDED IN CLEANING UP OR ABATING ANY SUCH DISCHARGES FROM OWNERS OF NON-RESIDENTIAL REAL AND BUSINESS PERSONAL PROPERTY***

- ***ORDINANCE # 33 – 2008*** – discussion

Administrator Mekovetz reported that there have been questions and concerns regarding the interpretation of this ordinance and clarification was needed to avoid legal ramifications.

A ***MOTION*** was made by Mr. Gatti to suspend the enforcement of Ordinance #33-2008, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Gatti	- Aye
Mrs. Muir	- Aye
Mr. Shamey	- Aye
Mayor Allen	- Aye

4. ***East Whitehouse Fire Company*** – request to hold 9<sup>th</sup> Annual Coin Toss Fundraiser – July 25<sup>th</sup> (Rain date July 26<sup>th</sup>)

A ***MOTION*** was made by Mr. Shamey to approve the request to hold the 9<sup>th</sup> Annual Coin Toss Fundraiser, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

- p5. ***2009-2010 Alcoholic Beverage License Renewals*** – resolution

This matter was addressed under Consent Agenda.

### ***ADMINISTRATOR'S REPORT***

Administrator Mekovetz reported that the Township audit is complete and the exit conference should be coming up shortly.

### ***ATTORNEY'S REPORT***

Attorney Dragan reported that the Township closed on the Bebe Renda property.

### ***COMMITTEE REPORTS***

#### **Mayor Allen**

Mayor Allen reported that once a month she, along with Attorney Dragan and Administrator Mekovetz meet with the staff of the Farmland Preservation program to review the status of applications and new regulations.

Mayor Allen reported the Open Space Walk will be cancelled for the month of June and the East Whitehouse Walk will place take in the third Sunday in July.

Mayor Allen reported that the Ann Reno Barn is currently under construction.

#### **Thomas Auriemma**

Mr. Auriemma stated he had nothing new to report.

**Frank Gatti**

Mr. Gatti reported that they are meeting with the Police and the PBA and also with the Auditor.

**Beatrice Muir**

Mrs. Muir stated she had nothing to report.

**Gerard Shamey**

Mr. Shamey asked about the status of the request to reduce the speed limit on Main Street. Administrator Mekovetz stated Engineer McEldowney was meeting with John Glynn and it is his intention to discuss this with him at that time and report back.

Mayor Allen also stated signage at the ingress and egress at Station Center is not working and is creating a potentially dangerous situation. Administrator Mekovetz suggested setting up a meeting with the mall owner, a Committee member and a representative from the police to address this matter.

***COMMENTS FROM THE PUBLIC***

There were none.

***COMMENTS FROM THE GOVERNING BODY***

There were none.

As there was no further business, ***A MOTION*** was made by Mr. Auriemma at 9:25 p.m. to adjourn the meeting, seconded by Mr. Gatti with a vote of all ayes, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/RPPO  
Administrator/Municipal Clerk