

**READINGTON TOWNSHIP PLANNING BOARD
MINUTES
August 28, 2006**

A. Chairman Flynn called the meeting to order and announced that all laws governing the Open Public Meetings Act had been met and that the meeting had been duly advertised. The Board saluted the flag.

B. Members and professionals present:

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

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

C. APPROVAL OF MINUTES

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

D. CORRESPONDENCE:

Mrs. Filler wanted to know the status of St. Elizabeth Ann Seton. Mr. McEldowney answered that they had a violation of the soil erosion plan. This issue was resolved.

E. RESOLUTIONS:

**1. Shabbecong, LLC
Minor Subdivision
38 Forty Second Street**

Block 48, lot 10

Madam Chair stated that the board has to authorize the use of board funds to create the resolution. This resolution has been carried for a period of time on the board's list of applicants with deficient escrows. The board's professionals were directed not to take any further action on the application. In order for the board's attorney to prepare the resolution, the board would have to authorize the funds.

Mrs. Filler made a motion to allow the attorney to prepare the resolution using board funds. Mrs. Duffy seconded the motion. *Motion* was carried with a vote of *Ayes all, Nays none recorded*.

- 2. Genesis Home Builders
Block 44, lot 47
Request for extension to approval**

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

Roll call:

Mr. Auriemma	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Monaco	aye
Mr. Smith	aye

- 3. Wilmark Building Contractors, Inc.
Preliminary Major Site Plan
Block 21.12, lot 46.08**

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

Roll call:

Mr. Auriemma	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Monaco	aye
Mr. Smith	aye

F. TECHNICAL REVIEW COMMITTEE

1. **New Cingular Wireless PCS, LLC
Preliminary Major Site Plan
Block 17, lot 9
Action date: August 28, 2006**

Madam Chair announced that the planner had advised that the applicant requires a “D” variance. Therefore the Planning Board lacks jurisdiction. The applicant’s attorney will be notified by letter of their findings.

G. OLD BUSINESS:

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

Dominick Iellimo stated that he is the son of Joseph Iellimo. He requested a 180 day extension. It has taken his father a considerable amount of time to finalize this matter with the public service and that is the reason for the extension.

Mrs. Duffy made a motion to approve the 180 day extension. Mr. Smith seconded the motion.

Roll call:

Mr. Auriemma	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Klotz	aye
Mr. Monaco	aye
Mr. Smith	aye
Madam Chair	aye

H. OTHER BUSINESS:

1. **Ordinance #29-2006
Amend §148-65 “Stormwater Management Ordinance”**

Mr. Monaco made a motion that this is not inconsistent with the master plan. Mrs. Filler seconded the motion.

Roll call:

Mr. Auriemma	aye
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Mr. Cook **aye**
Mrs. Duffy **aye**
Mrs. Filler **aye**
Mr. Klotz **aye**
Mr. Monaco **aye**
Mr. Smith **aye**
Madam Chair **aye**

- 2. Ordinance #32-2006**
Amend §148-9 “create new definition for Off-Line Ponds & Clarify definition of Stream Channel and replace definition of Stream Corridor and also amends §148-50 Critical areas”

Mrs. Filler made a motion that this is not inconsistent with the master plan. Mr. Klotz seconded the motion.

Roll call:

Mr. Auriemma **aye**
Mr. Cook **aye**
Mrs. Duffy **aye**
Mrs. Filler **aye**
Mr. Klotz **aye**
Mr. Monaco **aye**
Mr. Smith **aye**
Madam Chair **aye**

- 3. Ordinance #31-2006**
Amend §148-9 Definitions of Floor Area Ratio & Lot Coverage and create new definition of Net Lot Area”

Mrs. Filler made a motion that this is not inconsistent with the master plan. Mr. Klotz seconded the motion.

Roll call:

Mr. Auriemma **aye**
Mr. Cook **aye**
Mrs. Duffy **aye**
Mrs. Filler **aye**
Mr. Klotz **aye**
Mr. Monaco **aye**
Mr. Smith **aye**
Madam Chair **aye**

4. **Ordinance 30-2006**
Amend §148-9 “Definitions of Terms to create a new definition for Stormwater Management Elements” and amends the residential zones where clustering is permitted to create clarification with respect to the disposition of open space within clusters and also the configuration of new home sites – residential clusters”

Mr. Klotz made a motion that this is not inconsistent with the master plan. Mrs. Filler seconded the motion.

Roll call:

Mr. Auriemma	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Klotz	aye
Mr. Monaco	aye
Mr. Smith	aye
Madam Chair	aye

I. VOUCHER APPROVAL

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

J. PUBLIC HEARINGS:

1. **Ominpoint Communications, Inc.**
Preliminary Site Plan
Block 20, lot 6
Action date: September 7, 2006

Robert Garofalo, Esq, stated that he the attorney for the applicant. He stated that this is an application to locate antennas on an existing monopole. This is a permitted conditional use. The applicant is seeking preliminary and final site plan.

Attorney Kimson swore in the following witnesses: Henry Parra, Radio Frequency Engineer; Dave Collins, Radio Frequency Compliance expert; Peter Broy, Professional Planner, Todd M. Hay, Professional Engineer. The board’s

professionals, Dr. Souza, Michael Sullivan and H. Clay McEldowney were also sworn in.

Mr. Parra stated that he is a Radio Frequency Engineer employed by Omnipoint Communications. He stated that he has over 10 years of experience working for wireless providers and equipment providers.

Mr. Parra stated that in his capacity with Omnipoint Communications he investigates and monitors sites and the ability of the company to provide radio frequency service to their customers. He stated that Omnipoint is licensed by the FCC. He observed a site in this municipality where there would be adequate coverage.

Exhibit A-1 Elevation map of the township. (coverage map exhibit)

Mr. Parra referred to the exhibit indicating that the green dots represent the existing sites. The blue dot represents the proposed site and the red dots represent other proposed sites.

Mr. Parra testified to the west of the site there is an existing on air site located at 1130 Route 22 in Clinton Township. Directly northeast of this location is another site located on Route 78 in Tewksbury Township. To the southeast of the site they have a proposed site located at 384 Route 22 at the Whitehouse Hotel.

Exhibit A-2 – First overlay indicating the existing coverage.

Mr. Parra stated that the green color represents the “in building” coverage that the existing sites are providing. The subject site is represented by a blue dot. The yellow area represents the “in vehicle” coverage that T-Mobile is currently providing to its customers. They are proposing to provide coverage along Route 22. It will provide some coverage on Route 78. It will also provide coverage on Mountain Road and a portion of Railroad Avenue and Potterstown Road. Currently the coverage is unreliable in this area. If this application is approved, it will fill in the gaps of coverage. The antennas will be located at 122 feet on the existing monopole. The applicant is proposing 6 antennas. Since this site will serve the applicant’s requirements, there was no need to seek other sites. The site will be serviced once every 4 to 6 weeks. The antennas will not interfere with other electrical appliances near the site.

Mr. Monaco stated that the area of coverage is different than what he has been used to seeing. He was concerned about the extensiveness of these antennas versus a different technology. He stated that even if this installed, it will not fill the coverage gap in Readington. Mr. Parra answered that the main goal is to concentrate on Route 22.

Mr. Smith stated that on the exhibit there are areas that show no coverage. He asked if someone were driving along Route 78 would they lose their cell call. Mr. Parra answered they could lose their call.

PUBLIC COMMENTS:

There were no comments from the public.

Todd M. Hay stated that he has a Bachelor of Science Degree in Civil Engineering from Temple University. He has a Master of Science in Civil Engineering Degree from New Jersey Institute of Technology. He has approximately 8 years of professional engineering experience. He is a licensed engineer in the State of New Jersey.

Mr. Hay stated that he prepared the plans that were filed with this application. He referred to page C0101 "Site Plan" latest revision date is May 4, 2006. He described the existing site. It is occupied by an office park at 291 Route 22 East. There is an existing telecommunication site occupied by both Nextel and also formerly AT&T now known as Cingular within the area that is located to the southwest of the property. There is also electric and telephone utilities located at the site.

The next sheet identified as C0102 "elevation – compound layout – construction details". There is currently a Nextel equipment shelter on the north side of the compound. To the southwest side of the compound there is an old AT&T area that is now occupied by Cingular. The applicant is proposing to locate to the east of the monopole a 4' x 20' foot equipment concrete pad, with 3 equipment cabinets. The applicant provided a structural report. The monopole would have to be modified with a cable port at the base of the monopole to allow for the cables to traverse through the monopole.

Mr. Hay referred to Michael Sullivan's report dated July 21, 2006. He stated that the means of access to the site would be through the parking lot and through the access drive. The person that owns the facility is the principal holder of the compound and the applicant would enter into an agreement with that person. Regarding the location of the parking space, all of the proposed disturbance will be contained within the compound.

Madam Chair had a question regarding the signs. Mr. Hay answered that there were some signs for the Nextel and AT&T facility. He stated that in his professional opinion, the signs do conform to the ordinance.

Regarding the letter dated July 12, 2006 from Mr. McEldowney, the applicant will comply with this letter. Also regarding the maintenance of the existing detention basin, the applicant feels that if there are any problems in terms of compliance with the detention basin it would be in the township's best interest to

notify the landlord. He stated that the applicant's application does not have anything to do with the detention basin. They are only proposing their improvements within the confines of the compound and not making improvements on the property. Mr. McEldowney stated that this area does drain to the rear of a larger site. During his site visit, Mr. McEldowney noticed that the basin had not been maintained. This application does not fall under the stormwater management maintenance. It seems logical that a new application would trigger some interest on the part of the township to insure that the standards that were in effect at the time the basin was constructed are being carried out. The township would not impose current requirements.

Attorney Kimson stated that it is the owner's property that is being developed. Every time there is an addition to the property, the board has the right to consider the impact of the elements to that property. Mr. McEldowney stated that this facility was installed many years ago and there would be no operating maintenance manual in existence. The purpose of his comment was to inspect the detention basin. The trigger in this case is an application on the property.

Mrs. Duffy asked if the board could impose as a condition of approval that the owner and applicant insure that the detention basin be restored to a level of operation consistent with the original intent.

Madam Chair stated that in her opinion the detention basin should be inspected.

Dr. Souza asked if this site was in a Category One watershed. Mr. Hay stated that he did not know, since this proposal would produce a diminimus increase in runoff. Dr. Souza stated that in his opinion, he thought it was in a Category One. The basin is old and it was probably not constructed for peak flow reduction. He stated that if you are asking your professional to evaluate the function of the basin, is he going to evaluate it on the basis of what its existing purpose should be, as opposed to what its purpose was when it was originally constructed. More than likely, that is much different.

Mr. Garafalo stated that he felt that the board was inappropriate to request this of his client. Ms. Duffy stated that the applicant is requesting a variance.

Madam Chair stated that the board has asked other cell tower applicants to request that their landlord make repairs on the property and they have complied. This request is not something that is out of the ordinary. She informed the applicant that they should evaluate the functionality of the detention basin, if this were to be approved, and the results would then be reviewed by the board's professionals. If it appears that there are problems with the basin, those problems would have to be corrected.

Dr. Souza stated that there is a small amount of impervious coverage that is being added. Relative to peak flows and the ability to manage peak flows assuming the basin was in properly operating condition, this would be a diminimus increase. There would not be a measurable change. The whole discussion is based upon our engineer's report that the detention basin is not being properly maintained. It comes down more to a maintenance issue as opposed to a functionality issue in terms of is the basin's size large enough.

Mr. Hay stated that they cannot agree to maintenance in perpetuity.

PUBLIC COMMENTS:

There were no comments from the public.

Mr. Collins stated that his expertise is in Radio Frequency Exposure Compliance. He stated that he has a Bachelor of Science Industrial Technology from City College of New York. He has 6 years experience in this field. He has assessed over 4,500 antennae sites throughout the entire United States.

Mr. Collins stated that the FCC sets limits on maximum exposure levels around antennae sites at ground level. They also supply the mathematical formulas needed to determine compliance. The methodology is very conservative. Each operating parameter is added to the equation at its highest effect on RF levels. This is a site that already exists and supports 2 other antennae operations. He determined that at the worst case, the maximum calculated level would be 0.1596% of the allowable limit. That is less than 2/10ths of 1%. This would be equivalent to 625 times below the FCC's limit. There is also a New Jersey Statute, the Radiation Protection Act, but it 5 times less restrictive than the FCC's. So at that level, they are 3,125 times below the New Jersey Statute for protection to people.

PUBLIC COMMENTS:

There were no comments from the public.

Peter Broy, stated that he is a licensed Professional Planner in the State of New Jersey. He stated that he has a Bachelor of Science in City Planning from the University of Cincinnati. He has more then 30 years of planning/zoning/land development experience. He has been in the wireless field for 14 years. He has been a licensed professional planner in the State of New Jersey for 3 years.

Exhibit A-2 Aerial photo of site.

He was asked by TK Design Associates to complete a visual analysis that is required for this application for T-Mobile. He referred to an aerial indicating the red dot which shows the location of the proposed site. The 4 yellow dots indicate 4 of the 5 photo simulation locations.

Mr. Broy stated that the proposal is to add 6 antennas to an existing monopole. By means of resolution 2004-143, the Planning Board on March 22, 2004 did approve the AT&T or the new Cingular Wireless project for a total of 12 antennas on the same monopole. The 6 antennas located at 122.8 feet in height meet all of the conditions of the wireless ordinance in Readington Township, particularly the visual aspects.

Exhibit A-3 Photos

Mr. Broy stated that on this exhibit, the photo on the left is the photo of the existing facility and the photo on the right is with the T-Mobile Omnipoint 6 antennas. The visual impact is negligible.

Exhibit A-4 Photos

Mr. Broy stated that on this exhibit, the photos are of the existing campus between buildings 3 and 4. The monopole from that view is more noticeable because you are near the monopole and it is an industrial area.

Exhibit A-5 Photo

Mr. Broy stated that on this exhibit is a photo of the intersection of Corporate Road and Route 22. This is the entrance to the industrial zoned area. The monopole is visible.

Exhibit A-6 Photo

Mr. Broy stated that this photo is from a residential area, Mountain Road. It is visible from this point, but driving up and down Mountain Road and given the existing tree line and existing vegetation the monopole with the T-Mobile antennas it is hardly visible from most points.

Exhibit A-7 Photo

Mr. Broy stated that this photograph of in front #3 Green Gate Road. The monopole is somewhat visible from this location.

Mr. Broy stated that they do meet the set back requirements required in the ordinance. If this were approved, there would be no detriment to the zone plan to the township or adjacent properties.

Mr. McEldowney wanted to know how many antennas are currently on the tower. Mr. Broy answered that there are 18 antennas at this point.

PUBLIC COMMENTS:

There were no comments from the public.

Mr. Garafalo requested that the application be approved. He recognized that there is an issue regarding the basin.

Mr. Klotz stated that he would approve the application conditional on the engineering studies for the basin. If the basin is deficient, then it would have to be improved.

Mr. Auriemma wanted to know if it was the applicant's responsibility to get the basin repaired. He would be inclined to approve the application.

Dr. Souza stated that his opinion would be that the basin's functionality would be subject to what the requirements were when this application first came before the board. It would not be subject to improvement to a level that would be equivalent now for a Category One stream.

Mrs. Filler stated that she would approve the application conditionally, based upon the findings of the functionality of the basin.

Mrs. Duffy stated that she would not be in favor of conditionally approving the application. She felt that the board should wait to see what the engineer's report revealed.

Mr. Smith stated that this is an increase to a non-conforming use. The basin should be evaluated as it was designed at the time and make sure that it is functioning.

Mr. Monaco stated that he would approve the application conditionally, with not only the report being completed, but also the work being done.

Mr. Cook asked that if this application is approved, and the basin does have a problem, how much "teeth" does the board have in terms of getting this fixed. Or are we compounding the problem.

Attorney Kimson stated that the board could make a motion to approve the application conditionally. The condition would be the applicant would review the status of the basin, and provide that review to the board's professionals. The approval would be subject to review and approval with regard to steps to be implemented to bring the basin up to standards. In the event there is not an agreement with these steps, the applicant would have to come back to the board and the board would resolve the dispute. The implementation of the renovation of the basin if necessary should occur prior to a building permit being issued.

PUBLIC COMMENTS:

There were no comments from the public.

Mrs. Filler made a motion to approve the application with the conditions that were discussed and the approval of the variance. Mr. Auriemma seconded the motion.

Roll call:

Mr. Auriemma	aye
Mr. Cook	aye
Mrs. Duffy	aye
Mrs. Filler	aye
Mr. Klotz	aye
Mr. Monaco	aye
Mr. Smith	aye
Madam Chair	aye

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

Raymond Drake, Esq., stated that he is the attorney for the applicant. He stated that the property contains 6.94 acres. The property is in the SSR zone. The applicant proposes to enlarge his driveway and to construct a detached 36' x 42' garage, which is a permitted accessory use. Pursuant to the ordinance, since more than 2 living trees are to be removed in this zone, this is a conditional use. The applicant is proposing to remove 13 trees in the area of the driveway and where the detached building is to be constructed.

Attorney Kimson swore in Mr. Pincus and James Hill and the board's professionals.

Mr. Hill stated that he prepared the plans for this project. The driveway widening and tree removal are necessary for better access to the site. He estimated in the 5 acres around the site there is approximately 300-400 trees. The plan indicates all of the trees that are 8 inches or more in diameter in the area of the proposed disturbance. The applicant proposes to complete the project in 2 stages. He would like to be able to install the garage and the improvement of the driveway adjacent to the garage to allow him a turnaround area. The detached garage will be used as a garage and storage unit. The height of that building would be 19 feet, which is less than the height of the residential home. He agreed to make a note on the plan to indicate that the accessory building would not be higher than the residential building. It is a stoned driveway. The only area that would be paved during the first phase of the project would be the area immediately adjacent to the garage. The rest of the driveway would be paved in the future.

Mr. Hill stated that the applicant complies with the requirement of the ordinance for new impervious area. They are less than ¼ of an acre for the new impervious area for the garage therefore they fall beneath the threshold for the main impact of the stormwater regulations. He designed two facilities for the garage area and the area to be paved for the garage. There is a drywell to the east side of the garage that is large enough to hold all of the water for the water quality runoff coming off the roof of the garage and it also has the capacity to carry up to 100 year storm. The second drywell that will be installed is fed by a french drain that comes across the front edge of the parking lot. Both of the drywells have a surface area of top soil and gravel on top of it to provide a filtering effect.

Mr. Hill stated that in Mr. Sullivan's report, an issue was raised for re-planting of the areas after the installation of the garage. He submitted a planting schedule. They are proposing to plant 16 shade trees and they are proposing to remove 13 trees. The applicant will work with Mr. Sullivan to select the best areas to plant the recommended shade trees once the grading is completed.

Mr. Monaco wanted to know what the proposed garage would look like since there was no elevation provided. Mr. Hill answered that it will be a one story building with a 19 foot peaked roof. The garage will be strictly used for residential personal use. It will not be used as a commercial building. Mr. Drake stated that this could be a condition of approval in the deed.

Mr. Pincus stated that the structure will be approximately 19' to 19'6" tall. The house is currently between 32' and 32'6" at its peak. They have 3 vehicles. The garage is intended to house the 3rd. vehicle as well as his boat, lawn mower, etc. The garage is not intended to have a second story for storage.

Mrs. Flynn wanted to know why the garage was located so far from the house. Mr. Pincus stated that it was for turn-around purposes. Since Foot Hill Road is such a narrow road, he currently has to drive out on the road facing the oncoming traffic lane in order to turn his truck and boat around. The garage will be designed to match the house.

Mrs. Filler wanted to know where the 30" tree was located. Mr. Hill answered that as you face the driveway, it is located on the left hand side down by the road. She asked if the applicant could try to save this tree.

PUBLIC COMMENTS:

Ingelore M. Krug, Old Readington Road. She agreed with Mrs. Filler that the 30" tree should be saved.

Mr. Sullivan stated that they would try to work around the 30" tree. He would rather see the utility pole be moved so that the tree could be saved.

Mr. Klotz made a motion to approve the application. Mrs. Filler seconded the motion.

Roll call:

Mr. Auriemma aye
Mr. Cook aye
Mrs. Duffy aye
Mrs. Filler aye
Mr. Klotz aye
Mr. Monaco aye
Mr. Smith aye
Madam Chair aye

- 3. Ernest E. & Elizabeth Renda**
Minor Subdivision
Block 64, lot 19
Action date: carried and signed extension to 9/25/06

Madam Chair announced that this matter would be carried to September 25, 2006.

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

Erwin Schnitzer, Esq., stated that he is the attorney for the applicant. He stated that by Resolution #2005-179 the Planning Board granted the applicant minor subdivision approval to divide a parcel of property into 2 lots. Lot 14.01 contained the cabin and this is the subject matter of this application. The minor subdivision deed was recorded. The cabin on the existing lot 14.01 was going to be demolished and reconstructed on the existing footprint. The applicant is before the board to request a modification to that approval. The applicant is proposing to move the cabin approximately 19-20 feet in an easterly direction which would make it further away from the pond.

Attorney Kimson swore in the following witnesses: John Peel, of PK Environmental; Christopher Emmet; Paul Fox from Apgar Associates; Dr. Steve Souza of Princeton Hydro; H. Clay McEldowney of Studer & McEldowney and Michael Sullivan of Clark Caton & Hintz.

Mr. Peel of PK Environmental stated that he has an Environmental Science Degree and Bachelor's Degree and a Master's Degree in City and Regional

Planning. He has 22 years experience in land use consulting for environmental issues.

Mr. Peel stated that the applicant is requesting a modification to the prior approval because in January, an application was submitted to NJDEP to have the cabin reconstructed with a minor residential addition attached to it. The applicant was informed that the application before the NJDEP for the reconstruction of the cabin and the addition did not comply with the interpretation of general permit #8. This would allow for residential additions for up to 750 square feet in wetlands or in wetlands transition areas for residential structures that were built prior to July 1, 1988. If the applicant would have just constructed the addition and left the cabin in place that would have complied with the rule and it would have been approved. But the fact that the cabin was going to be reconstructed in addition to these minor additions, NJDEP's opinion is that it did not comply with the rule. In addition, NJDEP notified the applicant that a stream encroachment permit would have been required to rebuild the front porch within 25 feet of the pond. A recommendation from NJDEP was if the cabin was moved off of the pond it would get rid of the need for minor stream encroachment permit and they could re-apply for a transition area waiver averaging plan. This is being reviewed by the NJDEP.

Exhibit A-1 Colorized sheet 1 of 1 of site plan dated June 6, 2006, prepared by Apgar & Associates.

Mr. Peel explained the new proposal. The cabin will be moved back 7 feet from the pond. The plan depicts the proposed averaging plan which reduces part of the wetlands buffer in the marked areas.

Mr. Peel referred to the memo from the Environmental Commission requesting a site visit. Mrs. Filler stated that the modification that is being proposed increases the area of disturbance. Mr. Peel stated that the site currently has been disturbed.

Mr. Cook stated that he has visited the site. When the application first came before the board, the members were in favor of moving the cabin away from the pond. Mrs. Duffy agreed with Mr. Cook.

Exhibit A2 & A3 – Colored photographs of the existing conditions

Regarding Mr. Sullivan's report dated August 17, 2006 the applicant has agreed to comply with that report. Mr. Peel stated that in reviewing the pictures, you can see that the area is already extensively disturbed for many years.

Mr. Emmet stated that the survey is not an accurate assessment of the area. This was taken from an aerial photograph. The pictures however show that there is already an existing driveway where they want the driveway to be located. When the property was purchased, there were 2 abandoned cars located in this area.

Unfortunately what was presented to the board was inaccurate. What he proposes is a reasonable driveway in this location where the driveway already exists.

Regarding the signage, Mr. Emmet stated that he set up 22 signs. He had the signs made from a template that he received from the township. The board had no difficulty with the applicant maintaining the signs that have already been installed.

Regarding Dr. Souza's report dated August 21, 2006, Mr. Peel addressed all outstanding issues in this report.

Dr. Souza stated that he wanted the applicant to explain the need for the expanded driveway. The applicant recognizes the fact that the shed could be positioned closer to the house. Another issue with the septic system is about the pump out on a 3 year cycle.

PUBLIC COMMENTS:

There were no comments from the public.

Paul Fox stated that regarding with the proposed driveway improvements, it is simply to provide a useable driveway that someone can park their vehicle and perhaps a guest vehicle and to provide a safe turnaround. This area has already been heavily disturbed as shown in the pictures. The applicant is looking to move the structure away from the stream and to create a greater buffer between the structure and the pond.

Mr. Fox stated that agronomics specifications were provided on the plan. The seed mixes will be appropriate for the use in the area that will require more shade and wet tolerant growing conditions. Mr. Fox stated that the applicant will comply with Dr. Souza's letter.

Mr. Fox stated that the applicant will comply with Mr. McEldowney's letter dated July 17, 2006.

PUBLIC COMMENTS:

There were no comments from the public.

Dr. Souza wanted to know the yield the applicant would get from the well. Mr. Fox answered that he did not have any idea.

Madam Chair wanted to know where the best location would be for the wood shed. Mr. Fox answered that they could move it to the edge of the woods in the cleared area that has already been disturbed.

Mr. Monaco wanted to know if the existing footings from the cabin would be removed. Mr. Fox answered yes, they would be removed.

Mrs. Filler wanted to know if the septic complied with the current regulations. Mr. Fox answered that it was found to be acceptable by the health department.

Mr. Cook made a motion to approve the application with the following conditions: the applicant agreed to comply with the recommendations set forth in the professionals' reports; the applicant agreed to locate the wood shed in a cleared area that has already been disturbed; the applicant is going to agree to use shade compatible seed; the applicant is going to make sure that the final plans show the stream corridor buffer on both sides of the plan; and they will use high visibility fence in the area of disturbance. Mr. Smith seconded the motion.

Roll call:

Mr. Auriemma	aye
Mr. Cook	aye
Mrs. Duffy	abstain
Mrs. Filler	aye
Mr. Klotz	aye
Mr. Monaco	aye
Mr. Smith	aye
Madam Chair	aye

- 5. Wilmark Building Contractors
Final Major Subdivision
Block 25, lot 38.01
Signed extension and carried to September 11, 2006**

Madam Chair announced that this matter would be carried to September 11, 2006.

K. ADJOURNMENT:

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

Respectfully submitted,

Linda A. Jacukowicz