

**READINGTON TOWNSHIP COMMITTEE
MEETING –February 7, 2022**

Mayor Huelsebusch *calls the meeting to order at 6:00 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. Huelsebusch, Deputy Mayor J. Heller, Mr. J. Albanese, Mrs. BA Fort and Mr. A. Mueller

ALSO PRESENT: Administrator R. Sheola, Municipal Clerk K. Parker, 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, THERFORE, 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

<u>Subject Matter</u>	<u>Basis Of Public Exclusion</u>	<u>Date Anticipated When Disclosed to Public</u>
Recreation.....	Personnel.....	Certain information at the discretion of the Township Committee tonight...other Information will remain confidential
Department of Public Works	Personnel.....	“ “ “
Chief Financial Officer	Personnel.....	“ “ “
Administration (Intern)	Personnel.....	“ “ “
Police Department	Personnel.....	“ “ “
Construction Code	Personnel.....	“ “ “
PBA Local 317	Contract Negotiations	“ “ “
Lease Agreement / 19 Owl Court.....	Contract Negotiations	“ “ “
Agricultural Maintenance Contract / Block 55, Lot 19.01	Contract Negotiations.....	“ “ “
Readington Farms	Contract Negotiations	“ “ “
Executive Session Minutes.....	Attorney-Client Privilege.....	“ “ “
• January 18, 2022		

Affordable Housing..... Potential Litigation..... “ “ “

Oakland Drive West Pump Litigation “ “ “
Pump Station Upgrade

Civil Action Summons / Litigation..... “ “ “
Rosedale and Rosehill Cemetery Association vs. Township of Readington and the Township of
Committee of the Township of Readington

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 Mrs. Fort to adopt this resolution, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:50 p.m.

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

Personnel / Recreation

The following resolution was offered for consideration:

#R-2022-36

RESOLUTION HIRING CAMP DIRECTOR FOR THE SUMMER RECREATION PROGRAM

WHEREAS, there exists a need to hire a summer camp director for the 2022 Summer Recreation program; and

WHEREAS, the Recreation Director has provided a recommendation to hire Denise Hawkins; and

NOW THEREFORE BE IT RESOLVED, that the Readington Township Committee does hereby approve hiring Denise Hawkins as the Summer Camp Director at a rate of \$21.98 per hour for the 2022 Summer Camp Program.

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

- Mr. Albanese - Aye
- Mrs. Fort - Aye
- Mr. Heller -Aye
- Mr. Mueller -Aye
- Mayor Huelsebusch - Aye

Personnel / Department of Public Works

The following resolution was offered for consideration:

#R-2022-37

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Ryan Wallace was hired as Road Supervisor on August 2, 2021; and

WHEREAS, Ryan Wallace has tendered his resignation effective February 9, 2022, to return to Bernards Township as Director of Public Works; and

WHEREAS, the Township Committee hereby accepts with regret Ryan Wallace’s resignation; and

NOW THEREFORE BE IT RESOLVED the Township Committee wishes Ryan Wallace continued success in his professional endeavors.

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

Mr. Albanese - Aye
Mrs. Fort - Aye
Mr. Heller -Aye
Mr. Mueller -Aye
Mayor Huelsebusch - Aye

Personnel / Chief Financial Officer

The following resolution was offered for consideration:

#R-2022-38

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Kristine Boxwell left the employ of the Township of Readington as Tax Collector on January 7, 2022; and

WHEREAS, Michael Balogh has requested to return to his former position as Tax Collector; and

WHEREAS, the Township Administrator, after advertising for a Chief Financial Officer and interviewing viable candidates recommends the employment of Thomas Ferry, CMFO, CPA, RMA, PSA as full-time Chief Financial Officer for Readington Township at a salary of \$125,000; and

NOW THEREFORE BE IT RESOLVED the Township Committee appoints Thomas Ferry, CMFO, CPA, RMA, PSA as full-time Chief Financial Officer for Readington Township with a start date to be determined.

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

Mr. Albanese - Aye
Mrs. Fort - Aye
Mr. Heller -Aye
Mr. Mueller -Aye
Mayor Huelsebusch - Aye

Personnel / Administration (Intern)

The following resolution was offered for consideration:

#R-2022-39

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS the Township of Readington is a Sustainable Jersey Silver awardee; and

WHEREAS with the abundance of work necessary to complete the relevant application and also to maintain and enhance the environmental and sustainability efforts of the Township an Intern was determined to be needed; and

WHEREAS, the Township Administrator, after consultation with faculty at Raritan Valley Community College, reviewed the projects with potential candidates and after due consideration, recommends Juaquin Goodbar as Environmental Intern with a compensation of \$15 per hour, estimating 10 hours per week for the Spring 2022 semester; and

NOW THEREFORE BE IT RESOLVED the Township Committee appoints Juaquin Goodbar as Environmental Intern as recommended by the Township Administrator.

A MOTION was made by Mrs. Fort to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese - Aye
Mrs. Fort - Aye
Mr. Heller -Aye
Mr. Mueller -Aye
Mayor Huelsebusch - Aye

Personnel / Police Department

Mayor Huelsebusch stated that this matter remains in Executive Session.

Personnel / Construction Code

The following resolution was offered for consideration:

#R-2022-40

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, there exists a vacancy in the Office of Construction Code for a Technical Assistant; and

WHEREAS, the Township Administrator, after advertising for a Technical Assistant and interviewing viable candidates, it is the joint recommendation of the Township Administrator and Construction Code Official to appoint Michelle Fornaciari as Full-time Technical Assistant at an annual salary of \$45,000 and upon completion of the requisite certification process, the salary be increased to \$48,000; and

NOW THEREFORE BE IT RESOLVED the Township Committee appoints Michelle Fornaciari as full-time Technical Assistant for Readington Township with a start date to be determined.

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

Mr. Albanese - Aye
Mrs. Fort - Aye
Mr. Heller -Aye
Mr. Mueller -Aye
Mayor Huelsebusch - Aye

The following resolution was offered for consideration:

#R-2022-41

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, pursuant to N.J.A.C. 5:23 the municipality shall employ a building Subcode Official for the Construction Office; and

WHEREAS, Thomas Petto shall be appointed the Building Subcode Official, and perform building, fire, and mechanical inspections for the Township;

NOW THEREFORE BE IT RESOLVED, the Township Committee hereby appoints Thomas Petto to be the Building Subcode Official in accordance with New Jersey Uniform Construction Code at an annual salary of \$46,800 per year, not to exceed 20 hours per week.

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

Mr. Albanese - Aye
Mrs. Fort - Aye
Mr. Heller -Aye
Mr. Mueller -Aye
Mayor Huelsebusch - Aye

Contract Negotiations / PBA Local 317

The following resolution was offered for consideration:

#R-2022-42

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS the respective contracts with the Patrol Officers, Sergeants and Lieutenants expired on December 31, 2020; and

WHEREAS, the Township Administrator and the PBA Local 317 met on at least eight (8) occasions in 2021 to negotiate successor contracts without success; and

WHEREAS, recently the PBA and Township Administrator agreed on a proposal for 2021 only to apply all the aspects of the 2020 contract year to 2021, contingent upon Township Committee ratification;

WHEREAS, the attached Memorandum of Agreement outlines the terms of the one-year agreement; and

NOW THEREFORE BE IT RESOLVED, the Township Committee of the Township of Readington hereby agrees the proposal is in the best interest of the Township and therefore approves the Memorandum of Agreement.

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

Mr. Albanese - Aye
Mrs. Fort - Aye
Mr. Heller -Aye
Mr. Mueller -Aye
Mayor Huelsebusch - Aye

Contract Negotiations / Lease Agreement / 19 Owl Court

The following resolution was offered for consideration:

#R-2022-43

***TOWNSHIP OF READINGTON
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY***

WHEREAS, the Township is owner of a single family one bedroom, 1.5-bathroom condominium unit located at 19 Owl Court, Three Bridges, New Jersey (the "Property"), which was purchased in June 2021 for inclusion in the Township's market to affordable housing program; and

WHEREAS, no qualified affordable housing buyer has yet been found for the Property and the Township Committee, on recommendation of the Township Housing Coordinator, has been requested to enter into a short-term lease agreement with the Tenant Barbara Arndt for same because she was recently forced to vacate her current rental in the Township due to emergency health, safety and welfare issues that arose there; and

WHEREAS, the lease for the Property provides for a monthly rental of \$1,200 per month for an approximate term of six months (6) starting on January 25, 2022, through July 31, 2022, and permits an extension for one (1) additional six (6) month term until January 25, 2023; and

WHEREAS, in addition to providing emergency housing to the Tenant, who is also a disabled veteran, entering into the short-term lease will be beneficial to the Township for security purposes and will also help off-set carrying costs of the unit, including utilities, maintenance and association dues, until same is sold; and

WHEREAS, the Township intends to offer the unit again for sale as an affordable unit at the end of the lease term; and

WHEREAS, a copy of the proposed lease and addendum required by the Hunter's Crossing Master Association is on file with the Township Clerk and the Township Housing Coordinator

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. The aforementioned preambles are incorporated herewith as if fully set forth at length.
2. The proposed short-term lease with the Tenant Barbara Arndt and addendum with Hunter's Crossing Master Association are hereby approved. On behalf of the Township Committee of the Township of Readington, the Mayor, Deputy Mayor, Township Administrator, Township Clerk, Township Housing Coordinator and/or Township Attorney, as appropriate, are authorized to prepare and sign any and all documentation necessary to effectuate the lease of the aforesaid Property to the aforementioned Tenant.
3. This Resolution shall be effective immediately.

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

Mr. Albanese - Aye
Mrs. Fort - Aye
Mr. Heller -Aye
Mr. Mueller -Aye
Mayor Huelsebusch - Aye

Contract Negotiations / Agriculture Maintenance Contract / Block 55, Lot 19.01

A **MOTION** was made by Mrs. Fort to approve the Agricultural Maintenance Contract for Block 55 Lot 19.01, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese - Aye
Mrs. Fort - Aye
Mr. Heller -Aye
Mr. Mueller -Aye
Mayor Huelsebusch - Aye

Contract Negotiations / Readington Farms

Mayor Huelsebusch stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / January 18, 2022

A **MOTION** was made by Mrs. Fort to approve the Executive Session Minutes of January 18, 2022, for content only, seconded by Mr. Heller with a vote of ayes all, nays none recorded.

Potential Litigation / Affordable Housing

Mayor Huelsebusch stated that this matter remains in Executive Session.

Litigation / Oakland Drive West Pump Station Upgrade

Mayor Huelsebusch stated that this matter remains in Executive Session.

Litigation / Civil Action Summons / Rosedale and Rosehill Cemetery Association vs. Township of Readington and the Township Committee of the Township of Readington

Mayor Huelsebusch stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Huelsebusch read the following statement:

All items listed with an asterisk "" 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.*

Mr. Albanese requested to remove *Item #5* from the Consent Agenda.

1. * **APPROVAL OF MINUTES** of meeting of January 18, 2022

2. * ***Tax Lien Redemption***

The following resolution was offered for consideration:

***READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY***

RESOLUTION

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 48, Lot 26.38 and,

WHEREAS, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$20,420.88, plus a premium paid in the amount of \$164,200.00, known as Tax Sale Certificate #2021-004, to the lienholder, Evolve Bank & Trust.

3. * ***Release of Board of Health Escrow / Block 39, Lot 53.04 (Readington Industrial Center Association, Inc.)***
4. * ***Release of Board of Health Escrow / Block 70, Lot 27.12 (Cocuzza)***
5. * ***Resolution to Authorize Buy Back of Reserved Sewer Capacity (Ferber)***

The following resolution was offered for consideration:

#R-2022-44

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, the FERBER Company has indicated they have excess reserve sewer capacity and wish to sell back three (3) units; and

WHEREAS, the Township Committee has agreed to purchase the three (3) units at the price of \$18.83 per gallon which is accepted to the FERBER Company; and

NOW THEREFORE BE IT RESOLVED the Township Committee hereby approves of the purchase of three (3) excess reserve capacity units from the FERBER Company at the total price of \$17,813.18.

6. * ***Resolution to Request County of Hunterdon to Abandon the Roundabout Project on County Road 523***

The following resolution was offered for consideration:

#R-2022-45

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, the intersection of County Routes 523, County Route 629 and Springtown Road has been the subject of intensive study for many years; and

WHEREAS, officials from the Township of Readington and the County of Hunterdon have participated in numerous discussions and visits to the intersection; and

Resolution #R-2022-45 cont'd:

WHEREAS, Hunterdon County Commissioners (formerly Freeholders) had proposed the construction of a round-about in place of the intersection; and

WHEREAS, in an effort to reduce speeding in the area, the Hunterdon County Freeholders have approved a lowering of the speed limits in the areas and in conjunction, the appropriate speed limit signs have been posted; and

WHEREAS, the Mayor & Township Committee hereby suggest the following recommendations to the County Commissioners in an effort to further improve the intersection:

1. Abandon the concept of a round-about project.

NOW THEREFORE BE IT RESOLVED, the Township Committee hereby endorses the recommendations enumerated above and also directs the Township Clerk to forward a certified copy of this Resolution to the Clerk of the Board of Commissioners of Hunterdon County.

7. * **Payment of Bills** – (Complete bill list is on file in Clerk’s Office)

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND	1-01	\$ 62,099.12
SEWER APPROPRIATIONS	1-02	\$ 68,736.01
CURRENT FUND	2-01	\$ 808,435.22
SEWER APPROPRIATIONS	2-02	\$ 104,806.81
TRUST FUNDS	X-03	\$ 22,898.99
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 3,456,894.10
PAYROLL DEDUCTIONS	X-06	\$ 463,966.39
REGIONAL& LOCAL SCHOOL TAX	X-07	\$ 2,684,705.00
2017 CAP IMPROVEMENTS	X-17	\$ 989,076.63
2018 CAP IMPROVEMENTS	X-18	\$ 2,322.62
2019 CAP IMPROVEMENTS	X-19	\$ 1,050.00
2020 CAP IMPROVEMENTS	X-20	\$ 162.65
2021 CAP IMPROVEMENTS	X-21	<u>\$ 675.00</u>
 TOTAL OF ALL FUNDS		 \$ 8,665,828.54

A **MOTION** was made by Mr. Heller to approve the Consent Agenda (*with the removal of Items #5*), seconded by Mr. Mueller and on Roll Call vote the following was recorded:

- Mr. Albanese - Aye
- Mrs. Fort - Aye
- Mr. Heller -Aye
- Mr. Mueller -Aye
- Mayor Huelsebusch - Aye

COMMENTS FROM THE PUBLIC for items listed on the agenda only

There were none.

PUBLIC HEARINGS

As it was after 7:45 p.m., ***A MOTION*** was made by Mr. Albanese to adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Heller with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF PROPERTY KNOWN AS BLOCK 73, LOT 15 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM FLOOD

ORDINANCE #01-2022

Mayor Huelsebusch asked if there were any comments from the governing body.

There were none.

Mayor Huelsebusch asked if there were any comments from the public.

There were none.

A MOTION was made by Mr. Albanese to close the Public Hearing and open the regular meeting, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF PROPERTY KNOWN AS BLOCK 73, LOT 15 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM FLOOD

ORDINANCE #01-2022

A MOTION was made by Mrs. Fort to adopt this ordinance, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	- Aye
Mrs. Fort	- Aye
Mr. Heller	-Aye
Mr. Mueller	-Aye
Mayor Huelsebusch	- Aye

A MOTION was made by Mr. Albanese to adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Mueller with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, HUNTERDON COUNTY AND STATE OF NEW JERSEY REPEALING ORDINANCE #19-2021 WHICH PROHIBITED ALL CLASSES OF CANNABIS BUSINESSES WITHIN THE TOWNSHIP AND AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF READINGTON ENTITLED "CANNABIS BUSINESSES" TO PERMIT CERTAIN CLASSES OF CANNABIS BUSINESSES

Ordinance #02-2022

Mayor Huelsebusch asked if there were any comments from the governing body.

There were none.

Mayor Huelsebusch asked if there were any comments from the public.

Scott Barton, Old Highway 28, requested clarification on the classes of cannabis businesses and confirmation that no retail sales would not be permitted in the Township.

Andrew Roth, County Road 523, commented on differences between medical cannabis versus recreational cannabis.

Todd Terricone, Lamington Road, inquired about the Class 6 Cannabis Delivery license.

Scott Barton, Old Highway 28, inquired about the increase in tax revenue from the cannabis businesses.

Anthony Marsico, Executive Vice President for Verano NJ, LLC, read an informational statement outlining the operations at the facility and provided insight as to their intent as a business partner in Readington Township.

Sam Tropello, Pine Bank Road, commented on the revenue from the recreational cannabis.

Andrew Roth, County Road 523, commented on the language within the ordinance and opined that the consideration of adopting the ordinance should not be about money.

Jacqueline Hindle, Indian Run, member of the Cannabis sub-committee, spoke in support of the state-of-the-art operations at the Verano facility that she had recently toured.

A **MOTION** was made by Mr. Mueller to close the Public Hearing and open the regular meeting, seconded by Mr. Heller with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, HUNTERDON COUNTY AND STATE OF NEW JERSEY REPEALING ORDINANCE #19-2021 WHICH PROHIBITED ALL CLASSES OF CANNABIS BUSINESSES WITHIN THE TOWNSHIP AND AMENDING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF READINGTON ENTITLED "CANNABIS BUSINESSES" TO PERMIT CERTAIN CLASSES OF CANNABIS BUSINESSES

Ordinance #02-2022

A **MOTION** was made by Mr. Heller to adopt this ordinance, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	- Aye
Mrs. Fort	- Aye
Mr. Heller	-Aye
Mr. Mueller	-Aye
Mayor Huelsebusch	- Aye

A **MOTION** was made by Mr. Heller to adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, HUNTERDON COUNTY AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF READINGTON TO ESTABLISH A CANNABIS TRANSFER TAX AND USER TAX IN THE TOWNSHIP

Ordinance #03-2022

Mayor Huelsebusch asked if there were any comments from the governing body.

There were none.

Mayor Huelsebusch asked if there were any comments from the public.

There were none.

A **MOTION** was made by Mr. Heller to close the Public Hearing and open the regular meeting, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, HUNTERDON COUNTY AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 88 OF THE CODE OF THE TOWNSHIP OF READINGTON TO ESTABLISH A CANNABIS TRANSFER TAX AND USER TAX IN THE TOWNSHIP

Ordinance #03-2022

A **MOTION** was made by Mr. Albanese to adopt this ordinance, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Albanese	- Aye
Mrs. Fort	- Aye
Mr. Heller	-Aye
Mr. Mueller	-Aye
Mayor Huelsebusch	- Aye

MOTION was made by Mr. Heller to adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON TO AMEND THE ZONING MAP AND ARTICLE IV "DISTRICT REGULATIONS" OF CHAPTER 148 "LAND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF READINGTON TO CREATE A NEW ZONE KNOWN AS THE LICENSED CANNABIS BUSINESS OVERLAY (LCBO) ZONE DISTRICT

Ordinance #04-2022

Mayor Huelsebusch asked if there were any comments from the governing body.

There were none.

Mayor Huelsebusch asked if there were any comments from the public.

Scott Barton, Old Highway 28, inquired about the sewer connection and public water at the facility.

A **MOTION** was made by Mr. Heller to close the Public Hearing and open the regular meeting, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON TO AMEND THE ZONING MAP AND ARTICLE IV "DISTRICT REGULATIONS" OF CHAPTER 148 "LAND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF READINGTON TO CREATE A NEW ZONE KNOWN AS THE LICENSED CANNABIS BUSINESS OVERLAY (LCBO) ZONE DISTRICT

Ordinance #04-2022

A **MOTION** was made by Mr. Heller to adopt this ordinance, seconded by Mr. Mueller and on Roll Call vote the following was recorded:

Mr. Albanese - Aye
Mrs. Fort - Aye
Mr. Heller -Aye
Mr. Mueller -Aye
Mayor Huelsebusch - Aye

CORRESPONDENCE / OTHER INFORMATION

1. Letter dated January 19, 2022, from Jennifer Ader, Municipal Clerk, Township of Tewksbury regarding **An Ordinance of the Township of Tewksbury, Hunterdon County, New Jersey Amending Article IV, Land Use Board, Zoning Board of Adjustment and Historic Preservation Commission, Section 406, Procedures/Applications for Historic Review, of the Development Regulations Ordinance.** No action taken.
2. Letter dated December 20, 2021, from Nicole Magdziak, Day Pitney, LLP regarding **Lamington River Farms Preliminary and Final Site Plan Application, Block 37.01, Lot 1.** (Entire Application on File in Planning Board for Review) No action taken.

NEW BUSINESS

1. **An Ordinance of the Township of Readington, in the County of Hunterdon, New Jersey Adopting the Redevelopment Plan for Block 36, Lots 4, 5, 5.02, 65 and 66 Pursuant to the Local Redevelopment and Housing Law**

The following ordinance was offered for introduction:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN FOR BLOCK 36, LOTS 4, 5, 5.02, 5.04, 65 AND 66 PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW

ORDINANCE #05-2022

WHEREAS, the Township Committee of the Township of Readington, in the County of Hunterdon, New Jersey (the “**Township Committee**”) in accordance with provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “**Redevelopment Law**”) and based upon the report and recommendation of the Readington Township Planning Board (the “**Planning Board**”), by Resolution No. R-2021-49, adopted on March 1, 2021, (i) designated Block 36, Lots 65 and 66 on the official Tax Maps of the Township as a condemnation area in need of redevelopment (the “**Condemnation Redevelopment Area**”); and (ii) designated Block 36, Lots 4, 5, 5.02 and 5.04 on the official Tax Maps of the Township as a non-condemnation area in need of redevelopment (the “**Non-Condemnation Redevelopment Area**” and, together with the Condemnation Redevelopment Area, the “**Redevelopment Area Properties**”); and

WHEREAS, the Township Committee designated the Township as the redevelopment entity responsible for implementing and carrying out redevelopment plans pursuant to the Redevelopment Law; and

WHEREAS, Clarke Caton Hintz (Michael Sullivan, ASLA, AICP and Emily Goldman, PP, AICP) prepared a plan for the Redevelopment Area Properties entitled “Block 36 Redevelopment Plan”, dated February 1, 2022 (attached hereto as Exhibit A, the “**Redevelopment Plan**”) and

WHEREAS, on January 18, 2022, the Township Committee adopted a resolution referring the Redevelopment Plan to the Planning Board for review and recommendations, pursuant to N.J.S.A. 40A:12A-7(e); and

Ordinance #05-2022 cont'd:

WHEREAS, after due consideration of the Redevelopment Plan at a duly noticed and constituted public meeting held on January 31, 2022, the Planning Board reviewed the proposed Redevelopment Plan and, after extensive discussion, the Planning Board found that the Redevelopment Plan is consistent with the Township's Master Plan and Master Plan Reexamination; and

WHEREAS, the Township Committee now desires to adopt the Redevelopment Plan; and

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Readington, in the County of Hunterdon, New Jersey, as follows:

1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.
2. The Redevelopment Plan is on file with the Township Clerk, is incorporated herein by reference and is hereby approved and adopted pursuant to N.J.S.A. 40A:12A-7.
3. The sections of the Zoning Map of the Township that relate to the Redevelopment Area Properties are hereby amended to incorporate the provisions of the Redevelopment Plan.
4. If any part of this Ordinance shall be deemed invalid, such part shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.
5. This Ordinance shall take effect in accordance with applicable law.

A **MOTION** was made by Mrs. Fort to introduce this ordinance, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	- Aye
Mrs. Fort	- Aye
Mr. Heller	-Aye
Mr. Mueller	-Aye
Mayor Huelsebusch	- Aye

The Public Hearing was scheduled for March 7, 2022.

2. An Ordinance Amending Chapter 48 "Land Development" of the Code of the Township of Readington with Respect to Sidewalk Design Standards

The following ordinance was offered for introduction:

AN ORDINANCE AMENDING CHAPTER 148 "LAND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF READINGTON WITH RESPECT TO SIDEWALK DESIGN STANDARDS

Ordinance # 06-2022

BE IT ORDAINED by the Township Committee of the Township of Readington in the County of Hunterdon, State of New Jersey, that the following amendments shall be made to Chapter 148, Article VIII of the Land Use Ordinance of the Township of Readington, entitled "Subdivision and Site Plan Standards (additions are underlined thus; deletions are indicated ~~thus~~):

SECTION 1. Section 148-76 Streets, curbs and sidewalks.

C. Sidewalks and aprons.

(1) Sidewalks and aprons may be required on both sides of all existing and proposed streets ~~within 2,000 feet of a school and~~ at the discretion of the Board, depending upon the probable volume of pedestrian traffic, the general type of development intended, and any alternate plans proposed for the movement of people and bicycles.

Ordinance #06-2022 cont'd:

SECTION 2. All other language not specifically changed by this ordinance amendment shall remain in full force and effect.

SECTION 3. The sections, subsections and provisions of this Ordinance may be renumbered as necessary or practical for codification purposes.

SECTION 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. If the provision of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair or invalidate the remainder of any such article, section, subsection, paragraph, subdivision or clause and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 6. This ordinance is subject to review and recommendation of the Readington Township Planning Board in accordance with N.J.S.A. 40:55D-26 and N.J.S.A.40:55D-64 for consistency with the Master Plan. Pursuant to N.J.S.A. 40:55D-15, the Clerk shall provide the required notice and a copy of the proposed ordinance to the Hunterdon County Planning Board and to the Clerks of all adjoining municipalities and any other required recipients at least 10 days prior to the date of the public hearing.

SECTION 7. This ordinance shall take effect immediately upon final passage and publication in accordance with law and upon filing with the Hunterdon County Planning Board.

A MOTION was made by Mr. Mueller to introduce this ordinance, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	- Aye
Mrs. Fort	- Aye
Mr. Heller	-Aye
Mr. Mueller	-Aye
Mayor Huelsebusch	- Aye

The Public Hearing was scheduled for February 22, 2022.

- An Ordinance of the Township of Readington Amending Ordinance #41-2021 Adopted on December 20, 2021, Amending the Zoning Map and Article IV "District Regulations" of Chapter 148 "Land Development" of the Code of the Township of Readington to Remove Certain Zoning Districts Found at Sections 148-27.10 (MFAH-2) and 147-27.13 (MFAH-5) of the Code and Creating a New Inclusionary Housing Zone also known as the Multi-Family Affordable Housing-2.5 (MFAH-2.5) District***

The following ordinance was offered for introduction:

AN ORDINANCE OF THE TOWNSHIP OF READINGTON AMENDING ORDINANCE # 41-2021 ADOPTED ON DECEMBER 20, 2021, AMENDING THE ZONING MAP AND ARTICLE IV "DISTRICT REGULATIONS" OF CHAPTER 148 "LAND DEVELOPMENT" OF THE CODE OF THE TOWNSHIP OF READINGTON TO REMOVE CERTAIN ZONING DISTRICTS FOUND AT SECTIONS 148-27.10 (MFAH-2) AND 148-27.13 (MFAH-5) OF THE CODE AND CREATING A NEW INCLUSIONARY HOUSING ZONE ALSO KNOWN AS THE MULTI-FAMILY AFFORDABLE HOUSING – 2.5 (MFAH-2.5) DISTRICT

ORDINANCE #07-2022

BE IT ORDAINED by the Township Committee of the Township of Readington in the County of Hunterdon, State of New Jersey that the following amendments shall be made to Ordinance #41-2021 which was adopted on December 20, 2021 amending the Zoning Map and Article IV “District Regulations” of Chapter 148 “Land Development” of the Code of the Township of Readington to remove certain zoning districts found at Sections 148-27.10 (MFAH-2) and 148-27.13 (MFAH-5) and to create an inclusionary housing zone also known as the “Multi-Family Affordable Housing-5 (MFAH-5) District” as follows (new language is included thus deletions are marked ~~thus~~):

SECTION I. Article III “Zoning Districts and Zoning Map”, Section 148-10 “Zoning Districts and Section 148-11 “Zoning Map” are all hereby amended to add the “Multi-Family Affordable 2.5 (MFAH-2.5) District for Block 81, Lots 1, 2, 3 & 4 and remove both the “Multi-Family Affordable Housing-2 (MFAH-2) District” and “Multi-Family Affordable Housing-5 (MFAH-5 District.”

SECTION II. Article IV “District Regulations” is hereby amended to remove both existing Section 148-27.10 “Multi-Family Affordable Housing-2 (MFAH-2) and existing Section 148-27.13 “Multi-Family Affordable Housing-5” (MFAH-5) in their entirety and replace them with the following new section:

148-27.10 Multi-Family Affordable Housing-2.5 (MFAH-2.5)

A. Applicability

The use, bulk, design and performance standards of the MFAH-2.5 District constitute a zoning district for the creation of market- rate and affordable housing through multifamily inclusionary residential development and the development of municipally sponsored multifamily housing consisting of 100% affordable dwellings. The regulations herein are applicable to Block 81, Lots 1, 2, 3, & 4 and shall replace the existing MFAH-2 and MFAH-5 overlay district regulations. Furthermore, this ordinance shall constitute an overlay district, such that the underlying AR Agricultural Residential zone shall remain in effect.

B. Purpose

The MFAH-2.5 District includes the entirety of Block 81, Lots 1, 2, 3 and 4. This zone represents the combination of the existing MFAH-2 Multifamily Affordable Housing -2 zone (an overlay zone providing for 168 dwelling units with 42 affordable dwelling units) and the MFAH-5 Multifamily Affordable Housing -5 zone (a zone providing for municipally sponsored affordable dwelling units). The MFAH 2.5 zone is created in order to fulfill Readington’s obligation to provide for affordable housing in accordance with its court-approved Housing Plan Element/Fair Share Plan. It also includes minor adjustments to certain provisions to better accommodate the planned development of homes, in recognition of an existing stream corridor and freshwater wetlands. Furthermore, it expands the overlay provisions (currently contained within the existing MFAH-2 zone) onto block 81 lot 4 to provide additional flexibility in the development of residential development within this zone. All land development rights as articulated herein are contingent upon the availability of public sanitary sewer service to accommodate development The first priority for allocation of public sanitary sewer shall be for municipally sponsored affordable housing.

C. Permitted Development

Development permitted within the MFAH-2.5 zone shall consist of:

- (1) Municipally Sponsored Affordable Multifamily Residential Development. Family rental apartment dwellings, within a municipally sponsored development, having 100% of the dwellings affordable to low- and moderate-income households; and
- (2) Inclusionary Affordable Multifamily Residential Development. Up to 168 multifamily residential dwellings, with no less than 25% of dwelling units affordable to households of low- and moderate- income households.

Ordinance #07-2022 cont'd:

D. Regulations for Municipally Sponsored Affordable Multifamily Residential Development. Family rental apartment dwellings, within a municipally sponsored development, wherein 100% of the dwellings are affordable to low- and moderate-income households, shall be developed pursuant to the following:

(1) Permitted Principal Uses.

(a) Multi-family rental apartments affordable to low-and moderate-income households.

(2) Permitted Accessory Uses.

(a) Passive and active common recreational facilities for the use and enjoyment of residents and their guests.

(b) Business office.

(c) Fences and walls as regulated in Article VI.

(d) Tenant storage, maintenance/superintendent office and/or storage of maintenance equipment.

(e) Off-street parking.

(f) Signs.

(g) Site Furnishings (seating, trash & recycling enclosures, etc.).

(h) Conservation, open space.

(i) Accessory uses customarily incidental to the principal use.

(3) Area and Yard Requirements.

(a) Maximum building height: 3 stories and not exceeding 50 feet.

(b) Minimum front yard setback: 60 feet.

(c) Minimum rear yard setback: 50 feet.

(d) Minimum side yard setback: 40 feet.

(e) Maximum impervious coverage: 70%.

(f) Maximum building coverage: 50%.

~~(g) Minimum buffer width to single-family residential zone or use: 50 feet~~

Off-street parking.

~~(a)~~ (g) Off-street parking shall be provided and shall be designed, to comply with the New Jersey Residential Site Improvement Standards (RSIS N.J.A.C. 5:21). Minor deviations from RSIS shall be permitted to reflect actual anticipated usage as projected by the developer.

~~(b)~~ (h) Minimum front yard setback for off-street parking: 60 feet except where connectivity to adjacent properties or streets is necessary.

~~(c)~~ (i) Minimum side and rear yard setback for off-street parking: 50 feet.

Ordinance #07-2022 cont'd:

~~(5)~~ (4) Public Sanitary Sewer Service Required. As part of an application for development the following - ~~documentation shall be provided.~~ All development shall be serviced by public sanitary sewer.

~~(a) Sewer Allocation Agreement with Readington Township; and~~

~~(b) Communication from the Raritan Township Municipal Utilities Authority (RTMUA) that indicates that adequate sewer treatment capacity has been reserved for the development; and~~

~~(c) A copy of the agreement with RTMUA reserving adequate sewer capacity for the project.~~

~~(6)~~ (5) Design Standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law (MLUL) at NJSA 40:55D- 51.

(a) Building Design.

(1) Buildings shall have a gable or hipped roof.

(2) Principal roof eaves shall project at least one foot beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.

(3) Primary roofs shall have a minimum pitch of 6/12.

(4) Secondary roofs may have a pitch below 4/12.

(5) Apartment storage. For each apartment, in addition to any storage areas contained within the apartment, there shall be provided storage in a conveniently accessible area, either within the building or in a separate building where belongings can be kept locked and separated from the belongings of other occupants.

(b) Lighting.

(1) General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. LED fixtures are required for energy efficiency and uniform illumination.

(2) Parking lots shall be illuminated with an average of no less than two tenths (0.2) foot-candle. The ratio between maximum foot-candles and average foot-candles shall be no greater than 20 to 1.

(3) Illumination at property lines shall not exceed one-tenth (0.1) foot-candle, excluding streets or driveways.

(4) Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures no to exceed twelve (12) feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.

(5) Fixtures for illumination shall be full cutoff luminaires.

Ordinance #07-2022 cont'd:

(c) Signs

- (1) Project identification: There may be a maximum of two permanent freestanding project identification signs located at the entrances to the project. Such signs shall be set back at least 3 feet from any property line, shall not exceed 32 square feet in sign area and shall not exceed 7 feet in height.
- (2) Directional Signs: Up to 2 directional signs shall be allowed at each driveway frontage from which vehicular access is derived. A directional sign shall not exceed 4 square feet in sign area and shall not exceed 4 feet in height. A directional sign shall be set back from any lot line by at least 3 feet.
- (3) Residential building identification: Each residential building may have up to 2 attached identification signs. The maximum sign area of each shall not exceed the minimum size required by local fire/code official. Such signs shall be integrated within the architecture of the buildings.

(6) Exemptions. Development pursuant these standards shall be exempt from the following sections of the Land Development Ordinance:

(a) §148-50 Critical Areas

(b) §148-52 Fences and Walls, but only with respect to retaining walls.

(c) 148-60.1 Landform Protection

(7) Affordable Housing.

- (a) Minimum percentage of affordable dwellings: 100% of the total number of dwelling units.
- (b) Affordable dwelling units shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.
- (c) Affordable dwelling unit household income breakdown:
 - (1) At least 13% of the affordable units shall be affordable to very low - income (VLI) households at 30% of the median income, which shall count towards the overall requirement for low-income units; Very low-income shall be defined pursuant to the Fair Housing Act as households earning no more than 30% of the region's median income.
 - (2) At least 50% of the affordable units shall be made affordable to low - income units (the 50% requirement is inclusive of the 13% VLI requirement); and
 - (3) The balance of units permitted at moderate - income shall not exceed maximum of 50% of all affordable units.
- (d) Affordable dwelling bedroom distribution: Bedroom distribution shall be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq., the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law. This bedroom distribution shall apply to each income classification (very low-, low- and moderate- income).

Ordinance #07-2022 cont'd:

- (e) The range of affordability, pricing and rent of units, affirmative marketing, 30-year minimum affordability controls shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law. Dwellings qualifying for the Federal Low-Income Housing Tax Credit shall follow rules under Section 42 of the Internal Revenue Code, where such rules supersede.
 - (1) The owner/developer shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Owner/Developer.
 - (2) Alternatively, in the case that the Owner/Developer does not provide such administrative services, the Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Owner/Developer.
 - (3) Affordability controls may be unilaterally extended by the Township beyond the initial 30- year deed restrictions.

E. Regulations for Inclusionary Affordable Multifamily Residential Development. Up to 168 multifamily residential dwellings, with no less than 25% of dwelling units affordable to households of low- and moderate-income, may be developed pursuant to the following:

- (1) Requirements for the filing of an Application for Development:
 - (a) A developer shall demonstrate that their plan for multifamily residential inclusionary development shall not exceed a total of 168 dwellings for the entire zone (not including dwelling units that are permitted pursuant to the regulations for a municipally sponsored project) and that no less than 25% of the proposed dwelling units in their plan shall be affordable to households of low- and moderate- income; and
 - (b) Public Sanitary Sewer Service Required. All development shall be serviced by public sanitary sewer.
~~Public Sanitary Sewer Service Required. As part of an application for development the following documentation shall be provided:~~
 - ~~1. Sewer Allocation Agreement with Readington Township; and~~
 - ~~2. Communication from the Raritan Township Municipal Utilities Authority (RTMUA) that indicates that adequate sewer treatment capacity has been reserved for the development; and~~
 - ~~2. A copy of the agreement with RTMUA reserving adequate sewer capacity for the project.~~
- (2) Permitted Principal Uses.
 - (a) Townhouses.
 - (b) Multifamily apartments.

Ordinance #07-2022 cont'd:

- (3) Permitted Accessory Uses.
 - (a) Active common recreational facilities for the use and enjoyment of residents and their guests, including, but not limited to pools, tennis courts, tot lots, fitness trails and bikeways. “Sports” lighting (high-mast, high illumination) is not permitted for these facilities.
 - (b) Clubhouse, community building/facility, rental/business office and model unit(s) to be converted into residential units.
 - (c) Patios.
 - (d) Fences and walls as regulated in Article VI.
 - (e) Tenant storage, maintenance/superintendent office and/or storage of maintenance equipment.
 - (f) Private garages and off-street parking.
 - (g) Signs.
 - (h) Site Furnishings (seating, trash & recycling enclosures, etc).
 - (i) Conservation, open space and public purpose uses.
 - (j) Accessory uses on the same lot and customarily incidental to a principal use.
 - (k) Stormwater Management, Sanitary Sewer Facilities including treatment and disposal, and other public or private utilities.

- (4) Zone Requirements. The following requirements shall apply to inclusionary development(s) in the MFAH-2.5 Zone:
 - (a) Maximum number of dwelling units: 168
 - (b) Minimum percentage of affordable dwelling units: 25%
 - (c) Maximum building coverage: 50%.
 - (d) Maximum impervious coverage: 70%.
 - (e) Minimum tract boundary setback and buffer: 25 feet.
 - (f) Minimum building setback from community building/facility (if a stand-alone facility): 30 feet (not applicable to paths, walks and seating).

- (5) Area and yard requirements for dwelling types.
 - (a) Townhouses.
 - [1] Maximum height: 2 ½ stories and not exceeding 35 feet
 - [2] Maximum garage height: One (1) story and not exceeding 20 feet.
 - [3] Maximum dwelling units per building: eight.
 - [4] Minimum lot area: 2,000 square feet.
 - [5] Minimum lot depth: 110 feet.
 - [6] Minimum distances for side façade(s):

Ordinance #07-2022 cont'd:

- [a] Building to building: 28 feet.
- [b] Building to street: 15 feet.
- [7] Minimum distances from front façade to streets:
 - [a] Building to sidewalk: 14 feet.
 - [b] Building to curb: 21 feet.
- [8] Minimum distance from a garage façade to curb, edge of lane/alley pavement or edge of sidewalk: 20 feet.
- [9] Maximum impervious coverage: 70%.
- [10] Maximum building coverage: 50%.
- [11] Vehicular access required: Rear-loaded from lane or alley; no driveway access is permitted from the front of dwellings.
- (b) Apartments.
 - [1] Maximum height: Three (3) stories and not exceeding 50 feet. Note: Off-street parking provided within the building envelope in accordance with the requirements of subsection (6)(h) shall not be counted as a story for the purpose of determining building height.
 - [2] Maximum dwelling units per building: 48.
 - [3] Minimum distance between buildings:
 - [a] Front-to-front: 50 feet.
 - [b] Front-to-side: 40 feet.
 - [c] Side-to-side: 30 feet.
 - [d] Rear-to-rear: 40 feet.
 - [4] Minimum setback to sidewalk, street right-of-way, access driveway or parking area: 15 feet.
- (c) Permitted building encroachments for residential buildings.
 - [1] Entry steps, covered entries, porches and decks projecting no more than six feet from an exterior building wall are permitted to encroach up to six feet in a front, rear or side setback.
 - [2] Bays, eaves, bay windows and chimneys projecting no more than two feet from an exterior building wall are permitted in a front, rear or side setback.
- (d) Community building (stand-alone).
 - [1] Maximum height: 1 ½ stories and not exceeding 25 feet.
 - [2] Setbacks shall conform to those applicable to apartments.

Ordinance #07-2022 cont'd:

- (6) Parking and circulation.
- (a) Parking shall be provided, and circulation elements (such as streets and thoroughfares) shall be designed, to comply with the New Jersey Residential Site Improvement Standards (RSIS N.J.A.C. 5:21). Minor deviations from RSIS shall be permitted to reflect actual anticipated usage as projected by the developer.
 - (b) Parking areas and driveways shall be located a minimum of ~~(25)~~ 15 feet from any tract boundary; except this requirement shall not apply to driveways where connectivity to adjacent properties or streets is necessary.
 - (c) All streets, thoroughfares and parking areas shall be owned and maintained by a private entity.
 - (d) Townhouses units shall utilize rear lanes/alleys for vehicular access to parking.
 - (e) Townhouses shall provide at least one (1) on-site parking space within an enclosed garage located in the rear yard with access from a lane/alley.
 - (f) Townhouse parking may occur within the driveway leading to a garage, in which case said garage shall be set back no less than 20 feet from curb or between the garage door and a sidewalk, whichever distance is less, to accommodate a car without projecting into the right-of-way.
 - (g) While off-street parking is preferred, on-street parking may be delineated, calculated and included towards meeting the requirements. No striping of on-street parking is required.
 - (h) Off-street parking may be located beneath the lowest residential floor level provided:
 - ~~[1] It is accessible only from the building elevation opposite from public or private street frontage; and~~
 - ~~[2] (1)The parking area beneath the building is not visible from a public or private street shall be fully enclosed by the building except for those locations where vehicular or pedestrian access is necessary.~~
- (7) Open Space.
- (a) Minimum: ~~25~~ 20% of gross tract area.
 - (b) Permitted open space uses:
 - [1] Conservation.
 - [2] Passive recreation.
 - [3] Active recreation.
 - (c) The stormwater management and subterranean sanitary sewer systems elements may be located in open space and the land area ~~of any non-structural (green) stormwater mechanism~~ may be counted toward the minimum open space area requirements.
- (8) Design Standards. Deviations from these design standards shall be considered exceptions pursuant to the procedure articulated in the New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-51.
- (a) Building Design. The purpose of these building design standards is to ensure that the design of townhouse and apartment buildings promotes a desirable visual and spatial environment.

Ordinance #07-2022 cont'd:

- [1] Design standards applicable to all buildings:
 - [a] Buildings shall have a gable or hipped roof.
 - [b] Principal roof eaves shall project at least one foot beyond the building facade or a supporting column. Secondary roof eaves (i.e., balconies, porches and patios) shall project at least one foot.
 - [c] Primary roofs shall have a minimum pitch of 6/12.
 - [d] Secondary roofs may have a pitch below 4/12.
 - [e] Within each front building elevation, the maximum ratio of windows to wall shall be 25% window to 75% wall.
 - [f] Balconies and patios shall be designed as integral subcomponents of the building façade.
 - [g] Cantilevered balconies are not permitted.

- [2] Townhouse Standards.
 - [a] Townhouse buildings shall be designed to create a unified architectural theme, in terms of design, composition, color, materials and elements. Variety among dwelling units should be expressed through the manipulation of common elements such as porches, roofs, bays, eyebrows, trim, accents, etc. that create interest without creating disparate architectural approaches among units or buildings.
 - [b] Each building shall contain, at a minimum, one end unit model and one interior model. Each base model type home in any block shall have at least two alternative front elevations containing different design features, including, but not limited to, the following:
 - (i) Porches.
 - (ii) Porticos.
 - (iii) Columns.
 - (iv) Dormers.
 - (v) Accent windows.
 - (vi) Door color.
 - [c] Materials, finishes and colors shall be unified among all townhouses.
 - [d] Finished first floor shall be a minimum of 18 inches above the front sidewalk elevation but shall not exceed 60 inches.
 - [e] Townhouse unit facades facing streets (not lanes or alleys) shall be offset from each other by at least two (2) feet (projection or recess) between units.

- [3] Apartment Standards.
 - [a] Buildings shall be designed to create a unified architectural theme, in terms of design, composition, color, materials and elements.

Ordinance #07-2022 cont'd:

[b] Storage. For each apartment, in addition to any storage areas contained within the unit, there shall be provided 150 cubic feet of storage in a conveniently accessible area, either within the apartment building or in a separate building where belongings can be kept locked and separated from the belongings of other occupants.

(b) Lighting.

- [1] General. All outdoor lighting should be coordinated as to style, material and color. Lighting throughout the site should overlap, creating an even level of illumination throughout the parking area. All exterior lighting shall be designed, located, installed and directed in such a manner as to prevent objectionable light at and across the property lines and to prevent glare at any location on or off the property. LED fixtures are required for energy efficiency and uniform illumination.
- [2] Parking lots shall be illuminated with an average of no less than two tenths (0.2) foot-candle. The ratio between maximum foot-candles and average foot-candles shall be no greater than 20 to 1.
- [3] Illumination at property lines shall not exceed one-tenth (0.1) foot-candle, excluding streets or driveways.
- [4] Lighting shall be provided by fixtures in parking lots with a mounting height not more than 16 feet measured from the ground level to the center line of the light source and lighting fixtures not to exceed 12 feet in height shall be provided for pedestrian walkways and residential areas outside of parking lots.
- [5] Fixtures for illumination shall be full cutoff luminaires.

(c) Signs.

- [1] Neighborhood Identification: There may be a maximum of one (1) permanent freestanding neighborhood identification sign located at the entrance to the community. Neighborhood identification signs shall be set back at least three (3) feet from any property line, shall not exceed 60 square feet in sign area and shall not exceed five (5) feet in height. Neighborhood identification signs may be mounted on brick or masonry walls or buildings.
- [2] Community/Recreation/Clubhouse Building: The community/recreation/clubhouse building may have one (1) wall identification sign. The permanent wall identification sign shall not exceed 20 square feet in sign area.
- [3] Directional Signs: Up to two (2) directional signs shall be allowed on each driveway frontage from which vehicular access is derived. A directional sign shall not exceed six (6) square feet in sign area and shall not exceed six (6) feet in height. A directional sign shall be set back from any lot line by at least three (3) feet.
- [4] Residential Building Identification: Each residential building may have up to two (2) attached identification signs. The maximum sign area of each shall not exceed six (6) square feet. Such signs shall be appropriately integrated within the architecture of the buildings.

(d) Open Space. The following standards shall apply, except where these regulations are silent, where the open space regulations of Chapter 148 shall apply.

- [1] Open spaces shall be planted with a single row of shade trees along thoroughfare frontages at a maximum spacing of 35 feet.
- [2] A detailed site plan at sufficient scale for common open spaces shall be submitted for review and approval.

Ordinance #07-2022 cont'd:

[3] Common open space shall be provided, and shall include at a minimum:

[a] Children's play area.

[b] Community building, which may include, but is not limited to, a clubhouse, leasing office, and model, of which a minimum of 2,500 square feet. In-lieu of a stand-alone community building, a common community facility may be incorporated within a residential building, provided that such a facility is directly related to exterior common open space.

(9) Exemptions. Development pursuant these standards shall be exempt from the following sections of the Land Development Ordinance:

(a) §148-50 Critical Areas

(b) §148-52 Fences and Walls, but only with respect to retaining walls.

(c) 148-60.1 Landform Protection

(10) (9) Affordable Housing.

(a) Minimum percentage of affordable dwellings: 25% of the total number of dwelling units.

(b) Affordable dwelling units shall be constructed and rented in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq.

(c) Affordable dwelling unit household income breakdown:

[1] At least 13% of the affordable units shall be affordable to very low - income (VLI) households at 30% of the median income, which shall count towards the overall requirement for low-income units; Very low-income shall be defined pursuant to the Fair Housing Act as households earning no more than 30% of the region's median income.

[2] At least 50% of the affordable units shall be made affordable to low - income units (the 50% requirement is inclusive of the 13% VLI requirement); and

[3] The balance of units permitted at moderate - income shall not exceed maximum of 50% of all affordable units.

(d) Affordable dwelling bedroom distribution: Bedroom distribution shall be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq., the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law. This bedroom distribution shall apply to each income classification (very low-, low- and moderate- income).

(e) The range of affordability, pricing and rent of units, affirmative marketing, 30-year minimum affordability controls and construction phasing with the market rate units developed on the tract shall also be in accordance with the Council on Affordable Housing rules at N.J.A.C. 5:93-1 et seq. the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., the Fair Housing Act (FHA) and all other applicable law.

[1] The owner/developer shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Owner/Developer.

Ordinance #07-2022 cont'd:

- [2] Alternatively, in the case that the Owner/Developer does not provide such administrative services, the Township designated Affordable Housing Administrator shall be responsible to affirmatively market, administer and certify the occupant of each affordable unit, with all administrative costs to be paid by the Owner/Developer.
- [3] Affordability controls may be unilaterally extended by the Township beyond the initial 30-year deed restrictions.

SECTION III. All other language not specifically changed by this ordinance amendment shall remain in full force and effect.

SECTION IV. The sections, subsections and provisions of this Ordinance may be renumbered as necessary or practical for codification purposes.

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

SECTION VI. This ordinance shall take effect immediately upon final passage and publication in accordance with law and upon filing with the Hunterdon County Planning Board.

Township Planner Michael Sullivan spoke to the revisions to the ordinance.

A **MOTION** was made by Mrs. Fort to introduce this ordinance, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	- Aye
Mrs. Fort	- Aye
Mr. Heller	-Aye
Mr. Mueller	-Aye
Mayor Huelsebusch	- Aye

The Public Hearing was scheduled for February 22, 2022.

4. ***Acceptance of Maintenance Bond / Toll NJ I, LLC / Block 36, Lot 49 (Phase I)***

The Committee requested that a representative from Toll NJ I, LLC come to a meeting for further discussion prior to any action being taken to accept the bond.

5. ***Acceptance of Maintenance Bond / Toll NJ I, LLC / Block 36, Lot 49 (Phases 2-4)***

The Committee requested that a representative from Toll NJ I, LLC come a meeting for further discussion prior to any action being taken to accept the bond.

6. ***Resolution of the Township Committee of the Township of Readington, in the County of Hunterdon, New Jersey Authorizing an Application to the Complete Streets Technical Assistance Program***

The following resolution was offered for consideration:

#R-2022-46

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AUTHORIZING AN APPLICATION TO THE COMPLETE STREETS TECHNICAL ASSISTANCE PROGRAM

WHEREAS, the New Jersey Department of Transportation Complete Streets Design Guide defines complete streets as follows: “Complete Streets are streets designed for all users, all modes of transportation, and all ability levels. They balance the needs of drivers, pedestrians, bicyclists, transit riders, emergency responders, and goods movement based on the local context”; and

WHEREAS, while the primary benefit of complete streets is improved safety, particularly for people who walk or bike who are the most vulnerable users of the street, there are other positive outcomes. Complete streets create better places to live, work, and do business. They can help improve the health of a community by encouraging people to walk and bike, bolster the local economy by generating foot traffic in business districts and provide greater mobility options for residents and visitors; and

WHEREAS, through the North Jersey Transportation Planning Authority’s FY2022 *Complete Streets Technical Assistance Program*, Sustainable Jersey will coordinate, and the Voorhees Transportation Center at Rutgers University will provide planning-level technical assistance services to municipalities for a specific project related to advancing a complete streets initiative in their communities; and

WHEREAS, although no direct funding is provided, selected municipalities will receive free direct technical assistance services to complete a specific task related to advancing a complete streets initiative in their communities.

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Readington, State of New Jersey authorizes the Township Administrator to submit an application to the *Complete Streets Technical Assistance Program* to receive free direct technical assistance services to complete the specific task of developing a bicycle network plan related to advancing complete streets, and also commits pertinent municipal staff to coordinate and collaborate with Sustainable Jersey, Voorhees Transportation Center and the North Jersey Transportation Planning Authority to support the successful and timely delivery of technical assistance services.

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

Mr. Albanese	- Aye
Mrs. Fort	- Aye
Mr. Heller	-Aye
Mr. Mueller	-Aye
Mayor Huelsebusch	- Aye

7. **Resolution for a Place-to-Place Transfer (Expansion of Premises) of Plenary Retail Consumption License**

The following resolution was offered for consideration:

#R-2022-47

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, an application has been filed by Adventure Duo, Inc (d/b/a Kitchen American Grill) for a place-to-place transfer (Expansion of Premises) of Plenary Retail Consumption License No. 1022-33-005-008, for purposes of expanding the premise under license wherein the sale, service and storage of alcoholic beverages are authorized; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Readington does hereby approve, effective February 7, 2022, the expansion of the aforesaid Plenary Retail Consumption licensed premises located at 452 Route 22 West, Whitehouse Station, NJ 08889 to place under license the area delineated in the application form and the sketch of the licensed premises (on file in Clerk’s Office).

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

Mr. Albanese - Aye
Mrs. Fort - Aye
Mr. Heller -Aye
Mr. Mueller -Aye
Mayor Huelsebusch - Aye

8. * ***Release of Board of Health Escrow / Block 39, Lot 53.04 (Readington Industrial Center Association, Inc.)***

This matter was addressed under the Consent Agenda.

9. * ***Release of Board of Health Escrow / Block 70, Lot 27.12 (Cocuzza)***

This matter was addressed under the Consent Agenda.

10. * ***Resolution to Authorize Buy Back of Reserved Sewer Capacity (Ferber)***

This matter was addressed under the Consent Agenda.

11. * ***Resolution to Approve Short Term Lease Agreement for a Unit Located at 19 Owl Court***

This matter was addressed under the Consent Agenda.

12. * ***Resolution to Request County of Hunterdon to Abandon the Roundabout Project on County Road 523***

This matter was addressed under the Consent Agenda.

13. ***Resolution Requesting a Reduction in the Speed Limit along County Road 523 and Provide Additional Signage***

Mr. Albanese requested to see the data gathered from the Township professionals regarding the necessity to reduce the speed along County Road 523 to improve traffic safety. Mrs. Fort concurred that the matter be tabled until the additional data can be provided.

ADMINISTRATOR'S REPORT

Administrator Sheola announced the recent passing of police department employee Harlean Kuzmiw and expressed his deepest sympathy to her family.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

COMMITTEE REPORTS

JOHN ALBANESE

Mr. Albanese noted that the Recreation Department annual report was provided in the Committee's packet for this evening and commended them on their continued efforts through the pandemic.

BETTY ANN FORT

Mrs. Fort reported that a portion of the Taylors Mill building collapsed and will need to be secured.

JONATHAN HELLER

Mr. Heller reported that the Environmental Commission is working to purchase additional trees for the annual tree giveaway.

ADAM MUELLER

Mr. Mueller reminded residents to clear the snow around fire hydrants to allow access for emergency personnel.

MAYOR HUELSEBUSCH

Mayor Huelsebusch reported that an ad hoc traffic safety committee is currently being formed.

COMMENTS FROM THE PUBLIC

David Owen, County Road 523, spoke to the abandoning of the roundabout project on County Road 523 and thanked the Committee for their support.

Jerry Cook, Railroad Ave., inquired about the American flag that was a condition of a prior Board of Adjustment approval.

Sam Tropello, Pine Bank Road, spoke to his term on the Board of Adjustment and how ordinances are written and amended and their relation to the Constitution. Mr. Tropello also expressed concern about the difficulty of tracing older previously adopted ordinances.

Emanuel Bola, Horseshoe Road, thanked the Committee for adopting the cannabis ordinances.

Christina Albrecht, Pine Bank Road, encouraged the Committee and Boards to continue with a virtual aspect for public meetings.

Scott Barton, Old Highway 28, requested that the Committee address the panhandling that is occurring at the intersection of Route 22 and County Road 523.

Andrew Roth, County Road 523, inquired about the procedure for asking questions during a public meeting.

COMMENTS FROM THE GOVERNING BODY

There were none.

As there was no further business, A ***MOTION*** was made by Mrs. Fort at 9:50 p.m. to adjourn the meeting, seconded by Mr. Mueller with vote of ayes all, nays none recorded.

Respectfully Submitted:

Karin M Parker, *RMC*
Municipal Clerk