

**READINGTON TOWNSHIP ZONING BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING
July 20, 2023**

The Meeting was called to order by Chair Mittleman at 7:30 p.m. stating that the requirements of the Open Public Meetings Act have been met and that this meeting had been duly advertised.

ROLL CALL

Bola, E (arrived 7:40 p.m.)

Kirk, T.

Maurer, C.

Mittleman, K.

Nees, S.

Roglieri, C.

Board Members Absent:

Coates, E

Hendry, D.

Saad, A.

Ms. Kirk moved, and Mr. Maurer seconded, a motion to excuse the absences of Board Members Coates, Hendry, and Saad. The motion carried unanimously.

Others Present:

Attorney Christopher Sobieski for Board Attorney Steven Warner, Board Planner James Clavelli, Board Engineer Rob O'Brien, Board Traffic Engineer Jay Troutman, and Board Secretary Ann Marie Lehberger

APPROVAL OF MINUTES

Mr. Maurer moved, and Mr. Nees seconded, a motion to approve the June 15, 2023, minutes. The motion carried unanimously.

RESOLUTIONS

There were no resolutions presented for Board consideration.

PUBLIC HEARINGS

Matson Construction Inc.

Appl# ZB22-017- Variance- Single family dwelling

Block 5 Lot 8- 16 Central Ave.

Chair Mittleman announced that this application will not be heard this evening because the applicant has withdrawn the application.

JW Congregation Support, Inc

Appl# ZB22-016- Preliminary & Final Major Site Plan with Conditional Use and Bulk Variances-Kingdom Hall

Block 15 Lot 23-3480 Route 22

Attorney Sara Werner was present on behalf of the applicant. Ms. Werner provided a brief overview of the application explaining that the applicant was present seeking preliminary & final major site plan approval with conditional use variance and other bulk variances and

design exceptions for the construction of a 4,312 square foot Kingdom Hall of Jehovah Witnesses.

The following were present and sworn in for the applicant:

Don Gwinnell, the applicant's project manager

Erik R. Brown, P.E, applicant's engineer

Sherry J. Kim, P.E, applicant's traffic engineer

Kendra Lelie, P.P., applicant's planner

Board Planner, James Clavelli, Board Engineer, Rob O'Brien, and Board Traffic Engineer Jay Troutman were also sworn.

The following exhibits were marked into evidence as follows:

Exhibit A-1 – A digital existing site conditions plan with an overlaid survey, prepared by Mr. Brown, dated June 5, 2022

Exhibit A-2 – A digital proposed site conditions plan, prepared by Mr. Brown, dated March 14, 2023

Exhibit A-3 – A digital preliminary architectural elevations plan, prepared by Thomas Kalimeris, R.A., of JW Congregation Support, Inc., dated April 20, 2023

Exhibit A-4 – A digital preliminary floor plan, prepared by Thomas Kalimeris, R.A., of JW Congregation Support, Inc., dated February 28, 2023

Exhibit A-5 – A preliminary tree replacement plan, prepared by Mr. Brown, dated July 14, 2023

Exhibit A-6 – A copy of a letter from Mr. Brown, dated July 19, 2023, responding in writing to the comments raised in the Board professional's reports.

Don Gwinnell, the applicant's project manager, was present and testified as a fact witness. Mr. Gwinnell explained that the primary use of the proposed building would be for three one and one-half hour Sunday worship meetings, that would be at 9:30 am, 12:30 pm, and 3:30 pm. He stated that in addition there would also be one and one-half hour Bible study sessions at 7:30 pm on Tuesdays, Wednesdays, and Thursdays as well as occasional weekday auxiliary meetings. Mr. Gwinnell estimated that there would be 100-135 congregants for the Sunday worship sessions and 75-125 congregants for the weekday Bible study sessions. Mr. Gwinnell stated that there would be no food prepared on-site and no lunches or refreshments would be offered at any meeting. He also noted that the proposed use would be a low trash generator, with the only foreseeable waste coming from bathroom paper products. Mr. Gwinnell stated that trash disposal would be removed by service groups of volunteer attendees following each meeting, and that use of private waste haulers is not necessary. He also stated that there may be some deliveries from box trucks to the site. Mr. Gwinnell noted that they would also continue to offer virtual participation options, for those with poor health or limited mobility.

The Board questioned how the trash collection is organized. Mr. Gwinnell explained that each anticipated congregation will have its own service group comprised of volunteer congregation members (also referred to as publishers) that will be assigned trash removal duty on a weekly basis.

The Board questioned why they do not use a trash hauler. Mr. Gwinnell stated that due to

the low volume, the added expense is not necessary. He also confirmed that this practice is consistent with other Kingdom Hall locations and is done very respectfully.

The Board questioned how late the weekday meetings last. Mr. Gwinnell stated that most people are gone by 9:30 pm.

The Board questioned if this proposed Kingdom Hall was for a new congregation. Mr. Gwinnell stated that the proposed Kingdom Hall would replace the existing one currently in Bridgewater. He explained that there would be congregation groups that would be assigned to a specific time and confirmed that there would be no cross-meshing between congregations.

The Board questioned if the congregation is expected to become larger. Mr. Gwinnell explained that the maximum permitted occupancy of each Kingdom Hall location dictates the size of its congregations and if any congregation were to exceed the permitted occupancy, they would be sent to a different location, or the membership of each congregation would be subdivided.

Chair Mittleman opened the public portion of the meeting to questions of Mr. Gwinnell. There were no questions.

Erik R. Brown, P.E., the applicant's engineer, was accepted by the Board as an expert witness. Mr. Brown described the existing conditions on the site and stated that the existing free-standing garage and paved driveway would be demolished. Mr. Brown explained that the applicant proposes to construct a 4,312 square-foot structure that would be used as a Kingdom Hall, a house of worship, by several congregations of Jehovah's Witnesses. He stated that the proposal would include paved walkways and 59 on-site parking stalls, including 2 electric vehicle charging stations. In addition, the proposal includes 16 gravel parking stalls that would be used as overflow parking areas as needed. Mr. Brown explained that the applicant would install several compliant freestanding light poles, with downward facing fixtures, in the proposed parking area, along with a freestanding and compliant monument sign. He further stated that a new septic system, well and stormwater management system including a bioretention basin are proposed on the site. Mr. Brown described the architectural features of the proposed building explaining that the front of the building would face the parking lot. He stated that the exterior of the proposed building would be hardy board siding and trim along with stone veneer, and also feature a total of five 2.8 square feet façade-mounted signs consistent with the Jehovah's Witness organization's overall branding. The side of the building facing Route 22 will be adequately screened with landscaping and the proposed building would be set approximately 4' to 6' above the elevation of Route 22, which would help to screen the building's rear exit doorway and mechanical area enclosure.

The Board questioned the aesthetic view of the building from the highway. Mr. Brown agreed to work with the Board's professionals to add non-structural decorative elements to the south facade.

The Board questioned if the signage would be visible from vehicles traveling on Route 22 westbound. Mr. Brown confirmed that the monument sign would be visible.

In response to a question from the Board, Mr. Brown confirmed that the proposed building is fully compliant with all applicable setback requirements.

The Board questioned how the underground septic would be maintained. Mr. Brown confirmed that there would be risers with manholes for access.

In response to a question from the Board, Mr. Brown stated that the applicant plans to install a new well.

Mr. Brown explained that the interior of the proposed Kingdom Hall would be comprised of a main auditorium area featuring 152 seats, a meeting room with a viewing window looking into the main auditorium with 25 seats, a second meeting room without a view of the auditorium, with 19 seats, a utility room, 2 bathrooms, a lobby, and a coat room. Mr. Brown stated that based on the number of total seats that would be used for assembly purposes, which is 196, 66 parking stalls would be required by the Ordinance.

In response to a question from the Board, Mr. Brown explained that linked seats and not benches are proposed within the assembly areas and is limited to a total of 177 seats.

Mr. Brown explained that the applicant proposes to remove 30 trees, 21 of which are either in critical condition, poor health, or dead, and instead plant 45 new trees. The applicant agreed to provide a formal tree removal and replacement plan to the satisfaction of the Board's Professionals and comply with the Township's tree replacement ordinance.

Mr. Brown reviewed the reports of the Board's professionals. Mr. Brown discussed the pedestrian circulation on the site and agreed to add striping for pedestrian safety within the proposed parking area.

In response to a question from the Board, the applicant agreed to restrict the spread of remaining bamboo portions on the property, post-construction, and, during the applicant's ownership of the property, taking measures to prevent the spread of any bamboo on the property to adjacent property if the owners of such adjacent properties elect to remove the portions of shared bamboo growth that are located on their properties.

In response to the question of the Board, Mr. Brown confirmed that the portion of Route 22 in front of the property features an 8' wide shoulder and adequate sight distances will be provided for ingress into, and egress out of the site.

The applicant agreed to provide a revised landscaping plan that includes additional evergreen plantings to the north of the property, to the satisfaction of the Board Planner; ensuring that no trees on the property interfere with overhead utility lines.

Ms. Werner stated that because the proposed use is not a "residential development," as defined by the Ordinance, Section 148-78 (concerning fire protection systems for residential developments) it would be inapplicable to the proposal.

The Board expressed concern about there being no fire protection in the building. The

applicant agreed to comply with the applicable fire code and provide fire extinguishers on site.

Chair Mittleman opened the public portion of the meeting to questions of Mr. Brown. There were no questions.

Sherry J. Kim, P.E., was accepted by the Board as an expert witness. Ms. Kim explained that, according to data provided by the New Jersey Department of Transportation, the peak traffic counts of the span of Route 22 immediately in front of the site are on weekdays between 7:00 am and 8:00 am and 5:00 pm to 6:00 pm, and on weekends, Saturdays between 12:00 pm. and 1:00 pm. She also stated that the estimated peak vehicle trips to the site on weekends would be 43 trips. Ms. Kim also explained that she reviewed data pertaining to the use of the parking facilities at the Bridgewater Kingdom Hall location to estimate the parking demand on the site. She determined that on average, 120 people visited on any given Sunday, utilizing 47 parking stalls. She concluded that the proposed new location would expect a maximum daily usage of 47 parking stalls and a maximum projected usage in the next few years of 52 parking stalls. Ms. Kim stated that in her opinion the proposed use would have minimal impact on traffic conditions along Route 22 and that the proposed 61 parking stalls and 16 overflow parking stalls would provide more than adequate parking,

The Board questioned if the demand for parking has changed post Covid. Mr. Gwinnell stated that there has been no drastic change in parking needs.

Mr. Gwinnell confirmed that the proposed parking area will be staffed by volunteer attendants who will direct both pedestrian and vehicular traffic on-site.

In response to a question from Board Traffic Engineer, Jay Trotman, Mr. Brown confirmed that the application was submitted to the NJDOT for its proposed access to, and from Route 22.

Chair Mittleman opened the public portion of the meeting to questions of Ms. Kim. There were no questions.

Kendra P. Lelie, P.P., the applicant's planner, was accepted by the Board as an expert witness. Ms. Lelie provided planning testimony and explained that the proposed use meets 4 of the 5 conditions required for assembly uses in the PO District but does not meet the on-site parking requirement of 66 parking stalls, instead providing only 61 stalls. She stated that more paved parking stalls will be provided than is anticipated to be used and the provision of overflow parking stalls is more than sufficient to handle any unanticipated overflow parking demand. Ms. Lelie also spoke to the merits of the applicant's request for variance and design waiver relief. She stated that the benefits from the proposal substantially outweigh the modest detriments associated with the requested deviations and noted that the requested variance relief will not impose an impairment to the purpose and intent of the Township's Master Plan

Chair Mittleman opened the public portion of the meeting to questions of Ms. Lelie. There were no questions.

Chair Mittleman opened the public portion of the meeting to comments. There were no comments.

The Board deliberated and discussed conditions of approval.

Mr. Maurer moved, and Ms. Kirk seconded a motion to approve the application for JW Congregation Support Inc. with the conditions as discussed. The roll call vote follows:

Member	Motion	2 nd	Yes	No	Abstain	Absent	Not Eligible	Recused
Bola			X					
Hendry						X		
Kirk		X	X					
Mittleman			X					
Nees			X					
Maurer	X		X					
Roglieri			X					
Saad (Alt #1)						X		
Coates (Alt #2)						X		

OTHER BUSINESS

There was no other business discussed.

EXECUTIVE SESSION

Litigation- Settlement Agreement James W. Hutton & Barbara J. Hutton v. Hunterdon County Construction Board of Appeals; Township of Readington; Bureau of Fire Prevention of the Township of Readington; Board of Adjustment of the Township of Readington
 Docket# HNT-L-000132-21

**ZONING BOARD
 TOWNSHIP OF READINGTON**

RESOLUTION

Open Public Meetings Act – Executive Session

WHEREAS, N.J.S.A. 10:4-12, the Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

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

1. The public shall be excluded from the discussion of the hereinafter specified subject matters.
2. The general nature of the subject matters to be discussed is as follows:
 Litigation/Attorney-Client

3. It is anticipated that the above-stated subject matters discussed in closed session may be disclosed to the public upon determination of the Board that the public interest will no longer be served by such confidentiality.

4. This Resolution shall take effect immediately.

Ms. Kirk moved, and Mr. Maurer seconded, to adopt this resolution. The motion carried unanimously.

Mr. Nees moved, and Mr. Roglieri seconded a motion to come out of closed session. The motion carried unanimously.

RESOLUTIONS

Resolution Authorizing Settlement Agreement

Ms. Kirk moved, and Mr. Maurer seconded a motion to adopt the resolution authorizing the settlement agreement. The roll call vote follows:

Member	Motion	2nd	Yes	No	Abstain	Absent	Not Eligible	Recused
Bola			X					
Hendry						X		
Kirk	X		X					
Mittleman			X					
Nees			X					
Maurer		X	X					
Roglieri			X					
Saad (Alt #1)						X		
Coates (Alt #2)						X		

ADJOURNMENT

Ms. Kirk moved, and Mr. Nees seconded a motion to adjourn. The motion carried unanimously, and the meeting was adjourned at approximately 10:45 p.m.

Respectfully submitted,
 Ann Marie Lehberger
 Zoning Board Secretary