

**READINGTON TOWNSHIP COMMITTEE
VIRTUAL ONLINE MEETING – September 8, 2020**

Mayor Heller *calls the meeting to order at 5:30 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Mayor J. Heller, Deputy Mayor J. Huelsebusch, Mr. J. Albanese, Mrs. BA Fort and Mr. B. Smith

ALSO PRESENT: Administrator R. Sheola, Municipal Clerk K. Parker, Attorney S. Dragan, Engineer R. O’Brien

ABSENT: None

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

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

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

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

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

EXHIBIT A

<u>Subject Matter</u>	<u>Basis Of Public Exclusion</u>	<u>Date Anticipated When Disclosed to Public</u>		
Temp Access Road Agreement..... (PSE&G)	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight... Information will remain confidential		
Professional Services / Board of Health	Contract Negotiations.....	“	“	“
Oakland Drive Pump Station.....	Contract Negotiations.....	“	“	“
RLSA Service Agreement	Contract Negotiations.....	“	“	“
Executive Session Minutes..... <i>August 3, 2020</i>	Attorney-Client Privilege.....	“	“	“
Attorney-Client Privilege	Attorney-Client Privilege.....	“	“	“
Affordable Housing.....	Potential Litigation.....	“	“	“
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6 & 8; Block 67, Lot 2 (Solberg Aviation).....	Litigation.....	“	“	“

Social Services..... Personnel..... “ “ “
Police Department..... Personnel..... “ “ “
Personnel Personnel..... “ “ “

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.”

This Resolution shall take effect immediately.

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

The meeting reconvened at 7:30 p.m.

Mayor Heller led those present in the Salute to the Flag.

Executive Session:

Contract Negotiations / Temporary Access Road Agreement (PSE&G)

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

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

Mayor Heller noted that as part of the agreement PSE&G will be paying the Township \$2,000 for the access.

Contract Negotiations / Professional Services (Board of Health)

Mayor Heller stated that this matter remains in Executive Session.

Contract Negotiations / Oakland Drive Pump Station

The following resolution was offered for consideration:

#R-2020-90

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, the Township Committee at a meeting on January 21, 2020 awarded a contract to DeMaio Electrical Company to rehabilitate the Oakland Drive Pump Station; and

WHEREAS, there is a need for additional work not contemplated in the original specifications consisting of the removal of asphalt coating of the walls of the wet well; and

WHEREAS, it is the recommendation of the Township Engineer to issue a Change Order to DeMaio Electrical Company for the necessary work; and

Resolution #R-2020-90 cont'd:

NOW THEREFORE BE IT RESOLVED, the Township Committee approves Change Order #1 in the amount of \$21,430.85 to DeMaio Electrical Company for the removal of the asphalt coating on the walls of the wet well.

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

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

Contract Negotiations / RLSA Service Agreement

A ***MOTION*** was made by Mrs. Fort to appoint *Jonathan Heller* and *Karen Mittleman* to serve as members of a subcommittee to work with RLSA representatives, seconded by Mr. Albanese with a vote of ayes all, nays none recorded, Mayor Heller abstained.

Attorney-Client Privilege / Executive Session Minutes / August 3, 2020

A ***MOTION*** was made by Mr. Smith to approve the Executive Session Minutes of August 3, 2020 for content only, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

Attorney-Client Privilege / Attorney-Client Privilege

Mayor Heller stated that this matter remains in Executive Session

Potential Litigation / Affordable Housing

Mayor Heller stated that this matter remains in Executive Session.

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

Mayor Heller stated that this matter remains in Executive Session.

Personnel / Social Services

The following resolution was offered for consideration:

#R-2020-91

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, there exists a need to employ a part-time Social Services & Housing Assistant; and

WHEREAS, following the review of resumes and interviewing viable candidates; and

WHEREAS, it is the recommendation of the Social Services Director and the Township Administrator to recommend the appointment of Hunter Tregoning to that position; and

Resolution #R-2020-91 cont'd:

NOW THEREFORE BE IT RESOLVED, that effective September 15, 2020, Hunter Tregoning is hereby appointed Part-time Social Service & Housing Assistant at the hourly rate of \$22.50 at a maximum of 20 hours per week; and

NOW THEREFORE BE IS FURTHER RESOLVED that all provisions of the Township Personnel Policies shall be afforded Hunter Tregoning during her employment.

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

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

Personnel / Police Department

Mayor Heller stated that this matter remains in Executive Session.

Personnel / Personnel

Mayor Heller stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Heller 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.

1. * **Minutes of Meeting of August 3, 2020**
2. * **New Jersey State Firemen's Association Application for Membership (Roberto Ortega)**
3. * **Release of Board of Health Escrow / Block 4, Lot 8 (Bennett)**
4. * **Release of Escrow / Black River Roasters (Block 7, Lot 4)**

5. * *New Jersey Department of Transportation Division of Local Aid and Economic Development Recommendation of Award State Aid Project*

**NEW JERSEY DEPARTMENT OF TRANSPORTATION
DIVISION OF LOCAL AID
AND ECONOMIC DEVELOPMENT
RECOMMENDATION OF AWARD
STATE AID PROJECT**

BE IT RESOLVED that the Township of Readington hereby recommends to the New Jersey Department of Transportation that the contract for School Road in the Township of Readington, County of Hunterdon be awarded to *Cifelli and Son General Contracting, Inc.* whose bid amounted to **\$7,540.00** subject to the approval of the Department.

That the presiding officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.

6. * *Resolution Appointment of a Fund Commissioner to the Public Alliance Insurance Coverage Fund*

The following resolution was offered for consideration:

#R-2020-92

**TOWNSHIP OF READINGTON
RESOLUTION APPOINTMENT OF A FUND COMMISSIONER TO THE PUBLIC ALLIANCE
INSURANCE COVERAGE FUND**

BE IT RESOLVED, by the Township of Readington, County of Hunterdon, State of New Jersey, that it hereby appoints Administrator Richard J. Sheola as the Fund Commissioner and Municipal Clerk Karin M. Parker as the Alternate Fund Commissioner to the Public Alliance Insurance Coverage Fund; and

BE IT FURTHER RESOLVED THAT copies of this Resolution be forwarded to the following:

1. Administrator Richard J. Sheola
2. Municipal Clerk Karin M. Parker
3. Public Alliance Insurance Coverage Fund

7. * *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 4, Lot 54 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 \$118,625.67, plus a premium paid in the amount of \$47,500.00, known as Tax Sale Certificate #2017-001, to the lienholder, US Bank – Custodian for BV002 Trust & Creditors.

8. * *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 91, Lot 2 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 \$15,077.83, known as Tax Sale Certificate #2017-017, to the lienholder, US Bank – Custodian for BV002 Trust & Creditors.

9. * *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	0-01	\$ 1,964,819.58
SEWER APPROPRIATIONS	0-02	\$ 101,160.42
SEWER APPROPRIATIONS	9-02	\$ 1,566.56
TRUST FUNDS	X-03	\$ 59,837.64
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 383,409.63
PAYROLL DEDUCTIONS	X-06	\$ 616,000.28
REG & LOCAL SCHOOL TAX	X-07	\$ 5,154,683.45
2018 CAP IMPROVEMENTS	X-18	\$ 5,885.50
2019 CAP IMPROVEMENTS	X-19	\$ 3,440.00
2020 CAP IMPORVEMENTS	X-20	\$ 1,749.50
TOTAL OF ALL FUNDS		\$ 8,292,552.56

A *MOTION* was made by Mrs. Fort to approve the Consent Agenda, seconded by Mr. Huelsebusch on Roll Call vote the following was recorded:

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

COMMENTS FROM THE PUBLIC for items listed on the agenda only

John Broten, Dogwood Drive inquired about items listed on the Executive Session agenda with regard to the Readington Lebanon Sewer Authority (RLSA) and the Attorney-Client Privilege / Attorney-Client Privilege matter regarding subcommittees.

PUBLIC HEARINGS

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

Mayor Heller read by Title:

AN ORDINANCE TO PROVIDE FOR THE CONVEYANCE OF AN EASEMENT ON A PORTION OF BLOCK 50, LOT 41 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY TO JERSEY CENTRAL POWER & LIGHT CO. AND UNITED TELEPHONE OF NEW JERSEY, INC. FOR UTILITY PURPOSES

ORDINANCE #25-2020

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

There were none.

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

There were none.

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

Clerk read by Title:

AN ORDINANCE TO PROVIDE FOR THE CONVEYANCE OF AN EASEMENT ON A PORTION OF BLOCK 50, LOT 41 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY TO JERSEY CENTRAL POWER & LIGHT CO. AND UNITED TELEPHONE OF NEW JERSEY, INC. FOR UTILITY PURPOSES

ORDINANCE #25-2020

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

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

CORRESPONDENCE / OTHER INFORMATION

1. Letter dated July 28, 2020 from John Tomac, Senior Director, Rates & Regulatory, New Jersey American Water, regarding the ***Matter of the Petition of New Jersey American Water Company, Inc. for Authorization to Implement a Tariff Supplement Establishing a Distribution System Improvement Charge.*** No action taken.
2. Letter dated August 11, 2020 from Maggie Schmitt, Township of Branchburg, regarding ***Amending the Township of Branchburg Land Development Ordinance, Article 4 "Supplemental Zoning Regulations", Section 4-5 "Screening and Buffer Landscaping Requirements", Subsection 4-5.3 "Transition Buffers", Paragraph C "Additional Transition Buffer Requirements for I-1, I-2 and I-3 Industrial Zones", to Address and Clarify the Location of Underground Utilities, Accessory Structures, Outdoor Storage, Loading Docks, Refuse Disposal, Truck Access Drives and Parking Areas"*** and ***"An Ordinance Amending the Township of Branchburg Land Development Ordinance, Article 3 "Zoning", Section 3-36 "R/S-3 Retail Service 3 Zone", Subsection 3-36.3 "Permitted Uses", to Address Preexisting Uses and Structures in the Zone and the Subdivision Property."*** No action taken.
3. Letter dated August 6, 2020 from Joshua Eckert, Counsel for Central Jersey Power & Light regarding the ***Matter of the 2020/21 Annual Compliance Filings for a Change in the Statewide Electric and Gas Permanent Universal Service Fund Program Factors within the Electric and Gas Societal Benefits Charges Rates Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1.*** No action taken.
4. Notice of Public Hearings from Christie McMullen, President and Chief Operating Officer regarding ***the Matter of the Petition of Elizabethtown Gas Company to (1) Revise its Weather Normalization Clause Rate; (2) Revise the Clean Energy Program Component of its Societal Benefits Charge Rate; and (3) Revise its On-System Margin Sharing Credit.*** No action taken.
5. Notice of Public Hearing from Meagan O'Reilly, Administrator, Hunterdon County Department of Human Services, regarding ***Department's SFY2021 Senior Citizen and Disabled Resident Transportation Assistance Program Grant Application.*** No action taken.

6. Letter dated August 12, 2020 from Regina Hlasney, Executive Director, Meals on Wheels in Hunterdon, Inc. regarding *the Request for Support of Meals on Wheels in Hunterdon's Nutrition Services Program*.

Attorney Dragan advised that the Township is not permitted to make charitable contributions. Mayor Heller requested that Municipal Clerk Parker respond to the letter thanking them for the service they provide to the community and suggested that they submit an article to *The Readington News* to encourage resident participation.

7. Notice to Public Service Electric and Gas Company Gas Customers regarding *the Matter of Public Service Electric and Gas Company's 2020/2021 Annual BGSS Commodity Charge Filing for its Residential Gas Customers under its Periodic Pricing Mechanism and for Changes in its Balancing Charge*. No action taken.
8. Memorandum dated August 31, 2020 from Maggie Schmitt, Township Clerk, Township of Branchburg regarding *Notices of Amendments to the Township of Branchburg Land Use ordinances No. 2020-1388, No. 2020-1389 & No. 2020-1390*. No action taken.

OLD BUSINESS

1. *An Ordinance Amending Chapter 148, Land Development, Article II "Definition of Terms" Section 148-9 "Definitions", Article IV "District Regulations", Section 148-15 "AR Agricultural Residential Zone", Article IV "District Regulations" Section 148-16 "RR Rural Residential Zone", Article V "Conditional Uses, Exceptions, Modifications and Critical Areas" Section 148-49 "General Exceptions and Modifications", Article VI "General Provisions" Section 148-51 "Accessory Buildings and Structures", of the Code of the Township of Readington*

The following ordinance was offered for introduction:

AN ORDINANCE AMENDING CHAPTER 148, LAND DEVELOPMENT, ARTICLE II "DEFINITION OF TERMS" SECTION 148-9 "DEFINITIONS", ARTICLE IV "DISTRICT REGULATIONS", SECTION 148-15 "AR AGRICULTURAL RESIDENTIAL ZONE", ARTICLE IV "DISTRICT REGULATIONS" SECTION 148-16 "RR RURAL RESIDENTIAL ZONE", ARTICLE V "CONDITIONAL USES, EXCEPTIONS, MODIFICATIONS AND CRITICAL AREAS" SECTION 148-49 "GENERAL EXEPTIONS AND MODIFICATIONS", ARTICLE VI "GENERAL PROVISIONS" SECTION 148-51 "ACCESSORY BUILDINGS AND STRUCTURES", OF THE CODE OF THE TOWNSHIP OF READINGTON

Ordinance #26- 2020

BE IT ORDAINED by the Township Committee of the Township of Readington, Hunterdon County, New Jersey, that Chapter 148 of the Code of the Township of Readington entitled "Land Development" is hereby amended in order to clarify building elements that contribute to the calculation of floor area ratio, clarify structures contributing to the calculation of impervious surface coverage, provide development standards for lawfully created undersized lots in the RR Rural Residential and AR Agricultural Residential zones, provide standards regulating impervious surface coverage in the RR Rural Residential and AR Agricultural Residential zones, specifically allow single-family residential development of lawfully created undersized lots in the HR Hamlet Residential, R-1 Residential -1 and VR Village Residential zones subject to certain spatial standards, regulate the number of accessory structures permitted on single-family residential lots and clarify that accessory buildings contribute to the calculation of floor area ratio. The Amendments are made as follows (new language is underlined thus and language to be deleted appears ~~thus~~):

Ordinance #26-2020 cont'd:

SECTION I. Chapter 148 Article II section 148-9 of the Code of the Township of Readington entitled “ Definitions” is hereby amended to add and/or revise the following terms:

148-9 DEFINITIONS

ATTIC

A room or a space immediately below the roof of a building.

BASEMENT

That portion of a building partly below and partly above grade, where the ceiling ~~averages is~~ four feet or ~~greater more than four feet~~ above the finished grade **at any point** where such grade meets the outside walls of the building. ~~A basement shall be counted as a story if used for business or dwelling purposes other than for a janitor employed on the premises.~~

CELLAR

That portion of a building partly below and partly above grade, where the ceiling **averages is** less than four feet above the finished grade **at all points** where such grade meets the outside walls of the building.

FLOOR AREA, GROSS (G.F.A.)

The plan projection of all roofed areas on a lot multiplied by the number of **habitable** stories under each roof section, provided that the area under any roof overhang of three feet or less shall not be included in the G.F.A. calculation. Basements ~~which satisfy applicable construction code definitions of habitable space~~ are included in the G.F.A., **but cellars are not. Attics do not count towards floor area if both of the following conditions are met:**

- 1. The roof over the attic has a maximum pitch of 12/12;**
- 2. The combined horizontal length of dormers on any roof plane does not exceed 30% of the total horizontal length of the roof plane.**

FLOOR AREA, NET HABITABLE (N.H.F.A.)

~~The finished and heated area fully enclosed by the inside surfaces of walls, windows, doors and partitions and having a headroom of at least 6 1/2 feet, including working, living, eating, cooking, sleeping, stair, hall, service and storage areas, but excluding garages, carports, parking spaces, cellars, half stories and unfinished attics and basements.~~

IMPERVIOUS SURFACES

Those surfaces which do not absorb ~~rain~~ **precipitation** All buildings, **decks**, parking areas, driveways, roads, sidewalks and areas in concrete, asphalt and packed stone shall be considered impervious surfaces within this definition. In addition, other areas determined by the Municipal Engineer to be impervious within the meaning of this definition will also be classed as impervious surfaces.

SECTION II. Section 148-15 of Chapter 148 of the Code of the Township of Readington entitled “Land Development” Article IV “District Regulations” is hereby amended as follows:

Sec. 148-15 AR AGRICULTURAL RESIDENTIAL ZONE

[Added 12-21-1998 by Ord. No. 43-98]

Ordinance #26-2020 cont'd:

A. Permitted principal uses - AR Zone.

(1) Agriculture. [Amended 12-17-2012 by Ord. No. 33-2012]

(2) Detached single-family dwelling units.

(3) Public and private open space and parks.

(4) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and adult family care homes for elderly persons and physically disabled adults, and the requirements therefor shall be the same as for single-family dwelling units located within this district. [Added 4-5-2004 by Ord. No. 13-2004; amended 7-6-2009 by Ord. No. 19-2009]

(5) A farmer's market or portions thereof on any premises in addition to the permitted use or uses thereon notwithstanding any municipal land use provisions limiting the number of principal uses on one lot, but nevertheless subject to the terms and conditions contained and set forth in Subsection A(5)(a) through (f) below. Application for a farmer's market shall be by permit to be issued by the Zoning Official after review and approval by the Township Committee, the Chief of Police and Board of Health under the following conditions: [Added 5-4-2009 by Ord. No. 18-2009]

(a) The farmer's market shall be limited to agricultural products.

(b) Such use shall be permitted only on properties having an existing improved (i.e., paved or gravel) parking lot capable of holding at least 30 cars, as of the date of adoption of this Subsection A(5).

(c) Such use shall be conducted only between June 10 and September 30 of any year.

(d) Such use shall be conducted on one day per week, excluding Sundays for up to four hours per day as may be approved by the Township Committee, the Chief of Police (as to the safety of egress/ingress and circulation); and the Board of Health (as to any necessary food handling/sanitation requirements).

(e) Said use shall be conducted only in accordance with such written plans for the same as may be required by the Township Committee, the Chief of Police and the Board of Health after those plans have been approved by each of them and only after any applicable licenses or permit as may be otherwise required have been obtained.

(f) Said use shall also be operated under the current guidelines of the New Jersey Council of Farmers and Communities as set forth by the New Jersey Department of Agriculture.

B. Accessory uses - AR Zone.

(1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.

(2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure and as regulated in Article VI.

(3) Off-street parking.

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

(5) Signs as regulated in Article XII.

(6) Outdoor barbecue structures.

(7) Essential services.

(8) Agricultural storage sheds and barns. [Amended 12-17-2012 by Ord. No. 33-2012]

Ordinance #26-2020 cont'd:

(9) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.

(10) Home occupations as regulated in § 148-53.

(11) ECHO housing. [Added 8-2-2010 by Ord. No. 23-2010]

(12) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2. [Added 10-1-2012 by Ord. No. 21-2012; amended 8-6-2018 by Ord. No. 11-2018]

(13) Farm-scale renewable energy facilities as regulated in § 148-60.2. [Added 8-6-2018 by Ord. No. 11-2018]

C. Conditional uses - AR Zone (subject to regulations set forth in Article V.) [Amended 5-20-2002 by Ord. No. 14-2002; 4-5-2004 by Ord. No. 13-2004; 7-6-2009 by Ord. No. 19-2009; 8-2-2010 by Ord. No.23-2010]

(1) [1]Home occupations.

[1]Editor's Note: Former Subsection C(1), Cemeteries, was repealed 6-17-2019 by Ord. No. 13-2019. This ordinance also provided for the renumbering of Subsection C(2) through (5) as C(1) through (4), respectively.

(2) Public Utilities

(3) (Reserved)^[2]

[2] Editor's Note: Former Subsection C(4), which listed ECHO housing as a conditional use, was repealed 8-2-2010 by Ord. No. 23-2010. See now Subsection B(11).

(4) Previously converted agricultural buildings such as barns, wagon sheds and chicken coops for storage and warehousing prior to the effective date of this chapter.^[3]

[3] Editor's Note: Subsection C(6), regarding agricultural commercial villages, which immediately followed this subsection, was repealed 7-6-2009 by Ord. No. 19-2009.

D. Maximum building height - AR Zone. No building shall exceed 35 feet in height and 2 1/2 stories except that agricultural structures shall not be limited in height. [Amended 7-6-2009 by Ord. No. 19-2009; 12-17-2012 by Ord. No. 33-2012]

E. Area and yard requirements - AR Zone.

Ordinance #26-2020 cont'd:

(1) Existing Lots: Lawfully created lots existing at the time of the adoption of this chapter that are less than 16 acres in area shall be subject to the following regulations:

AR Zone: Standards for Existing Lots Less than 16 Acres				
Lot Size	Maximum Floor Area Ratio	Maximum Impervious Coverage	Minimum Front Yard	Minimum Rear and Side Yards
3 acres or less	0.12	0.15	40 feet	30 feet
Greater than 3 acres and less than 6 acres	0.10	0.10	50 feet	35 feet
At least 6 acres and less than 8 acres	0.08	0.10	60 feet	40 feet
At least 8 acres and less than 16 acres	0.04	0.10	75 feet	40 feet

a) **Lots of 3 acres or less may exclude, from both floor area ratio and impervious cover calculations, one (1) single story accessory building (such as a shed) that has a floor area of 200 square feet or less.**

~~(1)~~(2) Tracts of land less than 24 acres, **but not less than 16 acres,** in size either at the time of adoption of this chapter or that are assembled after the adoption of this chapter, **are subject to the following regulations:** [Amended 6-19-2000 by Ord. No. 23-2000; 7-6-2009 by Ord. No. 19- 2009]

- (a) Minimum lot size: eight acres.
- (b) Minimum lot circle: 350 feet.
- (c) Maximum floor area ratio per building lot: .04.
- (d) Maximum impervious coverage: 0.10.
- (e) Minimum setback from street line: 75 feet.
- (f) Minimum setback from side or rear line: 40 feet.
- (g) Minimum frontage on a street: 50 feet.
- (h) Circumference of the minimum lot circle may not be more than 150 feet from the street right-of-way.
- (i) Each lot shall have a minimum 75,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement system.

~~(2)~~(3) Tracts of land 24 acres or greater in size either at the time of the adoption of this chapter or that are assembled after the adoption of this chapter shall develop as one-and-one-half-acre open space clusters with the following requirements: [Amended 6-19-2000 by Ord. No. 23-2000; 9-5-2006 by Ord. No. 30-2006; 7-6-2009 by Ord. No. 19-2009]

Ordinance #26-2020 cont'd:

- (a) Minimum tract area: 24 acres.
- (b) Minimum open space set-aside: 80% of tract.
- (c) Minimum residential lot size: 65,000 square feet.
- (d) Minimum lot circle: 200 feet.
- (e) Maximum floor area ratio per building lot: ~~12~~ **0.12**.
- (f) **Maximum impervious coverage: 0.10.**
- ~~(f)~~(g) Minimum front yard setback: 60 feet.
- ~~(g)~~ (h) Minimum rear yard setback: 35 feet.
- ~~(h)~~ (i) Minimum side yard setback: 35 feet.
- ~~(i)~~ (j) Minimum frontage on a street: 50 feet.
- ~~(j)~~ (k) Circumference of the minimum lot circle may not be more than 125 feet from the street right-of-way.
- ~~(k)~~ (l) Each lot shall have a minimum of 65,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement system.
- ~~(l)~~ (m) A minimum fifty-foot-wide buffer shall be provided between residential uses and any land utilized for agricultural purposes. This buffer area shall be deed restricted from development and shall contain at a minimum a staggered double row of evergreen plantings, five feet in height or equivalent as approved by the Planning Board.
- ~~(m)~~ (n) The open space parcel shall contain a minimum of 80% of the gross tract area which shall contain a minimum of 65% of the unconstrained tract area. The "unconstrained tract area" shall be defined as the area of the tract that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25%, easements (excluding sight triangles), and right-of-way areas. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said stormwater elements may be located within the open space, at the discretion of the approving authority, provided that the area occupied by said elements shall not count towards the required minimum open space area.
- ~~(n)~~ (o) The open space parcel shall contain a minimum lot circle of 500 feet.
- ~~(o)~~ (p) Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required open space area, except as provided for in § 148-14G(6).
- ~~(p)~~(q) The minimum required distance between a residential lot line and the right-of-way of Route 22, Old Highway 28 or Route 202 shall be 500 feet.

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

F. Open space regulation - AR Zone. Open space in one-and-one-half-acre cluster developments shall be permanently deed restricted from further development and shall be utilized either for agriculture, natural resource conservation, open space or passive recreation as approved by the Township's approving authority and shall be subject to the following regulations: [Amended 10-4-1999 by Ord. No. 24-99; 9-5-2006 by Ord. No. 30-2006; 7-6-2009 by Ord. No. 19-2009]

Ordinance #26-2020 cont'd:

(1) At the time of subdivision application for cluster developments under § 148-15E(2), the applicant shall designate whether the proposed open space shall be owned and maintained by a property owners' association or be offered for acceptance by the Township or other governmental agency. If the open space is not to be dedicated to the Township or other governmental agency, then the developer shall provide for a property owners' association to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the property owners' association shall be in a form that is consistent with § 148-59 of this chapter and the Municipal Land Use Law, N.J.S.A. 40:55D-43.

(2) It is the intent of this chapter to preserve open space and farmland within Readington Township. Open space parcels shall either be devoted to agriculture, recreation, natural resource conservation or passive recreation. Where practical, to the extent that land intended for open space uses is presently being farmed, it should remain as farmland.

(3) New agricultural construction (e.g., barns, shelters and greenhouses) shall not result in an F.A.R. of greater than 4% nor an impervious surface coverage in excess of 10% of the total acreage of the preserved open space parcel.

(4) The deed of any single-family dwelling sold as part of a cluster development under this section shall contain a notification that the Township Zoning Ordinance specifically includes farming as a permitted use in the AR Zone and that the open space in the development may be deed restricted for farming use. Furthermore, the developer and/or landowner who plans to sell the dwellings referenced above shall inform prospective purchasers in writing of the protection the Township ordinance conveys to agricultural operations.

(5) The set-aside of common open space shall comply with § 148-60.

(6) Residential lots developed as part of the cluster that are adjacent to the open space should be configured to front on the open space. Although not encouraged, side yards may face open space to permit a degree of flexibility. In no case shall a new residential lot be configured in such a manner as to create a rear yard that faces open space.

(7) Where a side yard of a residential lot is adjacent to open space, the side yard shall be considered a front yard for bulk zoning purposes.

(8) Where residential lots developed as part of the cluster front on the open space, an improved public street shall be created between the residential lot and the open space. The unpaved area within the half of a street right-of-way that is located directly adjacent to the open space (those streets having homes on only one side, with open space on the opposite side) may be counted towards the minimum open space requirement.

(9) Notwithstanding minimum lot circle requirements for open space, the minimum width or depth for any portion of the open space shall be 500 feet.

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

(1) Dwelling units shall provide parking spaces in accordance with the Residential Site Improvement Standards, N.J.A.C. 5:21-4.14.

Ordinance #26-2020 cont'd:

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

H. Street setback. New streets shall be located no closer than 50 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development. [Added 5-20-2002 by Ord. No. 13-2002].

SECTION III. Section 148-16 of Chapter 148 of the Code of the Township of Readington entitled “Land Development” Article IV “District Regulations” is hereby amended as follows:

Sec. 148-16 RR RURAL RESIDENTIAL ZONE

[Amended 12-6-1993; 6-5-1995 by Ord. No. 10-95]

A. Permitted principal uses - RR Zone.

- (1) Detached single-family dwelling units.
- (2) Agriculture. [Amended 12-17-2012 by Ord. No. 33-2012]
- (3) Public and private open space and parks.
- (4) Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and adult family care homes for elderly persons and physically disabled adults, and the requirements therefor shall be the same as for single-family dwelling units located within this district. [Added 4-5-2004 by Ord. No. 13-2004; amended 7-6-2009 by Ord. No. 19-2009]

B. Accessory uses - RR Zone.

(1) Private residential swimming pools, tennis courts and other usual recreation facilities that do not create a nuisance factor as regulated in Article VI.

(2) Residential toolsheds, garages and storage buildings not to exceed the height of the principal structure and as regulated in Article VI.

(3) Off-street parking.

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

(5) Signs as regulated in Article XII.

(6) Outdoor barbecue structures.

(7) Essential services.

(8) Agricultural storage sheds and barns. [Amended 12-17-2012 by Ord. No. 33-2012]

(9) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.

(10) Home occupations as regulated in § 148-53.

(11) ECHO housing.
[Added 8-2-2010 by Ord. No. 23-2010]

Ordinance #26-2020 cont'd:

(12) Building-mounted and ground-mounted solar energy facilities as regulated in § 148-60.2. [Added 10-1-2012 by Ord. No.21-2012; amended 8-6-2018 by Ord. No. 11-2018]

(13) Farm-scale renewable energy facilities as regulated in § 148-60.2. [Added 8-6-2018 by Ord. No. 11-2018]

C. Conditional uses - RR Zone (subject to regulations set forth in Article V).

[Amended 8-5-1996 by Ord. No. 14-96; 4-5-2004 by Ord. No. 13-2004; 7-6-2009 by Ord. No. 19-2009; 8-2-2010 by Ord. No. 23-2010]

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

(2) [1]Home occupations.

[1]Editor's Note: Former Subsection C(2), Cemeteries, was repealed 6-17-2019 by Ord. No. 13-2019. This ordinance also provided for the renumbering of Subsection C(3) through (7) as C(2) through (6), respectively.

(3) Hospitals.

(4) Public utilities.

(5) (Reserved)

(6) Previously converted agricultural buildings such as barns, wagon sheds and chicken coops for storage and warehousing prior to the effective date of this chapter.[2]

[2] *Editor's Note: Former Subsection C(10), which immediately followed this subsection, was repealed 7-6-2009 by Ord. No. 19-2009. Former Section 403.3.13, Continuing care retirement community, which immediately followed former Subsection C(10), was repealed 8-5-1996 by Ord. No. 14-96.*

D. Maximum building height - RR Zone. No building shall exceed 35 feet in height and 2 1/2 stories except that agricultural structures shall not be limited in height. [Amended 7-6-2009 by Ord. No. 19-2009; 12-17-2012 by Ord. No. 33-2012]

E. Area and yard requirements - RR Zone. [Amended 11-4-1996 by Ord. No. 22-96;4-20-1998 by Ord. No. 14-98; 12-21-1998 by Ord. No. 43-98;9-5-2006 by Ord. No. 30-20067-6-2009 by Ord. No. 19-2009)

Ordinance #26-2020 cont'd:

(1) Existing Lots: Lawfully created lots existing at the time of the adoption of this chapter that are less than 10 acres in area shall be subject to the following regulations:

RR Zone: Standards for Existing Lots Less than 10 Acres				
Lot Size	Maximum Floor Area Ratio	Maximum Impervious Coverage	Minimum Front Yard	Minimum Rear and Side Yards
1.5 acres or less	0.15	0.18	40 feet	30 feet
Greater than 1.5 acres and less than 3 acres	0.12	0.15	50 feet	35 feet
At least 3 acres and less than 5 acres	0.10	0.12	60 feet	40 feet
At least 5 acres and less than 10 acres	0.08	0.10	75 feet	40 feet

(a) Lots of 3 acres or less may exclude from, both, floor area ratio and impervious cover calculations one (1) single story accessory building (such as a shed) that has a floor area of 200 square feet or less.

~~(1)-(2)~~ Tracts of land less than 20 acres, **but not less than 10 acres,** in size at the time of adoption of this chapter **are subject to the following regulations:**

(a) Minimum lot size: five acres.

(b) Minimum lot circle: 250 feet.

(c) Maximum floor area ratio per building lot: ~~0.10~~ **.08.**

(d) Maximum impervious coverage ratio per building lot: 0.10.

~~(d)-(e)~~ Minimum setback from street line: 75 feet.

~~(e)~~ (f) Minimum setback from side or rear line: 40 feet.

~~(f)-(g)~~ Minimum frontage on a street: 50 feet.

~~(g)~~ (h) Circumference of the minimum lot circle may not be more than 150 feet from the street right-of-way.

~~(h)~~ (i) Each lot shall have a minimum 65,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement system.

Ordinance #26-2020 cont'd:

~~(2)~~(3) Tracts of land 20 acres or more in size shall develop as one-and-one-half-acre open space clusters with the following requirements:

(a) Minimum open space set aside: 60% of tract.

(b) Minimum residential lot size: 65,000 square feet.

(c) Minimum lot circle: 200 feet.

(d) Maximum floor area ratio per building lot: 0.12.

(e) **Maximum impervious coverage ratio per building lot: 0.15.**

~~(e)~~(f) Minimum front yard setback: 60 feet.

~~(f)~~(g) Minimum rear yard setback: 35 feet.

~~(g)~~ (h) Minimum side yard setback: 35 feet.

~~(h)~~ (i) Minimum frontage on a street: 50 feet.

~~(i)~~ (j) Circumference of the minimum lot circle may not be more than 125 feet from the street right-of-way.

~~(j)~~ (k) Each lot shall have a minimum of 65,000 square feet of contiguous usable land. This standard is established to provide a minimum area on each lot for residence, accessory buildings and structures, usable yard area and adequate space for on-site wells and septic systems and space for future replacement system.

~~(k)~~ (l) A minimum fifty-foot-wide buffer shall be provided between residential uses and any land utilized for agricultural purposes. This buffer area shall be deed restricted from development and shall contain at a minimum a staggered double row of evergreen plantings, five feet in height or equivalent as approved by the Planning Board.

~~(l)~~(m) The open space parcel shall contain a minimum of 60% of the gross tract area which shall contain a minimum of 45% of the unconstrained tract area. The "unconstrained tract area" shall be defined as the area of the tract that does not contain floodplains, wetlands, 90% of the slopes between 15% and 25% and all slopes greater than 25%, easements (excluding sight triangles) and right-of-way areas. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said stormwater elements may be located within the open space, at the discretion of the approving authority, provided that the area occupied by said elements shall not count towards the required minimum open space area. ~~(m)~~ (n) The open space parcel shall contain a minimum lot circle of 500 feet.

~~(n)~~(o) Rights-of-way or cartways of any existing or proposed public or private streets shall not be included in the calculation of the minimum required open space area, except as provided in § 148-15F(8).

~~(o)~~(p) The minimum required distance between a residential lot line and the right-of-way of Route 22, Old Highway 28 or Route 202 shall be 500 feet.

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

Ordinance #26-2020 cont'd:

F. Open space regulation - RR Zone.

[Amended 4-20-1998 by Ord. No. 9-98; 10-4-1999 by Ord. No. 24-99; 5-3-2004 by Ord. No. 20- 2004; 9-5-2006 by Ord.No. 30-2006 ;7-6-2009 by Ord. No. 19-2009)

(1) Open space in one-and-one-half-acre cluster developments shall be permanently deed restricted from further development and shall be utilized either for, natural resource conservation, open space or passive recreation as approved by the Township's approving authority and shall be subject to the following regulations:

(a) At the time of subdivision application for cluster developments under § 148-16E(2), the applicant shall designate whether the proposed open space shall be owned and maintained by a property owners' association or be offered for acceptance by the Township or other governmental agency. If the open space is not to be dedicated to the Township or other governmental agency, then the developer shall provide for a property owners' association to own and maintain the open space for the benefit of owners or residents of the development. Documents establishing and governing the property owners' association shall be in a form that is consistent with § 148-59 of this chapter and the Municipal Land Use Law, N.J.S.A. 40:550-43.

(b) Proposed roads should be located within the development portion of the property. It is the intent to keep the open space portion continuous and free of intrusions; however, adequate access must be provided to this area. Stormwater management elements shall not be located within open space created as part of a cluster subdivision. However, if open space is to be dedicated to the Township, said stormwater elements may be located within the open space, at the discretion of the approving authority, provided that the area occupied by said elements shall not count towards the required minimum open space area.

(c) The set-aside of common open space shall comply with § 148-60.

(d) Residential lots developed as part of the cluster that are adjacent to the open space should be configured to front on the open space resulting from that cluster. Although not encouraged, side yards may face open space to permit a degree of flexibility. In no case shall a new residential lot be configured in such a manner as to create a rear yard that faces open space.

(e) Where a side yard of a residential lot is adjacent to open space, the side yard shall be considered a front yard for bulk zoning purposes.

(f) Where residential lots developed as part of the cluster front on the open space, an improved public street shall be created between the residential lot and the open space. The unpaved area within the half of a street right-of-way that is located directly adjacent to the open space (those streets having homes on only one side, with open space on the opposite side) may be counted towards the minimum open space requirement.

(g) Notwithstanding minimum lot circle requirements for open space, the minimum width or depth for any portion of the open space shall be 300 feet.

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

Ordinance #26-2020 cont'd:

(1) Dwelling units shall provide parking spaces in accordance with the Residential Site Improvement Standards, N.J.A.C. 5:21-4.14.
[Amended 7-6-2009 by Ord. No. 19-2009]

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

H. Street setback. New streets shall be located no closer than 50 feet to the original tract boundary of any development, except at the point at which a new street intersects an existing street for the purpose of providing access to the development. [Added 5-20-2002 by Ord. No. 13-2002]

SECTION IV. Section 148-49 of Chapter 148 of the Code of the Township of Readington entitled “Land Development” Article V “Conditional Uses, Exceptions, Modifications and Critical Areas” is hereby amended as follows:

Sec. 148-49 GENERAL EXCEPTIONS AND MODIFICATIONS

A. **Undersized** ~~Existing~~ lots in the **SRR Special Resource Residential, HR Hamlet Residential, R-1 Residential-1 and VR Village Residential residential** zones. **Lawfully created existing** ~~Individual~~ lots ~~legally existing in the SRR, HR, R-1 and VR zones that are~~ independent of adjacent ownership as of the effective date of this chapter and which ~~are of a~~ **do not comply with the minimum required** lot size **for the respective zone less than specified in the various districts** may be improved for single-family **residential** use as a matter of right and shall be considered conforming, provided that ~~they observe~~ **said lots conform with** the following provisions:

[Amended 4-21-2014 by Ord. No. 08-2014]

- (1) The side yard and rear yard setback provisions may be reduced in direct proportion to the difference in lot circles; however, the reduced setback shall not be less than 50% of the setback specified by the district regulations. For example, a forty-foot side yard setback required for an undersized lot shall not be reduced to less than 20 feet.
- (2) The floor area ratio (F.A.R.) may be increased inversely in proportion to the differences in lot circles.

B. Height limits. Except for residential dwellings as permitted in this chapter, penthouses or roof structures for the housing of stairways, tanks, ventilating fans, air-conditioning equipment or similar equipment required to operate and maintain the building, skylights, spires, cupolas, flagpoles, chimneys or similar structures may be erected above the height limits prescribed by this chapter, but in no case more than 20% more than the maximum height permitted for the use in the district, except that silos and barns associated with farming shall have no height restrictions.

C. Christmas tree sale. The annual sale of Christmas trees is permitted in all zones between December 1 and December 25, inclusive. The site shall be cleaned up and show no visual evidence of the temporary sale by December 31.

D. Public election voting places. The provisions of this chapter shall not be construed as to interfere with the temporary use of any property as a voting place in connection with a municipal or other public election.

Ordinance #26-2020 cont'd:

E. Public utility lines. Public utility lines for the transportation and distribution and control of water, electricity, gas, oil, steam, telegraph and telephone communications and their supporting members, other than buildings or structures, shall not be required to be located on a lot nor shall this chapter be interpreted as to prohibit the use of a property in any zone for the above uses. These uses may be limited or controlled by other sections in this chapter.

F. Existing Cemeteries. Cemeteries that are lawfully existing at the time of the adoption of this subsection may continue to operate according to the following standards: [Added 6-17-2019 by Ord. No. 13-2019]

(1) Grave site shall be set back a minimum of 100 feet from any property line.

(2) Principal and/or accessory structures, including mausoleums, shall be set back a minimum of 100 feet and shall not exceed 20 feet in height.

(3) Parking shall not be closer than 50 feet to any street line.

(4) One freestanding sign may be located at the main entrance, not exceeding 24 square feet in area. See Article XII for additional standards).

SECTION V. Section 148-51 of Chapter 148 of the Code of the Township of Readington entitled “Land Development” Article VI “General Provisions” is hereby amended as follows:

Sec. 148-51 ACCESSORY BUILDINGS AND STRUCTURES

[Amended 8-2-2010 by Ord. No. 23-2010; 4-21-2014 by Ord. No. 08-2014; 5-2-2016 by Ord. No. 06-2016]

A. Except as otherwise provided, accessory buildings and/or structures on single-family residential lots shall be permitted in the side or rear yard of each property with a minimum setback equal to a minimum of 1/2 of the side and/or rear setback requirements for the principal structure. In the case of a lot with two front yards, an accessory building may be located in one of the front yards, provided that it is located no closer to the street than the front line of the house or 200 feet, whichever is less.

B. Accessory structures and buildings which are 650 square feet or larger located on single-family residential lots shall have a minimum front, side and rear yard setback equal to that required for the principal structure.

C. Maximum number of accessory buildings on single-family residential lots having lot areas less than four (4) acres is two (2), except that one (1) accessory building that is less than 100 sf may be excluded from the tabulation of the number of accessory buildings.

D. Maximum permitted floor area.

(1) The maximum footprint for accessory buildings and structures on single-family residential lots less than ~~six~~**four** acres in size shall not exceed ~~90~~**75**% of the footprint of the principal building/structure of which such building/structure is accessory.

(2) Notwithstanding the provisions for existing undersized lots pursuant to § 148-49, accessory structures on single-family residential lots shall comply with the maximum permitted floor area as regulated in § ~~148-51~~**148-51D(1)**.

Ordinance #26-2020 cont'd:

(3) Accessory buildings are included in the calculation of floor area ratio.

DE. All farm and agricultural uses, including the growing of crops, nurseries and the raising and training of poultry, small animals and livestock, are permitted everywhere in the Township, subject to additional provisions set forth below:

- (1) Said use is conducted upon a lot not less than five acres in area, except for the raising of fowl, small animals and livestock for purely personal, educational or recreational purposes, involving no nuisance or menace to the public health and subject to other applicable provisions of this section.
- (2) No building, run or other enclosure for swine shall be closer to any property line than 200 feet. Not more than one adult swine shall be allowed for each acre contained in the property.
- (3) No building for the shelter of 1,000 or more fowl of any kind or five or more adult dogs shall be closer to any property line than 200 feet.
- (4) Buildings used for the shelter of fowl of any kind shall have a maximum usable floor area of 2,000 square feet for the first 10 acres and a maximum of 1,000 additional square feet for each additional acre.
- (5) In all other cases, no building or enclosure for the shelter or retention of fowl or farm livestock of any kind shall be closer to any property line than 50 feet.

EF. No accessory building may be located closer to the street than the front line of the house or 200 feet, whichever is closer, except that if erected on a corner lot, the accessory building or structure shall be set back from the side street to comply with the setback line requirements applying to the principal building for that side street.

FG. Pools and permanent recreational facilities may not be located closer to the street than the front line of the house.

G-H. ECHO housing.

- (1) ECHO dwellings shall be limited to a total of eight within the Township.
- (2) ECHO dwellings are permitted only in conjunction with a principal single-family dwelling.
- (3) Site plan approval is not required for an ECHO dwelling. Application for a permit shall be made to the Zoning Officer.
- (4) ECHO dwellings are permitted on lots having a minimum lot size of one acre for lots with public sewer and 75,000 square feet for lots without public sewer.
- (5) ECHO dwellings shall comply with the required minimum setbacks for the principal building.
- (6) Sufficient capacity to treat wastewater from the ECHO unit, in addition to the principal residence, shall be documented.
- (7) Sufficient potable water capacity to serve the ECHO unit, in addition to the principal residence, shall be documented.
- (8) The exterior finish of an ECHO dwelling shall match or complement the appearance of the principal building.

Ordinance #26-2020 cont'd:

(9) After removal of the ECHO dwelling, the land devoted to the use of the ECHO dwelling shall be restored to its original condition.

~~H.I.~~ No construction permit shall be issued for the construction of an accessory building or structure, other than construction trailers, storage sheds or farm accessory buildings, prior to the issuance of a construction permit for the construction of the main building upon the same premises. If construction of the main building does not precede or coincide with the construction of the accessory building or structure, the Construction Official shall revoke the construction permit for the accessory building or structure until the construction of the main building has proceeded substantially toward completion.

~~H.J.~~ The maximum height of accessory buildings shall be 25 feet or the height of the principal structure on the lot, whichever is less, unless otherwise specified in Articles IV and V, except that silos and barns for agricultural use associated with an agricultural operation shall have no height limitations.

~~H.K.~~ A swimming pool shall not be counted as **structure building** in the F.A.R. **calculations**, but it ~~must~~ **shall** adhere to all other space regulations.

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

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

SECTION VIII. If any 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 ordinance 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 IX. 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 Mrs. Fort to introduce this ordinance, seconded by Mr. Smith and on Roll Call vote the following was recorded:

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

The Public Hearing was scheduled for October 5, 2020 at 7:45 p.m.

NEW BUSINESS

1. ***Bond Ordinance Providing for the Acquisition of Property for Open Space Purposes (Block 38, Lot 38.01, Owner: Gerison Associates) in and by the Township of Readington, in the County of Hunterdon, New Jersey, Appropriating \$320,000 therefor and Authorizing the Issuance of \$304,000 Bonds or Notes of the Township to Finance Part of the Cost thereof***

The following ordinance was offered for introduction:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY FOR OPEN SPACE PURPOSES (BLOCK 38, LOT 38.01, OWNER: GERISON ASSOCIATES) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$320,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$304,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

ORDINANCE #27-2020

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of Readington, in the County of Hunterdon, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$320,000, including the sum of \$16,000 as the down payment required by the Local Bond Law. The down payment is now available from the Capital Improvement Fund.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$304,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of property for Open Space purposes located at 25A Coddington Road, also known as Block 38, Lot 38.01 (Owner: Gerison Associates) on the tax maps of the Township, including all related costs and expenditures necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Ordinance #27-2020 cont'd:

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$304,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$30,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The Mayor, Deputy Mayor, Township Administrator, Township Clerk and Township Attorney, as the case may be, are authorized pursuant to N.J.S.A. 40A:12-1 et seq., and any other applicable law, to prepare and sign any and all necessary documentation to effectuate the acquisition as described herein, concerning the property located at 25A Coddington Road, also known as Block 38, Lot 38.01 (Owner: Gerison Associates) on the tax maps of the Township, including, but not limited to, any contracts and amendments thereto and all closing documents needed to complete the acquisition of such property.

Ordinance #27-2020 cont'd:

Section 11. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 12. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

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

The Public Hearing was scheduled for October 5, 2020 at 7:45 p.m.

2. ***Request for Release of Maintenance Bond / Escrow / Federal Insurance Company Chubb Whitehouse Parking Expansion (Block 3.01, Lot 5.01)***

A MOTION was made by Mrs. Fort to release the Maintenance Bond and escrow to Federal Insurance Company Chubb, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

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

3. ***Environmental Commission Vacancy - memo from Ann Marie Lehberger***

A MOTION was made by Mrs. Fort to appoint Mario Orlandi to the Environmental Commission, as 2nd Alternate, for a term to expire 12/31/21, seconded by Mr. Huelsebusch with a vote of ayes all, nays none recorded.

4. ***Appoint to Readington-Lebanon Sewerage Authority Subcommittee***

This matter was addressed under Executive Session.

5. ***Affordability Program Policies and Procedures Manual***

A MOTION was made by Mrs. Fort to approve the Affordability Program Policies and Procedures Manual, seconded by Mr. Smith with a vote of ayes all, nays none recorded.

6. * ***New Jersey State Firemen's Association Application for Membership (Roberto Ortega)***

This matter was addressed under the Consent Agenda.

7. * ***Release of Board of Health Escrow / Block 4, Lot 8 (Bennett)***

This matter was addressed under the Consent Agenda.

9. * ***Release of Escrow / Black River Roasters (Block 7, Lot 4)***

This matter was addressed under the Consent Agenda.

10.* ***New Jersey Department of Transportation Division of Local Aid and Economic Development Recommendation of Award State Aid Project***

This matter was addressed under the Consent Agenda.

ADMINISTRATOR’S REPORT

Administrator Sheola reported that he has been working on two (2) grant applications and reviewing the overall grant application process.

Administrator Sheola also reported he has been working on several projects; including, updating the purchasing manual for the Committee’s approval, initiating the three (3) year renewal process with the Risk Manager, updating software for the 2021 budget and the flood gate project with Raritan Township.

ATTORNEY’S REPORT

Attorney Dragan reported that she will be working with the affordable housing special counsel to ensure full compliance with *Judgement of Repose* that was just received from the Superior Court.

ENGINEER’S REPORT

Engineer O’Brien reported that the Gerison survey maps will be completed by the end of next week.

Engineer O’Brien also provided an update on the Toll/Farm flooding issue, noting that he is waiting to hear back from Toll regarding the mitigation of the water across their sidewalk. Engineer O’Brien also reported that the Soil Conservation District is requiring a bond to ensure that the area where the stockpile is located is restored.

JOHN ALBANESE

Mr. Albanese reported that the Township had a compliance hearing on August 27th and received a *Judgment of Repose* in their 2019 Affordable Housing Settlement.

Mr. Albanese also reported that the Recreation department is looking into to repaving the Pickell Park basketball courts.

Mr. Albanese added that the Recreation department received many positive comments from parents about the Summer Recreation Camp and with the success of the program, Recreation will be looking to incorporate the Township parks into the program in the future.

Mr. Albanese added that the two (2) summer drive-in movie events held this summer went well.

BETTY ANN FORT

Mrs. Fort reported that she will be meeting with the Museum Administrator, Public Works Director, Scott Jesseman, and Mario Orlandi at the Stickney property to look at the possibility of utilizing the existing easement for an emergency exit.

JUERGEN HUELSEBUSCH

Mr. Huelsebusch reported that they are beginning the organizing of volunteers for fall trail work.

Mr. Huelsebusch also reported that the reduced speed limits in the Village of Stanton and at the intersection of 523/629 have been implemented.

BENJAMIN SMITH

Mr. Smith stated that he had nothing further to report.

JONATHAN HELLER

Mayor Heller reported that he had nothing further to report.

COMMENTS FROM THE PUBLIC

John Broten, Dogwood Drive, inquired about the status of the canopy replacement at the Valero gas station. Mr. Broten also inquired about the authorized debt level.

Bob Schonfeld, Oldwick Road, asked for clarification on the language of “appropriation of property”.

COMMENTS FROM THE GOVERNING BODY

Mayor Heller explained that he received inquiries from several residents to participate in a community wide fundraiser and noted that as a municipal government the Township cannot get involved. He recommended that they advertise in *The Readington News* to get the word out to the public to engage their involvement.

As there was no further business, **A MOTION** was made by Mr. Smith at 8:37 p.m. to adjourn the meeting, seconded by Mr. Albanese with vote of ayes all, nays none recorded.

Respectfully Submitted:

Karin M. Parker, *RMC*
Municipal Clerk