

May 22, 2008

Mr. Kirkpatrick called the regular meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. The Sunshine Statement was read.

Members Present: Mr. Mazza, Mr. Bischoff, Mr. Martin, Mr. Badenhausen,  
Mrs. Corcoran, Mr. Walchuk, Mr. Ryland, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Taibi

Others Present: Atty. Mark Anderson, Carl Hintz, John Reymann, Atty. Jeffrey Lehrer,  
Peter Streletz, Atty. Angela Mariarz

**Issue of Completeness: Republic Services of NJ, LLC: Block 22, Lot 30.03, Frontage Road:** Mr. Reymann gave a brief overview of the application. He said there are many items missing from the submission; therefore, it should be deemed incomplete. Mr. Kirkpatrick asked for a motion to deem the application incomplete. Mr. Bischoff said, that based upon Mr. Reymann's comments, he would make that motion. Mr. Ford seconded the motion.

Vote: Ayes: Mr. Bischoff, Mr. Ford, Mr. Mazza, Mr. Martin, Mr. Badenhausen,  
Mrs. Corcoran, Mr. Walchuk, Mr. Ryland, Mr. Kirkpatrick

**Memorialization of Resolution #2007-006: P.S. Construction, Block 22, Lot 27, 22 Race Street:** Atty. Anderson said the Resolution incorporates language that mandates the filing of conservation easement deeds prior to the issuance of building permits. The Resolution also includes information about when and how the conservation easements could be mowed, as well as monitoring of the culvert under Race Street. Mr. Kirkpatrick said a copy of the Plat should be provided to UTEC for their Open Space Inventory. Mr. Kirkpatrick asked for a motion to memorialize the Resolution. Mayor Mazza asked about the dump. Mr. Streletz said he would fill the dump in if that was acceptable to the Board. Mr. Walchuk asked about contamination. Atty. Anderson said any issues that arise would be addressed at the time of a Final application. Mr. Bischoff made the motion to approve the Resolution.. Mrs. Corcoran seconded the motion.

Vote: Ayes: Mr. Bischoff, Mrs. Corcoran, Mr. Mazza, Mr. Martin, Mr. Badenhausen,  
Mr. Ryland, Mr. Ford, Mr. Kirkpatrick

**Wagner: Block 25, Lot 21, Hill and Dale Drive: Extension of Approval:** Mr. Wagner requested an Extension because his property is in the Highlands and he has not been able to obtain necessary approvals from the Highlands Commission. Without the approvals, Mr. Wagner cannot proceed with the development. Mrs. Corcoran made a motion to grant a one-year extension. Mr. Ford seconded the motion. The extension would be through Marc4, 2009.

Vote: Ayes: Mrs. Corcoran, Mr. Ford, Mr. Mazza, Mr. Bischoff, Mr. Martin,  
Mr. Badenhausen, Mr. Walchuk, Mr. Ryland, Mr. Kirkpatrick

**Michele McBride's Presentation on Union Township Properties:** Ms. McBride said she is a member of the Union Township Environmental Commission (UTEC). Last year UTEC decided to organize a Property Stewardship Sub-Committee. Sub-Committee members are Ms. McBride, William Harclerode, Chairman, Steve Hurford and John Wingler. Citizen Advisory members are Paige DiRoberto, Skip Jonas, Scott Eichlin and Pat Lingelbach. Ms. McBride said representatives of ANJEC had been at a UTEC meeting. The representatives apprised UTEC of the Commission's power. The Commission can conduct research into the use and possible use of open space. They can recommend to the Planning Board or the Mayor and Governing Body of a municipality plans for inclusion in the Master Plan and the development and use of open space areas.

Ms. McBride said the Sub-Committee will be focusing on the Hoffman, Douglas and Milligan properties. She said the Sub-Committee will present their findings to the Planning Board and Township Committee. Ms. McBride stated the various open space areas in the Township, including Spruce Run Reservoir, the Edna Mahon Correctional Facility and the Developmental Center.

Ms. McBride showed pictures of the various buildings on the Hoffman property. She said the Township can rent, demolish or use the buildings.. They cannot be sold or significantly altered. Hunterdon County owns and is responsible for 322 acres of the Hoffman property and they are to be notified of any major changes in use or status of the Township owned buildings. Ms. McBride apprised the Board of conditions at the Hoffman homestead. She also told the Board the Commission's recommendations. The Sub-Committee believes the Homestead, after reconstruction, could be used for a long-term lease for a non-profit organization, an educational or cultural facility or COAH rehab. Earl Steeves, a realtor who does property management, thought that the Township should be able to rent the Homestead for \$2,000 per month. Mr. Steeves said the various Township owned properties should bring in rental income in the amount of \$60,000 per year. Ms. McBride said there is work to be done at the properties before they could be rented and the cost would probably exceed \$60,000. Messrs. Hintz and Kirkpatrick did not believe that the use of the Homestead would be suitable for COAH purposes. Mr. Kirkpatrick said income generated from rentals should go into the Open Space Fund and be used for restorative work of the buildings. He thought that UTEC could manage the project. Mayor Mazza told Ms. McBride that he had envisioned a gazebo at the site which could be used for weddings.. Mr. Ford said a bed and breakfast could be a viable use for the Homestead.

Ms. McBride presented an overview of the Douglas Farm. She thought the house could be rented for about \$1,200.00 per month. There was a concern about outbuildings. Ms. McBride said Mike Mathews presently farms the land. She said it might be a good idea to sell the property as a preserved farm. If that happened, a conservation easement and the potential for a residential dwelling would need to be considered. Ms. McBride also mentioned subdividing and selling the house. The frame barn could be demolished.

The concrete block barn is in good condition. Components of the barns could be recycled. Ms. McBride said the Historical Society is interested in the buildings. The property is in the Rockhill Historic District. The first meeting of the Stewardship Subcommittee will be held on September 29, 2008. The Subcommittee will be working with Franklin and Bethlehem Townships in connection with the project. Ms. McBride thought that all rented farmland should be put out for bid next year. Mr. Kirkpatrick asked where monies from leased farmland were deposited. Ms. McBride will check with CFO Grace Brennan about that issue. Mr. Kirkpatrick said he had looked into purchasing the Douglas property. He said there is an opportunity for the Township to bring in between \$1,000,000 and \$3,000,000 and still keep the property in its existing condition or even improve conditions. Mr. Kirkpatrick said there may be something in the rider that would prevent subdivision. Mr. Kirkpatrick emphasized the need to monitor the block barn because damage had been inflicted on that building. It appeared the building had been used for a warehouse. Mr. Kirkpatrick apprised Ms. McBride of the availability of financing. She asked Mr. Kirkpatrick to attend a Subcommittee Meeting and share his acquired knowledge. Mr. Kirkpatrick acquiesced.

Ms. McBride continued. She gave an overview of the Milligan Farm. Ms. McBride said UTEC is interested in the 2.4 acre parcel that includes the Farmhouse and Outbuildings. Mr. Hintz told the Board he had been in the house. There had been a cistern in the attic. The house is in relatively good shape. It was being considered for COAH Units. Mr. Ford said the house was a two-family dwelling. The Stone Barn belongs to the Open Space Area. Ms. McBride said funding came from the following sources. \$875,000 from Green Acres; \$800,000 from the N.J. Water Supply Authority; \$103,000 from the Hunterdon County Open Space Trust Fund; and Hunterdon County has promised \$1,500,000. The Township is actively working to have that money released.

Ms. McBride thought the house could be a COAH Unit. She asked if anyone thought the barns could be used for COAH Units. Mr. Hintz thought it had been discussed that the barns could be used for equestrian purposes. Mr. Kirkpatrick said the house could be used as an office in conjunction with an equestrian center. He said the key would be for an equestrian facility to have access to the open space area for riding, pasturing and haymaking. Mr. Kirkpatrick mentioned the sites visibility. An equestrian center would provide a nice entranceway to the Township. He thought that COAH units would not be good because of maintenance issues. Mr. Hintz mentioned a bed and breakfast (B&B). Mr. Bischoff said the idea was good; however, it doesn't seem they are economically feasible in the County. Ms. McBride said she has been in touch with owners of a B&B in Califon. They said it was a difficult business. Ms. McBride invited the owners to come to a UTEC meeting and speak about their business. Ms. McBride asked if anyone had any questions. There were none. Mayor Mazza thanked Ms. McBride profusely. He offered assistance to Ms. McBride. Mr. Kirkpatrick mentioned the possibility of moving the house. He said it is not as cost prohibitive as it might seem and could make the house easier to sell. Mr. Kirkpatrick had pursued information about moving the Douglas house.

**Correspondence: Perryville Group LLC, Block 22, Lots 3 and Proposed Lots 4.01 and 4.02: Re:** CMX Letter dated 4/18/08 about Resolution Compliance: Mr. Reymann said he had attended a meeting at NJDEP and they opined that Perryville would have to comply with the new Stormwater Regulations. Other Correspondence was for the Board's information.

**Comments from the Public/Other Discussion:** None

Mr. Kirkpatrick said the Board would need to have an Executive Session to discuss the Pilot Litigation. He asked for a motion. Mr. Bischoff made the motion. Mr. Mazza seconded the motion. (8:15 p.m.)

Vote: All Ayes, No Nays, Motion Carried

A Resolution providing for a meeting Not Open to the Public in Accordance with the revisions of the N.J.S.A. 10:A-4-12.

WHEREAS, the Planning Board of the Township of Union is subject to the Open Public Meetings Act, N.J.S.A.10: A-4-6, et Seq., and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:A-4-12, provides that an Executive Session, not open to the Public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Planning Board of the Township of Union, assembled in public session on May 22, 2008, in the Union Township Municipal Building, 140 Perryville Road, Hampton, NJ 08827, for the discussion of matters relating to the specific items designated above.

It is anticipated the deliberations conducted in closed session may be disclosed to the public upon determination by the Planning Board that the public interest will no longer be served by such confidentiality.

The Executive Session ended at 10:00 p.m.

**Rescheduling June Workshop:** The Board decided to cancel the Workshop.

**Approval of Minutes:** Mrs. Corcoran said the April 1, 2008 minutes said that she and Mr. Kirkpatrick had worked on the Red Hills Quarry Site. The minutes should state that Mrs. Corcoran and Mr. Kirkpatrick had worked for a company that had performed work on the site. Mr. Bischoff made a motion to approve the minutes of the April 1, 2008 Workshop, as amended. Mr. Mazza seconded the motion.

Vote: Ayes: Mr. Bischoff, Mr. Mazza, Mr. Martin, Mr. Badenhause, Mrs. Corcoran, Mr. Ryland, Mr. Ford, Mr. Kirkpatrick

Abstain: Mr. Walchuk

Messrs. Bischoff and Ryland noted the inadequacy of sentence structure under Correspondence in the April 24, 2008 minutes. The minutes will be amended to correct the deficiency. Mr. Bischoff made a motion to approve the minutes of the April 24, 2008, as amended. Mr. Badenhausen seconded the motion.

Vote: Ayes: Mr. Bischoff, Mr. Badenhausen, Mr. Mazza, Mr. Martin, Mr. Ryland,  
Mr. Ford, Mr. Kirkpatrick

Abstain: Mrs. Corcoran, Mr. Walchuk

Mr. Bischoff made a motion to approve the minutes of the April 24, 2008 Executive Session. Mr. Mazza seconded the motion.

Vote: Ayes: Mr. Bischoff, Mr. Mazza, Mr. Martin, Mr. Badenhausen,  
Mr. Ryland, Mr. Ford, Mr. Kirkpatrick

Abstain: Mrs. Corcoran, Mr. Walchuk

Atty. Anderson announced that he would be away at the time of the June 26, 2008 meeting. He said Atty. Yolanda Maziarz would represent the Board at that meeting. Ms. Maziarz was present tonight.

**Motion to Adjourn:** Mr. Bischoff made a motion to adjourn. Mr. Walchuk seconded the motion. (10:10 p.m.)

Vote: All Ayes

Grace A. Kocher, Secretary