

October 24, 2013

Mr. Ford called the regular meeting of the Union Township Planning Board/ of Adjustment to order at 7:00 p.m.

Open Public Meetings Act Notice: I would like to have placed in the minutes that the Open Public Meeting Requirements of Law have been satisfied by our notices dated January 17, 2013, as published in the Hunterdon County Democrat and January 15, 2013, as published in the Courier News. A copy of the notice has also been posted on the Township Website, the Bulletin Board in the Municipal building and a copy has been filed with the Clerk.

Members Present: Ms. McBride, Mr. Bischoff, Mr. Nace, Mr. Badenhausen, Mr. Ryland, Mr. Kastrud, Mr. Eschbach, Mr. Ford

Members Absent: Mr. Walchuk, Mrs. Corcoran, Mr. Kirkpatrick

Others Present: Atty. Mark Anderson, Carl Hintz, Atty. Lawrence Fox, Robert Zederbaum

Approval of Minutes: Mr. Nace made a motion to approve the minutes of the September 26, 2013 meeting. Mr. Eschbach seconded the motion.

Vote: Ayes: Mr. Nace, Ms. McBride, Mr. Bischoff, Mr. Ryland, Mr. Kastrud, Mr. Ford

Abstain: Mr. Badenhausen, Mr. Eschbach

Public Hearing: Bulvanoski, Block 22, Lots 9 & 10, Frontage & Everett Roads: Minor Subdivision:

Atty. Lawrence Fox gave a brief overview of the Minor Subdivision application, noting that aquifer tests were required after applicant was told that the Town of Clinton could not supply water. The tests were reviewed by Board Hydrogeologist Uhl who indicated that the Ordinance requirements had been met. Mr. Ford said a letter dated May 15, 2012 from Board Engineer Clerico had comments about the application. Robert Zederbaum, applicant's Engineer, who was sworn by Atty. Anderson, said Mr. Clerico had reviewed conditions of approval and in a letter dated September 23, 2013 indicated that those conditions had been met, with a number of waivers having been granted.

Mr. Ford asked Mr. Hintz for comments. He had none. Mr. Ford asked for comments/questions from the Public. There were none. Mr. Ford asked for a motion to approve the application.

Mr. Nace made the motion to grant approval of the Minor Subdivision application. Mr. Eschbach seconded the motion.

Vote: Ayes: Mr. Nace, Mr. Eschbach, Ms. McBride, Mr. Bischoff, Mr. Badenhausen, Mr. Ryland, Mr. Kastrud, Mr. Ford

Discussion of Geologist/Hydrogeologist Appointment: Mayor McBride made a motion to send out Request for Proposals, including qualifications, for the Board Geologist/Hydrogeologist position before the end of 2013. Mr. Bischoff said consideration would be given to applicants who could perform both functions. Mr. Kastrud seconded the motion.

Vote: Ayes: Ms. McBride, Mr. Kastrud, Mr. Bischoff, Mr. Nace, Mr. Badenhausen, Mr. Ryland, Mr. Eschbach, Mr. Ford

Mayor McBride will discuss the RFP with the Clerk and/or Mr. Kirkpatrick or Mr. Ford.

Correspondence: Update on Master Plan Re-Exam – Review Draft Report from Carl Hintz: Mr. Hintz referenced the Milligan Farm, Block 22, Lot 20 and the RM (Multi-family-Residential) District designation of that property. He said the recommendation to the Land Use Plan Amendment is to categorize the 2.4 acre parcel with the dwelling as CR (Country Residential), with the balance of the property in the P (Parkland) District. The Affordable Housing Section of the property would remain in the RM District.

Mr. Hintz also referenced two privately owned properties by the Spruce Run Reservoir that were improperly located in the INS (Institutional) District. The recommendation is to change them to the WM (Watershed Management) District.

Mr. Hintz apprised the Board of the procedures to be followed when preparing a MP Re-Examination Report. He said the State Development/Redevelopment Plan is unresolved. COAH Rules and Regulations are also unresolved. He said there has been an extension of the Permit Extension Act since the last MP RE-Exam Report in 2006 and suggested that some changes be made to the Ordinance on that issue. Mayor McBride had asked Mr. Hintz to identify the required Elements of the Master Plan. He said a Goals and Objective Statement and Land Use Element Plan are required and they are current (both were prepared by Mr. Hintz's office in 2006). The required Housing/Fair Share Plan was prepared by Mary Beth Lonergan (Clarke Caton Hintz) in 2010. That Plan will be revised in 2014 when the COAH issues are resolved. Mr. Hintz said the Storm Water Management Plan is required and is current (prepared by Maser Consulting in 2006). Mr. Hintz said the Circulation, Recreation and Community Facilities Plan Elements are optional.

Mr. Bischoff said it had been discussed that Mr. Hintz would prepare a summary of MP Elements that are required and those that should be deleted. Mr. Hintz said that would be done at the end of the MP Re-Exam Document. The Public Hearing will be scheduled for November 14, 2013. Mr. Hintz referenced the cumbersomeness of some OPRA requests and indicated that by updating the MP, providing the information would be simplified. In the future, the 2010 Housing/Fair Share Plan, 2006 Re-Exam Report, 2005 Land Use Plan Element, Storm Water Management Plan prepared in 2006 by Maser Consulting and the Natural Resource Inventory prepared by Princeton Hydro would be provided to those with an OPRA request. Mr. Hintz said the secretary should prepare a compendium of the above items to distribute in response to the OPRA requests.

Mr. Nace had a question about how re-zoning of the above-listed properties by the Reservoir would impact the property owner's rights. Mr. Hintz said because the property is in the INS District the owner would have to obtain variances so it would not have an impact. Mayor McBride said the designation was incorrect.

Mr. Kastrud asked the pros and cons of leaving the properties in the INS District versus rezoning them in the WM District. Adjacent properties, also in the INS District, are owned by the Park Service and the State Department of Wildlife Management. Union Forge Park, which is owned by the County, is north of Van Syckel's Road. Another property that abuts Bethlehem Township is owned by the State Department of Fish and Wildlife and in the INS District. Mr. Kastrud asked about that being rezoned WM. He felt it would be better for the Township than the INS designation since there are fewer Uses by Right in the WM District. Mr. Bischoff referenced Sections 30-4 & 30-5 of the Ordinance regarding Uses by Right versus Conditional Uses. Mr. Hintz said he would distribute the list of Uses for the INS and WM Districts for the Board's review.

Mr. Ford asked Mr. Hintz what he would be providing to the Board for the November 14, 2013 meeting. Mr. Hintz said it would be the Re-Examination Report with the revisions discussed tonight. A draft Resolution will be prepared for the November 14, 2013 meeting.

Comments from the Public/Other Discussion: None

Motion to Adjourn: Mr. Bischoff made a motion to adjourn. The motion was seconded by Ms. McBride. (8:00 p.m.)

Grace A. Kocher, Secretary