

July 23, 2015

Mr. Kirkpatrick called the meeting of the Union Township Planning Board/Board of Adjustment to order at 7:13 p.m.

Members Present: Mr. Hirt, Mr. Walchuk, Mr. Nace, Mr. Ryland, Mr. Gibbons, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Mazza, Mrs. Corcoran, Mr. Kastrud, Mr. Eschbach

Others Present: Atty. Mark Anderson, Board Engineer Clerico, Atty. James Mitchell, David Karlbach, Christopher Nebill, Helena Petrossian, Steven O'Malley, Ron Cutlip

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 29, 2015, as published in the Hunterdon County Democrat and January 28, 2015, 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 Municipal Clerk.

Approval of Minutes: Mr. Ford made a motion to approve the minutes of the June 25, 2015 meeting. Mr. Nace seconded the motion.

Vote: Ayes: Mr. Ford, Mr. Nace, Mr. Walchuk, Mr. Ryland, Mr. Kirkpatrick

Abstain: Mr. Hirt, Mr. Gibbons

Issue of Completeness: Molnar: Block 12, Lot 13.01, 92 Route 173 West: Variance: Mr. Ford made a motion to deem the application incomplete. Mr. Walchuk seconded the motion.

Vote: Ayes: Mr. Ford, Mr. Walchuk, Mr. Nace, Mr. Ryland, Mr. Gibbons, Mr. Kirkpatrick

Abstain: Mr. Hirt

Issue of Completeness: Sujet: Block 19, Lots 6 & 6.01, 115 Driftway East: Minor

Subdivision/Boundary Line Adjustment: Mr. Clerico gave a brief overview of his letter dated July 21, 2015 outlining issues associated with the application. Various waivers, although not specific, are requested. The property is located on a private road. He deferred to Atty. Anderson as to whether relief was required for that issue. Mr. Clerico said there are environmental restrictions on the property that are not shown on the Plan. Atty. Anderson indicated the subject property is owned by Dylan Sujet, Lot 6.01 and Andrew Sujet, Lot 6. The application should be amended showing both names. Mr. Anderson also noted the Plan shows dedication of a right-of-way (r.o.w.) to the Township. That issue needs clarification. An application for a lot not abutting a public street may be required. Mr. Clerico asked to confirm, as per concerns raised by Atty. Anderson and Chairman Kirkpatrick, that wells and septic systems be identified on both Lots, application be made for any variances required, survey information to be provided, amend application to show both property owners, legal representation of Estate be provided, clarification of lot area being transferred, title search to be submitted, verification of

covenants and restrictions and clarification of ownership of the Driftway. Mr. Kirkpatrick asked Mr. Clerico to concisely summarize and convey the above-listed concerns to applicant.

Mr. Ford made a motion to deem the application incomplete. Mr. Walchuk seconded the motion.

Vote: Ayes: Mr. Ford, Mr. Walchuk, Mr. Hirt, Mr. Nace, Mr. Ryland, Mr. Gibbons, Mr. Kirkpatrick

Cellco Partnership d/b/a Verizon Wireless: Block 13, Lot 6, 53 Frontage Road: Variance: Atty. James Mitchell was present on behalf of applicant. Atty. Anderson announced this was a continuation of a "D" variance application. Committeeman Hirt would not be participating. Atty. Mitchell said the Board had granted conditional use at its meeting held on June 25, 2015; however, they retained jurisdiction of the color of the proposed antennae. In response to the Board's request, applicant's Planner submitted a report dated July 2015 addressing that issue. Planner David Karlbach who was sworn in at a previous Hearing was present and will provide testimony. Mr. Karlbach distributed copies of an Exhibit, Marked A-5, to the Board. He said the off-white color was selected to match the building aggregate.

Atty. Mitchell called another witness to provide additional information regarding color. Engineer Christopher Nevill was sworn by Atty. Anderson. Mr. Nevill described the roof color as light grey. Mr. Kirkpatrick felt that color would be compatible from the ground level and Hoffman Park. Mr. Nevill showed a color chip, Sherwin Williams 7003. The color was acceptable to the Board.

Mr. Gibbons made a motion to approve the color. Mr. Ryland seconded the motion.

Vote: Ayes: Mr. Gibbons, Mr. Ryland, Mr. Walchuk, Mr. Nace, Mr. Ford, Mr. Kirkpatrick

Comments from the Public/Other Discussion:

Petrossian: Block 21.02, Lot 29.20, 746 Route 625: Ms. Petrossian was seeking guidance to construct a barn to shelter two ponies on her 2.78 acre undersized lot. The Ordinance requires three acres for one horse. Ms. Petrossian was told to apply for a "C" variance, provide a copy of her survey showing proposed placement of barn and septic and well, copy of deed and a Certified Tax List of property owners within 200 feet of her property. A brief description of the proposal and section of Land Use Code that proposal is in non-compliance should be submitted.

Red Hills Quarry: Block 22, Lot 30, Frontage Road: Atty. Steven O'Malley sought direction from the Board regarding development of the Quarry property. Committeeman Hirt would not participate in any discussion, since a "D" variance would probably be required. Atty. Anderson reminded the Board to be cautious expressing opinions in this informal presentation. Mr. Kirkpatrick said he had been involved with site capacity calculations at the site a number of years ago. Landscape Architect Ron Cutlip, who has been involved with concept proposals in the past, gave an overview of the property. The Quarry has 54 acres and there is an additional 24 acres (agricultural use) that is part of this proposal. Mr. Cutlip said the development (215 proposed residential units) would have a low impact. Developer is aware of water and sewer issues. An on-site sewage treatment plant could be installed.

Mr. Kirkpatrick said water from a sewage treatment would have to meet State Standards for anti-degradation. The Category 1 Stream would not be impacted. Secondary access to the site would be via Race Street. NJDOT approval would be required for the Frontage Road access. Mr. Clerico said an L.O.I. would be required from the State. Developer Alex Trivera, contract purchaser, questioned what the Board would consider for development of the property. Applicants were advised to review previous applications (Milligan Farms/Renaissance) that had opposition from the public. They were also told they might want to initially consider a "D" variance application.

Correspondence:

Comments from the Public/Other Discussion:

Motion to Adjourn: Mr. Gibbons made a motion to adjourn. Mr. Walchuk seconded the motion. (8:35 p.m.)

Vote: All Ayes

Grace A. Kocher, Secretary