

June 13, 2013

Mr. Ford called the workshop meeting of the Union Township Planning Board/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. Walchuk, Mr. Nace, Mrs. Corcoran, Mr. Badenhause, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Ryland, Mr. Kastrud, Mrs. Church

Others Present: Atty. Mark Anderson, Robert Clerico, Atty. John Lanza, David Fischer, Attorney Brian Tipton

Approval of Minutes: Mr. Bischoff made a motion to approve the minutes of the May 9, 2013 workshop meeting. Mr. Nace seconded the motion.

Vote: All Ayes, No Nays, No Abstentions, Motion Carried

Informal: Fischer p/f Frey: Block 14.03, Lot 4, 589 Main Street, Pattenburg: Mr. Ford said this was an informal discussion and no testimony would be presented. Atty. John Lanza, representing applicant, said Mr. and Mrs. Fischer are negotiating the purchase of the former Pattenburg Post Office. The Fischers, who are Certified Public Accountants, would like to purchase the property for their business and perhaps one or two residential uses. The Fischers presently have an office in their home at 594 Main Street. Mr. Bischoff asked if the Fischers would be considering refurbishment of the structure. Atty. Lanza asked applicant to provide information about the proposed use. David Fischer said the business has grown and more space is needed. The Fischers presently have approximately three-hundred tax clients and fifty accounting clients. Mr. Fischer said the old post office area would be used for the office. No structural changes or major modifications are planned. The existing post office boxes would be kept. Partitions would be installed for the two proposed individual offices. A waiting area and storage area for files is also proposed. The only signage would be lettering on a window.

Applicants are seeking to rent the two-story residential unit on the east side of the building and the apartment above the post office. Mr. Ford asked about traffic. Mr. Fischer said most of their business is conducted via mail. There has never been a problem with traffic at their present location. Mr. Fischer said there is a small parking area by the Pattenburg United Methodist Church wall. There is also parking for five to six cars. Mr. Clerico made reference to the building having pre-existing, non-conforming uses. Mr. Fischer said there could be an issue about whether the commercial use had been abandoned.

Mr. Clerico said there are some site issues to be addressed. He also said applicant should check with the Hunterdon County Health Department regarding the adequacy of the septic system for the proposed uses. There is a well on site. Atty. Anderson emphasized the difficulty for the Board to give input at an informal when the application is believed to require a use variance. Mr. Kirkpatrick said the Board would want to know how the interior and exterior would look and that the septic system and water supply are adequate. The number of parking spaces should comply with Ordinance requirements. Landscaping and lighting should meet all Codes. Mr. Kirkpatrick also said a history of the building and its uses should be included in order for the Board to make a determination for granting the variance. Mr. Clerico emphasized that professional testimony would be required at the Hearing for the Board to evaluate. Mr. Fischer thanked the Board for their input.

Issue of Completeness: Celldex: Block 13, Lot 6, 53 Frontage Road, Building #3, F/W Site: Atty. Brian Tipton, representing Celldex, said applicant had no objection to any of the general comments in Robert Clerico's letter dated June 11, 2013. Several waivers are being requested. Mr. Ford asked Mr. Clerico to give an overview of the requested waivers. Mr. Clerico said applicant would be leasing the first and second floor of a portion of Building #3. The proposal is to install a generator and three large AC units in a portion of the existing parking lots that would result in the loss of six spaces. There would be a reduction in the amount of impervious coverage.

The Board discussed Mr. Clerico's letter briefly. Mr. Ford asked for a motion to deem the application complete. Mr. Kirkpatrick made the motion to deem the application complete, including the granting of waivers listed in Mr. Clerico's letter and reserving the right to ask for additional information during the Public Hearing. Mrs. Corcoran seconded the motion.

Vote: Ayes: Mr. Kirkpatrick, Mrs. Corcoran, Ms. McBride, Mr. Bischoff, Mr. Walchuk, Mr. Nace, Mr. Badenhausen, Mr. Ford

Atty. Tipton thanked the Board and its Professionals for their help. Mr. Clerico said the application had been well prepared and simplified the review process. Mr. Tipton had a question about the intent of the Ordinance regarding tree replacement. He had submitted an application to remove three trees less than eight inches in diameter. Landscaping is proposed around the fenced area. Applicant was considering planting arborvitae. Mr. Kirkpatrick told Mr. Tipton to check the Ordinance since applicant could be exempt from replacement of the trees. Mr. Kirkpatrick also said arborvitae is a tree. Atty. Tipton asked if a landscaping report would be submitted by Carl Hintz or would it be addressed at the Hearing. Mr. Clerico said Mr. Hintz would need to review the submission. Mr. Clerico raised the issue of noise. Mr. Kirkpatrick said applicant should have a representative available to address that matter.

The Public Hearing was scheduled for June 27, 2013. Atty. Tipton said the Hearing had been noticed since a variance could be required for reduction of parking.

Correspondence: None

Comments from the Public/Other Discussion: None

Motion to Adjourn: Mrs. Corcoran made a motion to adjourn. Mr. Kirkpatrick seconded the motion.
(7:40 p.m.)

Vote: All Ayes, No Nays, Motion Carried

Grace A. Kocher, Secretary