

December 11, 2014

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

Members Present: Ms. McBride, Mr. Bischoff, Mr. Nace, Mr. Ryland, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Walchuk, Mrs. Corcoran, Mr. Kastrud, Mr. Eschbach, Mr. Gibbons

Others Present: Atty. Mark Anderson

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 16, 2014, as published in the Hunterdon County Democrat and 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. Nace made a motion to approve the minutes of the October 23, 2014 meeting. Mr. Bischoff seconded the motion.

Vote: All Ayes, No Ayes, Motion Carried

Correspondence: Mr. Ford mentioned a letter dated November 3, 2014 regarding the Wireless Industry. The Township Committee asked that the Board be copied.

Mr. Bischoff asked for an Executive Session to discuss potential litigation. Mr. Ford said that Session would be held after discussing some changes to the Land Use Code.

Comments from the Public/Other Discussion: Changes to LUC clarify definitions and uses.

Mr. Ford referenced the September 11, 2014 Board Minutes and Atty. Anderson's Memo dated October 21, 2014 regarding Ordinance changes.

Definition of Maximum Impervious Surface Ratio: The Board determined that changes regarding Maximum Impervious Surface should relate solely to the Village Residential District and primarily to pre-existing, non-conforming lots. Mr. Kirkpatrick said the Maximum Impervious Surface for those lots should be 2,614 square feet and only applies to single-family detached dwellings. The square footage cannot exceed the area of the building envelope. Mr. Ford asked about driveways. Mr. Kirkpatrick said driveways cannot be contained within the setbacks.

Mr. Nace asked about the definition of a commercial vehicle. Atty. Anderson said the clearest Standard is in Title 39. That Standard applies to vehicles registered as commercial and having commercial plates. Title 39 requires the name of the owner permanently affixed to the vehicle. Mr. Anderson said limousines are registered as omnibuses, not commercial vehicles. Mr. Kirkpatrick indicated there would be a discussion of commercial vehicles another time.

He said Atty. Anderson did not include commercial vehicles in his memo dated October 21, 2014. Mr. Kirkpatrick said it had been discussed at a previous meeting that any commercial vehicle could not be visible to neighboring residential areas/property lines. Mr. Ford said Atty. Anderson's memo indicates that Home Occupation is described as an accessory use. Continuing the Home Business/Occupation discussion, Mr. Anderson said the Board may want to increase the number of employees who are not inhabitants of a dwelling from one to two. He also raised a concern about multiple delivery trucks to home based businesses. Atty. Anderson said enforcement is an issue. Mr. Ford said there is a provision in the LUC about servicing by commercial vehicles for supplies and materials. The Ordinance states that shall not be permitted.

Definition of Floodplain District: The Floodplain District, Section 30-6.6, as set forth in the Ordinance should state that application to determine if a property is in a Flood Hazard Area should be made to the New Jersey DEP. Presently, the determination is at the discretion of the Township Engineer.

Definition of Mobile Home: Mobile homes are not permitted anywhere within the Township. The definition of a mobile home was discussed at length. The difference between mobile and modular homes was debated. Mr. Kirkpatrick said mobile structure or mobile building could be used instead of mobile home. Atty. Anderson will research those terms. Shipping containers and pods, temporary use of construction and office trailers were discussed and could be added in some districts. Atty. Anderson said there are State Codes that govern some of the above-listed items.

Definition of Residential Shed: An accessory building to a detached dwelling. Used for storage of tools, garden equipment, personal property of occupants of the dwelling.

Definition of Home Business/Occupation: Discussed above under Maximum Impervious Surface.

Definition of Solar Farm: A distinction is needed between a facility that generates energy for a specific property, with an additional 25% surplus and a photovoltaic generating facility that would be regulated the same way as a power plant.

Definition of Multiple Principal Uses: The Board discussed changing the process for applications for number of multiple principle uses/principle buildings. A bulk variance or site plan application would supersede the current use variance requirement.

Mr. Kirkpatrick asked Atty. Anderson to prepare changes to the Ordinance that would implement tonight's discussion.

Scheduling of 2015 Reorganization and Regular January Meetings: A motion was made by Mr. Bischoff to hold the Reorganization Meeting on January 8, 2015 and the Regular Meeting on January 22, 2015 at 7:00 p.m.

Vote: All Ayes, No Nays, Motion Carried

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A motion to approve the following Resolution to go into Executive Session was made by Mr. Bischoff and seconded by Mr. Kirkpatrick. (8:40 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 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 December 11, 2014, in the Union Township Municipal Building, 140 Perryville Road, Hampton, NJ 08827, for the discussion of matters relating to the specific items design stated above.

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

Mr. Bischoff made a motion to return to the regular session. Ms. McBride seconded the motion. (8:55 p.m.)

Vote: All Ayes, No Nays, Motion Carried

Mayor McBride and Mr. Bischoff recused themselves before the Board took the following action.

Mr. Kirkpatrick made a motion to remove the condition of placement of placards from the Pilot Anti-Idling Plan. Mr. Ryland seconded the motion.

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

Nay: Mr. Kirkpatrick

Motion to Adjourn: Mr. Nace made a motion to adjourn. Mr. Nace seconded the motion. (8:58 p.m.)

Vote: All Ayes, No Nays, Motion Carried

Grace A. Kocher, Secretary

