

April 14, 2016

Mr. Ford called the Meeting of the Union Township Planning Board/Board of Adjustment to order at 7:12 p.m.

**Members Present:** Mr. Mazza, Mr. Walchuk, Mr. Nace, Mr. Eschbach, Mr. Ryland, Ms. Rocca, Mr. Gibbons, Mr. Ford, Mr. Kirkpatrick

**Members Absent:** Ms. McBride, Mr. Kastrud

**Others Present:** Atty. Mark Anderson, Patricia Meeker, William Zorback, Derek Lamonde

**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 21, 2016, 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. Eschbach made a motion to approve the minutes of the February 25, 2016 Joint Committee and Planning Board/Board of Adjustment meeting. Mr. Nace seconded the motion.

Vote: Ayes: Mr. Eschbach, Mr. Nace, Mr. Mazza, Mr. Ryland, Ms. Rocca, Mr. Gibbons, Mr. Ford

Abstain: Mr. Walchuk, Mr. Kirkpatrick

**Memorialization of Resolutions:**

**1. Sujet: Block 19, Lots 6 and 6.01, 115 Driftway East: Minor Subdivision/Lot Line Adjustment:** Mr. Kirkpatrick made a motion to memorialize the Resolution. Mr. Mazza seconded the motion.

Vote: Ayes: Mr. Kirkpatrick, Mr. Mazza, Mr. Nace, Mr. Eschbach, Mr. Ryland, Ms. Rocca, Mr. Gibbons, Mr. Ford

Abstain: Mr. Walchuk

**2. Green Rock Recycling LLC: Block 22, Lot 22, Lots 15 & 15.01, 3 Frontage Road – Quarry License Renewal:** Mr. Kirkpatrick made a motion to memorialize the Resolution. Mr. Eschbach seconded the motion.

Vote: Ayes: Mr. Kirkpatrick, Mr. Eschbach, Mr. Mazza, Mr. Nace, Mr. Ryland, Ms. Rocca, Mr. Gibbons, Mr. Ford

Abstain: Mr. Walchuk

**Correspondence: Block 25, Lot 21, 47 Race Street (Future Access @ Hill & Dale Drive) March 17, 2016 Letter from Eric Ortel - For Board's Information.**

**Kohn/Malenchek, Block 4, Lot 2, 176 Route 173:** Letters dated March 24 and 28, 2016 from Kenscho Resources LLC., regarding compliance with the Memorializing Resolution. For Board's Information

Order of Agenda changed:

**Comments from the Public/Other Discussion:**

**Block 29.03, Lot 18, 6 Groom Road:** Patricia Meeker, owner of the property, said she has a potential buyer. Ms. Meeker gave a brief overview of the property that is for sale and was part of the Brass Castle Subdivision. Prospective buyer indicated he would like to construct a horse facility. A barn and indoor-riding arena are proposed. A building for storage of equipment might be considered as well. A swimming pool behind the house is proposed and that would be the limit of the proposals. Mr. Kirkpatrick indicated there are few restrictions on the barn. Primary limitation would be 3% impervious coverage if associated with the residence and 5% if related to an agricultural activity. A riding academy would require a conditional use variance. Mr. Kirkpatrick said a zoning application could be submitted to the Zoning Official and should include a set of plans showing the amount of impervious surface coverage. The prospective buyer had spoken to the Zoning Official and was told there are restrictions due to open space. Mr. Kirkpatrick said the deed should be reviewed for restrictions and a title search would reveal any restrictions. Atty. Anderson noted there could be restrictions reflected on a Subdivision Map.

Back to Order of Agenda:

**Correspondence: Solar Ordinance Issues:** Mitariten, 10 Stevens Lane, 3/21/16 letter; Lamonde, 44 Rupell Road, 4/1/16 e-mail and Atty. Jost's 4/8/16 letter. Mr. Ford said the Mitaritens opposed changing the Ordinance and Mr. Lamonde supported a change. Mr. Ford said the Board had granted a variance for installation of solar panels on a roof facing a street. Mr. Lamonde did not think he should have to apply for a variance.

Bill Zorback, President of Brass Castle Homeowners' Assn., voiced the Association's opposition to changing the Ordinance from their perspective. Mr. Zorback asked that consideration be given to the impact on a community like Brass Castle if changes are made to the Ordinance. Mr. Walchuk voiced his opposition to changing the language in the Ordinance regarding placement of solar panels on the street side of houses. Mr. Kirkpatrick said the Township Committee asked the Planning Board to consider repealing the restriction prohibiting the placement of solar panels on the front roof of a house. He suggested the Board recommend that the Committee modify that condition to allow panels to be installed directly on the roof structure and parallel to the plane of the roof and consistent with material that is compatible with the exterior of the existing building. Homeowners Associations could have the same or more austere restrictions.

Mr. Kirkpatrick made the motion to make that recommendation to the Township Committee. Ms. Rocca seconded the motion.

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Vote: Ayes: Mr. Kirkpatrick, Ms. Rocca, Mr. Mazza, Mr. Walchuk, Mr. Nace, Mr. Eschbach, Mr. Ryland, Mr. Gibbons, Mr. Ford

**Motion to Adjourn:** Mr. Eschbach made a motion to adjourn the meeting. It was seconded by Mr. Nace. (8:02 p.m.)

Vote: All Ayes, No Nays, Motion Carried

Grace A. Kocher, Secretary