

March 26, 2009

Albanus Ryland was sworn by Atty. Mark Anderson as a Class IV Member prior to the beginning of the meeting.

Mr. Kirkpatrick called the regular meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. The Sunshine Statement was read.

Members Present: Mr. Walchuk, Mr. Badenhausen, Mrs. Corcoran, Mr. Ryland,  
Mr. Nace, Mr. Kirkpatrick

Members Absent: Mrs. Dziubek, Mr. Bischoff, Mr. Taibi, Mr. Ford

Others Present: Atty. Mark Anderson, Kevin Smith, Atty. Scott Carlson, Alan Steere,  
Cathy Adkins, Scott Eichlin

**Approval of Minutes:** Mrs. Corcoran made a motion to approve the minutes of the February 26, 2009 meeting. Mr. Badenhausen seconded the motion.

Vote: Ayes: Mrs. Corcoran, Mr. Badenhausen, Mr. Walchuk, Mr. Nace,  
Mr. Kirkpatrick

Abstain: Mr. Ryland

**Issue of Completeness: Bulvanoski: Block 22, Lots 9 & 10, Frontage & Everett Roads:** Engineer Smith recommended the application be deemed incomplete for the reasons as set forth in his letter dated March 25, 2009.

Mrs. Corcoran made a motion to deem the application incomplete. Mr. Ryland seconded the motion.

Vote: All Ayes

**Union Station Associates, LLC: Block 22, Lot 19, County Route 513:** Engineer Smith gave a brief overview of the Final Application. He said the Checklist was not included with the application. Mr. Smith said the Board could grant a waiver of that issue for completeness. Mr. Kirkpatrick said he would be comfortable granting the waiver, for completeness only.

Mrs. Corcoran made a motion to deem the application complete, subject to applicant submitting the Checklist. Mr. Walchuk seconded the motion.

Vote: All Ayes

**Memorialization of Resolution: Pilot Travel Centers LLC: Block 11, Lot 24.03, 68 Route 173 West:** Mr. Kirkpatrick asked for an update. Catherine Adkins, representing Pilot, said the NJDOT Major Access Permit would be ready tomorrow. She will deliver the Permit to Atty. Jost tomorrow. Mr. Kirkpatrick said before the Permit becomes valid, Federal Highway Authority approval must be obtained for ramp improvements. Ms. Adkins responded.

She said a memo will be added to the Permit which would explain that it is valid without the FHA approval. Engineer Smith emphasized the FHA approval was a condition of the Permit. Mr. Kirkpatrick voiced his concerns about the potential for accidents at the site. He said there were two extreme solutions. A traffic light could be installed at the intersection or the ramp could be moved further east of the entrance driveway. Mr. Smith had discussed the light with DOT. He was told the issue was the proximity of the ramp to the existing traffic light. Atty. Carlson suggested that Mr. Smith, Pilot's Traffic Engineer Joseph Staigar and a representative from his office meet to discuss options to improve the situation.

Mr. Kirkpatrick asked Board members for comments on the Resolution. Mr. Walchuk's name was misspelled. There were no other comments. Mr. Kirkpatrick asked for a motion. Mr. Walchuk made the motion to approve the Resolution with a correction to the spelling of his name. Mr. Badenhausen seconded the motion.

Vote: Ayes: Mr. Walchuk, Mr. Badenhausen, Mrs. Corcoran, Mr. Kirkpatrick

**Wagner: Block 25, Lot 21, Hill and Dale Drive: Extension of Approval:** Mrs. Corcoran made a motion to extend the Major Subdivision Approval, with Variances, for Wagner, Block 25, Lot 21, Hill and Dale Drive, for a period of one year. Mr. Walchuk seconded the motion.

Vote: Ayes: Mrs. Corcoran, Mr. Walchuk, Mr. Badenhausen, Mr. Ryland, Mr. Nace, Mr. Kirkpatrick

**Republic Services of NJ, LLC: Block 22, Lot 30.03, Route 173 East: Public Hearing:** Mr. Kirkpatrick said he understood Republic requested not to attend tonight. Atty. Anderson said he had spoken with Atty. George Dilts about the matter. Mr. Dilts was concerned because seven members would not be in attendance for the Use Variance application. Mr. Anderson had a letter from Mr. Dilts granting the Board an Extension of Time to Act until April 24, 2009, asking the Board to grant an adjournment until that time. He also asked that no further notice be required. Mr. Kirkpatrick announced that the Public Hearing for Republic would be carried until the April 23, 2009 meeting.

**Comments from the Public/Other Discussion:** Scott Eichlin appeared on behalf of Bethlehem Presbyterian Church. He said the Church is in the CR District on Race Street. The Church is a Conditional Use, as set forth in the Land Use Ordinance. The YMCA has approached Bethlehem Presbyterian Church about using the facility for a morning pre-school, five days a week, from 9:00 a.m. until 1:00 p.m. Mr. Eichlin asked if the Board would require a full application. Mr. Kirkpatrick said that would be required; however, waivers could be requested from many items on the checklist.

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Mr. Kirkpatrick mentioned the number of copies (27) applicants are required to provide, as per the Ordinance. There was a brief discussion about that number. Should there be a limited number of paper copies, should most copies be submitted on disks? Could applicant copy professionals directly? Information will be obtained from other municipalities for comparison and distributed with the April 9, 2009 packet for discussion at that meeting. Revisions to the fee schedule will also be on the April agenda.

**Correspondence:** Mr. Kirkpatrick noted the various items. **UTEC Minutes, Perryville Wine & Spirits, Brush Wellman, Inc. and Pattenburg Quarry** Copies were provided for the Board's information.

**Motion to Adjourn:** Mrs. Corcoran made a motion to adjourn. Mr. Walchuk seconded the motion. (7:45 p.m.)

Vote: All Ayes

Grace A. Kocher, Secretary