

August 11, 2011

Mr. Ford called the workshop 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. Bischoff, Mr. Nace, Mrs. Corcoran, Mr. Ryland, Mr. Ford
Mr. Kirkpatrick (7:10 p.m.)

Members Absent: Ms. McBride, Mr. Walchuk, Mr. Badenhausen, Mr. Taibi
Mr. Kastrud

Others Present: Atty. Mark Anderson, Charles Psemeneke

Approval of Minutes: Mrs. Corcoran made a motion to approve the minutes of the June 23, 2011 regular meeting. Mr. Ryland seconded the motion.

Vote: Ayes: Mrs. Corcoran, Mr. Ryland, Mr. Nace, Mr. Ford
Abstain: Mr. Bischoff

Mr. Ford changed the order of the agenda to hear a question from Charles Psemeneke, Block 30, Lot 3.01. Mr. Psemeneke proposes razing an old garage on his property and replacing it with an addition to the pre-existing, non-conforming residential dwelling. The proposed garage would be attached to the back of the house. Removal of the existing garage would provide more room for vehicles to turn around in the driveway and not have to back out onto Route 513. Zoning Official Jim Graham had cited a Section from the Land Use Code granting exceptions for existing alignment (30-7.1 General Regulations e.2). Atty. Anderson said photos provided by Mr. Psemeneke indicate that conditions may be met. However, Mr. Anderson suggested that Mr. Psemeneke apply for a "c" Variance. He said if the Board believes a variance is not required, they could grant a waiver. Mr. Ford said it was the recommendation of the Board Attorney that an application should be made for a variance. Atty. Anderson said waivers from certain checklist items could be submitted. Mr. Psemeneke thanked the Board for their input.

Pilot Travel Centers, LLC: Block 11, Lot 24.03, 68 Route 173 West: Mr. Ford said the Board had correspondence regarding the Open Site Plan Approval Conditions. The correspondence was from Atty. Anderson, Whitestone Associates and Hydrogeologist Vincent Uhl. The water usage reports were briefly discussed. Mr. Kirkpatrick said it has been established that there are numerous ongoing violations of the Approval and he thought the Board should discuss those issues in Executive Session.

Mr. Kirkpatrick made a motion to go into Executive Session to discuss how to resolve the issues. Atty. Anderson said potential litigation is an appropriate basis for the Session. Mr. Anderson said the record should reflect that there was more than one lawsuit instituted in the matter. Mr. Bischoff seconded the motion. (7:20 p.m.)

Vote: Ayes: Mr. Kirkpatrick, Mr. Bischoff, Mr. Nace, Mrs. Corcoran, Mr. Ryland,
Mr. Ford

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A Resolution providing for a meeting Not Open to the Public in Accordance with the revisions of the 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 August 11, 2011, in the Union Township Municipal Building, 140 Perryville Road, Hampton, NJ 08827, for the discussion of matters relating to the specific items designated above.

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

The Executive Session ended at 8:05 p.m.

Mr. Kirkpatrick made a motion to return to the regular session. Mrs. Corcoran seconded the motion.

Vote: All Ayes, No Nays, Motion Carried

Mr. Ford said at the Executive Session the Board discussed matters pertaining to various violations at the Pilot site. A letter will be sent from the Board to the Township Committee about the matters.

Mr. Ford asked if there were any other matters to come before the Board. There were none.

Motion to Adjourn: Mr. Bischoff made a motion to adjourn. Mr. Nace seconded the motion. (8:06 p.m.)

Vote: All Ayes

Grace A. Kocher, Secretary