

May 9, 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. Badenhausen, Mr. Ryland, Mr. Kastrud, Mrs. Church, Mr. Ford, Mr. Kirkpatrick

Members Absent: None

Others Present: Atty. Mark Anderson, Planner Carl Hintz, Brian Plushanski, Atty. Brian Tipton

Approval of Minutes: Mrs. Church made a motion to approve the minutes of the April 11, 2013 workshop meeting. Mr. Kirkpatrick seconded the motion.

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

Mr. Bischoff made a motion to approve the minutes of the April 25, 2013 regular meeting. Mr. Kirkpatrick seconded the motion.

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

Mr. Bischoff made a motion to approve the minutes of the April 25, 2013 Executive session. Mrs. Corcoran seconded the motion.

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

Re-Exam Report and Updates/Revisions to Master Plan (MP): Mr. Ford announced that the agenda order was being changed to address MP issues first. Planner Hintz said the Highlands Sub-Committee had been discussing limitations of the Highlands. Mr. Hintz said there is grant money available for the MP Re-Examination report. He displayed a Zoning Map with changes that were discussed at a previous meeting. Mr. Hintz also referenced portions of the MP that should be deleted. He will be conferring with Municipal Atty. Peter Jost. Issues will be discussed further at a future meeting.

Informal: Green Rock Recycling: Block 22, Lots 15 and 15.01, 5 & 6 Frontage Roads: Brian Plushanski, Green Rock owner, said he would like approval for an on-site trailer for storage of materials and office use. Mr. Kirkpatrick said the Ordinance does not permit trailers/mobile homes. Mr. Plushanski would have to apply for a use variance. Mr. Kirkpatrick indicated placement of a shed on the property would be a use by right. Mr. Kirkpatrick said there is a provision in the Ordinance allowing for a temporary trailer (up to six months). Mr. Plushanski would be able to obtain a permit to install a 100 amp electrical service in the temporary trailer as well. Mr. Bischoff thought it would be incumbent to notify Zoning Official Graham of the outcome of the discussion. Mr. Kirkpatrick said he would contact Mr. Graham.

Mr. Plushanski asked for direction on installation of a permanent structure for the proposed use. Mr. Kirkpatrick indicated he should apply for a minor site plan.

Informal: Celldex: Block 13, Lot 6, Building #3, F/W Site: Atty. Brian Tipton, representing applicant, gave a brief overview of the request. Celldex would be occupying a large portion of the second floor and a small portion of the first floor of Building #3. Applicant proposes an approximate 50 x 60 foot fenced in area for outdoor equipment (one large generator and three condensers). Six parking spaces are proposed. Atty. Tipton referenced three options. He said the first option was to seek exemption since the change would be minimal to the approved site plan. The second option would be a minor site plan. The third option would be an amendment to the existing major site plan. Atty. Tipton said approximately 12,500 square feet (sf) of the leased space would not be occupied by offices, thus reducing parking requirements. Mrs. Corcoran asked if there was existing air-conditioning in the building. There are nine large commercial air-conditioning units. Mr. Tipton said Celldex is a bio-technology company that does clinical trials on cancer medicine. It is imperative to have a generator and air conditioning that would maintain the proper temperature for the medicine at all times. The generator will use natural gas. Mr. Walchuk asked if there was enough cabling to accommodate the additional air-conditioning units or would streets have to be removed. He was told the cabling should be adequate.

Mr. Ford thought applicant would need to apply for a minor site plan. Atty. Anderson said it would be an amendment to an existing site plan; however, the Board could consider it as a minor site plan. He said applicant could request waivers. Mr. Ford mentioned the Ikaria application that was similar. Atty. Tipton said he would research that application. Mr. Kirkpatrick said the primary difference was that Ikaria did not reduce the number of parking spaces. He said applicant would have to account for the net reduction of office space. Mr. Bischoff noted that adjusting the parking spaces available could create some problems. He also said that changing the dynamics of the building could impose a COAH obligation on the Township. Atty. Tipton said he would check into the COAH issue. Mr. Bischoff also mentioned landscaping. Mr. Tipton said applicant would provide landscaping. Mr. Nace asked if impervious surface would be increased. Atty. Tipton said it would be minimal if at all. Atty. Anderson emphasized that parking should be addressed as it would relate to a future use. Mr. Kirkpatrick said applicant should address why proposed equipment could not be installed on the roof and why the existing equipment yard could not be used. The rendering should clearly show how the site would look.

Also, any potential blind spots should be identified showing there was no interference with the existing security system. A question was asked about the source of the natural gas. Applicant would be connecting to an on-site gas main. Atty. Tipton thanked the Board for their time.

P.S. Construction: Block 22, Lot 27, Race Street: Variance for Affordable Housing Unit: Atty. Michael Cresitello, representing applicant, had submitted a letter dated May 9, 2013, granting the Board a ninety-day extension of time to act.

Chicken Ordinance: Mr. Ford said the Board, at its April 11, 2013 workshop, had made a recommendation to the Township Committee to adopt the chicken ordinance. The Committee made some changes. Mayor McBride said the changes were to limit the keeping of chickens to fifteen per acre on lots of five or more acres, nothing shall prevent farmers from carrying on their operations and droppings are to be covered with a durable, non-porous material. Atty. Anderson noted the proposed Ordinance referenced chickens specifically, no other type of fowl. He was told the Board thought it was a good idea to limit the Ordinance to chickens. Mr. Anderson also noted there was an error in the Title of a Section. He will speak with Atty. Jost regarding that matter. Atty. Anderson said the Ordinance will have to come back to the Board to determine if it is consistent/inconsistent with the Master Plan.

Mr. Kirkpatrick made a motion to recommend to the Township Committee to introduce the amendment to the Land Use Code regarding the keeping of chickens on smaller properties, as amended by the Committee. Mrs. Corcoran seconded the motion.

Vote: Ayes: Mr. Kirkpatrick, Mrs. Corcoran, Ms. McBride, Mr. Bischoff, Mr. Nace, Mr. Ryland, Mr. Kastrud (Alternate I), Mrs. Church (Alternate II), Mr. Ford
Abstain: Mr. Walchuk, Mr. Badenhausen

Correspondence:

Comments from the Public/Other Discussion:

Motion to Adjourn: Mr. Kastrud made a motion to adjourn. It was seconded by Mrs. Corcoran. (8:05 p.m.)

Vote: All Ayes, No Nays, Motion Carried

Grace A. Kocher, Secretary