

June 22, 2006

Mr. Scott 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. Mulhall, Mr. Martin, Mr. Brandt, Mr. Lukasik, Mr. Rosol,
Mr. Grossi, Mr. Scott

Members Absent: Mr. Rossi, Mr. Bischoff, Mr. Roth

Others Present: Atty. William Sutphen, Robert Bogart, Carl Hintz, Dennis Vega

Pilot Travel Centers: Block 11, Lot 24.03, 68 Route 173: Mr. Scott announced that the application has been adjourned until July 27, 2006. Sufficient notice had not been provided. Pilot granted the Board an Extension of Time to Act until September 28, 2006.

GIS Ordinance: Mr. Scott said this item was on the agenda at the request of the Township Committee. The Committee indicated the Ordinance was not being enforced. Mr. Bogart apprised the Board about the issue. He said Maser is receiving required CD's with GIS information from applicants. The Township does not have a GIS system. Mr. Scott said the Committee would have to appropriate funds to establish a system. Mr. Bogart said GIS information is on the checklist and therefore the Township doesn't have to do anything. He will provide a memorandum to the Township Clerk about the matter. Mr. Mulhall said UTEC had trained volunteers to work with the GIS system. Their version is now outdated.

Approval of Minutes: A motion to approve the minutes of the May 25, 2006 meeting was made by Mr. Rosol and seconded by Mr. Grossi.

Vote: Ayes: Mr. Rosol, Mr. Grossi, Mr. Mulhall, Mr. Martin, Mr. Lukasik, Mr. Scott
Abstain: Mr. Brandt

Correspondence: Lookout Pointe: Block 11, Lot 8: Mr. Bogart said the letter regarding the well status was discussed at the June 21, 2006 Committee meeting. Atty. Jost was asked to contact Construction Official John Leonard in order that additional building permits could be released. Mr. Grossi asked Mr. Bogart if Well 15 had been a concern of the Board. Mr. Bogart said it was not. Mr. Mulhall said Well 12 had contamination. Mr. Scott said the letter outlining HPC comments on the Albert Homestead had been distributed. He asked

Board members to apprise Mr. Martin of any comments or questions. **Union Station Associates: Block 22, Lot 19:** There were no comments on the Traffic Count Data.

Public Comment/Other Discussion: Regarding the **Pilot** application and Pre-Hearing Information Exchange, Mr. Grossi asked if applicant was required to advise the Board of potential rebuttal witnesses. Mr. Scott said he did not know how Pilot would know what to rebut. Atty. Sutphen thought that all witnesses should be listed on the Exchange.

Mr. Sutphen noted that there is a Use Variance and he wanted to know who would be giving testimony on that Variance. Mr. Scott had specifically referenced the absence of a planner on the Exchange and had brought that to the attention of Atty. Vitiello at the May 25, 2006 meeting.

ECHO Unit: Vega: Block 15, Lot 8.3, 16 Stonehaven Lane: Dennis Vega, applicant, was asking for a renewal of an approval granted in 1999 to Albert Kormondy. Mr. Vega is under contract to purchase the Kormondy property. Mr. Scott asked Mr. Vega to reaffirm that he would comply with the conditions initially imposed upon the Kormondys, such that their obligations to the Township have ended and that he would become responsible for the Unit. Mr. Vega said he understood. Atty. Sutphen said he did not believe a formal hearing would be required. Mr. Bogart said the Kormondy Resolution (Page 2, Item 6) addresses the use of the Unit. He told Mr. Vega he might want to provide information about the use. Mr. Vega said there is a letter and a copy of a birth certificate proving the age of the ECHO resident. He will provide that information. Mr. Vega said the occupant would be his mother-in-law. Mr. Bogart emphasized the requirement to secure an annual zoning permit. Mr. Bogart stressed the requirement to remove the Unit when it is no longer needed. Atty. Sutphen asked that the record reflect that applicant understands and agrees to follow all the terms and conditions of the prior Resolution. Mr. Scott asked secretary to mark the application packet Exhibit A-1.

Mr. Scott asked for comments and/or questions from the Board and the Public. He asked for a motion. The motion to approve applicant's request for renewal of the ECHO Unit for Block 15, Lot 8.3, 16 Stonehaven Lane, said renewal resulting in a transfer of the Unit from Albert Kormondy to Dennis Vega, was made by Mr. Mulhall. Mr. Grossi seconded the motion. Mr. Grossi said the purpose of the Ordinance was being carried out

Vote: Ayes: Mr. Mulhall, Mr. Grossi, Mr. Martin, Mr. Brandt, Mr. Lukasik, Mr. Rosol,
Mr. Scott

Public Comment/Other Discussion, cont'd.: Mr. Mulhall presented a concept plan for the Milligan Farm COAH Development. There would be 35 Units in 7 buildings, each building would have 5 Units. Each Unit would have one 3-bedroom, three would have 2-bedrooms and one 1-bedroom. Mary Beth Lonergan said the Township needs 36 COAH Units. Mr. Mulhall said he met with the engineer and a duplex would be added, bringing the total Units to 37. Every Unit would have its own well and septic. The Township will only own the Road. The Parking Lot areas would be a common lot and the buildings would be on individual lots. The Township would be keeping 13.362 acres. Access to the COAH Units will be discussed with Hunterdon County. Three acres would be reserved with the farmhouse. It is anticipated that the farmhouse would be auctioned. Mr. Scott asked Mr. Mulhall if the plan could be in a PDF format and posted on the Township Website. Mr. Mulhall said that could be done as the plan is developed. Mr. Grossi asked how much land would remain. Mr. Mulhall said approximately 85 acres. Mr. Grossi asked if the overall plan was to preserve that land. Mr. Mulhall said "yes".

The Township would be in compliance with the number of Units required by COAH when the 13.362 tract is developed. Mr. Mulhall said the Growth Share Ordinance was adopted in order that future developers would be required to find land to build COAH Units or provide monies toward Township obligations. Mr. Rosol said it was good to see progress. Mr. Brandt asked for clarification about the farmhouse. The intent is to sell it and have it restored. Mr. Brandt asked what would happen if there wasn't a buyer. Mr. Mulhall said the farmhouse would be included with the preserved land. He said, however, that Green Acres and the New Jersey Water Supply Authority would prefer that the Township own the buildings. Mr. Mulhall said two barns would be kept for farming purposes. Mr. Grossi asked if the development would satisfy the Township's Third Round COAH requirement. Mr. Mulhall said it would. He also said that ideally the development would be built in phases. The first buildings would satisfy Second Round requirements. The Third Round depends upon growth and if growth is not experienced, additional Units would not have to be built.

Mr. Mulhall hopes that the Committee can meet with the Planning Board in September or October 2006 to subdivide the property. His intention is to have that aspect done in order that funds can be applied for before the end of his term as a Committeeman. Mr. Grossi expressed appreciation to Mr. Mulhall for the work he did on the project.

A motion to adjourn was made by Mr. Rosol and seconded by Mr. Grossi. (7:35 p.m.)

Grace A. Kocher, Secretary