

April 9, 2009

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, Mrs. Corcoran, Mr. Ryland, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mrs. Dziubek, Mr. Walchuk, Mr. Taibi, Mr. Badenhausen, Mr. Nace

Others Present: Atty. Lloyd Tubman, Richard Smith, Robert Beylickjian, Alan Steere
Scott Eichlin

Informal: Belickjian: Block 29.02, Lot 1, 2 Stires Way: Atty. Lloyd Tubman, representing applicant, said the Belickjians propose a second residence on their property to be used by Mrs. Belickjian's parents. A variance would be required. Ms. Tubman said the Ordinance provides for an ECHO Unit and a farm caretaker's unit. Either unit could not exceed 750 square feet. The proposal is for a 1,636 square foot dwelling. Atty. Tubman gave a brief overview of the site. Block 29.02, Lot 1, which consists of 38.64 acres, is one of three farmettes that were created as part of the Brass Castle development. The proposal is for a two-bedroom unit which would be surrounded by evergreens planted many years ago, thus, shielding the structure. The modular unit would be placed on a slab. A deed restriction would limit the use of the unit to parents of the occupants of the primary residence. Applicant would be amenable to obtaining a permit annually from the zoning official. Atty. Tubman wanted to know the Board's reaction to the proposal.

Mr. Kirkpatrick asked why 1,636 square feet, versus 750 square feet, as allowed by Ordinance. Atty. Tubman said 750 s.f. is a very small unit. She asked applicant to address that issue. William Smith, Mrs. Belickjian's father, explained. He said the smallest modular is 1,275 s.f. Mr. Smith also said there would be a crawl space under the unit. Mr. Kirkpatrick said he understood the proposal would meet the Smith's current space requirements and to accommodate occasional guests. Mr. Smith replied in the affirmative. Mr. Bischoff had a question about the slab/versus crawl space. Atty. Tubman said there was a misunderstanding. The dwelling will be on a slab. Mr. Ford noted the application says either Echo or caretaker residence. Atty. Tubman said she had spoken with Atty. Anderson and is in agreement that the proposal does not meet size limitations of either an Echo or caretaker unit and that a "D" variance would be required. Mr. Ford also noted there are different requirements for ECHO and caretaker Units. ECHO units must be removed when they have served their intended purpose. Atty. Tubman was aware of the Ordinance provision and would be willing to deed restrict the unit so that it would have to be removed.

Mr. Kirkpatrick said the Board would probably ask that storm water runoff from the roof be directed into dry wells and that architectural drawings of the exterior be provided. He did not see an objection to the proposal as long as the deed restricted use of the unit to parents of the owner of the primary residence.

Atty. Tubman said the deed restriction would state that occupancy would be limited to parents of the owners of the primary residence and that the building would be removed upon cessation of that use. If the property was sold to another family with similar circumstances, the use could continue. Mr. Ford emphasized that the application would be a "D" variance and Committeeman Bischoff would not be able to participate. Mayor Dziubek would not participate either. Mr. Ford asked about the concept plan showing a second well. William Smith said although that was shown, applicant will probably connect to the existing well. Mr. Smith said it was also probable that the septic system would be connected to that which serves the primary residence. Mrs. Corcoran asked for clarification of the deed restriction. What would happen if a prospective buyer had future plans for parents to occupy the secondary unit? Atty. Tubman said the deed would state that as soon as the unit was unoccupied, it would have to be removed. Mr. Ford asked for further comments. There were none. Atty. Tubman asked the Board if applicant would have to provide all Variance Checklist items. Ms. Tubman distributed copies of the Checklist with items marked that she wanted to discuss with the Board. The issues were discussed and resolved. Mr. Kirkpatrick asked that applicant provide an aerial view of the property and indicate the location of disturbance for the proposed dwelling. Mr. Ford asked for additional landscaping around the dwelling.

Pilot Travel Centers LLC: Block 11, Lot 24.03, 68 Route 173 West: Alan Steere, representing Pilot, updated the Board on progress at the site. A Pre-construction meeting had been held with the Township Engineer, removal of asphalt had begun, clean up has started in the detention basin area and garbage is being removed from the site. Mr. Ford asked Mr. Steere if he was aware of the spill at Truck Stop of America. Mr. Steere said he was not aware of the incident. Mr. Steere mentioned the downstream defenders. He also said that oil/water separators are inspected monthly and pumped when necessary. Mr. Kirkpatrick asked when the Wastewater Treatment Plan improvements would be made. Mr. Steere said the Plan has not been approved. He understood from Whitestone that the State was not accepting or reviewing applications at this time. Mr. Kirkpatrick said the improvements were a condition of the Resolution and would be made during construction. Pilot proposed completing construction within 90 days. Mr. Steere said it was his understanding that the improvements were not required to be completed prior to reopening the facility. Mr. Kirkpatrick said that all required Permits had to be obtained. Mr. Steere will pass the information to Pilot's Attorney.

Mr. Steere said applicant moved into the temporary trailer on April 8th, 2009. Fencing has been installed. The building was closed on April 1st, 2009. Mr. Steere will report back to the Board at their May 14th Workshop.

Ordinance Revision Discussion: Number of Copies Required, Electronic (CD) , Hard Copies, Distribution, Fees, etc. A discussion was held about potential revisions to the Ordinance. Professionals will be asked whether they would prefer electronic or paper copies and if they would object to have documents mailed to them directly.. If they wanted paper copies, it would be at their expense. Board members were divided about electronic versus paper. Some of the members felt plans could be submitted at half-scale. No decisions were made. The proposed Fee Schedule was briefly discussed. No action was taken.

Motion to Adjourn: Mrs. Corcoran made a motion to adjourn. Mr. Kirkpatrick seconded the motion. (8:00 p.m.)

Vote: All Ayes

Grace A. Kocher, Secretary