

May 26, 2011

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

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

Members Absent: Mr. Bischoff, Ms. McBride, Mr. Kastrud

Others Present: Atty. Mark Anderson, Atty. Donald Morrow, Wayne Schmied

Approval of Minutes: Mr. Ryland made a motion to approve the minutes of the April 28, 2011 meeting. Mr. Nace seconded the motion.

Vote: All Ayes, No Nays, Motion Carried

Renewable Energy Ordinance: Mr. Ford asked that the Definition for Residential Scale Renewable Energy Generating Facility be revised to state that the facility is rated to generate no more than 110% of the historical energy use from the previous year. This would be consistent with the Definition for Preserved Farm Renewable Energy Generating Facility. Mr. Ford also asked that the formatting be revised to eliminate bold lettering and underlining. Mr. Ford made a motion to recommend that the Committee adopt the Renewable Energy Ordinance, with those changes. Mrs. Corcoran seconded the motion.

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

Lehigh Gas/Jutland Convenience Store: Block 13, Lot 11.01, 169 Perryville Road:

Atty. Donald Morrow was present on behalf of applicant. Mr. Morrow indicated that revised plans would be submitted to the Board. He agreed to grant an Extension of Time to Act until August 31, 2011. Mr. Kirkpatrick asked for a motion to accept Atty. Morrow's request to grant the Extension. Mr. Kirkpatrick asked Atty. Morrow to send a letter regarding the Extension.

Mr. Ford made the motion. Mr. Walchuk seconded the motion.

Vote: All Ayes, No Nays, Motion Carried

Pilot Travel Centers LLC: Block 11, Lot 24.03, 68 Route 173 West: Hydrogeologist Vincent Uhl's letter dated April 11, 2011 responding to Sovereign's letter dated February 9, 2011 regarding water usage at the site. Mr. Kirkpatrick said Mr. Uhl's letter makes a series of recommendation for Pilot to begin test pumping, as required by the Resolution. He said the Board needs to accept or reject Mr. Uhl's recommendations.

Mrs. Corcoran made a motion that the Board requires Pilot to comply with the recommendations of the Hydrologist in regard to their pump-testing program for the increase in water supply. Mr. Ford seconded the motion.

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

Correspondence: Bonnell Properties LLC: Block 24.01, Lot 1: Application to NJDOT for Major Access Permit: Mr. Ford said there is a proposal to move the building and construct parking. The building would be moved to the Town of Clinton and parking would be in Union Township. Mr. Ford said a new access is proposed from Route 173. The Committee is asking the Board's input and Professional opinion regarding the project. Mr. Kirkpatrick said there is a significant concern about moving an historic building from the Township boundary. He noted that reuse of a building that has been underutilized for decades was good. Mr. Ford said there are significant wetlands on the site. Mrs. Corcoran said there is a stream. Mr. Walchuk asked the value of the building in its dilapidated state. Would the Board prefer it remain as is? Mr. Ford said there was an alternative. The building would remain in Union Township and the parking could be in the Town of Clinton. Mr. Kirkpatrick said removal of an historic resource from the Municipal boundary would be inconsistent with the Master Plan. Mr. Walchuk said Union Township could enjoy the building's historic nature even if it was moved to Clinton.

Mr. Ford emphasized that NJDOT is being asked for a Major Access Permit. There could be multiple site plans and ample opportunity to deal with the relocation of the building. Mr. Kirkpatrick said he had concerns about a restaurant in the area, due to the high volume of traffic in the area. Mrs. Corcoran agreed.

Mr. Kirkpatrick will e-mail Mayor Bischoff summarizing the Board's concerns, including the matter of wetlands, a stream, additional traffic in an already congested area and the loss of an historic resource that would be inconsistent with the Master Plan. The Board was somewhat happy to see the reuse of an historic facility.

Pilot Travel Centers LLC: Block 11, Lot 24.03, 68 Route 173 West: Zoning Official's Report: Mr. Graham noted several violations of the Site Plan. Mrs. Corcoran asked if there was anything the Board could do to get the Zoning Official to scrutinize Pilot more. Atty. Anderson said the Board does not control the Zoning Official and the two Board members who are on the Committee were not present. He said the Board could express their dismay to the Committee. Mr. Taibi said he had not received any of the information pertaining to tonight's meeting. He said there is a problem with mail delivery in his area.

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Pilot's water usage report was briefly discussed. Mr. Kirkpatrick said he requested Mr. Clerico to forward over-usage information to the Zoning Official everyday that they exceed the amount of water allowed, as set forth in the Resolution. A violation notice should be issued.

Motion to Adjourn: There being no further business to come before the Board Mrs. Corcoran made a motion to adjourn. Mr. Ford seconded the motion. (7:40 p.m.)
Vote: All Ayes

Grace A. Kocher, Secretary