

May 12, 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, Ms. McBride, Mr. Walchuk (7:15 p.m.)
Mr. Badenhause, Mr. Kastrud, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Nace, Mrs. Corcoran, Mr. Ryland, Mr. Taibi

Others Present: Atty. Mark Anderson, Carl Hintz

Renewable Energy Ordinance: Mr. Ford said the Ordinance had been forwarded to the Township Committee in March 2011. Mayor Bischoff said the Committee discussed the Ordinance briefly and referred it back to the Board. Mr. Ford understood that the State has passed new Legislation. He asked Mr. Hintz to apprise the Board of changes to the Ordinance based on State Legislation and comments from Board members. Mr. Hintz said he also included information pertaining to an application that was denied in Greenwich Township. He referenced a large-scale grid system in Atlantic City that impacted a smaller system because there was insufficient room in the transmission lines. Mr. Hintz included language in the Ordinance to address that type of issue. He said an application for a grid scale operation would have to include information proving that the system has capacity for its own use and others who might want to connect. Whereas clauses have also been added. The Ordinance exempts solar panels from impervious coverage designations. Mr. Kirkpatrick voiced his concern about the designation because of new technology that would allow film to be laid out and could cover many acres. He said that, perhaps, definitions could include language stating that solar panels would be mounted on open-framed structures. Atty. Anderson said that would be difficult, since the State Legislation includes the definition of renewable energy systems. Mr. Kirkpatrick said that would be fine. However, he thought that solar panels could be a subset of solar energy facilities. Atty. Anderson still had concerns. He said Municipal Atty. Jost might want to look into the matter. Mr. Hintz will research further.

Mr. Hintz said the useful life of a facility is approximately twenty-five years. Developers might seek longer times to make use of updated technology. Visual impact and buffering to negate the impact of renewable energy facilities was discussed. Site plan and variance issues are addressed in the Ordinance. Mr. Hintz provided information on proposed supplements and amendments to the various Sections of the Land Use Code. Regarding glare from solar installations, Mr. Kirkpatrick emphasized that it should be prohibited since glare and glint are safety concerns. He also said that noise from inverters and fans were not to exceed a certain threshold at the property line and that noise levels could not be audible within the confines of a school, houses of worship or residential dwellings. Mr. Hintz will do further research.

Mr. Hintz will make changes to the draft ordinance prior to the Board's May 23, 2011 meeting.

Mr. Ford asked members of the public for any comments on the Renewable Energy Ordinance. A resident asked the goal of the ordinance. Mr. Hintz said the State said solar and wind facilities should be permitted under certain circumstances. Mr. Kirkpatrick said the ordinance would give the Zoning Official a mechanism to issue a permit. He said that if a barn could be built on a site, the general instruction to the Zoning Official would be that a solar facility could be built at the same location.

Mr. Hintz left after the above discussion.

Plushanski: Green/Cycle of Hunterdon, Block 22, Lot 15 & 15.01, Frontage Road:

Mr. Ford said applicant is seeking to renew the quarry license for the site. The Board is required to make a recommendation as to whether the license should or should not be renewed. Mr. Bischoff said if the Board recommended that the license be renewed it would be forwarded to the Municipal Clerk for issuance. Mr. Kirkpatrick gave a brief overview. He cited the deficiencies, i.e., there was no description of how materials would be handled and where quarrying would take place. A reclamation plan had not been provided. Additionally, Mr. Kirkpatrick said the quarry is located at the headwaters of the Sydney Brook, a Category I stream that has habitat for endangered species and there are at least two wellhead protection areas.

Mr. Kirkpatrick made a motion to deny, without prejudice, the request to renew the quarry license because of a lack of information submitted with the application. Mr. Kastrud seconded the motion.

Vote: Ayes: Mr. Kirkpatrick, Mr. Kastrud, Mr. Bischoff, Ms. McBride, Mr. Walchuk, Mr. Badenhausen, Mr. Ford

Mr. Ford said the second part of the above discussion pertains to the application of Michelle and Brian Plushanski to Hunterdon County regarding the operation of a recycling facility at the site. Mayor Bischoff had written a letter to the Freeholders expressing the Township Committee's concerns.

Correspondence: Mayor Bischoff's letter dated May 4, 2011 to Hunterdon County Freeholders apprising them of traffic problems around Exit 12. Mr. Ford mentioned another letter dated April 14, 2011 from Mayor Bischoff to Chris Barretts at NJDOT. That letter states concerns of the Committee regarding the traffic signal located at Exit 12 and asks that modification of the light at the southerly end of the overpass to provide a delayed green light be given consideration.

Other Discussion: Ms. McBride distributed copies of some signage she had seen in the Phillipsburg area. She thought that Pilot might consider using their red and yellow colors for signage that would have a more visual impact for truckers coming to the site. Mr. Ford asked about the boulders at the Pilot site. Mr. Kirkpatrick said that is a work in progress. Mayor Bischoff mentioned the problem with truckers parking on the grass by the Exxon Station. He said Mr. Severino has spoken with the owners about the situation.

There was a brief discussion of outstanding conditions of approval of the Pilot Resolution. Mr. Kirkpatrick said that Pilot is operating under a Temporary Certificate of Occupancy. He said the Zoning Official has to concur with the Township Engineer that all of the conditions of the site plan approval have been met before he can make a recommendation to the Construction Office at the N.J. Department of Community Affairs that a Permanent CO be granted. Mayor Bischoff said the Township has to sign off as well.

Motion to Adjourn: There being no further business to come before the Board Mr. Kirkpatrick made a motion to adjourn. Mr. Kastrud seconded the motion. (8:55 p.m.)
Vote: All Ayes

Grace A. Kocher, Secretary