

February 26, 2015

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

Members Present: Mr. Mazza, Mr. Hirt, Mr. Walchuk, Mr. Nace, Mrs. Corcoran, Mr. Kastrud, Mr. Ryland, Mr. Eschbach, Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Gibbons

Others Present: Atty. Mark Anderson, Engineer Robert Clerico, Atty. Joseph Novak, Engineer Steven Risse, Brian Plushanski, Atty. George Dilts, Josh Kohn, William Malenchek

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 29, 2015, as published in the Hunterdon County Democrat and January 28, 2015, 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 Municipal Clerk.

Approval of Minutes: Mr. Ford made a motion to approve the minutes of the February 12, 2015 meeting. Mr. Eschbach seconded the motion.

Vote: Ayes: Mr. Ford, Mr. Eschbach, Mr. Mazza, Mr. Hirt, Mr. Walchuk, Mr. Nace,

Abstain: Mrs. Corcoran, Mr. Kastrud, Mr. Ryland, Mr. Kirkpatrick

Mr. Kirkpatrick announced the order of the agenda was being changed. The **Green Rock Quarry License, Block 22, Lots 15 & 15.01, 3 Frontage Road** matter would be heard first.

Atty. Joseph Novak, representing applicant Green Rock and owners Brian and Michelle Plushanski, said approval is being sought from the Township Committee for the 2014 and 2015 Quarry Licenses. The Quarry Ordinance states that the Planning Board is to make a recommendation to the Committee. Mr. Plushanski is attempting to correct an unsafe condition created by quarrying on the neighboring property. Mr. Clerico gave an overview of his letter dated January 25, 2015 and noted that quarrying had been done in the fifty-foot buffer which was a deviation from the Quarry Ordinance. Mr. Clerico said the Board can only make the recommendation that the application either complies or does not comply with the Ordinance. The consensus of the Board was that the proposal would be an improvement to the property; however, it was not consistent with the Quarry Ordinance.

Mr. Ford made a motion that the proposal was inconsistent with the Quarry Ordinance and to recommend that the Township Committee consider the proposal as they discuss the issue. Mr. Eschbach seconded the motion.

Mr. Kirkpatrick said members should make any comments prior to voting in favor of the application. Mr. Hirt thought the Board should support Mr. Plushanski's proposal. Mrs. Corcoran thought the proposal

was positive. Mr. Kastrud said he would vote in favor, with the condition that no further obligations be placed on Mr. Plushanski because of non-licensed activities at the neighboring quarry. Mr. Kirkpatrick referenced the fifty-foot buffer requirement as set forth in the Quarry Ordinance. He said the buffer was designed to protect adjoining properties. However, it isn't practical since the Green Rock and Red Hills Quarries are adjoining. Their operations are winding down; therefore, it would be appropriate that the buffers be leveled.

Vote: Ayes: Mr. Ford, Mr. Eschbach, Mr. Mazza, Mr. Hirt, Mr. Walchuk, Mrs. Corcoran, Mr. Kastrud, Mr. Ryland, Mr. Kirkpatrick

Atty. Anderson will prepare a Resolution regarding the Board's action.

Issue of Completeness: Kohn/Malenchek: Block 4, Lot 2, 176 Route 173 West: Atty. George Dilts was present on behalf of applicant. Atty. Anderson recommended that Mayor Mazza and Committeeman Hirt recuse themselves from the meeting because this application may become a Board of Adjustment matter. Atty. Dilts indicated that it should be determined which Board would hear the application. Applicant had submitted an application for a minor site plan. Mr. Clerico had issued a letter dated February 25, 2015 in which he listed various checklist items that the Board could consider waiving permanently and others temporarily. Mr. Kirkpatrick indicated granting waivers outlined in Mr. Clerico's letter as well as others requested by Atty. Dilts and the E.I.S., tree surveys and additional topographic mapping could be waived because the limited land disturbance that is proposed seemed reasonable. Mr. Kirkpatrick said that well and septic system issues will need to be addressed. He also indicated that a use variance and major site plan application are required. Mr. Kirkpatrick suggested that applicant and Mr. Clerico confer on issues to be addressed prior to the next Board meeting which is scheduled for March 26, 2015.

Mr. Kirkpatrick asked for a motion to deem the application incomplete. Mr. Walchuk made the motion. Mrs. Corcoran seconded the motion.

Vote: Ayes: Mr. Walchuk, Mrs. Corcoran, Mr. Nace, Mr. Kastrud (with the condition that applicant acknowledge Mr. Clerico's letter regarding waivers), Mr. Ryland, Mr. Eschbach, Mr. Ford, Mr. Kirkpatrick

Mr. Kirkpatrick apprised applicant that the Board will require specific information about the proposed uses.

Comments from the Public/Other Discussion: None

Motion to Adjourn: Mrs. Corcoran made a motion to adjourn. Mr. Ryland seconded the motion. (7:40 p.m.)

Vote: All Ayes

Grace A. Kocher

