

LAND USE OFFICE
TOWNSHIP OF UNION

908-735-8168

FAX: 908-735-8258

Hunterdon County, State of New Jersey
140 Perryville Road
Hampton, New Jersey 08827

APPLICATION PACKET INCLUDES THE FOLLOWING:

1. Secretary's letter to all applicants
2. Application Form
3. W-9 Form
4. Escrow Replenishment Form
5. Checklist – Schedule "A"
6. Schedule "B"
7. Schedule "C"
8. Schedule "D"
9. Tree Removal Permit
10. Impact Statement Checklist
11. Pre-Hearing Information Exchange
12. Time for Decision; Consent to Extension; Notice
13. HCDH Environmental Health Service Fees
14. HCPB Development Review Checklist

TOWNSHIP OF UNION, COUNTY OF HUNTERDON, STATE OF NEW JERSEY
PLANNING BOARD/BOARD OF ADJUSTMENT APPLICATION

1. TYPE OF APPLICATION Single Family Residence Addition requiring Variance Relief
(If additional space is required, attach a rider).

2. APPLICANT'S FULL LEGAL NAME Andrew Pecoraro

3. APPLICANT'S MAILING ADDRESS 61 Race Street Pittstown NJ 08867

4. IS APPLICANT A CORPORATION PARTNERSHIP INDIVIDUAL

5. APPLICANT'S TELEPHONE NO. _____ FAX NO: _____

6. DOES APPLICANT OWN ALL OF THIS PROPERTY? YES
NO (Consent attached)

7. IF APPLICANT IS NOT OWNER, LIST NAMES AND ADDRESSES BELOW:

8. LOCATION OF PROPERTY (Street Address) _____

BLOCK(S) 25 LOT(S) 2 ZONE CM SIZE 2.41 Acres

9. REGARDING ALL PROPERTY DESCRIBED IN ANSWER TO QUESTION #6,
SET FORTH, IN DETAIL, THE NATURE AND SOURCE OF THE LEGAL OR
BENEFICIAL RIGHT BY WHICH YOU ARE PURSUING THIS APPLICATION.

10. PRESENT USE OF PROPERTY Single Family Residence

11. PROPOSED USE Single Family Residence

12. DESCRIPTION OF PROPOSED STRUCTURES OR CHANGES IN EXISTING
STRUCTURES

A proposed attached garage addition to the existing residence. A proposed relocation of the existing driveway
to connect to proposed garage door location

TOWNSHIP OF UNION, PLANNING BOARD/BOARD OF ADJUSTMENT
APPLICATION, PAGE 2

13. WAS TRACT SUBDIVIDED PREVIOUSLY? YES ___ NO
IF YES, WHEN _____

14. AREA OF ENTIRE TRACT 2.41 ACRES, OR SQUARE FEET 104,974
AREA OF PORTION TO BE DEVELOPED .010 ACRES
SQUARE FEET _____ NUMBER OF PROPOSED LOTS _____

15. APPLICANT PLANS TO DEVELOP PROPERTY BY: SELLING LOTS _____
CONSTRUCTING HOUSES TO SELL AT \$ _____ OTHER _____

16. DOES SITE ADJOIN ANY COUNTY ROAD? No
STATE HIGHWAY? No FLOOD HAZARD AREA Yes - DEP Approval obtained and attached herein

17. WILL USE CONNECT TO SEWER OR UTILIZE SEPTIC SYSTEM ex. septic on site

18. LOCATION AND SIZE OF NEAREST WATER UTILITY LINE ex. well onsite

19. ARE EXTERIOR UTILITY SYSTEMS TO BE INSTALLED ON THIS SITE?
PROPANE TANKS _____ TRANSFORMERS _____ AC UNITS _____

20. ARE ANY NEW STREETS, EXTENSION OF MUNICIPAL FACILITIES OR
UTILITIES INVOLVED IN THIS DEVELOPMENT? YES _____ NO _____

21. IF ANY VARIANCES ARE REQUIRED, CIRCLE THOSE SECTIONS OF THE
MUNICIPAL LAW THE VARIANCE COMES UNDER: A B D E F G H

22. DESCRIBE VARIANCE REQUESTED A front yard setback variance for the location of the garage addition is required
A variance is requested for Max. impervious surface ratio of 0.04 where 0.03 is required. The site as an existing nonconforming Lot Area not to be changed as part of this application. The site has an existing non conformity to Gross Density not changing with this application

23. SECTION(S) OF ORDINANCE FROM WHICH VARIANCE IS REQUESTED

Section 30-4.2

24. REASONS FOR REQUESTING VARIANCE (S) Applicant is seeking to construct an attached garage to existing

residence, the location of the residence is located within the front yard setback and the proposed addition would as well. The applicant is seeking to improve ingress and egress to the property by relocating the driveway for better maneuvering on site to eliminate the need for backing up on Race Street.

TOWNSHIP OF UNION, PLANNING BOARD/BOARD OF ADJUSTMENT
APPLICATION, PAGE 3

25. HAVE THERE BEEN ANY PREVIOUS PLANNING BOARD OR BOARD OF
ADJUSTMENT HEARINGS INVOLVING THIS PROPERTY? YES ___ NO X

26. IF THE ANSWER TO #24 IS YES, STATE THE DATE OF THE HEARING,
NATURE AND DISPOSITION _____

27. APPLICANT'S ATTORNEY (CORPORATION MUST BE REPRESENTED BY
ATTORNEY) NAME _____ PHONE _____

ADDRESS _____

FIRM _____

28. A TAX AND ASSESSMENT PAYMENT REPORT INDICATING ALL TAXES
AND/OR ASSESSMENTS REQUIRED TO BE PAID IS ATTACHED.

29. ARE ANY EASEMENTS OR SPECIAL COVENANTS BY DEED INVOLVED IN
THIS SITE? YES X NO _____ IF YES, ATTACH COPY.

I CERTIFY THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE. I
AM AWARE THAT IF ANY OF THE FOREGOING STATEMENTS MADE BY ME
ARE WILLFULLY FALSE, I AM SUBJECT TO PUNISHMENT FOR CONTEMPT
OF COURT.

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 8th DAY OF December

BY Andrew F. Pecoraro Andrew F. Pecoraro, APPLICANT

NOTARY PUBLIC Eileen M Eddins

AUTHORIZATION OF SIGNATURE (If applicant is a corporation) My Commission Expires Jan. 25, 2024
I.D.# 2221317

THIS WILL CERTIFY THAT _____

TITLE _____ OF (Corporation name and address) _____

who subscribed to the above application for development in the Township of Union,
County of Hunterdon, State of New Jersey, has been authorized by this corporation
to do so.

ATTEST _____

UNION TOWNSHIP PLANNING BOARD/BOARD OF ADJUSTMENT
APPLICATION, PAGE 4

ADDRESS ALL CORRESPONDENCE CONCERNING THIS APPLICATION TO:

APPLICANT OWNER ATTORNEY

NAME Andre Pecoraro

ADDRESS 61 Race Street Pittstown NJ 08867

REV.04/06/10

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Name (as shown on your income tax return)
Andrew F. Pecoraro

Business name, if different from above

Check appropriate box: Individual/Sole proprietor Corporation Partnership
 Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶ Exempt payee
 Other (see instructions) ▶

Address (number, street, and apt. or suite no.)
61 Race St

City, state, and ZIP code
Pittstown NJ 08867

List account number(s) here (optional)

Requester's name and address (optional)

TIN Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities; it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number
138 144 7278

or

Employer identification number

Part I Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

Certification Instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Sign Here Signature of U.S. person **Andrew Pecoraro** Date **12/8/2020**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you; real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued);
- Certify that you are not subject to backup withholding;
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien;
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
- An estate (other than a foreign estate); or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,

TOWNSHIP OF UNION LAND USE CODE: SECTION 30-11

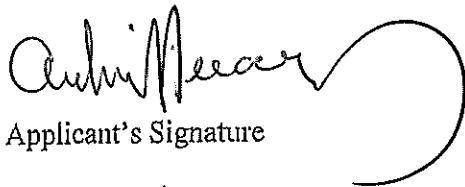
REPLENISHMENT OF ESCROW ACCOUNTS

The escrow associated with each application shall be replenished whenever the original escrow is reduced by charges or anticipated charges against the account to thirty-five (35%) percent or less of the original amount. The Chief Financial Officer shall notify the applicant to replenish the escrow, and the applicant shall upon request deposit up to one hundred (100%) percent of the original escrow account. In addition to all of the above, if the Chief Financial Officer shall determine that the estimated anticipated cost of professional review and services exceeds any of the foregoing amounts, the Chief Financial Officer shall require such additional amounts as shall be required to cover such expenses. No further consideration, review, processing or inspection shall be performed by or on behalf of the Board until the additional escrow has been paid.

I, the undersigned applicant, have reviewed and understand Section 30-11 of the Land Use Code of the Township of Union.

Andrew F. Pecoraro

Applicant's Name (Printed)



Applicant's Signature

12/8/2020
Date

ARTICLE 30-26 CHECKLISTS

An application shall not be considered complete until all the material and information specified below has been submitted unless, upon receipt of written request from the applicant, a specific requirement is waived by the Planning Board and Board of Adjustment.

- a. Schedule "A" General Requirements. The following general requirements are Applicable to all submissions.
 1. Twenty-seven (27) copies of the appropriate application form(s) completely filled in. If any item is not applicable to the applicant, it should so be indicated on the application form(s).
 2. Certification from the Tax Collector that all taxes are paid and assessments on the property are paid.
 3. Receipt indicating that all fees are paid.
 4. Name and address of owner.
 5. Affidavit of Ownership. If applicant is not the owner, state the applicant's interest in the land and consent of owner to file application.
 6. If a corporation or partnership, list the names and address of all stockholders or individual partnership owning at least ten (10%) percent of its stock of any class as required by N.J.S.A. 40:55D-48.1 et seq.
 7. Twenty-seven (27) copies of any required plot plan, site plan, or subdivision plan.
 8. Number of witnesses and their expertise, if any.
 9. Statement as to any requirements for which waiver is sought, together with a statement of reasons why waivers should be granted.
 10. A completed checklist.

b. *Schedule "B"*. Schedule "B" is applicable to minor and major subdivisions, preliminary and final site plans, and preliminary and final major subdivisions.

	Minor Site Plan	Minor Sub.	Prelim. Site Plan	Prelim. Major Sub	Final Site Plan	Final Major Sub.
PLAT SPECIFICATIONS						
1. Plat clearly and legibly drawn or reproduced at a scale not smaller than one inch equals one hundred feet.	X	X	X	X	X	X
2. All documents must be signed and sealed by appropriate N.J. licensed professional person.	X	X	X	X	X	X
3. Plat prepared to scale based on deed description or other reasonable accurate data for the purpose of review and discussion by the Planning Board.	X	X	X	X	X	X
GENERAL INFORMATION						
4. Metes and bounds description of parcel in question based upon current on-site land survey information showing the date the survey was performed.	X	X	X	X	X	X
5. Property line shown in bearings and distances. Bearings to be in degree, minutes, and seconds. Curves to have are length, radius chord bearings and distances.	X	X	X	X	X	X
6. Key map, based on tax map, showing location of tract to be considered in relation to surrounding area, within 1,000 feet.	X	X	X	X	X	X

	Minor Site Plan	Minor Sub.	Prelim. Site Plan	Prelim. Major Sub	Final Site Plan	Final Major Sub.
PLAT SPECIFICATIONS						
7. Title block containing name and address of applicant, preparer and preparer's seal, lot and block numbers, date prepared, date of lat revision, and zoning district. Title block must comply with Title 46 (Map Filing Law).	X	X	X	X	X	X
8. Each block and lot numbered in conformity with the municipal tax map as determined by the municipal tax assessor.	X	X	X	X	X	X
9. Scale of map, both written and graphic.	X	X	X	X	X	X
10. North arrow giving the basis of the bearing reference.	X	X	X	X	X	X
11. Space for signatures of Chairman and Secretary of the Planning Board.	X	X	X	X	X	X
12. Names and addresses of all property owners within 200 feet of subject property.	X	X	X	X	X	X
13. Location of existing and proposed property lines with nearest hundredth.	X	X	X	X	X	X
14. Acreage of affected parcel to the nearest hundredth of an acre.	X	X	X	X	X	X
15. Zoning district in which parcel is located, indicating all setbacks, height, and floor area ratio, both as to required and proposed indicate the above both written and graphically.	X	X	X	X	X	X

	Minor Site Plan	Minor Sub.	Prelim. Site Plan	Prelim. Major Sub	Final Site Plan	Final Major Sub.
PLAT SPECIFICATIONS						
16. Performance standards if applicable, such as impervious surface ratio open space ratio, and density.	X	X	X	X	X	X
17. Number of lots resulting from a subdivision including areas in acres if one acre or over or in square feet if under one acre.		X		X		X
18. Site capacity calculations.	X	X	X	X	X	X
NATURAL FEATURES						
Applicant should refer to Township NRI or provide most recent mapping available from Hunterdon County Geographic Information System (GIS) or NJ Department of Environmental Protection GIS.						
19. Aerial (satellite) photo using NJDEP 2002 imagery	X	X	X	X		
20. Topography of the site and within 200 feet thereof.	X	X	X	X		
21. Steep slopes (Twp NRI)	X	X	X	X		
22. Contours in intervals of 2-feet up to 10% grade and 5-feet over 10% grade.	X	X	X	X		
23. Bedrock Geology (Twp NRI)	X	X	X	X		
24. Surficial geology (Twp NRI)	X	X	X	X		
25. Floodplains	X	X	X	X	X	X
26. Wetlands (Using Twp NRI if no LOI submitted)	X	X	X	X	X	X
27. Natural and artificial watercourses, waterbodies and encroachment lines.	X	X	X	X	X	X
28. C-1 Category Streams and 300' buffers	X	X	X	X	X	X

PLAT SPECIFICATIONS	Minor Site Plan	Minor Sub.	Prelim. Site Plan	Prelim. Major Sub	Final Site Plan	Final Major Sub.
29. Wooded areas including predominant association and size.	X	X	X	X	X	X
30. Location of trees 10 inches in diameter, as measured 4 feet above ground level, outside of wooded areas, designing species of each.	X	X	X	X	X	X
31. Soil types as shown by the current Soil Conservation Service Survey Maps. (or using Twp. NRI)	X	X	X	X	X	X
32. Agricultural Soils (Twp. NRI)	X	X	X	X	X	X
33. Erodible Soils (Twp. NRI)	X	X	X	X	X	X
34. Aquifers and Community Wells (Twp. NRI)	X	X	X	X	X	X
35. Septic Suitability (Twp. NRI)	X	X	X	X	X	X
36. Natural Heritage Database & NJ Landscape Data (Twp. NRI)	X	X	X	X		
37. Areas in which construction is precluded due to the presence of natural resources restrictions.	X	X	X	X		
38. All areas to be disturbed by grading or construction.	X	X	X	X		

	Minor Site Plan	Minor Sub.	Prelim. Site Plan	Prelim. Major Sub	Final Site Plan	Final Major Sub.
PLAT SPECIFICATIONS						
MAN-MADE FEATURES ON SITE AND WITHIN 200 FEET THEREOF						
39. Location of existing structures and their setbacks from existing and proposed property lines	X	X	X	X	X	X
40. Location of existing easements or rights-of-way including power lines.	X	X	X	X	X	X
41. Location of existing railroads, bridges, culverts, drain-pipes, water and sewer mains, and other man-made installations affecting the tract.	X	X	X	X	X	X
42. Location of existing wells and septic systems.	X	X	X	X		
43. Location, results, and date of all percolation tests and soil logs for each lot.	X	X	X	X		
44. Plans and profiles of proposed streets.		X	X	X	X	X
45. Plans and profiles of proposed utility layouts, such as sewers, storm drains, water, gas and electric, showing feasible connections to existing or proposed utility systems.		X	X	X	X	X

	Minor Site Plan	Minor Sub.	Prelim. Site Plan	Prelim. Major Sub	Final Site Plan	Final Major Sub.
PLAT SPECIFICATIONS						
46. Location and description of monuments whether set or to be set of all corners found, set, to be set, and specific type (ie. Rebar, iron pipe, railroad spike, p.k. nail, etc.)	X	X			X	X
47. Location, names and widths of all existing and proposed streets on the property and within 200 feet of the tract.	X	X	X	X	X	X
48. Required road dedication.	X	X	X	X	X	X
49. Sketch of prospective future street system of the entire tract where a preliminary plat covers only a portion thereof.			X	X		
MISCELLANEOUS						
50. Proposed sight easements where required.	X	X	X	X	X	X
51. Proposed drainage easements where required.	X	X	X	X	X	X
52. Soil Erosion and Sediment Control Plan in accordance with Sec. 30-25 et seq. of this Ordinance.	X	X	X	X		
53. Stormwater Management Plan in accordance with Sec. 30-24 et seq. of this Ordinance.	X	X	X	X		

PLAT SPECIFICATIONS	Minor Site Plan	Minor Sub.	Prelim. Site Plan	Prelim. Major Sub	Final Site Plan	Final Major Sub.
54. Landscaping plan including the types, quantity, size, and location of all proposed vegetation, along with planting specifications. The scientific and common name of all vegetation shall be included. Landscaping plan to be prepared by a certified landscape architect.	X	X	X	X	X	X
55. Impact Statement in accordance with Sec. 30-7.9 of this Ordinance.	X	X	X	X	X	X
56. Copies of covenants and deed restrictions, if any, existing rights-of-way or easements including easements by use.	X	X	X	X	X	X
57. The purpose of any proposed easement of land reserved or dedicated to public or common use shall be designated.	X	X	X	X	X	X
58. Any sections for which a waiver is specifically requested and a narrative paragraph explaining why the applicant is entitled to such waiver.	X	X	X	X	X	X
59. A letter of interpretation regarding wetlands from the New Jersey Department of Environmental Protection.	X	X	X	X	X	X
60. As-built plans					X	X
61. Aquifer Test and Analysis	X	X	X	X		
62. Carbonate Area District Investigations.	X	X	X	X		

- c. *Schedule "C"*. Schedule "C" is applicable to applications made under paragraphs a., b., c., and d. of N.J.S.A. 40:55D-70 and applications for conditional uses and planning variances and is applicable regardless of which Board the application is made to.

	"A" Appeal	"B" Interpre- tation Or Special Question	"C" Variance	"D" Variance	Condi- tional Use	Planning Variance
PLAT SPECIFICATIONS						
1. Plat clearly and legibly drawn or reproduced at a scale not smaller than one inch equals one hundred feet.			X	X	X	X
2. All documents must be signed and sealed by appropriate N.J. licensed professional person.			X	X	X	X
3. Plat prepared to scale based on deed description or other reasonable accurate data for the purpose of review and discussion by the Planning Board.			X	X	X	X
GENERAL INFORMATION						
4. Metes and bounds description of parcel in question based upon current on-site land survey information, showing date survey was performed.			X	X	X	X
5. Property line shown in bearings and distances. Bearings to be in degree, minutes, and seconds. Curves to have arc length, radius chord bearings and distances.			X	X	X	X

	"A" Appeal	"B" Interpre- tation Or Special Question	"C" Variance	"D" Variance	Condi- tional Use	Planning Variance
PLAT SPECIFICATIONS						
6. Key map, based on tax map, showing location of tract to be considered in relation to surrounding area within 1,000 feet.			X	X	X	X
7. Title block containing name and address of applicant, preparer and preparer's seal, lot and block numbers, date prepared, date of last revision, and zoning district. Title block must comply with Title 46 (Map Filing Law).			X	X	X	X
8. Each block and lot numbered in conformity with the municipal tax map as determined by the municipal tax assessor.			X	X	X	X
9. Scale of map, both written and graphic.			X	X	X	X
10. North arrow giving the basis of the bearing reference.			X	X	X	X
11. Space for signatures of Chairman and Secretary of the Planning Board.			X	X	X	X
12. Names and addresses of all property owners within 200 feet of subject property.	X	X	X	X	X	X
13. Location of existing and proposed property lines with dimensions in feet to the nearest hundredth.			X	X	X	X
14. Acreage of affected parcel to the nearest hundredth of an acre.			X	X	X	X

"A" "B" "C" "D" Condi- Planning
Appeal Interpre- Variance Variance tional Variance

	"A" Appeal	"B" Interpre- tation Or Special Question	"C" Variance	"D" Variance	Condi- tional Use	Planning Variance
PLAT SPECIFICATIONS						
26. Wetlands (<i>Using Twp. NRI if no LOI submitted</i>)					X	X
27. Natural and artificial watercourses, waterbodies, and encroachment lines.					X	X
28. C-1 Category Streams and 300' buffers.			X	X	X	X
29. Wooded areas including predominant association and size.					X	X
30. Location of trees 10 inches in diameter, as measured 4 feet above ground level, outside of wooded areas, designating species of each.					X	X
31. Soil types as shown by the current Soil Conservation Service Survey maps (<i>or using Twp. NRI</i>).					X	X
32. Agricultural soils (<i>Twp. NRI</i>).		X	X	X		X
33. Erodible soils (<i>Twp. NRI</i>)		X	X	X		X
34. Aquifers and Community Wells (<i>Twp. NRI</i>).		X	X	X		X
35. Septic Suitability (<i>Twp. NRI</i>).		X	X	X		X
36. Natural Heritage Database & NJ Landscape Data (<i>Twp. NRI</i>).		X	X	X		X

	"A" Appeal	"B" Interpre- tation Or Special Question	"C" Variance	"D" Variance	Condi- tional Use	Planning Variance
PLAT SPECIFICATIONS						
MAN-MADE FEATURES ON SITE AND WITHIN 200 FEET THEREOF						
39. Location of existing structures and their setbacks from existing and proposed property lines.	X				X	X
40. Location of existing easements or rights-of-way including power lines.	X				X	X
41. Location of existing railroads, bridges, culverts, drain-pipes, water and sewer mains, and other man-made installations affecting the tract.			X		X	X
42. Location of existing wells and septic systems.			X		X	X
43. Location, results, and date of all percolation tests and soil logs for each lot.			X	X	X	X
44. Plans and profiles of proposed streets.			X		X	X
45. Plans and profiles of proposed utility layouts, such as sewers, storm drains, water, gas and electric, showing feasible connections to existing or proposed utility systems.			X		X	X
46. Location and description of monuments whether set or to be set of all corners found, set, to be set, and specific type (ie. Rebar, iron pipe, railroad spike, p.k. nail, etc.)		X			X	X

	"A" Appeal	"B" Interpre- tation Or Special Question	"C" Variance	"D" Variance	Condi- tional Use	Planning Variance
PLAT SPECIFICATIONS						
47. Location, names, and widths of all existing and proposed streets on the property and within 200 feet of the tract.			X		X	X
48. Required road dedication.			X		X	X
49. Sketch of prospective future street system of the entire tract where a preliminary plat covers only a portion thereof.			X		X	X
MISCELLANEOUS						
50. Proposed site easements where required.					X	X
51. Proposed drainage easements where required.					X	X
52. Soil Erosion and Sediment Control Plan in accordance with Sec. 30-25 et seq. of this Ordinance.					X	X
53. Stormwater Management Plan in accordance with Sec. 30-24 et seq. of this Ordinance.					X	X
54. Landscaping plan including the types, quantity, size, and location of all proposed vegetation, along with planting specifications. The scientific and common name of all vegetation shall be included Landscape plan to be prepared by a certified landscape architect.	X	X	X	X	X	X
55. Impact Statement in accordance with Sec. 30-7.9 of this Ordinance.	X	X	X	X	X	X

	"A" Appeal	"B" Interpre- tation Or Special Question	"C" Variance	"D" Variance	Condi- tional Use	Planning Variance
PLAT SPECIFICATIONS						
56. Copies of covenants and deed restrictions, if any, existing rights-of-way or easements including easements by use.	X	X	X	X	X	X
57. The purpose of any proposed easement of land reserved or dedicated to public or common use shall be designated.	X	X	X	X	X	X
58. Any sections for which a waiver is specifically requested and a narrative paragraph explaining why the applicant is entitled to such waivers.	X	X	X	X	X	X
59. A letter of interpretation regarding wetlands from the New Jersey Department of Environmental Protection, as applicable.	X	X	X	X	X	X
60. As-built plans.					X	X
61. Aquifer Test and Analysis.			X	X	X	X
62. Carbonate Area District Investigations.			X	X	X	X

d. *Schedule "D"*. For site plans involving new wireless telecommunications antenna towers, the following additional information shall also be provided:

1. The applicant must demonstrate that the facility owner(s) is (are) capable of ensuring continued site safety, timely maintenance and compliance with all applicable local, State and Federal regulations.
2. Calculations of expected radio-frequency emission levels at the nearest structure in each direction from the proposed facility shall be provided.
3. A report shall be submitted provided the technical justifications for the design and location of any proposed antenna(s) and tower(s) consistent with subsection 30-5.5f, 5. Such report shall also include documentation of the structural integrity of all proposed installations and their compliance with applicable minimum safety requirements and margins as well as a description of the general capacity of the facility in terms of the number and type of antennas it can support.
4. A proposed landscaping plan demonstrating satisfaction of the requirements of subsection 30-5.5f, 5.
5. A proposed lighting plan demonstrating satisfaction of the requirements of subsection 30-5.5f, 5.
6. Proof of ownership of the proposed site or of authorization to utilize it in the form of a lease agreement or contract of sale including any existing or proposed easements.
7. In the case of a new tower, a letter of commitment stating the intent and capacity of lease tower and equipment space to other users, including direct competitors, at prevailing rates and standard terms in compliance with the co-location requirements of subsection 30-5.5f, 5. Such letter shall commit the tower owner and successors in interest and shall be recorded prior to the issuance of a Construction Permit.
8. A visual impact study:
 - (a) Indicating the topography of the selected site relative to the surrounding areas.

- (b) Presenting elevations of the proposed new tower, or elevations of the existing building or structure on which an antenna or antenna array is proposed to be mounted, and elevations of all proposed accessory building(s) depicting all proposed antennas, platforms, finish materials, and other accessory equipment; and
- (c) Identifying locations within a three-mile radius of the site from which any proposed new tower will be visible;
- (d) A noise impact analysis including measurements of existing sound levels at property lines and projections of the anticipated sound levels after the proposed installation;
- (e) A historic impact analysis evaluating the effect of views of the proposed new tower on existing historic resources within the Township of Union and indicating compliance with any applicable requirements of the National Register of Historic Places Act, 16 U.S.C.A. 470, as amended, and the Regulations adopted pursuant thereto.

II. All ordinances or parts of ordinances which are inconsistent with the terms of this ordinance are hereby repealed to the extent of such inconsistency.

III. If the provision of any Article, Section, Subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by any Court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of such Article, Section, Subsection, paragraph, subdivision or clause, and to this end, the provisions of this ordinance are hereby declared to be severable.

IV. This ordinance shall take effect upon formal adoption by the governing body of the Township of Union, and publication in the official newspaper of the Township, and the subsequent filing of a certified copy thereof with the Hunterdon County Planning Board in accordance with C. 40:55D-16 of the New Jersey Municipal Land Use Law.

**TOWNSHIP OF UNION
COUNTY OF HUNTERDON**

Applicant, Andrew Pecoraro

Block: 25

PRE-HEARING
INFORMATION EXCHANGE

Lot: 2

Street Address: 61 Race Street Pittstown NJ 08867

Counsel of Record: Self Represented

1. List of Witnesses Expected to Testify-Please list each witness in the order in which they are expected to testify. This information will be used for scheduling purposes. Every effort will be made to allow the applicants case to be presented in a timely and efficient manner.

WITNESS NAME	TITLE (Applicant, Engineer, Planner, Etc...)	Anticipated length of Testimony
Andrew Pecoraro	Applicant	0.5 hours
Scott Eichlin	Architect	0.25 hours
Wayne Ingram	Engineer and Planner	1 hour

2. List of Reports and other documents submitted to the Board in connection with the application.

Variance Plans
Boundary Survey
NRI Maps
Phase 1 Geologic Investigation
Site Capacity Calculations
NJDEP Land Use Permits
Architectural Drawings

3. List of Exhibits To Be Used During The Hearing

<u>Pre-marked Identification</u>	<u>Description</u>
P-1	Application
P-2	Proof of Service of Notice/Return Receipt Cards
P-3	Affidavit of Proof of Publication
P-4	Variance Plans prepared by E&LP
P	
P	
P	

4. List Each Ordinance or Other Design Requirement from which the Applicant seeks relief.

5. Describe all relief sought by the applicant making sure to include a specific description of all relief sought, a brief description of why the relief is necessary and a reference to the type of relief sought (i.e. C(1) Variance-Hardship Variance, C(2) Variance, D(1) Variance-Use Variance, D(2) Variance-Non-conforming Use, D(3)-Conditional Use, D(4)-FAR Variance, D(5) Variance-Density, D(6) Height Variance, Preliminary and/or Final Site Plan Approval, Subdivision Approval, Other).

6. List all Issues to be addressed to Board (i.e. Burden of Proof, Positive Criteria, Negative Criteria, etc.). Your response should include a summary of your position as to what must be proven by the applicant. Additionally, any case law or other legal precedent that the applicant intends to rely upon in seeking relief should be identified by proper citation.

UNION TOWNSHIP
PLANNING BOARD/BOARD OF ADJUSTMENT
RULES AND REGULATIONS

2.3.5(a) Time for Decision; Consent to Extension; Notice

Pursuant to the Municipal Land Use Law (hereinafter "M.L.U.L."), once the Board has determined that an application is complete pursuant to N.J.S.A. 40:55D-10.3, the Planning Board / Board of Adjustment must make its final decision within the following time periods:

1. Application for a subdivision of 10 or fewer lots – within 45 days (*N.J.S. 40:55D-48*)
2. Application for a subdivision of more than 10 lots – within 95 days (*N.J.S. 40:55D-48*)
3. Application for a minor site plan or minor subdivision – within 45 days (*N.J.S. 40:55D-46.1 and 47*)
4. Application for site plan which involves 10 acres of land or less and 10 or fewer dwelling units – within 45 days (*N.J.S. 40:55D-46*)
5. Application for site plan involving more than 10 acres or more than 10 dwelling units – within 95 days (*N.J.S. 40:55D-46*)
6. Application for conditional use – within 95 days (*N.J.S. 40:55D-61*)
7. Application for general development plan of a parcel greater than 100 acres as a planned development – within 95 days (*N.J.S. 40:55D-45.3*)
8. Simultaneous application for a variance with a site plan, subdivision or conditional use approval – within 120 days (*N.J.S. 40:55D-73*)

The Municipal Land Use Law mandates a decision by the municipal board within the established time periods, otherwise, the board shall be deemed to have granted approval of the application. However, the applicant / developer may consent to grant to the Board further time in which to make its final decision.

A. TIME FOR DECISION. The Union Township Planning Board / Board of Adjustment has determined that a reasonable extension time period to which an applicant / developer may consent to "such further time" shall be no longer than twice the time period as statutorily established for a decision by the applicable section of the M.L.U.L. (see above). The Board may consider the grant of a further extension of this reasonable time period, under specific, extenuating circumstances, based upon a specific problem(s) in a project, and on a case-by-case basis.

In the event that the applicant / developer fails to comply with the applicable time limitation as set forth in the Statute, and as may have been extended under the provisions of this policy with regard to the acceptance by the Board of a consent to the extension of time in which the Board may make its final decision, the Board at its next regular hearing shall render its final decision on the application based on the existing information and documents which the applicant has submitted to the Board, and such final decision shall include the right of the Board to deny the applicant's / developer's application, without prejudice.

B. REQUEST / GRANT OF EXTENSION. Any and all requests for an adjournment of a regularly scheduled hearing, or an adjourned hearing date, whether made within the time periods established by the M.L.U.L. or such extended period of time, shall be made by the applicant / developer or their legally authorized representative, who shall personally appear at the hearing of the Board at which the application was listed for hearing so as to provide a detailed report on the status of the project and the basis for the proposed adjournment or consent for an extension of time to be granted to the Board for its final decision. The proposed consent to extension shall be in writing on forms available from the Board Secretary. All considerations by the Board in accepting the consent for further time for the Board to render its decision shall be on a month-to-month basis and only for a single month until the next regularly scheduled meeting of the Board. Each proposed adjournment or consent to such further time for the Board to act shall require a personal appearance by the applicant or its representative.

C. ADDITIONAL NOTICE. In the event that an application has been adjourned or a consent for Board action has been granted and accepted by the Board which results in the lapse of more than sixty days from the last presentation of testimony before the Board, or upon determination by the Board, then and in that event, the applicant shall be required to re-notice its application, and shall provide Notice in accordance with the provisions of *N.J.S. 40:55D-12, et. seq. - Notice of Applications*, and provide proof thereof prior to the continuation of the adjourned or extended hearing.

UNION TOWNSHIP
PLANNING BOARD/BOARD OF ADJUSTMENT
RULES AND REGULATIONS

2.3.5 Continuances. All cases may be continued to another date certain, which shall be the next regularly scheduled Board meeting, unless otherwise determined by the Board. The Chair shall announce to all those present the date and time to which the hearing on the matter is continued. The applicant shall give such notice as hereinafter established under Section 2.3.5(a), or as directed by the Chair. However, if the matter is continued to a special meeting, notice shall be provided in accordance with *N.J.S. 40:50D-12, et. seq.* The Board reserves the right to continue a hearing on its own motion for purposes of further consideration, subject to the limitations of time as hereinafter provided. The Board may also grant reasonable requests of interested parties to continue a matter in order to afford such parties sufficient time to prepare, engage counsel, present witnesses or for other good cause. However, the Board shall do so only to the extent that the applicant's interests are not unduly compromised or prejudiced with respect to the applicant's protected interests pursuant to prevailing law. Where adjournment for a continuance would extend beyond the statutory period within which the Board is required to act, the consent of the applicant shall be in accordance with procedures established herein (Section 2.3.5(a)) and also shall be confirmed in writing on the form of consent available from the Board Secretary.

ORDINANCE #2009-6
AN ORDINANCE TO AMEND THE LAND USE CODE,
OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY,
NEW JERSEY REGARDING APPLICATION FEES AND
ESCROW DEPOSITS FOR SUBDIVISIONS; SITE PLANS;
VARIANCES; OTHER (LAND USE AMENDMENT # _____)

BE IT ORDAINED, by the Township Committee of the Township of Union, Hunterdon County, New Jersey, that the Land Use Code of the Township of Union is hereby amended as follows:

- I. Amend Section 30-11.5d.1. as follows, deletions (thusly); additions thusly;
- d. 1. Application Fees and Escrow Deposits for Subdivisions; Site Plans; Variances; Other.

<i>Type of Application</i>	<i>First Check Nonrefundable Application Charge</i>	<i>Second Check Applicant's Escrow Fund</i>
1. <u>Informal (conceptual) review</u>		
<u>Existing single family</u>	<u>\$100.00 per meeting*</u>	\$1,500.00 (if professional review requested by the applicant)
<u>All others</u>	<u>\$300.00 per meeting*</u>	\$1,500.00 (if professional review Requested by the applicant)
2. <u>Subdivisions</u>		
Boundary line change or merger of portions of adjoining properties	\$400.00	\$1,500.00
Minor	\$200.00, plus \$250.00 per lot	\$1,500.00 per lot
Preliminary major	\$500.00, plus \$200.00 per lot	\$1,000.00, plus \$400.00 per lot; minimum \$3,000.00
Final major	\$500.00, plus \$100.00 per lot	\$400.00, plus \$150.00 per lot; minimum \$1,500.00
3. <u>Site Plans</u>		
Site plan waiver	\$200.00	\$1,000.00
Minor	\$350.00, plus \$0.05 per square foot of proposed new building area, plus \$0.01 per square foot of site area to be disturbed	\$1,500.00

<i>Type of Application</i>	<i>First Check Nonrefundable Application Charge</i>	<i>Second Check Applicant's Escrow Fund</i>
Preliminary major	\$350.00, plus \$.10 per square foot of proposed new building area, plus \$0.03 per square foot of site area to be disturbed	If the gross floor area of the building is 100,000 square feet or less - \$2,000.00, plus \$10.00 per 1,000 square feet of lot area, plus \$10.00 per 100 square feet of gross floor area of the building. If the gross floor area of the building
		exceeds 100,000 square feet - \$2,000.00, plus \$3.50 per 1,000 square feet of lot area, plus \$3.50 per 100 square feet of gross floor area of the building.
3. <u>Site Plans - Cont.</u>		
Final major site plan	50% of preliminary major	If the gross floor area of the building is 100,000 square feet or less - \$2,000.00, plus \$3.00 per 1,000 square feet of lot area, plus \$3.00 per 100 square feet of gross floor area of the building. If the gross floor area of the building exceeds 100,000 square feet - \$2,000.00, plus \$1.00 per 1,000 square feet of lot area, plus \$1.00 per 100 square feet of gross floor area of building.
	<u>\$1,500.00</u>	<u>\$5,000.00</u>
	<u>Telecommunications tower site plan – existing tower</u>	
	<u>\$2,500.00</u>	<u>\$10,000.00</u>
	<u>Telecommunications tower site plan – new tower</u>	
4. <u>Variances</u>		
a. Appeal (N.J.S.A. 40:55D-70(a))	\$300.00 per meeting	\$1,500.00
b. Appeal (N.J.S.A. 40:55D-70(b))	\$300.00 per meeting	\$1,500.00
c.(1) Bulk variance 40:55D-70(c) existing lots	\$300.00, plus \$100.00 per variance	\$3,000.00
c.(2) Bulk variance 40:55D-70(c)with site plan or subdivision	$\$300 + 2 * \$100 = \$500$	
	\$300.00, plus \$100.00 each additional variance	\$3,000.00
d. Use Variance(N.J.S.A. 40:55D-70(d))	\$500.00	\$3,000.00

Type of Application	First Check Nonrefundable Application Charge	Second Check Applicant's Escrow Fund
5. Permit for lot not abutting public street (N.J.S.A. 40:55-36)	\$500.00	\$3,000.00
6. Extensions of approval request	\$500.00 per meeting	\$1,500.00
7. On-tract and off-tract improvements	N/A	5% of the cost of the improvement
8. Development agreement	N/A	\$2,000.00
9. Deposit for certified shorthand reporter	N/A	\$300.00 per meeting
10. Aquifer testing		
a. Aquifer Test Plan Review	\$500.00	Residential subdivision (and site plans) (\$800.00) \$900.00 for first lot, plus \$100.00 for each additional lot.
		Non-Residential <u>and residential</u> site plans (\$1,000.00) \$900.00 for first 1,000 gals. of average daily demand, plus \$100.00 for each additional 1,000 gals. or part thereof of average daily demand.
b. Hydrogeologic Report Review	\$500.00	Residential subdivisions and site plans (\$2,000.00) \$1,800.00 for the first lot, plus (\$100.00) \$200.00 for each additional lot.
		Non-Residential <u>and residential</u> site plans (\$2,000.00) \$900.00 for first 1,000 gals. of average daily demand, plus (\$200.00) \$100.00 for each additional 1,000 gals. of average daily demand or part thereof.
11. Carbonate Rock		
a. Phase I Checklist	(\$500.00) \$750.00	\$750.00, plus \$200.00 per acre or portion thereof for each acre of disturbance when site is located in the CRD and \$100.00 per acre or portion thereof for each acre of disturbance when site is located in the CDA \$750 + \$200*1 = \$950
b. Phase II Checklist	(\$500.00) \$750.00	\$1,500.00, plus \$500.00 per acre or portion thereof for each acre of disturbance when site is located in CRD and \$200.00 per acre or portion thereof for each acre of disturbance when site is located in CDA.

12.	<u>Environmental Impact Statement Review</u>	<u>\$500.00</u>
13.	<u>Special Meeting Fee</u>	<u>\$1,000.00</u>
14.	<u>Tax Map Changes</u>	<u>\$150.00, plus</u> <u>\$50.00 per lot</u>

*The amount of any fees for such an informal review shall be a credit toward fees for review of the application for development, provided the application for development submitted is substantially the same as the concept plan.

- V. All ordinances or parts of ordinances inconsistent herewith are hereby amended as to such inconsistency only.
- VI. If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph, or clause, and, to this end, the provisions of this Ordinance are hereby declared to be severable.
- VII. This Ordinance shall take effect upon formal adoption by the governing body of the Township of Union and the subsequent filing of a certified copy thereof with the Hunterdon County Planning Board in accordance with C:40:55D-16 of the New Jersey Municipal Land Use Law.

Attest:

Ella Malecki Ruta, Clerk

Patricia Dziubek, Mayor

Introduction: November 4, 2009

Publication: November 26, 2009

Public Hearing: December 16, 2009

Publication by Title: December 24, 2009