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# NOVAK & NOVAK LLC

ATTORNEYS AT LAW

www.novakandnovak.com

JOSEPH S. NOVAK  
JUDITH A. NOVAK\*  
Member NJ & PA Bar

Perryville Centre  
78 Route 173 West  
Suite 12  
Hampton, NJ 08827

TEL: (908) 806-0606  
FAX: (908) 806-0605

February 2, 2021

Robert Clerico, P.E.  
Van Cleef Engineering Associates  
1128 Route 31  
Lebanon, New Jersey 08833

Mark Anderson, Esq.  
Woolson, Surphen, Anderson  
11 E. Cliff Street  
Somerville, NJ 08876

Emily Goldman, PP  
Clarke, Caton, Hintz  
100 Barrack Street  
Trenton, NJ 08608

Re: Plushanski Construction, LLC  
Preliminary and Final Site Plan,  
Major Subdivision, and Variances  
37-39 Frontage Road  
Block 22.02, Lots 3 and 4  
Union Township, Hunterdon County

Dear Bob, Mark and Emily:

At the request of the Board Secretary, Grace Kocher, I am forwarding directly to you, the following filed documents in anticipation of a completeness determination at the Board's regular meeting scheduled for February 25, 2021.

1. Preliminary and final major subdivision and site plan application with variances.
2. Owner's Consent to apply.
3. Tax Collector's Receipt on payment of first quarter, 2021 taxes.
4. W-9. – Plushanski Construction, LLC.
5. Plushanski Construction, LLC Corporate Disclosure.
6. Union Township/Hunterdon County Direct Service List.
7. Replenishment of Escrow Accounts Agreement.

The application fee of \$31,119.00 and the escrow deposit in the amount \$25,667.00 has been delivered directly to the Land Use Board Secretary.

The actual site plan document package with appropriate reports are being delivered directly to your office today through our Engineer, PS&S.

If there is any additional data or information which you require, please contact me at your earliest convenience.

Very truly yours,  
Novak & Novak LLC



Joseph S. Novak

JSN/bjc

Enc.

Cc: Grace Kocher, Secretary  
Union Township Land Use Board  
Cc: Plushanski Construction, LLC

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JOSEPH S. NOVAK  
JUDITH A. NOVAK\*  
Member NJ & PA Bar

February 2, 2021

**HAND DELIVERED**

Union Township Land Use Board  
Municipal Building  
140 Perryville Road  
Hampton, N.J 08827

Attn.: Grace Kocher, Secretary

**Re: Plushanski Construction, LLC  
Block 22.02, Lots 3 and 4  
Union Township Land Use Board**

Dear Grace:

I am pleased to enclose for filing with your office and the Union Township Land Use Board, the following documents:

1. Seven copies of the Preliminary and final major subdivision and site plan application with variances.
2. Owner's Consent to apply.
3. Tax Collector's Receipt on payment of first quarter, 2021 taxes.
4. W-9. – Plushanski Construction, LLC.
5. Plushanski Construction, LLC Corporate Disclosure.
6. Union Township/Hunterdon County Direct Service List.
7. Replenishment of Escrow Accounts Agreement.
8. Application Fee in the amount of \$31,119.00.
9. Escrow Fee in the amount of \$25,667.00.

These documents are filed with your office in anticipation of our client being placed on the agenda for the regular meeting of the Board on February 25, 2021, at which time, we will seek a determination of "completeness" so that the application process may commence.

**PLEASE NOTE THAT IT IS EXTREMELY CRITICAL THAT THIS APPLICATION BE "DEEMED COMPLETE" IN FEBRUARY, 2021.**

Pursuant to your direction, I am forwarding a copy of each of the enclosed documents directly to the Board Professionals as I have set forth on the attached "Direct Service List". The physical site plan package with related reports will be delivered directly to your office on Wednesday, February 3, 2021 by our Engineer's office, Paulus, Sokolowski and Sartor, LLC.

As always, thank you for your kind assistance.

Very truly yours,  
Novak & Novak LLC



Joseph S. Novak

JSN/bjc

Enc.

Cc: Union Township Direct Service List

Cc: Plushanski Construction, LLC

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

1. TYPE OF APPLICATION Preliminary and final major subdivision and site plan, with variances  
(If additional space is required, attach a rider).
2. APPLICANT'S FULL LEGAL NAME Plushanski Construction, LLC
3. APPLICANT'S MAILING ADDRESS 78 Route 173 West, Suite 1, Hampton,  
NJ 08827
4. IS APPLICANT A CORPORATION  PARTNERSHIP  INDIVIDUAL
5. APPLICANT'S TELEPHONE NO. 908-256-1567 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:  
Applicant is Plushanski Construction, LLC through its managing member, Brian  
Plushanski
8. LOCATION OF PROPERTY (Street Address) 37 and 39 Route 173 East  
BLOCK(S) 22.02 LOT(S) 3 and 4 ZONE \_\_\_\_\_ SIZE \_\_\_\_\_
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.  
Fee Simple ownership by Plushanski Construction, LLC
10. PRESENT USE OF PROPERTY Primarily vacant lots, except for former shop/storage, Morton-type  
building on lot 4.
11. PROPOSED USE \*\*\*
12. DESCRIPTION OF PROPOSED STRUCTURES OR CHANGES IN EXISTING  
STRUCTURES  
(1) Utilization of existing shop/storage building on lot 4 with no proposed site changes;  
(2) Construction on new proposed lot 4.01 of 46,800 sf building divided into separate business areas  
for permitted uses as set forth in #11.

\*\*\*E-2 Service Business, E-5 Repair Shop, G-1 Trades to include, the business office,  
attached storage/maintenance, and/or outside storage

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

13. WAS TRACT SUBDIVIDED PREVIOUSLY? YES \_\_\_ NO X  
IF YES, WHEN \_\_\_\_\_
14. AREA OF ENTIRE TRACT 22+ ACRES, OR SQUARE FEET \_\_\_\_\_  
AREA OF PORTION TO BE DEVELOPED 22+ ACRES Subdivision and Construction  
SQUARE FEET \_\_\_\_\_ NUMBER OF PROPOSED LOTS existing lot 3, and lot 4 subdivided into  
lot 4 and lot 4.01
15. APPLICANT PLANS TO DEVELOP PROPERTY BY: SELLING LOTS \_\_\_\_\_  
CONSTRUCTING HOUSES TO SELL AT \$ \_\_\_\_\_ OTHER construction
16. DOES SITE ADJOIN ANY COUNTY ROAD? \_\_\_\_\_  
STATE HIGHWAY? X FLOOD HAZARD AREA \_\_\_\_\_
17. WILL USE CONNECT TO SEWER OR UTILIZE SEPTIC SYSTEM Septic
18. LOCATION AND SIZE OF NEAREST WATER UTILITY LINE Frontage Road 12" +/-
19. ARE EXTERIOR UTILITY SYSTEMS TO BE INSTALLED ON THIS SITE?  
PROPANE TANKS \_\_\_\_\_ TRANSFORMERS X AC UNITS X
20. ARE ANY NEW STREETS, EXTENSION OF MUNICIPAL FACILITIES OR  
UTILITIES INVOLVED IN THIS DEVELOPMENT? YES X NO \_\_\_\_\_  
Water and gas along frontage road
21. IF ANY VARIANCES ARE REQUIRED, CIRCLE THOSE SECTIONS OF THE  
MUNICIPAL LAW THE VARIANCE COMES UNDER: ~~A B~~ C D ~~E F G H~~
22. DESCRIBE VARIANCE REQUESTED (1) "D" Use Variance for outside storage on lots 3, Lot 4,  
and new lot 4.01; and "C" Variances C for (2) Building coverage; (3) Impervious surface;  
(4) Structure in the front yard; (5) Steep Slope Disturbance and (6) "C"/"D" floor area ratio.
23. SECTION(S) OF ORDINANCE FROM WHICH VARIANCE IS REQUESTED  
(1) Sec. 30-5.5; (2) Sec. 30-4.8(b); (3) Sec. 30-4.8(b); (4) Sec. 30-7.1(e); (5) Sec. 30-6.4(b)4;  
(6) Sec. 30-4.8(b)
24. REASONS FOR REQUESTING VARIANCE (S) Full utilization of property for use in zone,  
and adapting physical characteristics of property for permitted uses.

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 X NO     

26. IF THE ANSWER TO #24 IS YES, STATE THE DATE OF THE HEARING,  
NATURE AND DISPOSITION Preliminary and final major subdivision and site  
plan approval 11/14/02 through 9/22/16 - The Perryville Group LLC (expired)

27. APPLICANT'S ATTORNEY (CORPORATION MUST BE REPRESENTED BY  
ATTORNEY) NAME Joseph S. Novak, Esq. PHONE 908-806-0606

ADDRESS 78 Route 173 West, Suite 12, Hampton, NJ 08827

FIRM Novak & Novak, LLC


28. A TAX AND ASSESSMENT PAYMENT REPORT INDICATING ALL TAXES  
AND/OR ASSESSMENTS REQUIRED TO BE PAID IS ATTACHED. First quarter, 2021 -- Paid  
receipts attached for lot 3 and 4

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 1st DAY OF February, 2021

BY  APPLICANT  
Brian Plushanski, Managing Member

NOTARY PUBLIC   
Joseph S. Novak, Attorney at Law of New Jersey  
AUTHORIZATION OF SIGNATURE (If applicant is a corporation)

THIS WILL CERTIFY THAT Brian Plushanski

TITLE Managing Member OF (Corporation name and address)     

Plushanski Construction, LLC, 78 Route 173 West, Suite 1, Hampton, NJ 08827  
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.

ATTES   
Michelle Plushanski, Member

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

ADDRESS ALL CORRESPONDENCE CONCERNING THIS APPLICATION TO:

( ) APPLICANT      (X) OWNER and (X) ATTORNEY

NAME Plushanski Construction, LLC (Owner/Applicant)

ADDRESS 78 Route 173 West, Suite 1

Hampton, NJ 08827

REV.04/06/10

Joseph S. Novak, Esq. (Attorney)  
Novak & Novak LLC  
78 Route 173 West, Suite 12  
Hampton, NJ 08827



**UNION TOWNSHIP LAND USE BOARD**

**OWNER'S CONSENT**

Plushanski Construction, LLC is the owner of the property located at 37-39 Frontage Road, (Union Township), Hunterdon County, New Jersey, more particularly known as Block 22.02, Lots 3 and 4 on the tax map of the Township of Union, and hereby consents to Brian Plushanski filing an application before the Union Township Land Use Board for a preliminary and final major subdivision and site plan approval, and variances.

Plushanski Construction, LLC

  
\_\_\_\_\_  
Brian Plushanski, Managing Member

February 2, 2021

**Township of Union  
Tax Collector's Office**

140 Perryville Road, Hampton, NJ 08827

Phone: (908) 735-8027 Ext. 11

February 3, 2021

**ATTENTION: GRACE KOCHER, PLANNING BOARD SECRETARY**

**RE: CERTIFICATION OF TAXES PAID; BLOCK: 22.02 LOT: 3 Q; 39 FRONTAGE ROAD  
AND BLOCK 22.02 LOTS 4 Q; 37 FRONTAGE ROAD**

Dear Ms. Kocher:

This letter will serve to confirm that property taxes for the properties referenced above are paid in full through 1<sup>ST</sup> Quarter, 2021.

Should you have any questions or need additional information, please feel free to contact me.

Very truly yours,

Colleen Dolan, CTC  
Union Township Tax Collector  
(Hunterdon County, NJ)

1/28/2021

Online Tax



### TOWNSHIP OF UNION

TAX COLLECTOR'S STUB - DETACH AND RETURN WITH PAYMENT

2021 1ST QUARTER TAX DUE FEB. 1, 2021

21-1

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Gc  
Boards,  
De  
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Shar

BLOCK NUMBER	LOT NUMBER	QUALIFICATION	BANK CODE
22.02	3		
TAX ACCOUNT NUMBER	TAX BILL NUMBER	TAX AMOUNT BILLED	DUE FEB. 1, 2021
24636			1,072.38
			ADJUSTMENT
			INTEREST
			TOTAL



PLUSHANSKI CONSTRUCTION LLC  
39 FRONTAGE ROAD



FEB. 2021

CHECK #

Directories  
Maps  
Recreation  
Documents  
Contact Us  
Email Notices  
Quick Links

Tax Collector

#### Online Tax Payment

Print this page  Email this page

For questions or assistance: Contact Us.

1/28/2021

Online Tax

### Township of Union

http://www.cit-e.net/union-hunterdon-nj/Cit-e-Access/TaxBill\_Std/receipt.cfm  
TID=130&TPID=12553&TaxPayID=2747250&ParcelID=00022%2E02%2F0

### TOWNSHIP OF UNION

TAX COLLECTOR'S STUB - DETACH AND RETURN WITH PAYMENT

2021 1ST QUARTER TAX DUE FEB. 1, 2021

21-1

#### Online Tax Payment

For questions or assistance: Contact Us.

BLOCK NUMBER	LOT NUMBER	QUALIFICATION	BANK CODE
22.02	4		
TAX ACCOUNT NUMBER	TAX BILL NUMBER	TAX AMOUNT BILLED	DUE FEB. 1, 2021
24643			3,105.72
			ADJUSTMENT
			INTEREST
			TOTAL

Your payment has been submitted.

This is your only receipt, please Print this confirmat

PLUSHANSKI CONSTRUCTION LLC  
37 FRONTAGE ROAD



FEB. 2021

CHECK #

#### STEP 6 Digital Receipt

- \* Date/Time Received: 01/28/2021 - 12:31 PM
- \* Payment Tracking #: 2747250
- \* Payment Type: Pay Total Due
- \* Tax Payment Amount: \$3,105.72
- \* Current Quarter #: 1
- \* Block/Lot: 00022.02/00004/Q

#### Payer Information

First Name: GreenRock Recycling LLC  
 Last Name: Plushanski  
 Street Address: 78 Route 173 West, Suite 1  
 City: Hampton  
 State: NJ  
 ZIP Code: 08827  
 Daytime Phone Number: (908)735-9726  
 E-mail Address: brendan@plushanski.com

#### Payment Information

Bank Name: CMC Bank

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)  
**Plushanski Construction, LLC**

Business name, if different from above

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

Address (number, street, and apt. or suite no.)  
**78 Route 173 West, Suite 1**

City, state, and ZIP code  
**Hampton, NJ 08827**

Requester's name and address (optional)

List account number(s) here (optional)

**Part 3** 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 1 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

or

Employer identification number  
**82 1 4355213**

**Part 4** 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 3.

Sign Here Signature of U.S. person > Date >

**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, or
- 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,

Corporate Disclosure

Pursuant to N.J.S.A. 40:55D-48.1, et seq.

Plushanski Construction, LLC

The names and addresses of all stockholders and/or individual partners or persons owning at least 10% in Plushanski Construction, LLC are as follows:

1. Brian Plushanski  
26 Charles Stewart Drive  
Asbury, NJ 08802
2. Michelle Plushanski  
26 Charles Stewart Drive  
Asbury, NJ 08802

I, Brian Plushanski, in my capacity as the Managing Member of Plushanski Construction, LLC provide the above disclosure of corporate interest.

Plushanski Construction, LLC

By: 

Brian Plushanski, Managing Member

February 2, 2021

Union Township Professionals & Agencies  
Direct Service List

1. Robert Clerico, P.E.  
Van Cleef Engineering Associates  
1128 Route 31  
Lebanon, NJ 08833
2. Mark Anderson, Esq.  
Woolson Sutphen Anderson  
11 E Cliff St.  
Somerville, NJ 08876
3. Emily Goldman, PP  
Clarke, Caton, Hintz  
100 Barrack Street  
Trenton, NJ 08608
4. Fire Chief Dan Van Fossen  
Pattenburg Volunteer Fire Department  
P.O. 5363  
Clinton, NJ 08809
5. Hunterdon County Board of Health.  
314 NJ-12  
Flemington, NJ 08822
6. Hunterdon County Planning Board  
Route 12 County Complex, Building #1, PO Box 2900  
Flemington, New Jersey 08822-2900

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.

Applicant's Name (Printed) Plushanski Construction, LLC

Applicant's Signature

  
Brian Plushanski, Managing Member

Date February 2, 2021