

December 8, 2016

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

Members Present: Mr. Mazza, Mr. Nace, Mr. Eschbach, Mr. Ryland, Ms. Rocca, Mr. Ford

Members Absent: Ms. McBride, Mr. Walchuk, Mr. Kastrud, Mr. Gibbons, Mr. Kirkpatrick

Others Present: Atty. Mark Anderson, Board Engineer Robert Clerico, Board Planner Andrea Malcolm, Atty. Christopher Quinn, Cingular Engineer Frank Pazden

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 21, 2016, as published in the Hunterdon County Democrat and 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. Mazza made a motion to approve the minutes of the November 10, 2016 meeting. Mr. Eschbach seconded the motion.

Vote: Ayes: Mr. Eschbach, Mr. Ryland, Mr. Ford

Abstain: Mr. Mazza, Mr. Nace, Ms. Rocca

Public Hearing: Cingular Wireless PCS, LLC (AT&T) Block 11, Lot 12, 16 Route 173 West: Atty. Christopher Quinn, representing Cingular Wireless, gave a brief overview of the Site Plan Waiver Application. Mr. Quinn said there is an existing one-hundred and forty-foot monopole. AT&T has an approved installation on the monopole. AT&T is seeking to upgrade the facility to accommodate modern technology and provide better service. Nine antennae currently exist on the monopole and there is an equipment shelter below. The antennae will be replaced and additional equipment will be installed inside of the shelter.

Atty. Quinn said applicant was in compliance with previous conditions of approval with the exception of re-stripping the parking lot. Property owner has agreed to comply with re-stripping.

Atty. Anderson understood the previous approval was a Board of Adjustment matter. He stated that Mayor Mazza would have to recuse himself if that was correct. Atty. Anderson and Quinn concurred it was a Board of Adjustment matter. Thereupon, Mayor Mazza left.

Engineer Frank Pazden came forward and was sworn by Atty. Anderson. He presented his credentials and they were recognized as acceptable by the Board. Mr. Pazden said there will be no ground disturbance, no work outside of the existing shelter and the site remains unmanned. No change in site circulation, parking or drainage. Mr. Pazden referenced a letter from Crown Castle dated November 22, 2016 outlining conditions of approval in previous Resolutions.

Mr. Nace asked the color of the new antennae. Mr. Pazden indicated they would be off white. Mr. Ford asked about vegetation. Mr. Pazden said the condition was to install vegetative screening only if existing buildings were removed. The two buildings remain; therefore screening will not be required.

Mr. Clerico said he does not have an as-built Plan and emphasized the importance of having that Plan as part of an approval. Documentation is required verifying that previous conditions of approval have been met. Mr. Pazden referenced Mr. Clerico's report dated September 19, 2016. Mr. Ford noted that the changes proposed are not substantial and the Board is satisfied that the conditions of previous approvals were met or will be met. An As-Built Plan that reflects completion of outstanding issues will be submitted. Mr. Clerico noted that trees and other vegetation provisions of the Verizon approval must be in compliance and the structural analysis matter needs to be addressed. Applicant will provide a letter to the Board regarding the structural analysis.

Mr. Ford asked Ms. Malcolm if she had any questions pertaining to buffering/landscaping. Mr. Pazden indicated additional landscaping will be added along the fencing. Buildings have not been removed therefore the provision regarding that landscaping does not apply. Re-stripping of the pavement will be done. Ms. Malcolm said a condition of approval should include maintenance of landscaping. Mr. Clerico had a question about the As-Built Plan. If that was not provided, a bond might be required to insure completion of conditions. Atty. Anderson said the amount of the Bond would have to be established subject to Mr. Clerico's approval and the Bond to be in a form approved by Municipal Atty. Peter Jost. He also said the October 27, 2016 Structural Analysis Report from Paul J. Ford, specifically Section 3.2, p. 5, Item 5, relating to assumptions, be confirmed by the applicant's engineer and be subject to the satisfaction of the Board Engineer. Atty. Anderson said that minor errors in the submitted Plan must be corrected to the satisfaction of the Board Engineer.

Mr. Ford said approval of the application would be to provide an As-Built Plan, subject to the satisfaction of the Township Engineer. Mr. Clerico said conditions of the As-Built Plan would have to be met prior to beginning work at the site and must comply with the previously approved Verizon Plan. Atty. Anderson asked Mr. Clerico to provide details regarding structural issues.

Atty. Quinn recited his client's request. Mr. Quinn said applicant is seeking a Site-Plan Waiver with no increase in height of the monopole and no changes to the site plan itself; applicant agrees to comply with all conditions of the Verizon August 25, 2005 Resolution and will provide an As-Built Plan that is satisfactory to the Township Engineer or provide a Bond in an amount established by the Township Engineer in a form approved by the Township Attorney; applicant also agrees to comply with the October 27, 2016 Paul J. Ford Report and make minor corrections to the Plan that are subject to the satisfaction of the Board Engineer.

December 8, 2016 Planning Board/Board of Adjustment Minutes, Page 3

Mr. Nace made the motion to approve the application with the conditions set forth above. Mr. Eschbach seconded the motion.

Vote: Ayes: Mr. Nace, Mr. Eschbach, Mr. Ryland, Ms. Rocca, Mr. Ford

Correspondence: Fallone Group LLC: Block 22, Lot 34: Permit application to NJDEP – November 7, 2016 - For the Board's Information.

Comments from the Public/Other Discussion:

Scheduling of January 2017 Reorganization and Regular Meetings: Mr. Ford suggested combining the two meetings on January 12, 2017, at 7:00 p.m.

Ms. Rocca made a motion to hold the Reorganization and Regular Meeting on January 12, 2017, at 7:00 p.m. Mr. Nace seconded the motion.

Vote: All Ayes, No Nays, Motion Carried

Land Use Code Amendment: Consideration of reducing the required number of copies (currently 27). Discussion ensued regarding electronic versus hard copies of application, submitting applications directly to professionals, etc. Item to be on January 12, 2017 agenda.

Motion to Adjourn: Mr. Eschbach made a motion to adjourn. It was seconded by Ms. Rocca. (7:48 p.m.)

Vote: All Ayes, No Nays, Motion Carried

Grace A. Kocher, Secretary