

September 29, 2011

Mr. Kirkpatrick called the regular 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. Walchuk, Mr. Nace, Mrs. Corcoran, Mr. Ryland, Mr. Kastrud,
Mr. Ford, Mr. Kirkpatrick

Members Absent: Mr. Bischoff, Ms. McBride, Mr. Badenhausen, Mr. Taibi

Others Present: Atty. Mark Anderson, Robert Clerico, Brian Plushanski
Municipal Clerk Ella M. Ruta

Approval of Minutes: Mr. Ford made a motion to approve the minutes of the August 25, 2011 meeting. Mr. Nace seconded the motion.

Vote: Ayes: Mr. Ford, Mr. Nace, Mr. Ryland, Mr. Kirkpatrick
Abstain: Mr. Walchuk, Mrs. Corcoran, Mr. Kastrud

Memorialization of Resolution: Fallone: Block 22, Lot 34, Perryville Road: Mr. Ford made a motion to memorialize the Resolution. Mr. Kirkpatrick seconded the motion.

Vote: Ayes: Mr. Ford, Mr. Kirkpatrick, Mr. Nace, Mr. Ryland

Plushanski/GreenCycle of Hunterdon LLC: Block 22, Lots 15 & 15.01, 5 & 6 Frontage Road: Mr. Kirkpatrick said the application was for the quarry license. Mr. Clerico gave an overview of the application and his letter dated September 27, 2011. Mr. Clerico had met with Mr. Plushanski and his engineer at the site. The license is for Calendar Year 2011. Mr. Clerico said a plan showing existing conditions would have to be prepared for each Calendar Year. The plan would depict proposed grading and contours and would reflect the build out of the quarrying operation and the restoration plan. Mr. Clerico said the plan would not vary from year to year unless applicant sought to amend quarrying limits. Violations should be identified and applicant should document how the site would be brought into compliance with Ordinance Standards.

Mr. Clerico said applicant proposed planting twenty-two white pines with twenty-foot spacing and that would not be adequate. Mr. Clerico told the Board that applicant must provide fencing beyond that which is proposed. Details are set forth in the September 27, 2011 letter. Mr. Clerico said clarification is necessary regarding gate details. The Plan shows a sign. Additional landscaping should be provided around the sign area. Applicant's Engineer Kurt Hoffman had provided a narrative of the quarrying operation (August 15, 2011). Mr. Clerico said the Plan prepared by Mr. Hoffman needs to have a revision date and needs to include additional details as outlined by Mr. Clerico.

Mr. Plushanski said regarding the fence he would prefer to install a more aesthetic type than that required by the Ordinance. Mr. Ford felt it would be a good idea to have a more attractive fence if it provided the same level of security. Mrs. Corcoran agreed.

The Ordinance allows for variations in fence alignment based on natural features and terrain. Because of a natural steep embankment on the site applicant would not have to provide fencing around the total quarrying operation. Mr. Kirkpatrick asked Mr. Clerico if he felt that details could be worked out with applicant. Mr. Clerico responded in the affirmative. Mr. Plushanski had indicated that he would comply with requests of the Board.

Mr. Kirkpatrick suggested that the Board could consider granting a temporary license for up to sixty days during which time Mr. Plushanski could operate the quarry and work with Mr. Clerico to resolve outstanding issues. If all outstanding issues were satisfied to the Board's satisfaction, the license could become effective for the year. A discussion ensued about the effective date of the license. Atty. Anderson understood the license would be for 2011. Mr. Kirkpatrick said then it should be for the balance of the year. Mr. Plushanski would have to file a new application in 2012. Mr. Ford said he remained concerned about possible intrusion of the site. He said that the Board might require more fencing at a future date.

Mr. Plushanski had a question about the posting of the Performance Bond. Mr. Ford said that was within the purview of the Township Committee. Atty. Anderson said it would be up to the Committee to determine what is sufficient. Mr. Clerico said when Mr. Plushanski approaches finishing the various elements of the quarrying operation and restoration of the site the Bond would be reduced.

Mr. Ford made a motion that the Planning Board recommend to the Township Committee that the quarry license be granted for 2011, in accordance with the Plan provided and with changes discussed, subject to the approval of Mr. Clerico; the Board believes it is appropriate that the fence does not need barbed wire at the top, as per Ordinance requirement, also, Mr. Plushanski must submit a 2012 quarrying operation application by November 1, 2011, if he plans to continue the operation. Mr. Plushanski said he would be submitting as-built plans. The motion was seconded by Mr. Nace.

Vote: All Ayes

Atty. Anderson asked Mr. Plushanski if he was the sole owner of GreenCycle of Hunterdon LLC. Mr. Plushanski said he and his wife are. Mr. Anderson recommended that because Green/Cycle was a corporation, an attorney should represent them when appearing before the Township Committee.

Motion to Adjourn: Mrs. Corcoran made the motion. It was seconded by Mr. Ryland.
(7:50 p.m.)

Vote: All Ayes

