

**MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD  
MAY 26, 2022**

**CALL THE MEETING TO ORDER:** Chairman Hickerson called the meeting to order at 7:00 p.m., read the *Statement of Compliance*, and led the flag salute.

**STATEMENT OF COMPLIANCE:** Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

**ROLL CALL:**

Carl Miller (Class III) – Present  
Bob Schultz (Class II) – Absent  
Frank Cicerale (Class I) – Present  
Jim Homa (Class IV) – Present  
Robert T. Cook (Class IV) – Absent  
Sally Goodson (Class IV) – Present  
Ed Zinck (Class IV) – Absent  
Bill Hickerson, Chairman (Class IV) – Present  
Tony Alfano, Alternate 1 – Present

**APPROVAL OF MINUTES:** A motion to approve the *Minutes of the Hardyston Township Planning Board Reorganization Meeting Held January 27, 2022* was made by Carl Miller and seconded by Sally Goodson. There was no discussion. Roll Call: Carl Miller – yes, Frank Cicerale – yes, Jim Homa – yes, Sally Goodson – yes, Bill Hickerson – yes, Tony Alfano – yes.

A motion to approve the *Minutes of the Hardyston Township Planning Board Meeting Held January 27, 2022* was made by Carl Miller and seconded by Jim Homa. Roll Call: Carl Miller – yes, Frank Cicerale – yes, Jim Homa – yes, Sally Goodson – yes, Bill Hickerson – yes, Tony Alfano – yes.

**RESOLUTIONS:** There were no matters scheduled.

**HEARINGS:** PB-3-22-1, North Church Gravel, Inc., Preliminary and Final Site Plan, Block 62 Lot 10 — Robert J. Benbrook, Esq., appeared on behalf of the Applicant and provided an overview of the matter. He stated the Applicant proposes a 7000+ sq.ft. steel building to house a filter press for use by the quarrying operation.

Frank Gelewski, Director of Operations and Plant Manager, was sworn. Mr. Gelewski stated the filter press is a fully automated system that cleans the aggregate with non-potable water and then squeezes 95% of the water out of the material. The cleaned material is then located on site to dry for a period of a year. He explained the system operates 24 hours a day, is equipped with emergency shutdown mechanisms, and would be checked on. He presented the machine would not be heard outside of the site. Mr. Gelewski stated the site's employee shift hours are Monday to Friday, 7 a.m. – 4 p.m. and Saturday 7:00 a.m. – 2:30 p.m. He confirmed that the hours of operation would not change as a result of the application's potential approval. Michael G. Vreeland, P.E., P.P., added that the operation is licensed by the Township Council.

Ronald M. Panicucci, P.E., P.P, was sworn, qualified, and accepted as an expert witness. He submitted Exhibit A-1 that was identified as a colored plan sheet marked S.01, dated 3/23/22, and titled *Overall Site Plan & Property Survey*. Mr. Panicucci identified the location of the proposed building noting it would be 934 ft. from the nearest property line and it would not be visible from the road. He explained the quarry operation is licensed and waiting on approval for the current 2021-2025 cycle from Hardyston Township. Mr. Vreeland noted the proposed structure was in the center of the site.

Additionally, Mr. Panicucci submitted the following Exhibits: Exhibit A-2, a plan sheet marked S.02, dated 3/23/22, and titled *Detailed Site Plan*; Exhibit A-3, an aerial photo marked S.04, dated 3/23/22, and title *Overall Site Activity*; Exhibit A-4, Building Plans dated 1/18/22, prepared by Commander Building, Inc.; and Exhibit A-5, a construction plan dated 9/29/21,

titled *General Foundation-Plan/Section, Filter Press & Thickener Installation*, prepared by CW Services Engineering & Construction. Referencing the exhibits, Mr. Panicucci confirmed that the existing building and system would be removed and replaced with a structure housing a system that will reduce waste and improve operations. He stated stormwater is routed to the center of the property and is monitored by a DEP Permit. He explained the development is regulated by the State and is monitored by County Soils. He confirmed that the existing pond would remain on site. He also acknowledged a report submitted by the Hardyston Township Fire Department that stated they had no issues with the plans.

Chairman Hickerson opened the meeting to the public. Ms. Marla Casbarro was sworn. She stated she is a neighbor and is impressed with the quarry operation. She stated you don't see or hear them. Mr. Gelewski confirmed the facility would not be visible from North Church Road. Mr. Molica confirmed no variances were requested by the Applicant.

No other members of the public addressed the Board and the meeting was closed to the public.

A motion to grant an approval of the Preliminary and Final Site Plan application was made by Sally Goodson and seconded by Tony Alfano. Roll Call: Carl Miller – yes, Frank Cicerale – yes, Jim Homa – yes, Sally Goodson – yes, Bill Hickerson – yes, Tony Alfano – yes. The motion carried. A specific condition of approval requires the Applicant to comply with licensing requirements.

Further, the Applicant requested a waiver of the reading of the resolution acknowledging that proceeding to zoning and construction would be at their own risk. A motion to grant the waiver was made by Carl Miller and seconded by Sally Goodson. There was no discussion. Roll Call: Carl Miller – yes, Frank Cicerale – yes, Jim Homa – yes, Sally Goodson – yes, Bill Hickerson – yes, Tony Alfano – yes. The motion carried.

**ORDINANCE REFERRAL:** Ordinance 2022-05, AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING CERTAIN PORTIONS OF CHAPTER 185, ZONING, OF THE REVISED GENERAL ORDINANCES TO PERMIT FARMING AS A PRINCIPAL USE IN CERTAIN ZONES

Board members reviewed the ordinance. Following discussion, the majority agreed that the nuisance elements associated with farming could have a detrimental effect on neighbors, neighboring property values, local businesses, and on the tax ratable base. They agreed the matter would be better assessed utilizing the land use process, specifically, a "D" variance review where specific facts of a case could be considered.

A motion to find the ordinance inconsistent with the Master Plan was made by Jim Homa and seconded by Sally Goodson. Roll Call: Carl Miller – yes, Frank Cicerale – no, Jim Homa – yes, Sally Goodson – yes, Bill Hickerson – yes, Tony Alfano – yes. The motion carried.

Further, the board recommended the Council's review and revision of the ordinance. They suggested the Council obtain a planner's report to determine how the ordinance furthers the intent of the master plan.

**BILLS:** Mr. Homa reported the bills were accurate. A motion to pay the bills was made by Jim Homa and seconded by Carl Miller. All were in favor. The motion carried.

**OPEN TO THE PUBLIC:** No members of the public addressed the Board.

**CORRESPONDENCE:** Board members reviewed the 2021 Annual Report of the Hardyston Township Zoning Board of Adjustment forwarded pursuant to N.J.S.A 40:55D-70-1.

**DISCUSSION:** Chairman Hickerson noted that he attended a Township Council meeting and learned the Council is considering a merger of the Planning and Zoning Boards. He noted a Council subcommittee was being formed to review the matter. Mr. Homa stated he would like to be appointed to that subcommittee.

**ADJOURNMENT:** Having no further business, a motion to adjourn was made by Sally Goodson. All were in favor. The meeting concluded at 8:10 p.m.

Minutes respectfully submitted by,

*Anne-Marie Wilhelm*

Anne-Marie Wilhelm  
Land Use Administrator