

MINUTES
HOPE TOWNSHIP PLANNING BOARD MEETING
OCTOBER 1, 2018

The agenda/business meeting of the Hope Township Planning Board was held on Monday, October 1, 2018. Vice Chairman Steve Larena called the meeting to order at 7:34 p.m. He announced that notice of the meeting was given in compliance with the “Open Public Meetings Act – This meeting has been advertised in accordance with the provisions of the Open Public Meetings Act, Chapter 231, P.L. 1975.” He led the Board in the pledge to the flag. Board Attorney Thomas administered the oath of office to Donna Marie.

Roll Call:

Members present: Steve Larena, Terry Urfer, Matthew Koski (Alternate 2), Robert May, Mayor Timothy McDonough, Chris Maier, Donna Marie, and John Koonz.

Members absent: Betsy Peterson, Tom Toohey (Alternate #1), and Neil Rosenberg
Also Present: Board Attorney Roger Thomas, Board Engineer Ted Rodman, Hydrogeologist Frank Getchell, Planner Elena Gable (arriving at 8:37 p.m.), Engineer Denis Keenan, and Board Secretary Alfia Schemm.

Approval of Minutes:

Mr. Koonz made the motion to approve the June 25, 2018 minutes. Motion seconded by Mr. Larena. In a voice vote, all in favor, except for Mr. May, Mayor McDonough, and Ms. Marie, who were not present at the June 25, 2018 meeting.

Mr. Koonz made the motion to approve the July 23, 2018 minutes. Motion seconded by Mr. May. In a voice vote, all were in favor, except for Mr. Larena and Ms. Marie, who were not present at the July 23rd meeting.

Mayor McDonough made the motion to approve the August 6, 2018 minutes. Motion seconded by Mr. Koonz. In a voice vote, all were in favor, except for Ms. Marie, who was not present at the August 6th meeting.

Other Business:

Ordinance #2018-04 Alternative Treatment Centers

Board Attorney Thomas reviewed that this matter is before the Planning Board for a consistency review, as the Ordinance was introduced by the Governing Body, and it is scheduled for a second reading later this month. He referenced the Planners Report of 9-12-18. The Board had several questions, which were addressed by Board Attorney Thomas.

The meeting was opened to the public.

Donna Rottengen asked if there was a particular parcel in mind. Board Attorney Thomas stated that the Ordinance pertains strictly to properties in the POP Zone.

With there being no further public comment, the meeting was closed to the public.

Mr. May made the motion to determine that the Ordinance is consistent with the Master Plan and to recommend that the Ordinance be adopted. Motion seconded by Mr.

Koonz. In a roll call vote, all were in favor, except for Mayor McDonough, who abstained.

New Business:

#18-002 Lawrence L. &Deborah C. Liguori, Block 1700, Lot 900-Completeness

Bob Benbrook, Esq. was present on behalf of the Applicant and he reviewed the pre-existing non-conforming sheds. Board Attorney Thomas stated that he will need to review the matter.

Mr. May made the motion to deem the application complete. Motion seconded by Mr. Koonz. In a roll call vote, all were in favor.

Old Business:

#16-001 Sarabjit Singh, Block 3700, Lot 400; Block 3701, Lot 100

Mayor McDonough recused himself.

Richard Keiling, Esq. was present on behalf of the Applicant. He disclosed that many years ago he represented Ms. Marie on a real estate transaction; however, he has not represented her since that time. Ms. Marie disclosed that Attorney Keiling is not her current Attorney and she stated that she can review and fairly hear the application based on the evidence presented. Board Attorney Thomas then reviewed that at the last hearing, they left off, with the public questioning of Dr. Clay Emerson.

Michael Sinkevich, Esq., representing the Delaware River Keeper Network, stated that additional information has been received and they reserve the right to bring Dr. Emerson back, at a later time, to provide additional testimony/comments. Board Attorney Thomas agreed and he reviewed the procedure.

The hearing was then re-opened to the public for questions of Dr. Emerson. With there being no questions for Dr. Emerson, the hearing was closed to the public.

Attorney Keiling asked Dr. Emerson if he has seen the recent DEP letters, whether he was in contact with the DEP, and whether any written documentation was submitted, by him, to the DEP. Dr. Emerson stated that he did have a telephone conversation with Mr. Contois. Board Attorney Thomas asked if Dr. Emerson was aware of anyone else that may have supplied additional information to the DEP. Dr. Emerson stated that the Environmental Commission report may have been submitted to the DEP. Attorney Keiling asked that he be provided with whatever documentation was supplied to the DEP.

Board Attorney Thomas stated that the Board has received reports from both Mr. Keenan and Mr. Getchell and those reports have been distributed to the Board, the Applicant, and the Delaware River Keeper Network. He stated that both Board Experts will be providing testimony this evening.

Frank Getchell was sworn in and he provided his qualifications and experience. He stated that he has been in attendance and/or has listened to the testimony provided along with reviewing all of the submitted materials. Board Attorney Thomas questioned the Getchell Report, dated September 26, 2018, which Mr. Getchell addressed. He went on to state that reviewed the assessments of the soils and subsurface information. He stated that he also had the opportunity to review the work that was done along with the soil samples. He reviewed his findings and he concluded that he has no issue with the soil samples or how they were obtained.

Attorney Keiling asked about the test pit locations, which Mr. Getchell addressed.

Attorney Sinkevich also questioned Mr. Getchell on the location of the test pits and whether test pits were done in the basins.

The following was submitted and marked as an Exhibit:

B-1 WSP Report of 9/26/18

The Board had several questions on disturbed soils.

The hearing was opened to the public for questions of Mr. Getchell.

Tom Gabel had several questions in regards to the test pits, depicted on the Johnson Soils map of 11-15-15, which were addressed by Mr. Getchell.

With there being no further questions for Mr. Getchell, the hearing was closed to the public.

Dennis Keenan was sworn in and he provided his experience and qualifications as an Engineer. He stated that he has reviewed the submitted material and the testimony provided. The following was submitted and marked as an Exhibit:

B-2 Rodman and Associates, Report of September 27, 2018.

Mr. Keenan then reviewed his opinions and thoughts on the application. He reviewed his report of September 27, 2018. He commented on the existing conditions, the classification of the soils, and the curve numbers. He stated that he feels that there needs to be more analysis, one holistic report that comes to a conclusion, a clarification on the construction details, additional calculations and/or documentation, an overlay location of the infiltration basin as requested in his second comment, information pertaining to the electric gate valve, the detail and sizing of the water quality devices, the existing condition of the site, and the DEP determination in regards to the flood hazard area.

Attorney Keiling asked if Mr. Keenan was aware of the prior approval granted for a 7000 square foot building with a parking lot and that DEP review. He also asked about the DEP review/calculations of site conditions.

Attorney Sinkevich questioned the calculations, the existing conditions, whether a redesign of the system would be required, and if all of the information should be supplied to the Board prior to a vote and not as a condition of an approval. He also questioned testing within the footprint of the basin, construction within the flood hazard area, and the Method 5 Analysis.

Board Attorney Thomas questioned the DEP letters and they were marked as Exhibits:

B-3 DEP letter of 10-1-18

B-4 DEP letter of 8-29-18

The hearing was opened to the public:

John Cini stated his concern over the flow of oil and the topography of the site.

Phyllis Howe questioned the impact to the calculations with severe weather conditions, which was addressed by Mr. Keenan.

Mark Maisonneuve asked about granting conditional approvals, which Mr. Keenan addressed.

Lucus Kropywnyckyj asked about gas tanks popping out of the ground.

Kelly Thompson questioned the two foot separation, the water table, the location of the detention basin, and the adequacy of the system and its re-evaluation, which were addressed by Mr. Keenan.

Thomas Bodolsky asked if a new DEP study is necessary because the stream was evaluated in 2002 and conditions have changed.

Jodi Keggan questioned the electronic gate valve, the sizing of the device, conditional approvals, and development in a flood plain, which was addressed by Mr. Keenan.

Tom Gabel questioned the Curve Number, the electronic gate valve, and the efficiency of the filtration system, which was addressed by Mr. Keenan.

At 9:21 p.m. the Board took a recess. The meeting resumed at 9:31 p.m. with the continuation of questions from the public.

Ann Burke questioned whether additional fill would change the permeability of the soil.

With there being no further public comment, the hearing was closed to the public.

Board Attorney Thomas announced that there are members, of the Environmental Commission, present this evening to address their submitted comments.

Monica Sobon addressed the Environmental Commission's request for a third party comprehensive EIS and she commented on the Flood Plain. She also acknowledged that her testimony was done under oath.

Ellen Benoit was sworn in and she commented on the outdated flood hazard data and the need for a revised application addressing the updated data.

Monica Sobon also addressed the Environmental Commission's memo regarding threatened and endangered rare species.

Board Attorney Thomas asked about the response time in order to review the Board Professionals reports and the public comments. Attorney Keiling stated that they do not plan to be here until the December 3, 2018 meeting. Board Attorney Thomas stated that since new information will be forthcoming, it was agreed to conclude for tonight, and he announced that this matter is being carried to December 3, 2018 meeting, without further public notice. Attorney Keiling asked if they could expect to receive a Planner's report from the Board Planner. Board Attorney Thomas stated that he will check with the Board Planner. Mr. Maier left at 9:45 p.m.

Other Business:

Mr. Urfer made the motion to recommend that the Master Plan be loaded onto the Township Website. Motion seconded by Mr. Koonz. Discussion on the motion: Mr.

Koonz stated that the Township does need to make sure that the information is updated regularly, so that it is current. In a voice vote, all were in favor.

Bills:

	Dolan & Dolan	
Re: Singh		1240.42
	Heyer, Gruel & Associates	
Re: Singh		550.00
	WSP	
Re: Singh		3234.97
	Rodman and Associates	
Re: Singh		2484.00
Re: Allentown SMSA		476.00

Mr. Koonz made the motion to approve the vouchers. Motion seconded by Mr. May. In a roll call vote, all were in favor, except for Ms. Marie, who abstained.

Other:

The Board discussed acknowledging/recognizing Marvin Fish for his years of service. Mr. Urfer stated that he will meet with Mr. Koonz to discuss possible suggestions.

Adjournment:

With there being no further business a motion was made and seconded to adjourn the meeting at 10:05 p.m.

Respectfully Submitted:

Alfia Schemm
Board Secretary
11/5/18