

MINUTES
HOPE TOWNSHIP PLANNING BOARD MEETING
DECEMBER 5, 2016

The agenda/business meeting of the Hope Township Planning Board was held on Monday, December 5, 2016 at the Hope Community Center. Chairman Fish called the meeting to order at 7:34 p.m. and 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 then led the Board in the pledge to the flag.

Roll Call:

Members present: Brian LaBar, Christopher John Kruk, Betsy Peterson, Neil Rosenberg, Steve Larena, John Koonz, Marvin Fish, and Chris Maier (arriving at 7:49 p.m.)

Members absent: Tom Toohey, Robert May, and Mayor Timothy McDonough.

Also Present: Board Attorney Roger Thomas, Board Engineer Ted Rodman, and Board Secretary Alfia Schemm.

Correspondence:

NONE

Approval of Minutes:

The minutes of November 7, 2016, were distributed prior to the Board meeting.

Mr. Rosenberg made the motion to adopt the minutes. Motion seconded by Mr. Larena. Discussion on the motion: Ms. Peterson stated that at the last meeting, she had brought up and reminded the Board about the proposed February 11th meeting to obtain public input in regards to the Master Plan. After a brief discussion, the February 11th date was a target date and no time was determined. Chairman Fish stated that the Board should discuss this matter, later in the meeting. In a voice vote, all were in favor of adopting the minutes, except for Chairman Fish who was not present at the November meeting and he abstained.

Other Business:

Housing Element and Fair Share Plan

Board Attorney Thomas stated that a draft document was distributed and he reviewed the process. He stated that the Board will need to hold a public hearing and formally adopt the Plan, possibly at the January meeting or a future meeting.

Chairman Fish then addressed the purpose of the February 11th meeting and he reviewed the meeting that was held many years ago to gather public input.

The Board then discussed the January meeting date that is scheduled for January 30th.

Memorializing Resolution:

#15-002 Robert and Jason May, Block 1100, Lot 400

Mr. Koonz made the motion to adopt the Resolution. Motion seconded by Ms. Peterson. In a roll call vote, all were in favor, except for Chairman Fish, who was not present at the November meeting and he abstained.

Hearing:

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

Mr. Kruk, Chairman Fish, and Ms. Peterson recused themselves as they have conflicts. Vice Chairman Rosenberg will chair this portion of the meeting.

Richard Keiling was present on behalf of the Applicant. He reviewed where they left off at the November meeting. Calisto Bertin acknowledged that he was under oath. He reviewed the positive limiting barrier in concrete designed to hold a spill. Board Attorney Thomas and Board Engineer Rodman had several questions regarding the connector road, the inspections that are performed during construction, monitoring, and the signage regarding auto diesel only. With there being no further Board questions, the hearing was then opened to the public for questions of Engineer Bertin.

John Mongrella had questions in regards to the use of diesel fuel and whether traffic has been analyzed for Route 80.

Ellen Benoit asked if a new Environmental Impact Statement will be submitted. Attorney Keiling stated that a report was submitted. Ms. Benoit stated that the proposal has changed and she stated that a new report should be submitted. Attorney Keiling disagreed.

Fred Stine questioned the storm water collection system. Engineer Bertin stated that this matter was reviewed at the last meeting; however, he reviewed it again. Mr. Stine also questioned the inspection of the dead men straps, which Engineer Bertin addressed. Board Engineer Rodman questioned the bypass weir. Engineer Bertin stated that it is a clarification and he will address it on a future drawing.

Lucas Kropywnyckyj had a question in regards to how often the filters are changed and monitored. Engineer Bertin stated that it will be addressed in their maintenance manual. Mr. Kropywnyckyj stated that there were a series of inspections required for the Nathan's approval. Board Attorney Thomas asked what mechanism would be in place to generate the necessary reports. Engineer Bertin stated that a report could be generated by the company that does the maintenance. Mr. Kropywnyckyj asked about the number of leaking leak proof situations in the State of NJ.

Pete Peterson commented on the proposal and the Township Master Plan. He then questioned the maintenance and testing of the equipment, the impact of the proposal, the depth of the groundwater, the enforcement of maintenance, how often the State comes to do inspections, and he questioned the risks to the drinking water. Engineer Bertin addressed the maintenance, groundwater, maintenance and enforcements. He stated that the State inspects at least every three years and he stated that that the site exceeds the regulations for underground storage tanks and there no prohibitions.

Matthew Heiss questioned the safe lighting practices. Engineer Bertin reviewed the light intensity rural standards and he stated that the lighting will be facing down with no lighting spillage.

Fred Stine asked if there are any other service stations that have similar lighting. Engineer Bertin stated that the proposed lighting will be low lighting and he stated that the LED lighting can be dimmed. Mr. Stine addressed the first flush and the fluctuation of the ground water height, which Engineer Bertin addressed.

Elliot Ruga asked about the test borings that were done. Engineer Bertin reviewed the number of borings done, the well that was drilled, and the findings. It was noted that the Applicant will be providing testimony on that matter as Hydro Geologist Robert Zelly will be attending a meeting.

David Ray asked if the illumination exceeds the Township standards and he questioned the retaining wall. He asked about the number of variances being requested. The Applicants addressed that they are requesting six variances.

Kelly Thompson questioned the DEP approvals and the possible crushing of the tanks from pressure and the soil. Engineer Bertin stated that no DEP approvals are required at this time and he described the installation of the tanks and the packing of the soils.

Richard Goodbody asked what would happen in a catastrophic failure. Engineer Bertin addressed the safeguards in place and the leak detention system.

Tom Gabel questioned the possible failure of the system and the damage to the groundwater quality. He asked about a containment vault, the proposed jellyfish, and spills, which were addressed by Engineer Bertin.

Leslie Frederick questioned the back-up system in the case of a power outage, special training for the attendants, and the selling/recycling of tires/batteries. The Applicant's stated that they are not proposing a stand by generator at this time and they are proposing a tire shop at this point and there will be no drop off recycling.

Lucas Kropywnyckyj asked about drivers that pull away with the nozzle, the monitoring of the system when there is no power, the number of gas stations that are owned by the Applicant and if there are any under remediation. The Applicants described the shear valves in place if a driver pulls away with the nozzle still intact.

The Board took a brief recess at 9:02 p.m. The meeting resumed at 9:16 p.m. The Vice Chairman Rosenberg stated that tonight's hearing will conclude at 10:00 p.m.

Mr. Larena asked about a underground containment system. Mr. Maier questioned whether a generator is being proposed. Engineer Bertin stated that they can look into it.

Jason Panetta provided his qualifications and experience in the installation, maintenance, testing, and inspection of sites. The following was submitted and marked as an Exhibit:

A-8 Compliance Monitoring Book

Mr. Panetta reviewed the installation/inspections and the monitoring/testing. He also reviewed emergency kits, spill containment, reporting and compliance checks, triple wall tanks, sensors, and tank settlement, with the Board. Attorney Keiling stated that they agree to provide warranty information/records and to install a stand by generator.

The hearing was then opened to the public.

Pete Peterson questioned the cause of failures. Mr. Panetta addressed the prevention systems in place. He also asked if there would be a conflict of interest.

Fred Stine questioned the proposal and the systems that will be implemented in the proposal. He also asked who will be inspecting the proposal. Board Attorney Thomas stated that the Township may need to retain an outside person to make sure that everything is being done correctly.

Elliot Ruga questioned the regulations and protocol for a spill, which was addressed by the Applicants.

Lucas Kropywnyckyj questioned the strapping's, NJ sites that are leaking, the qualifications for individuals that are responsible to inspect installations and leaking pipes, which Mr. Panetta addressed.

Kelly Thompson questioned improper backfilling. Mr. Panetta addressed the proper backfilling and installation. Ms. Thompson asked how he would feel if he lived in the area. Mr. Panetta stated that the system is excellent if it is installed correctly. Ms. Thompson questioned the financial liability and responsibility, which Mr. Panetta addressed.

With there being no further public questions, the hearing was carried to the meeting to be held on January 30th, 2017, 7:30 p.m., at this location. Attorney Keiling stated that he intends to bring in Mr. Zelle and the Planner at the next meeting. The Board discussed contacting Mr. Getchell and possibly Mr. Heyer. Attorney Keiling agreed to an extension.

Mr. Kruk and Ms. Peterson resumed their position on the Board.

Other:

Board Attorney Thomas addressed the special meeting scheduled for February 11th and it was agreed that it would be held at 10:00 a.m. at the Hope Municipal Building.

Bills:

Dolan & Dolan

Re: Singh	251.16
Re: General	169.78

Mr. Larena made the motion to approve the vouchers. Motion seconded by Mr. LaBar. In a roll call vote, all were in favor.

Adjournment:

With there being no further business a motion was made and seconded to adjourn the meeting at 10:17 p.m.

Respectfully Submitted:

Alfia Schemm
Board Secretary

1/30/17