

MINUTES
HOPE TOWNSHIP PLANNING BOARD MEETING
AUGUST 6, 2018

The agenda/business meeting of the Hope Township Planning Board was held on Monday, August 6, 2018. Chairman Marvin Fish called the meeting to order at 7:30 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.

Roll Call:

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

Members absent: Tom Toohey (Alternate #1) and Neil Rosenberg

Also Present: Board Attorney Roger Thomas, Board Engineer Ted Rodman, Hydrogeologist Frank Getchell, Planner Elena Gable, Engineer Denis Keenan, and Board Secretary Alfia Schemm.

Approval of Minutes:

Mr. May noted an incomplete sentence on page 2 of the July 2nd minutes. Board Secretary Schemm stated that she will correct the sentence.

Mr. May made the motion to adopt the July 2nd minutes, as amended, this evening. Motion seconded by Mr. Larena. In a roll call vote, all were in favor, except for Ms. Peterson, Mayor McDonough, Chairman Fish, who abstained.

Memorializing Resolution:

#18-001 Allentown SMSA, Block 1000, Lot 400

Board Attorney Thomas reviewed a suggested modification to the Resolution: that the tower would be available for emergency services, including but not limited to the NJ State Police. Mr. May noted an amendment: " proposed" salt shed.

Mr. Maier made the motion to adopt the Resolution as amended. Motion seconded by Mr. May. In a roll call vote, all were in favor, except for Mayor McDonough, Mr. Urfer, and Mr. Larena, who abstained.

Bills:

Dolan & Dolan

Re: Master Plan	2091.61
Re: Singh	864.11
Re: SMSA	374.73

Heyer, Gruel & Associates

Re: Singh	495.00
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WSP

Re: Singh	4500.00
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The Board reviewed the Dolan & Dolan vouchers. The Board discussed the Master Plan bill of \$2091.61 and it was agreed to remove and refer the voucher to the Governing Body for their consideration and approval. Chairman Fish asked if there is sufficient funds for the Singh application. Board Secretary Schemm stated that she was advised by Attorney Keiling that his client is bringing additional funds this evening. Chairman Fish noted the Heyer, Gruel & Associates voucher.

Mr. Larena made the motion to approve the remaining Dolan and Dolan vouchers and the Heyer, Gruel & Associates voucher. Motion seconded by Mr. Koonz. In a roll call

vote, all were in favor, except for Ms. Peterson, Mayor McDonough, and Chairman Fish, who abstained.

Mr. Koonz made the motion to approve the WSP voucher. Motion seconded by Mr. Larena. Chairman Fish confirmed that additional funds are forthcoming. Attorney Keiling stated that his client will have a check this evening. In a roll call vote, all were in favor, except for Ms. Peterson, Mayor McDonough, and Chairman Fish, who abstained..

Old Business:

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

Ms. Peterson, Chairman Fish, and Mayor McDonough recused themselves.

Richard Keiling, Esq. was present on behalf of the Applicant and he asked that the submitted test pit information be marked as an Exhibit:

A-28 Bertin Engineering, Test Pit Information, dated 7/19/18

Stuart Lieberman, Esq. was present and he stated that Clay Emerson is also present and he acknowledged that he was still under oath. Dr. Emerson went on to comment on the site soil conditions and the Applicant's classifications and conclusions. He stated that he has a different opinion and the following was submitted and marked as an Exhibit:

0-4 Sheet C-2.1, revised 5-17-18

Dr. Emerson went on to review the Exhibit and he described the evaluation of the information/data and the soil characterizations. He went on to address the misrepresentation of the existing site conditions. The following were submitted and marked as an Exhibit:

0-5 TR-55 manual reference

0-6 Google Street Review of Site, dated September 2016

Dr. Emerson went on to review and describe the Exhibits and he stated that he does not feel that the Applicants have designed a system that meets the State Stormwater regulations. He also addressed the Flood Hazard Area Control Act. The following was submitted and marked as an Exhibit:

0-7 Sheet C-2.2, revised 5-17-18

Dr. Emerson described the older regulations and the current regulations, the NJ Flood Hazard Control Act, the DEP Flood Hazard Delineation, and the Permits. He addressed the POP Zone, Environmental Degradation, and the Groundwater Recharge Area.

Attorney Keiling questioned: the approved uses in the POP zone; the classification of the soils; Emerson report of July 26, 2017; the Bertin report of July 19, 2018; the soil borings done; the map that was not supplied to the Applicant; and approvals subject to DEP approvals. Attorney Keiling asked what specifically is Dr. Emerson looking for. Dr. Emerson stated that he would like to see an accurate representation of the site. Board Attorney Thomas stated that a report was supplied by Dr. Emerson in the past and he asked why a report was not submitted this time. Dr. Emerson stated that they were evaluating information and thus a report was not prepared. Board Attorney Thomas asked when Exhibit 0-4 was prepared and why it was not submitted to the Board for their review. Dr. Emerson stated that there were several changes made to the Exhibit, the last changes made today. Board Attorney Thomas questioned the Flood Hazard Act, the soil analysis, the outdated permit, and conditional approvals, which were addressed by Dr. Emerson.

Engineer Keenan questioned Dr. Emerson on Exhibit 0-4 and the permeability testing results vs. interpretations. Dr. Emerson reviewed the FEMA line and he submitted the following which was marked as an Exhibit:

O-8 FEMA Flood Plain Map

Dr. Emerson went on to describe the Exhibit.

Mr. Getchell questioned the basins, the flow of water, and the wells in the area, which were addressed by Dr. Emerson. Mr. Koonz had several questions regarding the permit and the line, which were addressed by Dr. Emerson. Mr. Maier questioned the site classifications of meadow and open space and how it impacts the site. Dr. Emerson addressed the runoffs of both classifications and the over representation in classifying the site as open space rather than meadow. Mr. Maier questioned the importance of the classification, which was addressed by Dr. Emerson. Mr. May questioned the classification and the impact to the proposal. Dr. Emerson stated that it normally would require bigger basins and smaller orifices. Mr. Larena questioned the relevancy of the TR-55 definition, as the site is going to be disturbed. Dr. Emerson addressed the pre to post site conditions that dictate the size of the system. Mr. Koski questioned the curve and the differences in the soil classifications. Engineer Keenan questioned the methodology and analysis, which were addressed by Dr. Emerson. Board Attorney Thomas questioned the reliability of the classifications, which was addressed by Dr. Emerson. The Board continued to question Dr. Emerson and Dr. Emerson also confirmed that they did not have an opportunity to be on site during the testing and they translated the information that was given to them.

The Board took a brief break at 9:24 p.m. The meeting resumed at 9:37p.m.

The hearing was opened to the public for questions of Dr. Emerson.

Monica Sobon questioned the filtration system and the 20 percent that may end up in the river, which was addressed by Dr. Emerson.

Mark Maisonneuve had a general comment/question, which was not addressed by Dr. Emerson.

Steve Flynn questioned the performance of the system based on the existing conditions and the impact on the site post development and the mosquito breeding habitat, which were addressed by Dr. Emerson. Mr. Flynn also questioned the responsibility of the Township to address issues.

John Cini questioned the flood zone line on the map. Dr. Emerson stated that the line was created prior to the regulations. Mr. Cini asked if there were any legal issues, in regards to the Applicant.

William Ziaroski questioned the number of test holes that had permeability tests and how they were weighted and their accuracy, which was addressed by Dr. Emerson.

Ellen Benoit questioned whether the stormwater system is undersized and whether the site could accommodate a larger system, which Dr. Emerson addressed.

Craig Lordigyan questioned the hazards for an office building vs. a Gas Station, which was addressed by Dr. Emerson.

Annette More questioned whether the Board has enough accurate information to make a decision. Dr. Emerson said there are issues that need to be resolved in accordance with the current regulations.

Pete Peterson questioned the widening of the stub road and the amount of impervious coverage, which Dr. Emerson could not address.

Jodi Keegan questioned the consequences of a stormwater system that is sized incorrectly and the responsibility of the Applicant to comply with the regulations. Dr. Emerson spoke about the flooding consequences and the applicability determination.

Vice Chairman Larena stated that they would like to wrap up tonight's meeting and Ms. Keegan will be the first person at the next meeting. The Board discussed the next meeting date, scheduled for September 10, 2018. Attorney Lieberman stated that he is not available on that evening as it is a Holiday. Attorney Keiling asked if the Board Professionals were going to provide any reports. Board Attorney Thomas stated that he does not know if reports will be produced and he announced that this matter is carried to September 10, 2018, at 7:30 p.m., at the Community Center, without further public notice being provided.

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
9/24/18