

MINUTES
HOPE TOWNSHIP PLANNING BOARD MEETING
OCTOBER 2, 2017

The agenda/business meeting of the Hope Township Planning Board was held on Monday, October 2, 2017. Chairman Fish called the meeting to order at 7:31 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. The Board observed a moment of silence for the victims of the tragic events in Las Vegas.

Roll Call:

Members present: Betsy Peterson, Neil Rosenberg, Chris Maier, Steve Larena, Mayor Timothy McDonough, Tom Toohey, Robert May, Christopher John Kruk, Matthew Koski, and Chairman Fish.

Members absent: John Koonz

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

Approval of Minutes:

The minutes of July 31, 2017 minutes were distributed prior to the Board meeting. Ms. Peterson noted a minor typographical error.

Mr. Rosenberg made the motion to adopt the minutes of July 31, 2017, as corrected. Motion seconded by Mr. Larena. In a voice vote, all were in favor, except for Mr. Toohey, who was not present at the July meeting.

The minutes of the August 23, 2017 meeting were distributed prior to the Board meeting. Mr. Maier stated that the minutes do not reflect Mr. Beatty's comments and recommendations in regards to small businesses.

Mr. Maier made the motion to adopt the minutes, as per his suggestion. Motion seconded by Ms. Peterson. It was suggested that the Board defer the adoption of the minutes so that the audio of the meeting can be reviewed. Both Mr. Maier and Ms. Peterson agreed and withdrew their motions.

Mayor McDonough made the motion to defer the adoption of the minutes. Motion seconded by Mr. Maier. In a voice vote, all were in favor.

Other Business:

Community Meeting - Status

Chairman Fish stated that at the end of the August meeting, Mayor McDonough mentioned that future meetings would be scheduled. Mayor McDonough stated that he will look into the matter and try and coordinate additional community meetings.

Bills:

Rodman Associates

Re: General	33.25
Re: Singh	399.00

Mr. Maier made the motion to approve the vouchers. Motion seconded by Mr. Larena. In a roll call vote, all were in favor, except for Mayor McDonough, Mr. Kruk, and Mr. Toohey, who abstained.

Heyer, Gruel and Associates,

Re: Singh-July	330.00
----------------	--------

Mr. Rosenberg made the motion to approve the voucher. Motion seconded by Mr. Maier. In a roll call vote, all were in favor, except for Mayor McDonough, Mr. Kruk, and Mr. Toohey, who abstained

Dolan & Dolan

Re: Singh	1458.00
Re: Singh	59.00
Re: St. John	196.46
Re: St. John	178.50

Mr. Maier made the motion to approve the vouchers. Motion seconded by Mr. Rosenberg. In a roll call vote, all were in favor, except for Mayor McDonough, Ms Peterson, and Mr. Toohey, who abstained.

Old Business:

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

Mayor McDonough, Mr. Toohey, Mr. Kruk, Ms. Peterson, and Chairman Fish recused themselves.

Richard Keiling, Esq. was present on behalf of the Applicant. He stated that he has reviewed the Exhibits that have already been marked during the hearings and he would also like to have the following additional submitted documents marked as Exhibits:

- A-13 Letter from the Hope Volunteer Fire Department, dated 4-19-16
- A-14 Getchell Report, dated 2-4-16
- A-15 Jessica Caldwell Report, dated 1-20-17
- A-16 WC Letter dated 4-29-03 regarding Willow Court
- A-17 C-3 Technology Binder

Calisto Bertin acknowledged that he was still under oath and he reviewed his qualifications and experience. He then went on to address the submitted Princeton Hydro report. The following was submitted and marked as an Exhibit:

- A-18 Bertin Engineering Report with Supplements, dated 9-19-17

Engineer Bertin addressed the EIS that was submitted and the additional documents that were supplied to supplement the EIS. He continued to address the Princeton Hydro report and he reviewed: the proposed 12 fueling dispensers; the low speed diesel dispensers; the presented septic design; water quality and supply; the landscape plans; the drainage report; the LOI and the buffers; the riparian buffer; and the redundancies in the leak detection system. Attorney Keiling stated that the Applicant has agreed to install the monitoring wells as per Mr. Getchell's recommendation. Engineer Bertin addressed that the site is not in a Well Head Protection Area. He went on to address air quality,; construction disturbance; the detention basin modification; erosion control; and stormwater management. The following was submitted and marked as an Exhibit.

- A-19 Ted Rodman, RiRob Report, dated 8-27-03

Attorney Keiling addressed the lot coverage variance that was granted in the RiRob application. Engineer Bertin went on to address the soils group/classification. He addressed the soils mapping and the testing that was done. He stated that they can design the detention basin to accommodate the soils. He then addressed Board Engineer Rodman's report of 8-30-17 and the methods and designs of the detention basin. He stated that their design has been approved. He addressed the water quality system and the proposal for the aquafilter, instead of the jellyfish. He stated that they comply with the regulations and they can do additional soil testing if required.

He stated that they exceed all the State and Federal requirements and regulations. He addressed the monitoring checklists and he stated that they would be willing to submit copies of the maintenance records.

Board Engineer Rodman questioned the approval of the detention basin. Engineer Bertin stated that they can provide that documentation.

Board Attorney Thomas stated that Mr. Getchell should be available at the next Board Meeting.

Engineer Bertin went on to address the Permit. Both Board Engineer Rodman and Board Attorney Thomas stated that any approval would be conditioned upon getting an updated permit.

Stuart Lieberman Esq., was present on behalf of the Delaware River Keeper Network. He questioned the Geoweb and the Well Head Protection Area. Engineer Bertin stated that a private well is not a community well. The following was submitted and marked:

0-2 Geoweb photograph

Attorney Lieberman went on to reference the "Guide" that was submitted by the Board and distributed by the Board Secretary. He questioned the recharge requirements of the current stormwater regulations and the Johnson Soils report of 11-15-16. He questioned the soil borings. The following was submitted and marked as an Exhibit:

0-3 Soil Textural Triangle

Attorney Lieberman continued to question the soil borings, the test pits, the characterization of the top soil, the permeability, and the permeability "K" rating, which Engineer Bertin addressed. He questioned the mischaracterization of the quality of the soils and the impacts to the peak flow calculation. He also questioned the sizing of the basin and the tanks.

Board Attorney Thomas questioned the class of soils, which Engineer Bertin addressed. Mr. Maier questioned the accepted industry reference/standard/ rule of thumb for the number of gas station pumps and dispensers for a location/site and also the economic viability. Mr. Lieberman stated that economic consideration, for development, is not a consideration for the Board. Board Attorney Thomas agreed with Mr. Lieberman.

Mr. Larena had several questions regarding the owner/operator and the alarm system, which were addressed by Engineer Bertin. He also questioned the building size and the three compartment sink, which were addressed by the Applicants. There was a brief break at 9:21 p.m. The meeting resumed at 9:30 p.m.

Attorney Keiling questioned the soils, which was addressed by Engineer Bertin. Attorney Lieberman asked if the soils could have been tested. Engineer Bertin stated that they could have.

Board Attorney Thomas asked if there were any questions, from the public, of Engineer Bertin.

Tom Gabel clarified the change to the Zoning Board of Adjustment application from a convenience store to a service station. He then questioned the leak protection system, the Well Head Protection Area, and the "Jellyfish" filtering system, which was addressed by Engineer Bertin.

Kelly Thompson questioned the maintenance and whether the fuel tanks are high velocity. Engineer Bertin stated that the fuel tanks are not filled by a pump but by gravity drop.

Monica Sabon questioned the submission of an EIS by a third party. Engineer Bertin stated that the Board has already retained a third party expert and the Board can retain other experts as needed.

Joe Nocross questioned the power to the detection system. Engineer Bertin stated the entire operation would shut down if they were to lose power.

Jodi Keegan questioned the traffic counts coming off of Route 80 and the alarm system.

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

Clay Emerson reviewed his qualifications again and he stated that he reviewed the Applicant's latest submission and Board Engineer Rodman's report. He stated that he does not agree with what has been stated about the soils and he provided testimony on soils and the proposal. He stated that the present proposal does not meet the regulations and the basin is not big enough. He also addressed Board Engineer Rodman's August 30th report. He stated that he is not aware of a Township Mitigation Plan.

Attorney Keiling then had several questions in regards to the testimony provided, the test pits, and the borings, which were addressed by Dr. Emerson.

Board Attorney Thomas questioned the top soil and the soil beneath it. He also questioned the study/testing, which was addressed by Dr. Emerson.

Mr. Larena questioned the soils and the topsoil, which was addressed by Dr. Emerson.

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

David Wray questioned the borings vs. the test pits, which Dr. Emerson addressed.

Robbie Romano asked at what point does one stop testing, which Dr. Emerson addressed.

Stephen Flynn asked about the limits of the land, which Dr. Emerson addressed.

David Wray asked if the topsoil should be tested by a third party, which Dr. Emerson addressed.

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

Board Attorney Thomas announced that this matter is being carried to the Board's November 6th meeting, at 7:30 p.m., at the Hope Community Center.

Adjournment:

With there being no further business a motion was made and seconded to adjourn the meeting at 10:23 p.m.

Respectfully Submitted:

Alfia Schemm
Board Secretary
11/2/17