

**MINUTES
HOPE TOWNSHIP PLANNING BOARD MEETING
JULY 31, 2017**

The agenda/business meeting of the Hope Township Planning Board was held on Monday, July 31, 2017. Chairman Fish called the meeting to order at 7:37 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 oath of office was administered to Matthew Koski by Board Attorney Thomas.

Roll Call:

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

Members absent: Tom Toohey

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

Approval of Minutes:

The minutes of May 30, 2017 were distributed prior to the Board meeting. Ms. Peterson asked about the status of the re-examination of the master plan. Chairman Fish stated that he will be addressing this matter next.

Mr. Larena made the motion to adopt the minutes of May 30, 2017. Motion seconded by Mr. May. In a voice vote, all were in favor, except for Mr. Koski, who was not present at the May meeting.

Other Business:

Community Meeting - Status

Chairman Fish stated that there was a Community Meeting held on February 11, 2017 where extensive notes were taken. He apologized for not following through with this matter earlier; however, his wife was very ill and she recently passed away on July 4th. He stated that in discussing this matter, with Mayor McDonough, another community meeting will be scheduled, to review the matters that were brought forward at the February meeting.

Old Business:

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

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

Richard Keiling, Esq. was present on behalf of the Applicant. He disclosed that last year he represented Mr. Koski in a real estate transaction; however, he has no objection to him participating on the current application. Both Board Attorney Thomas and Stuart Lieberman, Esq., representing the Delaware River Keeper Network, questioned Mr. Koski and they determined that they did not perceive a conflict and had no objection to having Mr. Koski participate on the application.

Attorney Keiling noted that he was not present at the May hearing and he confirmed that his Client agrees to the two Getchell recommendations (complying with the NJ spill requirements and the additional monitoring well).

Attorney Lieberman stated that they have Clay Emerson present this evening and he was sworn in and he provided his qualifications as an Environmental Scientist. The following was submitted and marked as an Exhibit:

O-1 Princeton Hydro Report, dated July 26, 2017

Dr. Emerson stated that he reviewed the site plans, the EIS, and the audio files of the hearings. He stated his concerns with the content of the submitted EIS. He also stated his concern with the delineation of the riparian buffers, the monitoring wells, the well head protection area, air quality, and runoff. He stated that the Stormwater Management Plan is lacking. He stated his concern about meeting the definition, pre-development and post development conditions, the soils, the detention basin, the treatment capacity, and maintenance of the facility. He went on to review the attachments in their report. He stated that he has no hesitation in stating that the site soils are "A" soils and not "D" soils.

Attorney Keiling questioned how the meeting audio and materials were obtained. Dr. Emerson stated that he received the materials from Stuart Lieberman, Esq. and the Delaware River Keeper Network. Attorney Keiling asked if the exhibits were reviewed and he questioned the proposal and the testimony provided in regards to the EIS and the soils. He also asked about Mr. Getchell's testimony pertaining to the detention basin, the well head protection regulations, and the amount of testing that was done. He went on to ask about the drainage calculations and the Board Engineer Rodman's November 3, 2016 report. He proceeded to comment on the soils and whether the C3 report was reviewed. Dr. Emerson addressed Attorney Keiling's questions and he stated that he did not review the C3 report. The manufacturer's recommendations, the maintenance of the equipment, the underground storage tank, agency inspections/review and state regulations were all discussed and reviewed, along with the category of the Beaver Brook and the Applicant's agreement to the inspection time frames.

Board Attorney Thomas asked about a deed restriction on the uses/services to be provided at the station, the monitoring wells, and the requirement for testing, which was addressed by Dr. Emerson. Board Attorney Thomas also asked about the well head protection act and well search; the development of the two lots as a unified site with the detention basin on the one lot; maintenance reports; the recharge and the misclassification of the soil; the differences between the detention basin and infiltration basin; the soils and the issues with the sizing of the basin, which were all addressed by Dr. Emerson. Mr. Maier asked about the type of work/clients that Dr. Emerson works with and whether he could design a stormwater system for the subject site. Dr. Emerson stated that he has the skill set to design systems; however, the site might not have the room to design a stormwater system that meets the performance requirements for the proposed impervious coverage and it might limit the site. Mr. Larena asked about the soils and the filtration, which was addressed by Dr. Emerson. Mr. May questioned the stormwater design, the calculations, recharge, design and sizing of the basin, which was addressed by Dr. Emerson.

Attorney Lieberman questioned the mischaracterization of the soil and whether the stormwater management plan is defective. Dr. Emerson stated that the bar has been set artificially low and it impacts the size and performance of the basin. He stated that the stormwater system will be non-compliant as the existing conditions are misrepresented. He stated that the system is not approvable even with monitoring. He also addressed the

New Jersey Stormwater Best Management Practice Manual which outlines different techniques to manage stormwater. He stated that as far as he knows the Township has not adopted a Stormwater Mitigation Plan. He also addressed the present basin and the proposal and what could be constructed on the site that would comply. Attorney Keiling reviewed the history of the property and the prior approval granted by the Township.

The Board took a brief recess at 9:39 p.m. The meeting resumed at 9:49 p.m.

Monica Sabon, was sworn in and she read the Environmental Commission report, into the record. The document was marked as an Exhibit:

EC-1 Report of Environmental Commission, dated January 17, 2017

Ms. Sabon stated that this is their third report/letter submitted.

Board Attorney Thomas then addressed the membership/contribution/funding to the Delaware River Keeper Network and who may be eligible to ask questions. He stated that he understands that Dr. Emerson is from Atlantic County and he asked if there is anyone in the audience, who has not made a contribution to the Delaware River Keeper Network, that has questions of Dr. Emerson. Attorney Lieberman objected and he stated his opposition.

Tom Gabel questioned the range of the well head protection area and community wells, the Detention Basin, and the 100 year storm, which Dr. Emerson addressed.

Sarah Hare questioned the different conclusions in regards to the soils. Dr. Emerson stated that they may have gone to the websoil survey and they did not do any further investigation.

Joseph Rich questioned excessive rain and where it will all go. Dr. Emerson addressed the controlled release and the improper design of the basin.

David Wray asked about the classification of the well protection area and the Beaver Brook, which was addressed by Dr. Emerson.

Marge Vazquez asked about the human factor/error. Dr. Emerson stated that the mistake has already been made as the proposal does not meet the stormwater requirements.

David Gagne asked about whether a well search would be included in a new/revised EIS. He also questioned the radius of contamination and a flood event, which Dr. Emerson addressed.

Stephen Flynn questioned snow mitigation. Dr. Emerson stated that he did not review that issue; however, he did review snow removal. Mr. Flynn questioned the removal of hydrocarbons and the device proposed; which was addressed by Dr. Emerson.

Thomas Bodolsky questioned whether a comprehensive maintenance plan or field manual is on file, the access deed and what is required by regulations, which Dr. Emerson reviewed.

Laura Tafuni asked who will be responsible to monitor, which Dr. Emerson addressed.

Board Attorney Thomas then asked if there was anyone in the public, who has made a contribution to the Delaware Rive Keeper Network, that still has an unanswered questions. Attorney Lieberman stated that there are people that have made earmarked contributions; however, he is not going to identify who they are. He stated that his client has no obligation, to use any funds donated, in any particular fashion. Board Thomas stated that the question is whether the public members are his client. Attorney Lieberman stated that there is no retainer agreement between the public members and the Delaware River Keeper Network. Board Attorney Thomas asked if there were any further questions of Dr. Emerson. With there being none, Dr. Emerson, was excused.

Pete Peterson questioned the status of the procedure, which Board Attorney Thomas reviewed. It was noted that Mr. Stine will be testifying, at the next meeting, on behalf of the Delaware River Keeper Network . The Board then went on to discuss the scheduling and it was announced that this matter, is carried to September 11th, without any further public notice required. He stated that at that point, the matter may be carried to another chosen date, which will be posted. Attorney Keiling agreed to an extension of time until the end of October.

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

Bills:

Rodman Associates

Re: General	33.25
Re: Singh	299.25

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

Heyer, Gruel and Associates,

Re: Singh-March	357.50
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Mr. Koonz made the motion to approve the voucher. Motion seconded by Mr. May. In a roll call vote, all were in favor.

Dolan & Dolan

Re: Singh	1556.18
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Mr. Koonz made the motion to approve the voucher. Motion seconded by Mr. Rosenberg. 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 10:45 p.m.

Respectfully Submitted:

Alfia Schemm
Board Secretary
9/25/17