

**WHITE TOWNSHIP PLANNING BOARD  
555 CR 519, BELVIDERE, NEW JERSEY**

**MINUTES  
FEBRUARY 9, 2021**

The regular meeting of the White Township Planning Board was held on Tuesday, February 9, 2021. Present were: Timothy Matthews, Chanda Collom, Michael Grossmann, Robert Mackey, Anne Skoog, Alternate #2 Nevitt Duvoneck, Alternate #1 Joan Schnieber, Richard Nieuwenhuis, Joseph Phillips, Drew Kiszona, and David Pritchard. Also present: Attorney Richard Cushing, Board Engineer/Planner Paul Sterbenz, Conflict Engineer Andrew Holt, Traffic Consultant Joseph Fishinger, and IT Consultant Jean Paul Reese.

**CALL TO ORDER:**

Chairman Matthews called the meeting to order at 7:15 p.m. He stated that the meeting is being held in accordance with the "Open Public Meetings Act", with adequate notice to the appropriate newspapers and posting on the township bulletin board and the township website. Mr. Reese reviewed the Zoom procedures for this evening's meeting.

**OPEN TO THE PUBLIC:**

Chairman Matthews opened the meeting to the public for non-agenda items.

Theresa Chapman stated that she sent an email earlier today and she had some procedural questions regarding the Jaindl submissions and the lots in question and whether the prior testimony is going to be represented from the very beginning. Attorney Cushing stated that the issue should be addressed during the Jaindl hearing.

Michael Sinkevich, Esq., representing the Delaware River Keeper Network also had some procedural questions regarding the Jaindl applications. Chairman Matthews suggested that Mr. Sinkevich ask those questions during the Jaindl hearing.

Henry Mack had comments regarding the Jaindl application. Chairman Matthews asked that the comments be addressed during the Jaindl hearing. Attorney Cushing agreed and stated that the present "open to the public" is for non-agenda items.

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

**OTHER BUSINESS:**

Board Engineer Sterbenz provided an overview of the ordinance consistency determination procedure. He commented on the Board action taken in the adopted Master Plan Amendment Report. He stated that Ordinance #2021-01, Ordinance #2021-02, and Ordinance #2021-03 have been prepared in response to the recommendations in the adopted Master Plan Amendment Report. He stated that #2021-04 is an independent Ordinance and was not a part of the adopted Master Plan Amendment Report.

**Ordinance #2021-01**

Board Engineer Sterbenz went on to review Ordinance #2021-01. Ms. Skoog made the motion to find that Ordinance #2021-01 is consistent with the recommendations in the adopted Master Plan Amendment Report. Motion seconded by Mr. Mackey. Discussion on the motion: Anthony Sposaro, Esq. asked if the meeting was going to be opened to

the public. Chairman Matthews stated that public comment can be made at the Township Committee meeting prior to the Ordinance adoption. Mr. Sposaro stated that he would like to comment on the Board's action. Mr. Cushing stated that Mr. Sposaro has submitted a letter setting forth his position and the Board can note it for the record. In a roll call vote, all were in favor, except for Dr. Phillips and Mr. Grossmann, who abstained.

**VOTE: 7 AYES**

The motion carried

**Ordinance #2021-02**

Board Engineer Sterbenz went on to review Ordinance #2021-02. Ms. Collom made the motion that Ordinance #2021-02 is consistent with the recommendations in the adopted Master Plan Amendment Report. Motion seconded by Mr. Nieuwenhuis. In a roll call vote, all were in favor, except for Ms. Skoog and Dr. Phillips, who abstained.

**VOTE: 7 AYES**

The motion carried

**Ordinance #2021-03**

Board Engineer Sterbenz went on to review Ordinance #2021-03. Chairman Matthews asked if Ms. St. Angelo's 10-03-19 memo should be acknowledged. Mr. Cushing agreed.

Mr. Mackey made the motion that Ordinance #2021-03 is consistent with the recommendations in the adopted Master Plan Amendment Report. Motion seconded by Mr. Nieuwenhuis. Discussion on the motion: Mr. Kiszona asked for the motion to restated. Chairman Matthews restated the motion. In a roll call vote, all were in favor, except for Dr. Phillips and Mr. Kiszona, who abstained, and Mr. Grossmann, who voted in opposition.

**VOTE: 6 AYES**

The motion carried

**Ordinance #2021-04**

Board Engineer Sterbenz went on to review the Ordinance #2021-04. Ms. Collom made the motion to recommend the adoption of Ordinance #2021-04. Motion seconded by Dr. Phillips. In a roll call vote, all were in favor, except for Mr. Kiszona, who abstained.

**VOTE: 8 AYES**

The motion carried

Mr. Sterbenz announced that tomorrow night's Township Committee meeting is cancelled and the Township will address the Ordinances at their meeting on February 24, 2021. He also stated that additional materials were submitted to address the Foul Rift Solar Farm deficiencies and he issued an email determining the application to be complete. He stated that Conflict Engineer Holt will now represent the Board in this application.

**OLD BUSINESS/NEW BUSINESS:**

**#790 Jaindl Land Company, Block 7, Lot 16 (Phase 1 Site Plan)**

**#792 Jaindl Land Company, Block 7, Lots 3, 4, 5, 11 & 14 (Phase 2 Site Plan)**

**#791 Jaindl Land Company, Block 7, Lots 3, 4, 5, 11 & 14 (Phase 2 Subdivision)**

Anthony Sposaro, Esq. was present on behalf of the Jaindl applications. He confirmed that they will be representing all of the testimony that was offered to the Board, prior to the Board's July 14th meeting. The meeting was then opened to the public for the procedural questions that were brought up at the beginning of the meeting.

Michael Sinkevich, Esq. commented on the Foul Rift roadway alignment and the jurisdictional issue with the notice that was provided. Mr. Sposaro disagreed with Mr. Sinkevich's position and he asked if Mr. Cushing can provide his opinion on the matter. Mr. Cushing suggested that Mr. Sinkevich submit a letter outlining his position. Mr. Sinkevich also addressed the Finelli's reference to a revised Storm Water Management Report, which to his knowledge has not been received. Mr. Sposaro stated that he will review the issue with Mr. Finelli. Mr. Sinkevich commented on the disjointed presentation of the application (out of order) and he asked what will be presented at the next hearing. Mr. Sposaro stated that they plan on presenting Planning testimony next and then architectural, lighting, and engineering.

Henry Mack commented on his objections to the proposal and Mr. Sposaro objected to the comments. Chairman Matthews stated that the meeting is opened to public at this time to address procedural questions only.

Theresa Chapman stated that her earlier questions were answered; however, she did have a question regarding the lots involved in the applications, which Mr. Sposaro addressed. Mr. Holt also addressed the proposed future Lot 5 after the subdivision is perfected.

The meeting was then closed to the public for procedural questions. Mr. Sposaro reviewed where they left off at the last hearing and he stated that Traffic Consultant Corey Chase is still under oath and available for questions.

Chairman Matthews opened the hearing to the public for questions of Mr. Chase who was previously sworn in.

Ms. Chapman had several questions pertaining to the traffic figures in the report, which Mr. Chase addressed.

Mr. Bodolsky had several questions for Mr. Chase. Attorney Sposaro objected as Mr. Bodolsky had already questioned Mr. Chase at the last meeting. Mr. Bodolsky stated that he was not prepared, last month, with all of his questions, as he was under the impression that Engineering was going to be presented at that meeting. Chairman Matthews stated that it is in the best interest of the Board to have the most information possible. Mr. Cushing agreed. Mr. Bodolsky proceeded with his traffic questions and several ITE pages were displayed, which Mr. Chase addressed. Dr. Phillips commented on the methodology. Attorney Sposaro noted the ITE methodology and he stated that the Board Consultants did not raise any issues or concerns. Mr. Chase commented on the established methodology in calculating trip generations so that it is done consistently throughout the State and Country. He stated that in his professional opinion the analysis was done correctly. Mr. Bodolsky continued to ask questions, which Mr. Chase addressed.

**MINUTES - WHITE TOWNSHIP PLANNING BOARD      FEBRUARY 9, 2021**

Butch van Setters questioned when the studies were taken as there are more trucks on the road and he stated his concern about the safety of the school buses.

Mr. Kiszonak had several traffic questions, which Mr. Chase addressed. Dr. Phillips asked if the Board could get additional data. Mr. Chase stated that they will try and get that additional information.

Chris Amato, Nancy Mason, and Caroline Wittke, had traffic questions, which were addressed by Mr. Chase.

Joseph Fishinger, Bright View Engineering, clarified that the sensitivity analysis was done because there was no specific user in mind and they wanted to make sure that the math would work, if the user was on the higher side of trip generations.

The Board continued to ask questions regarding traffic, which was addressed by the Applicants.

Theresa Chapman had several additional traffic questions. Mr. Sposaro stated that Ms. Chapman has already questioned Mr. Chase. Chairman Matthews stated that he would like to hear Ms. Chapman's questions. Ms. Chapman had several questions regarding traffic and safety, which Mr. Chase addressed.

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

Mr. Sposaro had several questions for Mr. Fishinger on the reliability of the ITE data relied upon by Mr. Chase in his traffic study. Mr. Fishinger stated that they reviewed it vs. standard practices and have found it comparable. He stated that he had no issue with it and he is in agreement with Mr. Chase's testimony. Mr. Sposaro stated that they will try to provide the additional statistical analysis and Mr. Chase will be available at a later date to address improvements to Foul Rift Road and off tract improvements. He stated that their next witness is George Ritter.

George Ritter, P.P. was sworn in and he presented his credentials, education, and professional experience. He then went on to provide an overview of the proposal and Overall Preliminary Plat, dated 2-5-21 was displayed, and was marked Exhibit A-12/13. He reviewed the proposed lot configurations, the phases, and the existing Solar Array. Mr. Cushing requested that the Exhibits # be clarified. The Site Plan for Phase I and Phase II Combined Design, revised 2-8-21, was displayed and marked as Exhibit A-14. Mr. Ritter described the changes made and he described the overall site plan for office space, warehousing, loading docks, parking, possible tenants, onsite circulation, buffering, internal driveways, storm water basins, utilities, the intensity of the use, the agricultural and open space preservation, the height of the proposed buildings, building and impervious coverage, and what will be seen from the traveling public.

Chairman Matthews stated that due to the lateness in the evening that questions for Mr. Ritter be continued to the Board's March meeting. Mr. Sposaro agreed to extend all three applications until the April meeting. He stated that they will bring back Mr. Ritter and possibly Mr. Finelli, in March to address all three applications.

It was noted that Mr. Grossmann is no longer in attendance.

**MINUTES OF PREVIOUS MEETING:**

The minutes of the Special Meeting of December 3, 2020, were distributed to all the Board Members prior to the meeting.

Mr. Nieuwenhuis made the motion to approve the minutes. Motion seconded by Dr. Phillips. In a voice vote, all were in favor, except for Ms. Skoog and Mr. Duveneck, who were not present at the meeting and abstained.

**VOTE: 8 AYES**

The motion carried

The minutes of the Regular Meeting of December 8, 2021, were distributed to all the Board Members prior to the meeting.

Mr. Mackey made the motion to approve the minutes. Motion seconded by Mr. Pritchard. In a roll call, all were in favor, except for Mr. Duveneck, Dr. Phillips, and Ms. Skoog, who were not present at the meeting and abstained.

**VOTE: 7 AYES**

The motion carried

**BILLS:**

Maser-General	4615.38	PBOE
Maser-Foul Rift Solar Farms	75.00	Escrow
Gebhardt & Kiefer-General	2558.00	Escrow
Gebhardt & Kiefer-Jaindl	379.50	Escrow
Suburban Consulting Engineers-Jaindl-Phase I	3272.85	Escrow
Suburban Consulting Engineers-Jaindl-Phase II	3957.90	Escrow
Suburban Consulting Engineers-Foul Rift Farms	5420.00	Escrow

In a motion made by Dr. Phillips and seconded by Ms. Skoog, the bills were approved. In a voice vote, all were in favor

**VOTE: 9 AYES**

The motion carried.

**CORRESPONDENCE:**

Beckett . 1-26-21 WCPB, **Disapproval**

**ADJOURNMENT:**

With no further business to discuss, a motion was made and seconded to adjourn the meeting at 10:34 p.m. In a voice vote, all were in favor.

Respectfully Submitted:

Alfia Schemm  
Board Secretary

4/13/21