

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

**MINUTES
MAY 11, 2021**

The regular meeting of the White Township Planning Board was held on Tuesday, May 11, 2021. Present were: Timothy Matthews, Michael Grossmann, Robert Mackey, Anne Skoog, Joan Schnieber, Richard Nieuwenhuis, Joseph Phillips, Drew Kizonak, and David Pritchard. Board Members Absent: Nevitt Duveneck and Chanda Collom. Also present: Board Attorney Tara St. Angelo, Board Engineer/Planner Paul Sterbenz, Conflict Engineer Andrew Holt, and IT Consultant Jean Paul Reese.

CALL TO ORDER:

Chairman Matthews called the meeting to order at 7:03 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.

OPEN TO THE PUBLIC:

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

Michael Sinkevich, Esq. representing the Delaware River Keeper Network stated that he had a Jaindl comment to make. Chairman Matthews asked that he make his comment during the Jaindl hearing.

Tom Bodolsky commented about having in person meetings.

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

MINUTES OF PREVIOUS MEETING:

The minutes of the regular meeting of March 9, 2021, were distributed to all the Board Members prior to the meeting.

Ms. Skoog made the motion to approve the minutes. Motion seconded by Dr. Phillips. In a voice vote, all were in favor.

VOTE: 9 AYES

The motion carried

CORRESPONDENCE:

Jaindl

.4-20-21 Sposaro, Re: Idling Restrictions

COMPLETENESS:

#796 Michael Vande Vrede, Block 30, Lots 8 and 8.0

Michael Textores was present on behalf of the Applicant. He summarized the proposed lot line adjustment. Mr. Sterbenz reviewed his 5-7-21 report and the waivers and non-applicable items, being requested, which Mr. Textores addressed. The Board discussed the existing non-conformities and which non-conforming items will be addressed by the lot line adjustment.

Dr. Phillips made the motion to grant the four waivers (checklist items #22, #23, #25 and #28) being requested and affirm the non-applicable items. Motion seconded by Ms. Skoog. In a roll call vote, all were in favor, except for Mr. Nieuwenhuis, who abstained.

VOTE: 8 AYES

The motion carried

Mr. Mackey made the motion to deem the application complete. Motion seconded by Ms. Skoog. In a roll call vote, all were in favor, except for Mr. Nieuwenhuis, who abstained.

VOTE: 8 AYES

The motion carried

Chairman Matthews asked if the Board could fit this hearing into the next regular June meeting. The Board Members agreed.

EXECUTIVE SESSION:

Chairman Matthews stated that he would like to go into a brief Executive Session to address pending litigation. Ms. St. Angelo asked if he would like to wait until the June meeting so that Special Counsel Gruenberg can be present to provide an update. Chairman Matthews stated that he would prefer to still go into Executive Session, this evening, if possible. Mr. Reese stated that he will move the public into the waiting room.

In a motion made by Dr. Phillips and seconded by Mr. Kiszonak, the Board went into Executive Session at 7:29 p.m. In a roll call vote, all were in favor.

VOTE: 9 AYES

The motion carried

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of White, Warren County, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed is as follows: Pending Litigation.
3. It is anticipated at this time that the above stated subject matter will be made public at the conclusion of each individual specified subject matter.
4. This Resolution shall take effect immediately.

Date adopted: May 11, 2021

In a motion made by Mr. Nieuwenhuis and seconded by Ms. Skoog, the Board came out of Executive Session at 7:37 p.m. In a voice vote, all were in favor.

VOTE: 9 AYES

The motion carried

Ms. St. Angelo stated that the Board went into Executive Session to review the Jaindl Pending Litigation and no action was taken in Executive Session.

OLD 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 Applicant. Michael Sinkevich, Esq. stated his concerns over the number of changes, the cost of time and money being spent, and the confusion that it is causing. He recommended that the process start over and he asked if the documents on the website could be organized to focus on the pertinent documents. Mr. Sposaro agreed to work with the Board to organize the Jaendl documents and identify the outdated documents. He also asked that the Board consider scheduling special meetings and he commented on the duplicative/redundant questioning. Ms. Schneiber asked if the Board can be advised, ahead of time, as to which experts will be present at the meetings, so that the Board is better prepared. Mr. Sposaro stated that they will make every effort to advise the Board, ahead of time, as to the experts that they plan to present at the meeting. Chairman Matthews questioned the procedure in hearing the three separate applications as they are intertwined and they are reliant/dependent upon each other, which Mr. Sposaro addressed. He stated that the applications are conforming and are variance/waiver free.

Patrick Stuart was sworn in and the plans/exhibits were displayed addressing the lighting and landscaping for both Phases I and II. Mr. Stuart stated that their goal was to meet the standards of the ordinance and not provide excessive lighting while trying to be respectful of the ordinance and meet the minimum standards of the ordinance. He then addressed the proposed landscaping, which he stated is substantial and will provide a buffer. He also agreed to a field inspection, at the time of planting, to supplement and adjust, quantities as needed. He stated that they normally stay involved in the project and supervise the landscaping contractor to make sure that the trees are planted in the best location to obscure the sight lines. He stated that they will provide an as built to confirm the landscaping. He concluded by stating that they have worked hard to address the ordinance provisions and the proposed lighting and landscaping do address the ordinance provisions and the plan is in compliance.

Dr. Phillips had several landscaping and lighting questions, which were addressed by Mr. Stuart. He then asked whether the zoom general chat is part of the record. Ms. St. Angelo stated that the zoom chat is not part of the record. The Board discussed the chat conversations that are being displayed when screen sharing the plans. The Board discussed how to limit the chat and whether to limit the chat to the host only. Chairman Matthews asked that Ms. St. Angelo and Mr. Reese review the issue. Dr. Phillips asked that the amount of reflective light be minimized. Mr. Sposaro stated that they can look at reducing lighting; however, they need to comply with the ordinance.

Mr. Mackey questioned the deciduous trees in the winter and the berms, which Mr. Stuart addressed.

Mr. Pritchard questioned the grass planting on the berms and the landscape plantings, which Mr. Stuart addressed.

Chairman Matthews questioned the buffering to residential areas and the parking areas, which Mr. Stuart addressed.

Mr. Pritchard asked if the requested rendering of the view up on the hill was ever prepared. Mr. Sposaro stated that it has not been prepared.

Mr. Holt had questions regarding the utilities, lighting, and landscaping, which were discussed.

The hearing was opened to the public:

Sarah Hare questioned the proposed lighting, pollution, and the impact of lighting to wildlife.

Elaine Reichart questioned the landscaping maintenance plan. Mr. Sposaro stated that they will comply with the applicable requirements and the matter was also addressed by Ms. St. Angelo.

Diane Reichart questioned the truck idling law. Chairman Matthews stated that the hearing is now open for questions of lighting and landscaping.

Theresa Chapman asked if examples of night time pictures of the proposal could be provided. Mr. Stuart stated that he could provide a photo of the lighting. Ms. Chapman also had questions of the architecture and cross sections of the center of the building.

Tom Bodolsky asked questions regarding landscaping and street lighting, which were discussed.

Chris Amato asked about low color/temperature lighting, which was addressed by Mr. Stuart.

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

Ms. St. Angelo asked which experts may attend the June meeting. Mr. Sposaro stated that they plan on presenting Engineering testimony. He also requested again that special meetings be scheduled. Chairman Matthews stated that he would like to reserve special meetings to attend to other applications that may be submitted. He stated that the Board has dedicated every regular meeting to Jaindl and in his opinion that is sufficient. He stated that it is not the Board's fault that the application is going on as long as it has as there have been many plan revisions and the Board has given Jaindl adequate time to present their application. Mr. Sposaro granted the Board an extension of time, for all three applications, through the end of June 2021.

BILLS:

Colliers Engineering & Design (DBA Maser Consulting-Becrett	77.50 Escrow
Suburban Consulting Engineers-Jaindl	3902.40 Escrow
Bright View Engineering-Jaindl	508.75 Escrow
Sasowsky Earth Science Consultants-Jaindl	6168.75 Escrow

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

VOTE: 8 AYES

The motion carried.

OTHER BUSINESS:

The Board briefly discussed the chat zoom feature again and resuming in person meetings and whether it will be a hybrid meeting.

ADJOURNMENT:

With no further business to discuss, a motion was made and seconded to adjourn the meeting at 9:58 p.m. In a voice vote, all were in favor.

Respectfully Submitted:

Alfia Schemm
Board Secretary
7/10/21