

WHITE TOWNSHIP PLANNING BOARD
555 CR 519, BELVIDERE, NEW JERSEY
MINUTES
JUNE 14, 2022

The regular meeting of the White Township Planning Board was held on Tuesday, June 14, 2022 via Zoom. Present were: Timothy Matthews, Michael Grossmann, Robert Mackey, Anne Skoog, Joan Schnieber, Chanda Collom, Richard Nieuwenhuis, David Pritchard, Nevitt Duveneck, and Drew Kiszonak. Board Member Absent: Joseph Phillips. Also present: Board Attorney Tara St. Angelo, Board Engineer Paul Sterbenz, Conflict Engineer Andrew Holt, Karst Consultant Ira Sasowsky, and IT Consultant Chris Opalenik, who then provided the Zoom instructions/procedures for this evening's meeting.

CALL TO ORDER:

Chairman Matthews called the meeting to order at 7:05 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 Township Website.

OPEN TO THE PUBLIC:

Mr. Matthews opened the meeting to the public.

Tom Bodolsky asked about meeting back at the Municipal Building/Hybrid meeting. Mr. Matthews stated that the Board will discuss this later in the meeting.

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

MINUTES:

The minutes of the Regular Meeting of April 12, 2022, were distributed to all the Board Members prior to the meeting.

Ms. Skoog made the motion to approve the minutes. Motion seconded by Mr. Nieuwenhuis. In a voice vote, all were in favor, except for Mr. Duveneck, who abstained.

VOTE: 9 AYES

The motion carried.

OTHER BUSINESS:

Discussion on Solar Farm Ordinance

Mr. Pritchard addressed the subcommittee's review and recommendations on setbacks. The Board discussed the ordinance standards and the "conditional use" designation in a residential zone.

Mark Bellin, Esq. was present and he reviewed the difficulties that they are experiencing in regards to meeting the "conditional use" standards. The Board was polled and it was agreed that Ms. St. Angelo will meet with Mr. Sterbenz to address moving the bulk standards out of the "conditional use" portion of the Ordinance, so that the Planning Board can grant variance relief, if necessary.

Discussion on Redevelopment Memo

Mr. Matthews stated that he spoke with Mr. Sterbenz on the status of the Township memo and there is no action to be taken at the Board at this time.

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)

Mr. Grossman continues to be recused from the applications. Anthony Sposaro, Esq. was present on behalf of the Applicant and he noted where the Board left off at last month's meeting and the latest report from Dr. Sasowsky.

Ira Sasowsky was present and still under oath. Dr. Sasowsky briefly addressed his June 5th report. He reviewed some definitions, concerns, and recommendations, which were reviewed with the Board. The Board asked about the information/interviews from the farmers, caves/features, lime kilns, and proactive/reactive measures.

Mr. Sposaro then asked several questions of Dr. Sasowsky regarding his June 5th report, field verification, the map in the 2014 Hazard Mitigation Plan and the later Hazard Mitigation Plan, the 9-27-19 GTA report, testimony provided, and clarification of inconsistent statements. Mr. Sposaro stated that he can provide the Board with the meeting transcripts. Mr. Sposaro continued to question Dr. Sasowsky on his report and his conclusion/testimony on whether variance relief is necessary. The Board was polled and it was agreed that the Board is hearing that Dr. Sasowsky is recommending that due diligence be done to determine if there is a problem in order to protect everyone. Mr. Sposaro stated that he filed an OPRA asking how the Board has dealt with Karst over the past 10 years and whether variance relief has been requested. He stated that the response he received is that no one has been required to do the testing that they have already done. He stated that they feel that they have addressed any concerns; however, they would like to hear from the Board as what must be done to satisfy them. Mr. Matthews stated that they have not had an application of this caliber. Mr. Sposaro stated that subdivision/housing developments have been approved. The change in zoning from Residential to Industrial was discussed. Mr. Sposaro continued to question Dr. Sasowsky on the soils in the Township and the State.

Michael Sinkevich, Esq., representing the Delaware River Keepers stated that he understands that a new report was submitted by Mr. Mulhall and he wanted to know if the Board was going to consider it this evening. Ms. St. Angelo stated that she would think that the Board might want to invite Mr. Mulhall back next month if necessary. Mr. Sposaro noted that they did not have the opportunity to review Dr. Sasowsky's materials prior to last month's meeting. Ms. St. Angelo stated that Mr. Sposaro did have the opportunity this evening to question Dr. Sasowsky. It was agreed to proceed. Mr. Sinkevich asked if Dr. Sasowsky could review his qualifications and experience, which he did and he addressed his review of the subject site and getting additional analysis information.

The board took a brief recess at 8:56 p.m. The meeting resumed at 9:00 p.m. with all Board Members present.

Tom Bodolsky commented on Mr. Sposaro's conduct at last month's meeting with objections/interruptions. He went on to display Dr. Sasowsky' slide 3, which Dr. Sasowsky described. Mr. Bodolsky continued to question limestone solution features, sinkholes, farming, which Dr. Sasowsky addressed.

Theresa Chapman questioned Dr. Sasowky's involvement in the Karst Waters Institute and the testimony regarding the depression on Lot 14, which Dr. Sasowsky addressed.

Julia Somers, Executive Director of the NJ Highlands Coalition, questioned the impact of development on the water quality of the Buckhorn Creek, which was addressed by Dr. Sasowsky.

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

Ms. Schneiber questioned the hydrostratigraphic cross section, which was addressed by Dr. Sasowsky. Mr. Sposaro suggested that the Board hear from Mr. Mulhall and the Board Professionals before determining if additional testing is required.

Due to the lateness of the evening it was agreed to conclude for this evening. Mr. Sposaro granted an extension until the end of July and it was announced that this matter is being carried to the Board's July 12th Planning Board meeting. Mr. Matthews suggested that meetings begin back at the Municipal Building and also via zoom. Ms. St. Angelo reviewed the hybrid meeting regulations and confirming that an IT consultant would have to be available. The elementary school does not have a Zoom option and we have not confirmed the availability of the school. The Board discussed the scheduling and the possibility of being over the municipal meeting room capacity. Mr. Sposaro requested special meetings. Mr. Matthews stated that the special meetings are reserved for other board business.

MEMORIALIZING RESOLUTIONS:

#802 Hummer Solar Farm, Block 21, Lot 6

Ms. St. Angelo reviewed some suggested modifications. Ms. Skoog made the motion to adopt the Resolution as reviewed and modified this evening. Motion seconded by Mr. Duveneck. In a roll call vote, all were in favor, except for Ms. Collom and Ms. Skoog, who were not in attendance at the hearing and abstained.

VOTE: 8 AYES

The motion carried.

#803 Michael & Heather Madonia, Block 71, Lots 5 & 6-Minor Subdivision

Ms. Skoog made the motion to adopt the Resolution. Motion seconded by Ms. Collom. Discussion on the motion: Mr. Duveneck had a comment. Ms. St. Angelo stated that she can incorporate his suggestion in the resolution. In a roll call vote, all were in favor, of adopting the resolution as modified this evening, except for Mr. Pritchard, who was not in attendance at the hearing and abstained.

VOTE: 9 AYES

The motion carried.

CORRESPONDENCE:

**Foul Rift Solar
Jaindl**

- . 5-21-21 WCPB, Re: Exempt
- . 5-11-21 WCPB, Re: Incomplete
- . 5-11-21 WCPB, Re: Incomplete
- . 5-11-21 WCPB, Re: Incomplete

Misc

- . O'Connor, Re: Notice of NJDEP repair of Septic System

- . Bodolsky, Re: Restarting In Person Meetings
- . 5-12-21 CFSD, Re: Zoom Chat

BILLS:

Gebhardt & Kiefer-General	680.81	PBOE
Gebhardt & Kiefer-8 Mill Road	16.50	Escrow
Gebhardt & Kiefer-Jaindl	551.50	Escrow
Gebhardt & Kiefer-Chamberlain-West	33.00	Escrow
Gebhardt & Kiefer-Vande Vrede	16.50	Escrow
Gebhardt & Kiefer-Foul Rift Solar	594.00	Escrow
Gebhardt & Kiefer-Litigation	181.50	PBOE
Gebhardt & Kiefer-Chamberlain-East	99.00	Escrow
Gebhardt & Kiefer-Jaindl	445.50	Escrow
Gebhardt & Kiefer-Hummer	1023.00	Escrow
Gebhardt & Kiefer-General	446.00	PBOE
Sasowsky Earth Science-Jaindl	3583.75	Escrow
Suburban Consulting-Jaindl	537.50	Escrow
Suburban Consulting-Jaindl	537.50	Escrow
Colliers Engineering-Madonia	82.50	Escrow
Colliers Engineering-8 Mill Road	174.80	Escrow
Colliers Engineering-Vande Vrede	82.50	Escrow

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

VOTE: 9 AYES

The motion carried.

ADJOURNMENT:

With no further business to discuss, a motion was made and seconded to adjourn the meeting at 9:57 p.m. In a voice vote, all were in favor.

Respectfully Submitted:

Alfia Schemm
Board Secretary
8/2/22