

Township of Hillsborough – PLANNING BOARD

Approved Public Meeting Minutes

March 23, 2023

Chairman Carl Suraci called the Planning Board Public Meeting of March 23, 2023 to order at approximately 7:35 p.m. The meeting was held in the Courtroom of The Peter J. Biondi Building. All stood for the flag salute.

NOTICE OF MEETING

Chairman Suraci announced the meeting has been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 (“Sunshine Law”). Notice of the 2023 Annual Meeting Schedule has been provided to the officially designated newspapers, the Township Clerk, posted on the Township’s website and available at the Hillsborough Township Municipal Complex.

Application documents have been made available on the Township’s web site <https://hillsboroughnj.civicclerk.com/>. Complete applications files are available in the Planning and Zoning Department for inspection, in accordance with the public meeting notice.

ROLL CALL

Mr. Bernstein takes roll call

Absent - Robert Wagner, Jr	Present - Patricia Smith (Alt #2)
Present - Robert Peason	Absent - Committeeman John Ciccarelli
Present - Frank DelCore	Present - Mayor Shawn Lipani
Present - Ron Skobo	Absent - Neil Julian, Vice Chairman
Present - Kenneth Hesthag, Secretary	Present - Carl Suraci, Chairman
Absent - Bruce Radowitz (Alt #1)	

Also in attendance: David Kois, PP, AICP, *Township Planning Director*; Eric Bernstein, Esq., *Board Attorney (Eric M. Bernstein & Associates)*; Todd Hay, PE, CME, *Board Engineer (Pennoni Associates)*; Michael Lombardozzi*, CSR, CCR, *Board Court Reporter*; Dylan Tollefson, *Township Videographer (Fuerza Strategy Group)*

Mr. Kois explains *Mr. Lombardozzi is attending and transcribing remotely via a private link.

CONSIDERATION OF MEETING MINUTES

None

CONSIDERATION OF RESOLUTIONS

None

PLANNING BOARD BUSINESS

None

CONSIDERATION OF ORDINANCES

None

BUSINESS FROM THE FLOOR (public comment for matters not on the agenda)

Chairman Suraci opens comments from the public; asks public to state their name and address, reminds there is five-minute limit per person and requests to avoid any conversations directly or indirectly involving warehouses during this public comment session.

Maria Janucik – 720 East French Ave., Manville (residence) / 2155 Camplain Road, Hillsborough (property owner)

- Ms. Janucik states she went to the Planning Board office to view the file for ‘Homestead 279 LLC [file 22-PB-05-S/MSV]’ in preparation for the March 9, 2023 as it was shown on the agenda but found at the meeting the application being presented was not the one that was available to the public. She summarizes the discussion from the March 9th meeting regarding if the hearing should continue that evening despite the changes to the application and states she felt it was a ‘violation of property owner’s rights’ for the Board to have continued with the hearing.
Ms. Janucik begins to further summarize the meeting.

Chairman Suraci asks Ms. Janucik not to discuss active warehouse applications at this time during this public comment period.

There is discussion regarding the appropriateness of time and place of Ms. Janucik’s concerns with a warehouse application.

Chairman Suraci explains the varying opportunities for public comment and public question during an application hearing process.

APPLICATIONS – PUBLIC HEARING

- **Weston RD, LLC (Guastella) – File 22-PB-03-MSPV** (TOD: 06-30-23) - Block 185, Lot 1 – Weston Road. Applicant seeking preliminary and final major site plan approval; ‘c’ bulk variances; and waivers, to construct a 135,000 square foot warehouse building with stormwater, parking, and associated improvements, on Property located in the I-1, Light Industrial District. (EC Review: 10-24-22) (Mtg. history: 11-10-22; 01-12-23 – NO testimony – for scheduling only; 02-02-23). *Revised architectural plans L/R 03-02-23. Revised site plan / reports / and supplemental documents received 03-10-23. **Application continued from February 02, 2023 without further notice.***

Participating: Michael O’Grodnick, Esq. of Savo, Schalk, Corsini, Warner, Gillespie, O’Grodnick & Fisher, P.A.; Jeffrey Chang, Esq. of Fox Rothschild LLP; Michael K. Ford, PE of Van Cleef Engineering Associates; Steve Radosti, AIA of Perez & Radosti Architecture; Thomas Auffenorde, PE of EcolScience; Peter Downham, LSRP of Roux Associates; Gary Dean, PE, PP, of Dolan & Dean Consulting Engineers, LLC; Keenan Hughes, PP, of Philips Preiss LLC; and Ahad Arif, Owner of miracle Brands (prospective tenant).

Opposing Counsel for Objector: Michael Sinkevich, Esq. of Lieberman, Blecher & Sinkevich, PC (land use matters), and Jordan Asch, Esq. of Riker Danzig, LLP (environmental matters), representing Hearthstone at Hillsborough.

Mr. Bernstein states he received a certification by absent Board member Examination of Record Eligibility to Vote from Mr. Skobo and Mr. Hashtag regarding having viewed the November 10, 2022 meeting. He will provide copies to Mr. Kois. All Board members present are eligible to participate on this application.

Michael O’Grodnick, attorney for the applicant, introduces himself.

Michael Sinkevich, legal co-counsel for the Objector, Hearthstone Homeowners Association, introduces himself.

Jordan Asch, legal co-counsel for the Objector, Hearthstone Homeowners Association, introduces himself.

Mr. O'Grodnick summarizes the history of the application. He states the application has been revised to address Board and Planner potential comments. The revisions relate to, but are not limited to, the height, a "substantial reduction in the square footage of the building", enhancing the architectures, adding building color, shifting the building and reduction of parking spaces. Mr. O'Grodnick gives a brief description of the application, property, and surrounding area and an opening statement in favor of the application. He lists the witnesses present and states he hopes to conclude Operations and Traffic during this evening's hearing.

Mr. Kois asks Mr. O'Grodnick to clarify why he believes a variance for height is not required as the revised, submitted plans dated March 10, 2023 indicates otherwise.

Mr. O'Grodnick states the Bulk Standards Table is reflective of the Planning Department's memo and states in the ordinance the building height is defined by the grade to the top of the building and if there are two frontages then it is the average of the two.

Mr. O'Grodnick asks Mr. Kois if he is correct in understanding that historically the building height was measured from the elevation facing the road.

Mr. Kois speculates on what the previous, and recently-retired, Planning Director's understanding of how building height was indicated. He states in his previous role as Hillsborough Zoning Officer the building height and how it is interpreted is how it reads in 188-3. He reads for the ordinance into the record. He states as he looks at the application he sees the building faces one street and in his professional opinion does not see how the portion about two frontages applies to this application. He has no comment on any previous Planning Director who may have had any decision to the contrary; as the previous Zoning office and current Planning Director and Deputy Zoning Officer he stands by what the ordinance says and if an applicant does not agree or interpreters different they can go before the Board of Adjustments.

Mr. Sinkevich asks to make a brief statement. He refers back to Mr. Asch's statement at the February 1, 2023 hearing and states with regard to any prior settlements or prior approves that does not affect their standing and has no bearing on the application. He states they are here because this application is inappropriate and over-designed project and have a jurisdictional position which he intends to lay out through cross-examination and witnesses to show this is not actually a Permitted Use because it is not what a warehouse is intended to be when the ordinance started. He continues they have significant issues with the stormwater management, the variance just referenced, waivers being requested, significant unnecessary parking, lack of buffering and many other impacts faced by his client. His client believes this application should be denied and will present their case through questioning and direct testimony.

Michael Ford, engineer for the applicant, is sworn in and states his educational and professional background and licenses. Mr. Ford introduces the exhibit dated March 8, 2023.

There is discussion as to which exhibit number this will be; A-3.

Mr. Ford states it is a colorized rendering of the revised site plan and should be available on Civic Clerk and gives a description of the plan and reviews the changes. The subset of changes include but are not limited to the stormwater management facility, basin at the front of the lot, increased by volume which brought a reduction to the building size, small encroachment for the loading zone has been eliminated, vehicle parking spaces reduced, total impervious coverage for the site is down to 40% where 60% is permitted.

Mr. Ford states in December 2022 the State published proposed changes to the Stormwater Management Regulations which resulted in new design standards for stormwater management which have not been adopted or put into effect yet. He states while these new standards are not currently applicable to this project, they have already taken the proposed rainfall data from the published regulations and done an analysis and design to demonstrate what the changes may result in.

Next Mr. Ford discusses the discharge from the detention basin, on this site and the impact on the Hearthstone Community across the street. He states through an OPRA request they obtained a copy of the drainage report for the Westmead project site plan, now known as the Hearthstone Community. As a result they did their own supplemental analysis above and beyond what is required. It is an analysis for both this proposed project and the Westmead project with the point of analysis for the Westmead project being the downstream side of the project and what impact this project's stormwater management may or may not have on the Hearthstone Community. The results indicate the downstream point of analysis for Westmead, with this project being developed, would result in a reduction of the peak flow at that downstream point by approximately 6% or 16 CFS. The total flow at the downstream side would go from 283 CFS to 267 CFS which is a reduction but Mr. Ford states as an engineer he wouldn't claim that to be a significant change one way or the other with regards to drainage.

Mr. Ford continues stating based on a suggestion from the Environmental Commission they modified their stormwater management retention basin design so the peak discharge from the basin will be delayed; 10% of the run-off volume is still remaining in the basin 12-hours after the start of the rainfall event. This is not a state requirement.

Mr. Ford explains a believed misunderstanding regarding 'basin C'. He reviews stormwater quality, discusses the reclassification of soils and soil testing, and reviews the unconstructed wetlands.

Mr. Ford reviews the March 21, 2023 memo from Pennoni Associates.

Mr. Ford inquires about an updated report from the Fire Marshall. He states along with other changes they have added an emergency access lane and EV charging stations as requested.

Mr. Ford reviews changes regarding the Pond Constructed Wetlands and landscaping.

Mr. Ford reviews the waivers on page four of Mr. Kois memo dated March 21, 2023 with regard to the buffer set back and small portion of the loading area.

Mr. Bernstein asks for a brief recess to speak with Mr. Kois.

Chairman Suraci states they will take a five-minute recess.

At 8:40 p.m. Chairman Suraci calls the meeting back into order.

Mr. Kois asks where they provided the Economic Hardship Waiver information showing the formula to confirm it complies.

Mr. Ford states part of their original application included the Economic Hardship Waiver formula.

Mr. Kois asks if they provided the rider explaining why each tree is to be removed.

Mr. Ford states he is not familiar with the requirement.

Mr. Kois states this requirement is listed in section 188-163c1 and reads from the section into the record.

Mr. Ford states they have provided a Tree Mitigation Plan as part of the plan set. He believes it addresses all of the areas mentioned.

Mr. Kois notes their Tree Mitigation Plan states a contribution will be made to the township in terms of trees the applicant wasn't planning on proposing but asks if there is a reason why the required trees cannot be planted on the site.

Mr. Ford states since the site is primarily wooded now they would not fit. They are trying to minimize their impact on the existing woods so this leaves very little green space for replacement trees.

Mr. Bernstein asks if the plan they submit this evening is an updated plan from the original.

Mr. Ford states yes.

Mr. Bernstein asks therefore wouldn't it require an updated Tree Preservation and Mitigation requirement based on the changes to the plans.

Mr. Ford states while the plan has been updated, the Tree Mitigation formula requires a cost estimate for the project which has not been updated.

Mr. Bernstein asks isn't it a requirement that the required costs and information be provided for the Board to make the ultimate decision whether to grant or deny the waiver and the mitigation.

Mr. Ford states in his experience even agreed upon plan and cost estimates at the time of construction can change during the process.

Mr. Bernstein states the number should not change as it relates to whether or the Board grants a waiver or the determination that you've met the requirements of section 188-163c1.

Mr. Ford states in principle they know they cannot plant all the trees on site and know they are making a contribution so it is the final determination of the contribution that remains. He states customarily there is always a revision of plans for compliance and at the time of revision

for compliance there may be changes in the quantities of construction therefore affecting that number.

Mr. Bernstein asks if it is the applicant's intention to amend any material submitted related to Tree Preservation and Tree Mitigation for the purposes of Board determination.

Mr. Ford states they will comply with the ordinance requirement of 1.5 % based on the final construction cost estimate.

Mr. Bernstein asks if it is the intent of the applicant to submit any additional documentation relative to the current plan as it relates to what was previously submitted.

Mr. Ford states yes.

Mr. Bernstein asks when they are planning on providing it.

Mr. Ford states they will provide it before the next hearing and as a condition of approval if the plans change at that time as well so that the final number can be calculated.

Mr. Kois asks for clarification on the shaded landscaping areas.

Mr. Ford states the plan is for alternate landscaping such as shrubbery, bushes, and other landscaping and drainage in those areas.

Mr. Kois asks if any will be mitigation trees.

Mr. Ford states no.

Mr. Kois asks why they are not proposing additional mitigation trees or trying to address that.

Mr. Ford states there was not a specific reason, and he did not recall any landscape comments in report.

There is a conversation about tree mitigation and if there is an opportunity for trees to be planted on site instead of through contribution.

Mr. Bernstein asks about the small piece of property with a separate block and lot number in the middle of the plan. He asks if it belongs to his client and if not who it does belong too.

Mr. Ford states it does not belong to his client, nor does he know who it does belong to and he speculates as to the origin of the small lot

Mr. Hay gives follow up information on the engineering letter dated March 21, 2023, labeled as Review Letter #2 and which follows up from October 24, 2022. He states that he believes all the comments were satisfied or met and highlights some that are still open. He states he hopes another witness will give testimony about handling the collection of refuse and expresses his concern for the lack of testimony regarding how this applicant is meeting the Warehouse Guidelines Law Bill A3352. He states there is an issue with item 11 with regards to structural design calculations and asks the Board to make compliance a condition of approval and

reviews his concerns with storm water management. Mr. Hay states there is an issue at the bottom of page six, item number 12 with regard to the pipe capacity analysis and asks the applicant to revise those plans. There are some environmental issues he hopes their environmental person will cover in testimony.

Mr. Asch asks Mr. Ford if he recalls stating in his previous testimony that this site would drain to the Hearthstone Basin.

Mr. Ford states he believes there was a miscommunication because the site connects to the drainage in Weston Road but the data they had on the Hearthstone Community wasn't available to them until they received it via OPRA request for the design of that project. It is at that time it became apparent the basin does not drain to the Hearthstone Basin.

Mr. Asch asks if when they previously submitted this application they believed it drained to the Hearthstone Basin.

Mr. Ford states yes.

Mr. Asch asks when they submitted the OPRA request.

Mr. Ford states since the last hearing due to being asked to review the overall impacts of the project.

Mr. Asch asks if their original application proposed to drain water into the Hearthstone Basin without them having confirmed that is where the water would drain.

Mr. Ford states their original application indicated they were connecting to drainage within Weston Road. He states the standards are the point of analysis at the point of discharge and their point of discharge was at the existing drainage feature on Weston Road. He states since the last hearing the additional information to be able to do the off-site analysis demonstrated no adverse impact but also demonstrated their site flow reduction to the basin is reduced.

Mr. Asch states they have a witness who will speak to that. He asks Mr. Ford if it is his testimony that it didn't matter where the water went once it left their site.

Mr. Ford states it wasn't a requirement of the analysis, it is additional details they've done and prepared as part of the requests from reviews from the Environmental Commission, Township Engineering Department and public comment.

Mr. Asch asks if he is correct in understanding that it would not matter if water from their site overflowed the basin and put it over capacity.

Mr. O'Grodnick objects stating it is irrelevant to the current design and also speculative.

Mr. Bernstein directs Mr. Asch to rephrase the question.

Mr. Asch asks what changed in the site conditions that the water is now going to a different place.

Mr. Ford states the thrust in the change of the basin design had nothing to do with whether it was going to that basin or in a pipe in the community across the street. He states it had to do with doing a design that complied with the current rainfall data and the potential proposed rainfall data which is substantially greater and the delay in the peak discharged that was suggested by the Environmental Commission.

Mr. Asch asks if they are now directing the water into a privately owned pipe running under Weston Road and through then onto his client's property.

Mr. Ford corrects him stating they are connecting to a public pipe under a public road. He states they are connecting to the pipe on their side of the road and are not doing anything to the pipe under Weston Road or through Mr. Asch's client's property.

Mr. Asch asks if they did any analysis on the capacity of that pipe to handle the proposed amount of water.

Mr. Ford states yes, it is in the Drainage Report.

Mr. Asch asks Mr. Ford to offer a page number for the location of this information.

Mr. Ford states he does not have a page number explaining he is reading from his summary and it is his understanding this information is in their Drainage Report in the stormwater calculations for all the pipe analysis.

There is discussion about Mr. Ford providing a page number from the report.

Mr. Ford states he is not disputing the information, if it is not in the report as he understands it to be they will provide it.

Mr. Asch asks Mr. Ford to answer the question from his notes.

Mr. Ford states the analysis of that existing 24x38 inch pipe has a capacity of 26.74 CFS. He states drainage pipes within public roads are typically designed for a 25-year storm a hundred-year storm. He states evidently this original design may not have been for a hundred-year storm because their flow could be over that for a hundred-year storm but they've to reduce the rainfall peak discharges from their site to comply with Stormwater Management Regulations but also to address the capacity of the pipe in Weston Road.

Mr. Asch asks how much water that previously went into state open water drainage feature on the northeast would now be diverted into the pipe.

Mr. Ford states zero as the water from this area would flow into basin C and does not connect to the pipe being discussed.

Mr. Asch states there was testimony and was in the report that there was water flow which was going to the state open water that is now going, he believes, first to their open constructed wetland and then to the pipe.

Mr. Ford states this is correct.

Mr. Asch continues asking how much water flow is being rediverted in that way.

Mr. Ford states about four acres is being reduced to the state open water that goes to basin c and that is collected and managed with the basin.

Mr. Asch asks if in Mr. Ford's analysis the four acres has been added to the capacity the pipe is already undertaking.

Mr. Ford states yes.

Mr. Asch if his answer is based on the summary he read previously.

Mr. Ford states yes.

Mr. Asch asks what happens if that pipe receives more fluid than it can handle.

Mr. Ford states if it were a rain event that was more than the designed capacity it would exceed capacity and flow up into the roadside, swales, or ditches at the location.

Mr. Asch asks if the proposed basin has an elevation of about 65.15 feet, at its highest elevation.

Mr. Ford states the elevation at the top of the embankment is 66.8 feet.

Mr. Asch asks if he is aware the manhole rim elevation above the pipe in question is at 59.8 feet.

Mr. Ford reviews the plans then states looking at the upslope side of the road there is no manhole, just an open.

Mr. Asch states he is referring to the manholes on the Weston property and possibly along Weston Road on the Hearthstone property.

Mr. Ford states there are several manholes on the Weston property because the pipe traverses through that property.

Mr. Asch states he will move on. He asks will regard to the emergency spillway from the proposed basin is he understanding it correctly that it is pointed directly at the Hearthstone Clubhouse.

Mr. Ford states yes on the Weston Road side of the basin, the downslope side toward Weston Road.

Mr. Asch asks under what legal authority he is proposing to direct water runoff from the applicant's property to his client's property.

Mr. Ford states that is a legal question, he is not a lawyer so he would defer to someone more qualified.

There is discussion between Mr. Asch and Mr. O'Grodnick about the question.

Mr. Bernstein recharacterizes the question as 'how did you come to the determination that you came to related to the issue if you didn't have any understanding of the legal perspective?'.

Mr. Asch agrees with this recharacterization of his question.

Mr. Bernstein asks the witness to answer the question to the extent he can.

Mr. Ford states as he stated previously, they are connecting to an existing pipe within a public right-of-way that gathers runoff from this site as well as the Weston Road and was included as part of the Westmead/Hearthstone Development Project plans identifying drainage from this site going through that site. He states from a legal standpoint he defers to others.

Mr. Asch asks if the revised site plans have been submitted to DRCC for new approval.

Mr. Ford states no.

Mr. Asch asks if they intend to submit them and if so, will it be before the next hearing.

Mr. Ford states yes to his intention to submit them and after asking when the next hearing states yes to submitting them before the next hearing.

Mr. Asch states he would next like to discuss compliance with the Stormwater Management Rules NJAC 7:8. He asks if Mr. Ford is familiar with those rules and if he agrees the performance standards under those rules are ground water recharge, water quality and peak runoff.

Mr. Ford agrees to both.

Mr. Asch asks if he is correct in understanding they are proposing no recharge despite the 11 acres of disturbance and about 8 acres of impervious coverage added.

Mr. Ford states yes.

Mr. Asch states previous iteration of this site plan has mention of sea soils which would require some recharge and asks what site conditions have changed.

Mr. Ford states they performed supplemental soil testing to support the stormwater management which revealed a groundwater table within 24 inches of the surface and a hydrologic soil group declassification.

Mr. Asch asks if under the rule it is 24 inches or less or less than 24 inches.

Mr. Ford reads from chapter 12 1C of the BMP, "a depth of 24 inches or less". He clarifies it is on page nine of the April 2022 review, first section under Soil Depth Profile Pits and Borings.

Mr. Asch looking for the section asks Mr. Ford to read the sentence.

Mr. Ford reads the sentence into the record.

There is a discussion regarding what Mr. Ford read.

Mr. Asch asks if he is familiar with the National Engineering Handbook, specifically Part 630, chapter 7 Hydrologic Soil Groups.

Mr. Ford states yes.

Mr. Asch asks what the relationship is between the BMP and that section of the National Engineering Handbook.

Mr. Ford states they refer to that handbook.

Mr. Asch asks why.

Mr. Ford states he did not create it so is not sure why they did but explains it is referencing other characteristics and how you determine them for soils. He states it is like a reference.

Mr. Asch asks how the handbook is meant to be used.

Mr. Ford states it has different characteristics of soils and how you interpret them.

Mr. Asch asks if he is familiar with Table 71, the Criteria for Assignment of Hydraulic Soil Group.

Mr. Ford states yes.

Mr. Asch asks with regard to that table's mention of depth to high water table is greater than or equal to 24 inches how does it affect his analysis of whether it needs to be less than or equal to.

Mr. Ford states it doesn't change it because the regulation, guidance document in chapter 12, the DEP wrote includes the language he gave previously.

Mr. Asch asks Mr. Ford if the BMP requires infiltration testing in order to change the NRCS mapping designation.

Mr. Ford states no because of the paragraph they just read.

Mr. Asch asks if he has done any infiltration testing and what type was done.

Mr. Ford states yes, Basin Flood tests and Pit Bail tests.

Mr. Asch asks if it is correct that Pit Bail testing is no longer an approved testing method.

Mr. Ford states he would not agree with that because Chapter 12 allows for alternate tests in certain circumstances.

Mr. Asch asks if he claims to meet those circumstances.

Mr. Ford states no he is not claiming that he was just answering the Pit Bail question.

Mr. Asch asks if his results from the Pit Bail and/or Flood tests presented in his report.

Mr. Ford states no.

Mr. Asch asks if they are not relying on those for purpose of infiltration testing.

Mr. Ford states they felt it not necessary to provide infiltration tests because they complied with Chapter 12 with regard to the depth of groundwater table and they have agreed to provide Mr. Hay with any additional data he requires.

Mr. Asch asks to confirm they did conduct Infiltration Tests and asks if those tests suggest they have D Soils.

Mr. Ford states yes.

Mr. Asch asks why they do not want to show those results.

Mr. Ford states they've already demonstrated it with the depth to groundwater table but have no issue with providing the Board and Township with any test they have done.

Mr. Asch reads from Section 8 of the report regarding groundwater recharge and asks for explanation to what is 'mottling'.

Mr. Ford states it is a discoloration of the soil that is indicative of a seasonal high groundwater table. He states the groundwater table fluctuates throughout the year and this mottling occurs because the groundwater table deprives the soil of oxygen and changes the color of the soil.

There is a series of questions and discussion regarding mottling and the necessity, difference and importance of the January 2022 and March 2023 testing.

Chairman Suraci states since the meeting started late they will be going till 10:00 pm but since it is already past 9:30 pm there will be no new testimony.

Mr. Asch next asks a series of questions about Water Quality and Peak Run off.

Mr. Asch asks if he is aware that under the Stormwater Management Rules at NJAC 7:8-5.7 A3 that the design engineer is required to "account for all features and structures that may reduce pre-construction stormwater rates and volumes."

Mr. Ford states his understanding of that section is regarding calculating the runoff from the site and gives an example.

Mr. Asch asks with regard to the Peak Flow Rate analysis, tables 5.1 through 5.3, where exactly was the point of analysis located.

Mr. Ford states just downstream from the site.

Mr. Asch asks him to point out where and asks if it is at the point of discharge.

Mr. Ford states yes and explains there are two discharges and how it is a summary of the two.

Mr. Asch asks who is responsible for the Operation and Maintenance of the on-site stormwater facilities.

Mr. Ford states the owner of the facility.

Mr. Asch asks how it is to be enforced.

Mr. Ford explains there is an Operation and Maintenance Manual that is prepared and typically the township requires it be recorded at the County Clerk's Office as a restriction to notify any subsequent property owners.

Mr. Asch asks who is responsible for the pipe that flows under Weston Road.

Mr. Ford states the pipe within the public right of way is the Township's responsibility and with regard to the pipe on the Hearthstone Project he does not know the answer.

Mr. Asch asks if the newly revised site plan completely avoids the stream corridor and there is no longer an Averaging Plan being proposed.

Mr. Ford confirms.

Mr. Asch asks how this change impacted the Site Plan Design.

Mr. Ford explains it reduced the amount of impervious and reduced the impacts to the wood area. He states the Averaging Plan for Stream Corridor is permitted by the ordinance but subject to the Board approval, but that his team choose not to continue to make that request.

Mr. Asch asks if it had any impact truck circulation.

Mr. Ford explains how it had an adverse impact on the internal circulation.

Mr. Asch states there is one minute remaining but he has several more questions.

Chairman Suraci states they will break until the next hearing which is already scheduled for May 4, 2023 at 7:00 pm, without notice and calls for a motion.

Mr. Peason motions to continue the hearing to May 4, 2023 at 7:00 pm or soon thereafter without notice, seconded by Mr. Skobo. All were in favor, none opposed.
Motion is approved.

ADJOURNMENT

A motion to adjourn was made by Mr. Peason, seconded by Mr. Skobo. Motion carries unanimously.

At approximately 10:02 pm the meeting is adjourned.

Planning Board regular meeting minutes
March 23, 2023- Approved

Submitted by Robyn Bittle-Abramo
Recording Secretary