

A meeting of the Township of Hamilton Planning Board was held on the above date with Vice-Chairman Harry Bilicki presiding.

Members Present: Richard Cheek, Wayne Choyce, Aline Dix, John Percy, Heather Tomasello and alternate member Harry Rogers.

Members Absent: David Wigglesworth, Charles Cain, John Kurtz and alternate David Adams

The following Board Professionals were also in attendance: Christopher Carey, Landscape Consultant; Steve Filippone, Engineer; Arnold Garonzik of Litwornia Associates, Traffic Engineer; Vince Polistina, Planner and John Rosenberger, Solicitor.

***Appointment of Planning Board Secretary** – Mr. Percy moved, seconded by Mrs. Dix to appoint Mary Lisitski as Planning Board Secretary for balance of the year.

SAID MOTION CARRIED WITH SEVEN MEMBERS VOTING “AYE”, NO “NAY, AND NO “ABSTAIN

Compliance with the Open Public Meetings Law was acknowledged.

Approval of Minutes – Mr. Percy moved, seconded by Mrs. Dix , to approve the minutes of the meeting of August 7, 2014, as published. SAID MOTION CARRIED WITH MEMBERS VOTING (4) “AYE”, NO “NAY”, (2) “ABSTAIN” (Choyce & Tomasello).

Denver Avenue Street Vacation: Request to vacate a portion of Denver Avenue, which is a “paper” street, located between lot(s) 2&15 in Block 395. Carried over from the July 17, 2014.

Steve Filippone, Engineer, reviewed his report of July 31, 2014. Board members previously received report.

Mr. McKellar, the requestor was invited to the microphone and was sworn in by John Rosenberger, Solicitor. Mr. McKellar was present to discuss his goal and answer questions. Discussion followed as to how Mr. McKellar might achieve his goal. It was suggested that he contact the Zoning Office for guidance with what he wishes to achieve. With the information presented and discussed there is not a sense to send the request to the Township Committee to vacate the portion of Denver Avenue. All Board members in favor to not recommend the vacation of Denver Avenue and send the Township Committee notification of this decision.

Board Member Choyce recused himself and stepped off the dais.

South Jersey Gas Company Application #2014-009; Block 1301, Lot 2; 215 Cates Road, Egg Harbor Township. for variance relief to modify its natural gas facility. Representing the applicant were Nicholas Talavacchia, Attorney, Cooper Levenson Law Firm; Thomas Roesch, PE, PP, Engineer, Duffy, Dolcy, McManus & Roesch Engineers; and Ray Wenzel, Chemical Engineer & LNG Facility Manager, South Jersey Gas Company.

Applicant seeks minor site plan approval with variance relief for structures and additional equipment to modify its existing natural gas facility. Mr. Talavacchia gave a brief description of the operations and Mr. Wenzel gave a detailed synopsis of what the facility does and what the changes will enable. It is primarily for holding and vaporization at this site to serve the residents more efficiently and to have adequate and timely supply of natural gas during the peak time of the year (winter.)

Mr. Wenzel stated that South Jersey Gas came before the Zoning Board of Adjustment Board in 2010 with application to freshen up the vaporizer pumps, add a solar field and interpretation to allow modification for the existing facility. Said request was granted. They are coming before the Board at this time to make application for the necessary additions because it has become

more challenging to meet the needs of the residents because the domestic LNG market has changed and there is a bigger demand for this service.

Mr. Wenzel explained the holding & storage process currently takes place during the spring, summer and fall months; approximately 400/600 truckloads per year, which equals 4 to 6 truckloads a day, approximately 100 days.

Mrs. Dix remarked that this project as proposed would help to alleviate our traffic problem. Mr. Talavacchia commented yes, but that there may be times when they might have to use additional trucking and that they do not want to foreclose the ability to do so if they have to.

Mr. Wenzel stated that this facility has been in operation as it is since 1973.

Mrs. Dix further added that if they get this approval it will lessen the truck traffic on the road, for whatever way it may help.

Mr. Wenzel added further information in regards that the LNG is in the tank generally 350 days a year. Vaporizer mode typically is 10-15 days, 12 hours per day per year during the coldest, blustery & darkest days. With this equipment on site they will be able convert the LNG to vapor and get it out more efficiently to serve the customers in the region. They normally don't vaporize 24 hours per day.

Mr. Bilicki asked for any comments from Board members before turning over to the Board Professionals. There were none at this time.

Mr. Thomas Roesch, PE,PP of Duffy, Dolcy, McManus & Roesch was sworn in by Solicitor Rosenberger for testimony as Mr. Talavacchia offered this person as witness/expert on behalf of the applicant. Mr. Roesch prepared the site plan which is on a total of 37 acres with 21 acres being in Hamilton Township and 16 acres in Egg Harbor Township. All improvements being presented tonight are in Hamilton Township and are a permitted use and the variances needed are for height of the structures. Mr. Roesch presented Exhibit A1 referenced as Page 4 and page 5 of the site plan as submitted and is made part of the record.

Mr. Roesch clarified the new stone out at the site as mentioned in Mr. Filippone's engineering report of October 9, 2014. As that was an issue with Pinelands, the applicant met with Pinelands to address drainage and that was satisfied per Certificate of Filing, August, 21, 2014. There is an existing basin that was extended in 2011 and they will be extending it a little bit further. The drainage aspects that are in Egg Harbor Township, which includes doing a berm, are being administratively reviewed by their professionals.

Mr. Roesch presented Exhibit A2, which is part of the Architectural Plan, CHI Engineering Sheet #3, Civil Site Plan, Rev. A, profile use, and made part of the record. The Variance requested is a C2 variance for accessory structure height, primarily for the Cold Box. There are actually 6 other structures to be added that exceed the 15' height and they need to be added to the variance, for a total of 7 structures. These structures are as listed: 1 Cold box – 65'; 1 N2 system -31'2"; 3 Adsorbers – 30'8"; 1 N2 compressor 20' and 1 booster compressor of 20' each.

Mr. Talavacchia asked Mr. Roesch that if in addition to this equipment necessary for this process, are there are any other improvements needed. Mr. Roesch responded with no, other than the drainage facility that he talked about and that there are no other improvements.

Mr. Talavacchia asked Mr. Roesch that if these variances aren't granted could this particular project be done as the heights are needed for this process. Mr. Roesch commented that it is his understanding that these heights are needed for this process to be done and to make this an efficient operation

Mr. Talavacchia restated that the main benefits to this operation would be the reduction in the truck traffic that currently goes to the site and also the reliability to the system.

Mr. Roesch commented that he sees no detriments only positive outcome. On the site plan these locations are interior to the sight; they are roughly 300' north, 600' west. It is roughly 800' to

closest resident and that the locations are very appropriate because you really don't notice these heights and these structures.

Mr. Talavacchia is there anything further to add; Mr. Roesch responded with a no, just that there are other buildings on site that already exceed height limits.

Mr. Percy questioned if this was a unique or a typical facility that the applicant uses; Mr. Wenzel response is that it is typical to the industry of the Continental US.

Mr. Percy inquired as to the visibility to neighbors around the applicant's site and as to whether there are any other buffering with natural vegetation to disguise from the residential view, or is it stark and plain and you will see towers, etc. from across the street.

Mr. Wenzel commented that there is no buffering on the site, there is some modest buffering on the houses closest to it. The equipment that is being proposed is internal to the sight and there is equipment already there that is as high or higher. Mr. Wenzel stated that it is his perception that it will not be that much more burdensome.

Mr. Rogers questioned lighting and how much more will be needed to be installed.

Mr. Wenzel responded that the area that is lit today will be the only area that will be lit as a result of this. One thing that we are committed to do was to minimize light spill over, the plans are for 10' shorter poles than are there now but a little bit more numerous but should not add any more light.

Mr. Rogers questioned if this was a pressure style system. Mr. Wenzel responded with a yes and further explained.

Mr. Cheek questioned the noise the compressor themselves will generate and Mr. Rogers asked if they will be housed; Mr. Wenzel replied in the affirmative and explained how this is done.

Discussion of noise took place and Mr. Talavacchia informed the Board that the applicant is working with an acoustical expert and will be providing a report as required by law pursuant to the New Jersey Noise Control Act, Chapter 29.

Mr. Percy questioned if there was waste. Mr. Wenzel felt there is no waste that he is aware of except for some used mechanical oil. It will be drummed and there will be quarterly waste that will be taken off sight (rags and consumables) and he further explained the cleansing process.

Mr. Bilicki inquired as to how often the operation run. Mr. Wenzel responded that it will run this operation 24/7, – 3 ½ months. It will run more if it is a hard cold winter so that it does not get down too low, which in turn makes it more difficult to supply the demand.

Mr. Bilicki questioned security and if they will be providing additional security. Mr. Wenzel stated that the security is enhanced and there will be someone on sight 24 hours a day, where there will be someone there all the time in the office. It is in the facility and there is a limitation on landscaping appropriate to Homeland Security.

Mr. Rogers stated that he has experience with marine LNG experience, and commented about the reduction of hook-up, start-up, slowdowns and shut downs and how they are the most dangerous operations related to this action. He further stated that by reducing the truck traffic on the road it is an ideal thing and is a huge improvement to the safety of the entire community and state.

Mr. Polistina reviewed his report of October 9, 2014. The applicant reports give what they are proposing. Noted that the request was for 1 accessory structure height but now the request is for 7 accessory structures with additional variances/waivers, and he hopes that the notice covered all of that; Mr. Rosenberger requested copy of said notice, as he did not see it. Mr. Polistina feels that given the testimony presented and what service this utility facility will provide that it is complete and accepted. He defers any landscaping to the proper professional.

Mr. Talavacchia added that the notice did contain the necessary requirements and that he will see that Mr. Rosenberger gets a copy.

Mr. Filippone reviewed his report of October 9, 2014 and there are things he would like to go over; they will need waiver from landscaping review. Technical review he questioned the noise study and compliance with State standards and the additional stone surface detail. He commented that they appear to have solved their stormwater problems with Pinelands and Mr. Filippone is asking for a stone surface detail to the plans. Most of the drainage is going to Egg Harbor Township and is accounted for.

Mr. Bilicki asked if he had any concerns regarding drainage with the additional structures and Mr. Filippone stated that they have accounted for that in their calculations.

Mr. Garonzik on behalf of Litwornia Associates, reviewed their report of October 9, 2014; they require a noise study pursuant to the NJ Noise Study Law, Chapter 29 and this request is required for a condition of approval as required by law.

Mr. Carey commented that his firm, Engineering Design Associates was involved in the 2010 application for the Zoning Board, solar application. At that time the security issue was discussed and he asked that they provide a statement as no landscaping plans were submitted at that time. It was pointed out during the 2010 review that it is essential to limit landscaping and was accepted as presented. Mr. Carey requested a statement be submitted for this application as well.

Mr. Talavacchia stated that the landscape limitations are due to Homeland Security and that they are in compliance; Mr. Wenzel added that they are in compliance with BPU and other regulatory agencies as to what they are permitted to do.

Mr. Rosenberger commented that the 2010 Resolution that he reviewed does not mention the landscaping but that he is sure that they have to be in compliance with BPU and other regulatory landscaping requirements as it relates to national security.

Public Comment: Mr. Bilicki opened the meeting to Public Comment.

Mr. Wayne Choyce, 1010 Grand Avenue, Mays Landing, NJ Mr. Choyce stated he is the closest neighbor to the facility. After hearing testimony he expressed concern over the operation of the new equipment that is going to operate 24/7 for 3-3 ½ months and asked if it will operate continuously for this amount of time. Mr. Wenzel stated that it will be during the cold snap, they will use next 2 weeks to fill back up. Maybe a few shots now and then with purpose, top off in spring, sit through summer, early fall, then in October, put supply back into it. The spring and fall are peak periods of peak operation. Mr. Choyce expressed his concerns about around the clock operation because as of now they hear noises from compressors from present operation but never 24 hours a day and looking at the plans submitted, they show air exchanges, water coolers, and he assumes that the fans run during the operation.

Mr. Wenzel added that there are some cooling fans that maximize for the air/heat exchange and that those fans have been specifically spec'd out with variable frequency drive and presented to the noise consultant.

Mr. Choyce stated that he is pleased to hear that one of the requirements will be that testing will be done to verify noise level per State requirement. That's the most critical as he has less buffer since the storm of 2012 as it is slowly. Mr. Choyce thanked the applicant for their previous cooperation with his concerns regarding lighting and that he was pleased to attend the workshop where the project was discussed. The noise element is his primary concern and as long as the requirement is met and that proper testing is done and it is reviewed by Board professionals, that should satisfy his needs.

Mr. Percy inquired about the noise level from what Mr. Choyce knew to exist and that he would like not to see any increase.

Mr. Wenzel added that the noise level should not increase from what is known now. He continued with explanation of the levels and the decibels and other information as it relates to the noise level.

It is proposed that the noise study be a one-time event, thereafter, enforcement in the event that they exceed the limit is by the township, state or another agency that does sound enforcement. This is to be done prior to permits being issued and final plans being submitted for endorsement the appropriate noise study should have been presented bringing the facility in compliance with the law.

Upon motion and second, Mr. Bilicki closed the public comment.

Mr. Rosenberger concluded with:

For Completeness, applicant seeks waivers for checklist items, For items 2,3,15, 23 & 24; Seeks minor site plan approval; And seeks C2 variances approvals for 7 structures with various heights with the maximum height for the cold case for 65'.

Mr. Rosenberger presented the following comments:

He explained why Planning Board is getting this application and it is because these are height variances well above the ordinance, and because they are accessory structures/ bulk variances, here at the Planning Board, they can exceed the height.

Additionally, the noise study will be submitted and as a result of the technical comments the requests made by the Board Professionals. The noise study is a one-time event and will be submitted prior to sign off on approved site plan and permits being issued. Plans have to be in order at that time.

The CHI Architectural plan will be signed & sealed by a NJ licensed registered engineer and will contain the address of the company and other pertinent information as required.

Mr. Rosenberger asked the Chairman as to when the Board would like the study submitted, post operation or 120 days out from the initial startup. Mr. Talavacchia added that this timeline would be dependent upon when it opens under full operation, at its maximum.

Mr. Rosenberger added that it would be at full operational capacity, 30 days or more or not greater than 6 months, whichever is less.

Mr. Percy moved, seconded by Mr. Rogers to accept the comments and incorporate them as stated by the Solicitor.

Mr. Percy moved, seconded by Mr. Rogers to grant preliminary and final minor site plan approval with waivers to Application #2014-09, South Jersey Gas Company; Block 1301, Lot 2; Township of Hamilton and located on 215 Cates Road, Egg Harbor Township, New Jersey Company as presented by solicitor.

ROLL CALL VOTE ON THE ABOVE MOTION:

Mr. Cheek - Aye

Mr. Choyce – recused

Mrs. Dix – Aye

Mr. Percy – Aye

Ms. Tomasello – Aye and thanked the applicant for the explanations and details given.

Rogers – Aye He would like to incorporate his comments previously about the increase of public safety as well as facilitating their operation.

Bilicki – Aye – He thanked South Jersey Gas for taking the time to see that the Board understood what they are doing and how they are going about it and commented about the decrease of truck traffic and providing the service to the community.

SAID MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING “AYE”, NO “NAY”, AND NO “ABSTAIN”.

Vote was 6 in favor; none opposed

Mr. Choyce resumed his place with the Board.

Mr. Cheek moved seconded by Mrs. Dix to close the public portion of the meeting. SAID MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING “AYE”, (NO) “NAY”, (NO) “ABSTAIN”.

Informal Discussion: Hamilton Mall Stormwater Remediation:

Steven Filippone, Board Engineer has had communications with Hamilton Mall Engineers gave an update on the storm water basins at Hamilton Mall and gives a report once a month

Mr. Filippone has had conversations and they have completed survey of the storm water basins, they completed their analysis and reports submitted to Kravco and their attorney. They should be filing application within 30 days to the Planning Board. They are planning on removing silt and sediment that has accumulated at the bottom of the basin; they have been doing all the testing and not maintenance. They will be providing upgraded/updated maintenance plans.

Public Comment – Vice Chairman Bilicki opened the meeting to public comment. There being no public comment offered, the Board moved and seconded, to close the public portion of the meeting. SAID MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING “AYE”, (NO) “NAY”, (NO) “ABSTAIN”.

Mr. Cheek discussed the size of prints that the Board gets to review. It was suggested that they get full size as the reduced copies are difficult to read. It was requested that Mr. Filippone look into this and see what changes to the application checklist could be done to rectify this.

Board Secretary and professionals can get the word out for now. Mr. Filippone thinks the checklist should be changed to reflect that the Board should get full size plans. It was changed previously to cut back on paper usage and related costs.

Adjournment – Mrs. Dix moved, seconded by Mr. Choyce, to adjourn the meeting. SAID MOTION CARRIED WITH ALL MEMBERS PRESENT VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

Respectfully submitted,

Mary A. Lisitski
Planning Board Secretary