

A meeting of the Township of Hamilton Planning Board was held on the above date with Chairman David Wigglesworth presiding.

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

Members Absent: John Kurtz.

The following Board Professional was in attendance: Steve Filippone, Engineer. Also in attendance was Philip Sartorio, Community Development Director.

Compliance with the Open Public Meetings Law was acknowledged.

Approval of Minutes – Mr. Percy moved to accept minutes of the December 4, 2014, seconded by Mr. Choyce. SAID MOTION CARRIED WITH MEMBERS VOTING (6) “AYE”, NO “NAY”, (2) “ABSTAIN”.

Adoption of Decision and Resolutions:

#2014-009, 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. Percy moved, seconded by Mrs. Dix to approve the Resolution as prepared by the Solicitor. No discussion on the motion.

ROLL CALL VOTE ON THE ABOVE MOTION

Let the record show that Mr. Rogers arrived at 7:06 PM

Mr. Cheek - Aye	Mr. Choyce – Recused
Mrs. Dix – Aye	Mr. Wigglesworth - Abstain
Mr. Percy – Aye	
Mrs. Tomasello - Aye	
Mr. Rogers – Aye	

SAID MOTION CARRIED WITH (5) ELIGIBLE MEMBERS VOTING “AYE”, NO “NAY”, (1) “ABSTAIN”.

#2009-012(C) Buffalo Pike Associates: Partial Performance Bond Waiver Request

Mr. Choyce moved, seconded by Mr. Percy to approve resolution as prepared by the Solicitor

Let the record show that Mr. Bilicki arrived at 7:07 PM.

ROLL CALL VOTE ON THE ABOVE MOTION

Mr. Bilicki – yes
Mrs. Dix - yes
Mr. Choyce – yes
Mr. Percy - yes
Tomasello - yes
Rogers - yes
Adams - yes

SAID MOTION CARRIED WITH (7) ELIGIBLE MEMBERS VOTING “AYE”, NO “NAY”, NO “ABSTAIN”.

4G's of Hamilton, LLC – Del Mar Lakes – Applicant #SD-4-03 – Block 996 and 1028.01

Extension of Period of Protection - WITHDREW – not needed at this time. Represented by applicant's attorney, Jack Placter of Fox Rothschild. There is Legislation in progress to extend the period of protection to December 31, 2016. Present approval is good until June, 2015. If extension is needed the applicant will contact Planning Board Secretary and proceed accordingly.

Hamilton Mall, LLC – Application #2011-017 – Block 1135.01, 10.02 - Amend Approved Stormwater Basin Remediation

Representated by Steven Nehmad, Esq. of Nehmad, Perillo and Davis. This application is a follow up to amend the approved storm water management which was presented at the August 7th, 2014 meeting. In 2012 the applicant started to conduct its expansion and redevelopment activity that has been on going for a number of years. Mr. Nehmad gave background information of prior activity that took place in regards to the Hamilton Mall and noted that the basins were not technically infiltrated within 72 hours. The applicants present engineering firm, Speitel and Speitel Inc., had been studying the site for the last year and a half as to what the nature of the problem might be and have formulated a plan to modify the basins. The applicant is requesting a waiver from the 72 hour time period because it is unable to achieve that goal and given to what they now know because of extensive study.

Let the record show that Mr. Cain arrived at 7:16 PM.

Mr. Nehmad introduced applicant's Engineers, Edmond C. Spietel, P.E. of Speitel and Speitel, Inc. and Clay Emerson, PhD, P.E., of Princeton Hydro, LLC for their testimony.

Discussion, questions and answers followed regarding how the study records were achieved and compiled, and how the basins operate and probable solutions. Exhibits were offered showing the various basins, ground water, elevations and infiltration with explanations given by Mr. Spietel and Dr. Emerson.

Planning Board Engineer Mr. Steven Filippone referred back to his report of December 12, 2014.

Mr. Percy asked Mr. Filippone if what the applicant is presenting meets his expectations. Mr. Filippone feels the applicant's engineers did an excellent job, and they comply with the state rules and Pinelands. Mr. Filippone requested that the applicant provide an upgraded stormwater maintenance schedule.

Mr. Cain asked Mr. Nehmad if this undertaking of the basins falls under the latest requirements of the Township, and Mr. Nehmad responded with the applicant has a maintenance covenant in place now and per Mr. Filippone's request the applicant proposes to have Mr. Spietel develop a plan and present to Mr. Filippone for his approval and then have the applicant file an amended drainage plan.

Mr. Filippone added, he realizes there will be some occasions when basins could have water and be muddy, so he would like to have a schedule and intensify their activity during the driest months of the year and additional safe guards where needed.

Motion was presented to accept Spietel and Spietel, Inc. remediation plan submitted October 23, 2014 as satisfying prior conditions of approval as previously imposed granting the applicant a design waiver of the 72 hour ordinance criteria for drainage and with all being subject to Compliance with technical comments of Mr. Filippone's report and conditions.

It was moved by Mr. Percy and seconded by Mr. Choyce to grant approval for applicant's request to grant waiver with conditions.

ROLL CALL VOTE ON THE ABOVE MOTION

Mr. Bilicki – yes, main concern is the maintenance and as long as maintenance plan meets Mr. Filippone’s satisfaction and Township requirements.

Mr. Cain – yes

Mr. Cheek –yes - echo the same sentiments as Mr. Bilicki and glad to hear that they are meeting the State and Pinelands requirements as well.

Mrs. Dix – yes – Thanking the applicant for the amount of time and effort in making this bad situation right (flooding Black Horse Pike, etc.) glad to see a resolution getting done

Mr. Choyce – yes - thanked applicant and consultants for their perseverance to this project and hopes that they will show the same diligence to the maintenance program

Mr. Percy – yes – sat through many meetings since 1985 regarding the Mall and happy to see things moving in the right direction

Mrs. Tomasello – yes – agrees with all her colleagues and thanked the applicant for their diligence and everyone working together to resolve this and felt that they are a good model for all the others in the area

Mr. Rogers – yes – thanked applicant and people who run the Mall and for their diligence and cooperation

Mr. Wigglesworth – yes – the resolution comes to due diligence and feels that Hamilton Mall is a great partner and thanked them for this.

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

Chairman Wigglesworth opened up the meeting to Public Comment – There being none, motion moved and seconded to close the public portion.

Chairman Wigglesworth asked for volunteers for sub-committees and asked that members contact him.

Adjournment –Mr. Choyce moved, seconded by Mrs. Dix, 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