

**HILLSBOROUGH TOWNSHIP PLANNING BOARD**  
**PUBLIC MEETING MINUTES**  
**July 09, 2015**

Chairman Steven Sireci, Jr., called the Planning Board Public Meeting of July 09, 2015 to order at 7:34 p.m. All stood for the Pledge of Allegiance. The meeting took place in the Courtroom of the Municipal Complex.

Chairman Sireci announced the meeting had been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 ("Sunshine Law").

**ROLL CALL**

Deputy Mayor Greg Burchette - Arrived 7:47 p.m.	Sam Conard - Present
Michael Merdinger - Present	<b>Dr. Steven Sireci, Jr., Chairman</b> - Present
Committeeman Frank DelCore - Arrived 7:45 p.m.	Robert Wagner, Jr. - Present
<b>Steve Cohen, Vice Chairman</b> - Present	Robert Peason (Alt. #1) - Arrived 7:35 p.m.
<b>Dr. Daniel Marulli, Secretary</b> - Absent	Shawn Lipani (Alt. #2) - Absent
Neil Julian - Absent	

Also present: Marcia Shiffman, PP, AICP, LLA, Planning Consultant (Maser Consulting P.A.); David K. Maski, PP, AICP, Township Planning Director; Eric M. Bernstein, Esq., Board Attorney (Eric M. Bernstein, & Associates); William H.R. White, III, PE, CME, Board Engineer (Maser Consulting P.A.); Susan Baber, CCR, Covering Board Court Reporter; and Caz Bielen, Board Videographer (Premier Media, LLC).

**DISPOSITION OF MINUTES**

□ May 14, 2015

A motion to approve was made by Vice Chairman Cohen, seconded by Mr. Wagner.

**Roll Call:** Mr. Conard - yes; Mr. Peason - yes; Vice Chairman Cohen - yes; Chairman Sireci - yes; Mr. Wagner - yes. Motion carries.

□ June 04, 2015

A motion to approve was made by Mr. Merdinger, seconded by Mr. Wagner.

**Roll Call:** Mr. Merdinger - yes; Mr. Peason - yes; Vice Chairman Cohen - yes; Mr. Wagner - yes; Chairman Sireci - yes. Motion carries.

**DISPOSITION OF RESOLUTIONS**

□ Amwell Commons (RPM Development, LLC) - File 15-PB-09-MSRV/SR

A motion to approve was made by Mr. Peason, seconded by Mr. Wagner.

**Roll Call:** Mr. Peason - yes; Mr. Wagner - yes; Chairman Sireci - yes. Motion carries.

**PLANNING BOARD BUSINESS**

□ Review of Acoustical Analysis and Expert Witness Services - RE: Pierson Properties, LLC, B. 151.09, L 220

Proposals: The Noise Consultancy, LLC  
Russell Acoustics, LLC

Ms. Shiffman stated the noise consultant for the Pierson Properties, LLC application began his testimony at the last hearing. A noise report was submitted, as requested. Now the suggestion to the Board is that the noise report provided be reviewed by an appropriate noise consultant.

Proposals from two highly qualified noise consultants are in the Board's packets. Both have been reviewed and submitted to the Applicant. The Applicant respectfully requests that Russell Acoustics, LLC be selected.

Chairman Sireci asked about the cost.

Ms. Shiffman explained each professional would bill by the hour. The cost would come out of the escrow account for the Applicant. The Noise Consultancy was not to exceed a cost of \$5,000; Russell Acoustics was not to exceed a cost of \$4,000.

Chairman Sireci asked Ms. Shiffman if as the Planning Consultant for the Board, she had a preference.

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Ms. Shiffman said both were highly qualified with years of experience but that only Russell Acoustics, LLC was represented by a Professional Engineer. The Noise Consultancy is represented by environmental science professionals and highly recommended by the Township's Health Officer, Dr. Belnay.

Mr. Merdinger expressed his interest in Mr. Dotti of Russell Acoustics, based on his credentials and schooling.

A motion to have the contract for noise consultancy be with Russell Acoustics, LLC, was made by Mr. Merdinger, seconded by Mr. Conard.

**Roll Call:** Mr. Wagner - yes; Mr. Conard - yes; Mr. Merdinger - yes; Vice Chairman Cohen - yes; Chairman Sireci - yes; Mr. Peason - yes. Motion carries.

Mr. Bernstein said a contract will be drafted accordingly.

### **BUSINESS FROM THE FLOOR**

None

### **PUBLIC HEARING - SUBDIVISION/SITE PLAN APPLICATIONS**

**GLEN GERY (GG RE Co.)** - File 15-PB-04-MR - Block 182, Lots 10, 11, 12, 45 & 46 - 95 Hamilton Road. Applicant seeking Minor Subdivision with Waivers to reconfigure lot lines by merging all five lots totaling 238.7 acres, then subdividing a lot in the southeasterly corner to create one lot consisting of approximately 25.494 acres (Proposed Lot 46), with the remaining lot (Proposed Lot 11) approximately 213.25 acres of remaining land, on property in the M, Mining District. (EC Review: 03-23-15). **ADJOURNED UNTIL FURTHER NOTICE (TOD: until 09-30-15).**

Chairman Sireci announced the adjournment of the Glen Gery (GG RE Co.) application until further notice.

**Pierson Properties, LLC** - 15-PB-05-MSRV - Block 151.09, Lot 220 (formerly known as Block 151, Lot 2) - 340 Valley Road. Applicant seeking Minor Site Plan Approval and 'c' Bulk Variances from Minimum Front Yard Setback (pre-existing nonconforming) and Minimum Rear Yard Setback (pre-existing nonconforming), for existing structures, to convert the pre-existing outdoor manufacturing concrete production facility to an asphalt production facility with new asphalt production equipment and delineated parking; and to eliminate the existing residential dwelling and convert to office use ancillary to the primary manufacturing use, on property in the GI Zoning District. (Additional reports provided 05-29-15 at the request of the Environmental Commission) (EC Reviews: 05-18-15 / 06-08-15). **Continued from June 11, 2015 without further notice (TOD: 09-04-15).**

**Alexander Fisher, Esq.** of Mauro, Savo, Camerino, Grant & Schalk representing Pierson Properties, LLC summarized the application, the hearing for which began on June 11, 2015.

Mr. Fisher said as requested, a noise study was submitted in advance of this hearing, dated June 25, 2015. Testimony will be provided by Jack Zybura, PE, Acoustics Engineer; Gary Dean, PE, Traffic Engineer; Slovak Mockyanko, Operations Manager at Pierson; and Curt Mitchell, Director of Facilities at Pierson. Michael Ford, PE, Civil Engineer, gave extensive testimony at the last hearing, will also be available for questions.

**Jack Zybura, PE** of Lewis S. Goodfriend & Associates, still under oath, gave the following testimony.

For the report dated June 25, 2015, the manufacturer's sound data for each piece of equipment on the site was put into an acoustical model. The expected sound levels were generated at various property lines, the most important being the residence directly across the street. Based on the limits, Pierson will be below the daytime limits with the manufacturer's silencing incorporated. In order to meet the needs for nighttime noise regulations, Pierson would need to implement additional control, such as barriers, which the Applicant is willing to do.

The NJDEP statewide Code for commercial properties is 65 decibels dB(A) (decibels), 24 hours a day. For residential properties, the maximum is 60 dB(A) during the day (7:00a.m. - 10:00 p.m.), 50 dB(A) during the night (10:00 p.m. - 7:00 a.m.). Octave band levels for maximum operations are also provided in the report. With the additional noise control, Pierson expects to meet 49 dB(A) at the nearest resident, much less to the residences further away south and west; 55 dB(A) to the east which is commercial and well below Code.

For the survey, sound meters were brought out to the site to measure all four boundaries of the property. The levels ranged between levels in the 40's to high 60's at the north residence, due to traffic noise.

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Nighttime levels ranged from 50-57 dB(A), depending. The projection is that noise levels will be at or below what is currently at the site. As an example, the sound of the HVAC in the courtroom is 50 dB(A).

Mr. Merdinger asked if the projections are based on all of the mufflers and buffers.

Mr. Zybura confirmed it was.

Mr. Merdinger asked what the measure would be inside the plant.

Mr. Zybura said the limit would likely be at 85 dB(A) which is the limit to where you do not need to wear hearing protection. For levels over that, the workers could wear hearing protection.

Mr. Fisher mentioned that the Applicant has agreed as a condition of approval, to do a formal noise assessment to show compliance.

Mr. Merdinger asked if the noise study could also include noise in the plant and noise at the edge of the property.

Mr. Zybura said it could, if the Board wishes.

Mr. Fisher asked for review of compliance with NJAC 7:29.

Mr. Zybura said there is a protocol of how to measure. The standards inside the plant would come under OSHA. A dB(A) of 85 would not mean the plant was in violation of OSHA, only that the employees would need to wear hearing protection.

Mr. Merdinger said that would be good to know to determine whether all those visiting the site, including the truckers, would need to wear hearing protection.

Committeeman DelCore asked where the boundary line of the survey would be.

Mr. Zybura confirmed it would be to the receiver's boundary line; in this case, it would be taken across the street.

Chairman Sireci asked how the noise of the traffic is factored in.

Mr. Zybura said the noise from the traffic and the plant would add together but the Applicant is only responsible for their own noise emanating from the plant.

Chairman Sireci stated the Board will have its own report on the noise so it can be discussed further when that report comes in.

Open to the Public

**Ronald Gasiorowski, Esq.** - representing Kyle Day

- Mr. Gasiorowski asked if there is a difference between acoustical measurements and noise measurements.

Mr. Zybura said there is not; sound is noise.

- Mr. Gasiorowski asked Mr. Zybura about his credentials and whether or not he is certified to give testimony regarding the measurements on a noise meter.

Mr. Zybura stated that he and his associates all have engineering licenses. He said none had any "hypothetical NJ certificate" as referred to, but that all findings are admissible.

- Mr. Gasiorowski suggested Mr. Zybura was providing hearsay on calculations taken by other individuals, and that the witness was not qualified to testify on the matter.

Mr. Zybura said the measurements could be provided to the Board for review by its professional.

- Mr. Gasiorowski stated his objection to the study of ambient noises as hearsay.

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- Mr. Gasiorowski said Mr. Zybura could have taken noise readings at Pierson's other plants to get the noise levels from the equipment.

Mr. Zybura said they measured using the exact data for the proposed equipment which were based on measured levels. The other Pierson plants are not the same as this plant; they are much larger and have different operations. Those measurements would not be realistic to this application.

- Mr. Gasiorowski asked why the materials provided by Aztec were not included as an appendix to the report.

Mr. Zybura said he could do that, but that it was not standard protocol.

- Mr. Gasiorowski said the calculations from the noise meters have not been given; the individual who actually took the readings has not been called; and the materials given to them by Aztec have not been provided.

Mr. Zybura said all three can be provided, if requested.

- Mr. Gasiorowski asked that copies be provided to him.
- Mr. Gasiorowski asked what materials Aztec provided to Mr. Zybura.

Mr. Zybura stated Aztec gave him the breakdown of about 20-25 pieces of equipment and the associated noise levels with each.

- Mr. Gasiorowski asked if the silencing devices were not placed on the equipment, if the noise coming from them would be greater than that permitted under the noise ordinance.

Mr. Zybura said he could not answer that being he was only given the data for the silenced equipment.

- Mr. Gasiorowski asked how Aztec collected the silenced data.

Mr. Zybura said Aztec went around to plants that had the equipment installed with silencers and measured the sound levels.

- Mr. Gasiorowski stated the study and testimony was based on hearsay.

Mr. Bernstein said he was not determining this testimony as such, but that hearsay testimony would be given such weight as the facts ostensibly support. It will ultimately be up to the Applicant to provide the necessary backup factual information, plus the Board's own expert reports and related items. He said the testimony could be heard, taking into account what is to come and what other objections either the Objector and/or the Applicant have, depending upon the Board's expert, have relative to this information

Chairman Sireci said his understanding was that it does not stop someone from saying something; it all goes into the record so if it ever goes to court, it is dealt with if it gets to that point.

Mr. Bernstein agreed. He said if the application is approved, the Applicant will be required to meet whatever state, federal and local laws that exist relative to noise outside the plant and inside the plant.

- Mr. Gasiorowski asked how Aztec provided the information.

Mr. Zybura said they provided him with the sound power data for each piece of equipment.

- Mr. Gasiorowski further asked what the methodology was for Aztec gathering the data.

Mr. Zybura stated he was not certain of the methodology used.

- Mr. Gasiorowski suggested the information contained in the report was speculative.

Mr. Zybura said the report showed it is possible to meet the Code with the implementation of the noise control measures.

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- Mr. Gasiorowski asked about compliance testing.

Mr. Zybura confirmed compliance testing is done after the plant is operational.

- Mr. Gasiorowski asked if any testing was done as to the truck traffic.

Mr. Zybura said they had looked at that but it was not in the report. He stated the daytime Code is expected to be met.

- Mr. Gasiorowski asked what models were used for the report.

Mr. Zybura said an acoustical model, *Sound Plan*, was used for the calculations.

- Mr. Gasiorowski asked about the computer data fed into the model.

Mr. Zybura said the data is on their servers.

- Mr. Gasiorowski asked to be provided with copies of that data so that his experts can test the data utilized.

Chairman Sireci said as long as the Applicant agrees to the request, the Board would also like to receive a copy of the same. However, the Applicant could object to the request.

Mr. Fisher agreed to submit a copy of the data.

- Mr. Gasiorowski asked if a topography plan was used in the evaluation.

Mr. Zybura said a flat topography was used, which is the most conservative method. Any topography would only lower the sound levels.

- Mr. Gasiorowski again questioned the information used for the report provided by Aztec.

Mr. Zybura said the information was not used for total plant noise but for individual pieces of equipment, then piecing them together to create the plant that is being built here.

Mr. Merdinger asked about the noise control.

Mr. Zybura said there are 15 pieces of equipment that need some type of additional noise control, be it a barrier, jacket, wrap, etc.

Mr. Merdinger asked what the best vegetative barrier for lowering the noise would be.

Mr. Zybura suggested several dozen feet of some type of evergreens.

Mr. Merdinger said the Board has asked for pine trees in the past for various applications. A berm with staggered pine trees is very effective to decrease the noise.

### **Maria Janucik** - Camplain Road

- Mrs. Janucik needed to defer her questions for another witness.

### **Bill Tretheway** - Millstone River Road

- Mr. Tretheway asked Mr. Zybura to again review his experience and qualifications as a noise expert. He then asked what the uncertainty of the model used was.

Mr. Zybura said they are only as good as the data they receive. Generally, it is +/- 1 GB if using a "type 1" sound meter. To be conservative, they do not consider air absorption and consider a flat topography. There are other factors built in to have a factor of safety. The compliance testing will show the accuracy.

- Mr. Tretheway asked how Mr. Zybura's reports compared with actual compliance testings.

Mr. Zybura said as long as an applicant puts in all they are supposed to, the results are pretty much right on target.

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Mr. Fisher asked Mr. Zybura if it is normal in a professional study to be provided with records from an industrial manufacturer to be used.

Mr. Zybura said they use manufacturer's data for almost all of their models. He said that is the only way one can do it.

BREAK

**Gary Dean, PE**, of Dolan & Dean Consulting Engineers, LLC was sworn in, reviewed his credentials, was accepted by the Board and provided the following testimony:

The traffic report prepared was done so at the request made at the inquiry by the Environmental Commission, not necessarily intended for use here, but it contains the relevant information. From a Traffic Engineer's perspective, this application is akin to a change in tenancy. In terms of the traffic, the volumes are effectively equal to the prior concrete manufacturing facility.

There is an ordinance within the Township that restricts truck traffic on Valley Road between Route 206 and Roycefield Road. Traffic to the south would travel Farm Road to Valley Road and Triangle Road to access Route 206. The posted speed limit is 35 m.p.h. The terrain is essentially level through the industrial area. The projected volume, or tonnage, is slightly less than was produced at the concrete plant. The concrete plant produced an average of 80,000 cubic yards which equates to about 150,000 tons in weight of the material. The subject application would generate approximately 100,000 tons of material.

The total truck activity on a daily basis for the importing and exporting of materials would be approximately 50 trucks per day, which may average 6-8 trucks per hour. There is a finite limit on production for this type of facility. The Applicant has agreed to limit any use of Auten Road to the west for truck routing, although there are no restrictions under the ordinance.

Mr. White asked for clarification on the number of trips per day.

Mr. Dean said there would be 50 trucks per day, not 50 trips.

Mr. White said that would yield 50 trucks in, 50 trucks out. The report provided for 22-28 trucks per day.

Mr. Dean said that is for receiving and then for shipping.

Mr. White asked how the traffic would be affected during the May-June months when DOT and Turnpike projects generally tend to ramp up.

Mr. Dean said without question, during the winter months there is almost no site activity.

Mr. White asked if there could be months when the traffic is double the projection due to these types of projects.

Mr. Dean said he did not have sufficient evidence to say whether or not the traffic could double. June, July and August are generally the months where you can see a little uptake of activity.

Mr. White said the projections seem a little light given that there are 3 silos that can hold 150 tons each and a plant that can produce almost 400 tons an hour. The numbers given can be the average, but the concern is more for the peak.

Mr. Dean acknowledged Mr. White's concerns, but said the patterns would be similar to that of a concrete plant. The assumption is that plant activity is based on a 9 month period.

### **Ronald Gasiorowski, Esq.**

- Mr. Gasiorowski asked Mr. Dean what information he relied on for his report regarding the usage and production of the facility.

Mr. Dean said he relied on other studies he had conducted for asphalt facilities.

- Mr. Gasiorowski said the number of trucks estimated was less than the potential productivity of the plant.

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Mr. Dean said typically that is the case.

- Mr. Gasiorowski asked if any studies were conducted on the queuing of trucks, and how long a truck would be on-site before taking on material.

Mr. Dean said he did not.

- Mr. Gasiorowski asked if he had given consideration to the internal roadways and aisle ways within the site, and if so, where it was referenced.

Mr. Dean confirmed it was considered but that it is not referenced in his report.

- Mr. Gasiorowski asked when giving testimony, if he had appeared as an applicant's expert or an objector's expert.

Mr. Dean stated as an applicant's expert.

- Mr. Gasiorowski asked, other than relying on old reports, if there were any studies performed to reflect imperial data, as far as production amounts at these various locations.

Mr. Dean said he has represented producers of the aggregate, in terms of annual licensing and production results to also ascertain the validity of the tonnage vs. traffic.

- Mr. Gasiorowski asked for copies of the reports relied upon.

Mr. Dean said those reports are work product for a particular client and not a matter of public record. He said he was not at liberty to produce those reports without client consent.

**Susan Gulliford - Hunt Club Road**

- Mrs. Gulliford asked the weight of the trucks going in and out. She said she was concerned with the damage 100 trucks would cause to the roads.

Mr. Dean confirmed 100 trucks per day. He said damage is relative; this use is permitted within an industrial zone. The municipality in so designating these areas for heavy industrial use, evaluated the suitability of the roadway system to accommodate the traffic.

- Mrs. Gulliford commented if you make asphalt, you can at least repair it.

**Maria Janucik**

- Mrs. Janucik asked how many trucks would be moving at night from this facility.

Mr. Dean said he was not aware of any nighttime projections.

- Mrs. Janucik asked if there are any studies of existing businesses that operate at night.

Mr. Dean said there was not.

Committeeman DelCore asked if the 6-8 trucks per hour were based on daytime hours.

Mr. Dean confirmed that to be the case.

Mr. Fisher said testimony was provided that the plant would only rarely operate at night. It is anticipated that operations would be during the day.

Vice Chairman Cohen said if the application is approved, and the Applicant agrees to the additional barriers, the sound would be mollified both during the day and night.

Mr. Merdinger said the Board will need the Applicant to agree to the pine trees on the record.

Mr. Fisher said they would like to be able to review the report by the Board's noise expert.

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Mr. Merdinger said that it would have no bearing on the request.

Mr. Fisher said the Applicant will commit to putting the pine trees in.

Mr. Fisher said the application will need to come back after distribution of the report from the Board's acoustic engineer. He said he reserves the right to call back any witnesses in response.

Mr. Bernstein asked if Mr. Gasiorowski will have witnesses as well.

- Mr. Gasiorowski confirmed he intends to call two witnesses. He said he plans to call a noise consultant who is also a traffic consultant, a professional planner, and perhaps a professional engineer.

Mr. Fisher agreed to an extension to October 31, 2015.

A motion to accept the extension was made by Deputy Mayor Burchette, seconded by Vice Chairman Cohen. All were in favor, none opposed. Motion carries.

A hearing date of September 10, 2015 was agreed to for the continuation.

Mr. Bernstein instructed Mr. Gasiorowski to provide the Board with any reports his witnesses may be relying upon for testimony be provided by August 28<sup>th</sup>.

- Mr. Gasiorowski agreed. He also asked that he be copied as well on reports received by the Board for this application.

A motion to continue the hearing to September 10, 2015 without further notice was made by Mr. Merdinger, seconded by Mr. Wagner. All were in favor, none were opposed. Motion carries.

***Richmond Properties, LLC*** – 15-PB-07-MJV – Block 182, Lots 2 & 2.01 – Sunnymead Road & Falcon Road. Applicant seeking Preliminary and Final Major Subdivision Approval and 'c' Bulk Variance for relief from setbacks, to subdivide 14.0739 acres into 5 single family dwelling lots, one of which will contain the existing dwelling and accessory structure (variances required for block shed), on property in the RA, Residential / Agricultural Zoning District and within the AHZ, Airport Hazard Area. ***Revised Plans submitted 06-23-15*** (EC Review: 05-18-15). ***Adjourned from June 04, 2015 WITH re-notice (TOD: 08-19-15).***

**Dominic Cerninaro, Esq.**, representing the Applicant, introduced the application as a 5-lot subdivision, one of which would have an existing house and garage; the remaining 4 lots would comprise new construction. The lot containing the structures has a pre-existing front yard variance. A new side yard variance would be required for the garage due to the restructuring of the lot lines.

**Anatol Siemienczuk**, Principal of Richmond Properties, LLC, was sworn in and gave the following testimony:

Richmond Properties, LLC has been in business for over 15 years constructing new homes and condominiums. The specific plans have not yet been decided, but the thought is that the new homes will be colonials, ranging between 3,000 to 3,400 sf. with side entrance garages. The renovation of the existing house has already been started with the pulling of permits. The existing garage would be preserved. He said the Environmental Commission was in favor of keeping the existing structures.

Open to the Public

**Bruce Yeager** – Sunnymead Road

- Mr. Yeager asked if any of the owners of the company will be living in the houses.

Mr. Siemienczuk said it is possible, in the existing house.

- Mr. Yeager said he was under the impression the septic testing failed.

Mr. Siemienczuk said that was not the case, but that the houses will have public sewer, which is more environmentally friendly.

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- Mr. Yeager asked if the sewer line will be run down Sunnymead Road.

Mr. Siemieniczuk said it would not.

- Mr. Yeager said he would not have bought his property knowing 5 houses would be built across the street. He said he would like the option of having sewer available at the street.

### **Ron Ascolese** - Sunnymead Road

- Mr. Ascolese said he was concerned with the lot sizes as well as the air traffic. His remaining questions were deferred for the engineer.

Ms. Shiffman stated the concrete shed on the property is not in good shape and requires a variance. She asked the Applicant to explain why the shed is proposed to be kept.

Mr. Siemieniczuk said the shed will probably be renovated and converted into a 2-car garage with a shop on the side. Screening on the side will be provided.

**Michael K. Ford, PE**, Van Cleef Engineering, sworn in, accepted by the Board.

Before Mr. Ford began his testimony, Mr. Merdinger stated for the record that he believed the basis of design was not justified for this application. The critical areas are not accounted for in the drawings or EIS. The EIS only gives the steep slopes but does not account for the Roycebrook, seasonal high water table or stream corridor. Mr. Merdinger stated he believed the application was incomplete based on the design for 5 lots. The drawings and EIS do not justify the critical areas.

Mr. Ford began testimony:

The property has a wetlands LOI. The critical calculations have been done. The final plat references the total critical areas and goes on to list the steep slopes, flood plains, seasonal high ground water table, wetlands transition areas, buffers, and stream corridors.

Mr. Merdinger stated the EIS only references steep slopes at 12%, 3.975. Either the EIS is wrong or they are both wrong. The details must be given, they cannot be clustered.

Mr. Ford explained that the density calculation gives half credit for certain critical areas and zero credit for others.

Mr. Merdinger said the details of the density calculations are not included in the report or drawings.

Mr. Ford said the EIS may state something that is not accurate but the plans show the wetlands as per the DEP approval; the flood plain, per the documented FEMA maps; and the steep slopes calculated per the topographic mapping for the property.

Mr. Merdinger asked where those calculations are broken out.

Mr. Ford replied they are not broken out. The wetlands are the biggest areas which include some areas that are also flood plain and steep slopes; you do not deduct them twice. They get deducted for the most restrictive area. The total critical area, which is only accounted for half credit, has been identified.

Mr. Merdinger said they are in drawings but without calculations showing the number of acres in there or percents.

Mr. Ford said the most restrictive line is shown on the plan as the wetlands and stream corridors. Within the flood plain area, there are 3 acres. The critical areas shown on the plan calls out for the critical areas to be deducted at 3.97 acres.

Mr. Merdinger said the EIS contradicts that.

Mr. Ford said he was not disputing that.

Mr. Merdinger said if a presentation is given tonight, the Board would not be able to see what the true numbers are.

Mr. Cerminaro asked Chairman Sireci for a short break.

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Mr. Cerminaro asked the Board for an adjournment in order to be able to supply the Board with the additional information requested.

Mr. Merdinger made the distinction that the information to be provided will not be additional information but that which is required by ordinance.

Mr. Cerminaro said he believed the matter of critical area was reviewed with the Environmental Commission.

Mr. Merdinger said the lack of calculations must not have been caught.

Mr. Cerminaro said they may not have caught it but they dealt with it. That is why the Applicant came with the expectation that the application was proper and complete.

Mr. Merdinger said the EIS needs to be corrected, each calculation detailed, and the seasonal high water table needs to be verified.

Mr. Ford said that will all be discussed with Mr. Agovino.

Mr. Bernstein asked that the time of decision be extended to the end of September.

Mr. Cerminaro agreed.

A continuation date of September 3<sup>rd</sup> was agreed to by Mr. Cerminaro.

A motion to continue the application to September 03, 2015 without re-notice was made and seconded. All were in favor, none were opposed. Motion carries.

Mr. Bernstein informed the Board the meeting of July 23<sup>rd</sup> will need to go forward to review an ordinance from the Township Committee as well as a resolution.

A poll of the 8 members present was taken, showing that only 4 of the 8 would be able to attend the Business Meeting on July 23<sup>rd</sup>.

Mr. Bernstein asked that in the event a quorum cannot be achieved for July 23<sup>rd</sup>, that a meeting be called for July 30<sup>th</sup> to address the matters for the Business Meeting.

A motion to allow Chairman Sireci to call a meeting for July 30<sup>th</sup> in the event that a quorum is not available for July 23<sup>rd</sup>, was made by Mr. Conard, seconded by Deputy Mayor Burchette. All were in favor, none were opposed. Motion carries.

**CORRESPONDENCE**

- Block 49, Lot 1 - HHPC 15-01 meeting letter

**ADJOURNMENT**

The meeting adjourned at 9:35 p.m.

*Submitted by:*  
*Debora Padgett*  
*Administrative Assistant / Planning Board Clerk*