

The regular meeting of the Delaware Township Planning Board was held on the noted date, in the Delaware Township Municipal Building, 570 Rosemont Ringoes Road (County Rt. 604), Sergeantsville, New Jersey; in conjunction with virtual meeting procedures via ZOOM. Chair Westlake opened the meeting at 7:30 p.m.

PLEDGE OF ALLEGIANCE

All present recited the Pledge of Allegiance.

STATEMENT

Chair Westlake read a statement noting that the requirements of the Open Public Meetings Act have been satisfied. Notice of this meeting was properly transmitted to the Hunterdon County Democrat, Trenton Times, and Star Ledger, posted on the Delaware Township bulletin board and filed at Town Hall; all on February 2, 2022.

ROLL CALL

Present:	Class I	James Waltman
	Class II	Elliot Gray
	Class III	Joe Vocke (7:32 p.m.)
	Class IV	Joan Bailly, Larry Coffey, Kathy Katz, Richard Macomber, Mark Wright, Rosalind Westlake
	Alternate I	Seth Buchanan
	Alternate II	Josh Goldman
	Liaison from	Chuck Cline, Andrea Kenyon
	ZBA	
	Advisor	Christian Bench
	Administrative Officer	Kathleen Klink
	Attorney	Steven Goodell, Esq. , not needed
	Engineer	C. Richard Roseberry, P.E. , not needed
	Planner	Nicholas Dickerson, P.P. , not needed

Absent: shown by strikethroughs

APPROVAL OF MINUTES FROM THE MEETING of February 1, 2022

Prepared minutes were distributed to members for review. Member Macomber made a motion to approve the minutes from the noted meeting. Member Gray seconded the motion, and members unanimously approved the minutes as written.

Correspondence: BILL LIST

Members reviewed the Bill List, as follows. This action was taken later in the meeting.

CORRESPONDENCE – Old Business, to include Memorializations - none

CORRESPONDENCE – New Business, to include Applications - none

COMMITTEE REPORTS

Scheduled Committee Meetings

Subdivision and Site Plan Review Committee - second Wednesday, 7:00 p.m., as needed per applications submitted. *Member Bailly to report.* Members: **Bailly**, Katz, Westlake; with Easement Monitoring Committee of the Environmental Commission
No meeting

Agricultural Advisory Committee – first Tuesday, 7:00 p.m.; *Member Coffey to report*
Members: Bench (Advisor), Coffey, non-Planning Board members: Bond, H. Denbigh, R. Denbigh
Member Coffey reported that the Ag Committee met. He reported that the committee discussed a flyer being developed to introduce residents to farmland preservation. He noted that the State is now allowed to reconsider the Kohler farm for preservation. He noted that there other farms in consideration.

Open Space Committee – third Wednesday, 7:30 p.m., except January 18 and February 22;
Member Coffey to report. Members: Westlake, alternate Coffey
Member Coffey reported that farmland preservation flyer is also being discussed by the Open Space Committee. He noted that there was discussion about the Farmland Preservation and Element of the Master Plan, to be developed by the OS Committee for the Reexamination of the Master Plan.

Non-Scheduled Committee Meetings, please give me notice for proper newspaper notification, if needed

Master Plan Committee – *Member Westlake to report;* members: Coffey, Westlake
No meeting

Chair Westlake asked that a word version of the Reexamination of the Master Plan be made available to her, for her review. She noted that she wants to streamline the process by being able to have a printed version.

Chair Westlake noted that the 2020 census data and other current statistical data will be part of the Reexamination. She also noted that the Farmland Preservation Element needs updating. Chair Westlake further noted that Open Space Coordinator Tiffany Crivelli will be working on updating the information for any Open Space documents.

Chair Westlake stated that she is looking for a more cohesive document. She also noted that she did not want too many versions out at one time. Member Katz stated that she will send these comments to the Open Space Committee.

Ordinance Review Committee - *Member Coffey to report;* members: Coffey, Katz, Westlake
No meeting

Quarry Compliance Committee – *Member Macomber* (Board Representative), Katz (resident rep.)
Member Macomber reported that the ten-year license renewal is due this year. He noted that there is much communication to various state agencies about this renewal. It was noted that the Township Committee was billed for a 2019 report that has not been submitted.

Member Katz reported that there will be a public hearing. Administrative Officer Klink stated that the application copy is on the table for each member. She noted that those who are online should arrange to pick up the packet.

Member Katz stated that there is a 2022 memo from the Quarry Compliance Committee (QCC) with water monitoring data. She noted that in June 2019, the Township received the annual groundwater monitoring data, which was submitted to the Township for its analysis.

Member Katz reported that in 2018, the Township Hydrogeologist recommended that the annual data be done every two years; with the latest data from May 2021. She further noted that the data from 2016 to 2021 needs to be reviewed. She noted that the QCC will be specifically asking that all data be reviewed to be ready for the Planning Board application for the April 5, 2022 meeting.

There was a discussion about the bills that have been received without corresponding data. It was noted that there should have been a quarry inspection in September 2019, which would have been approved by Township Committee. One specific bill in the amount of \$795.00, dated September 2019, was discussed. Questions arose about who submitted this bill and on whose behalf it was submitted. Mayor Waltman stated that he will ask for information from CFO McDaniel and Township Clerk Crivelli.

Member Macomber made a motion to refer the 2021 data to Colliers. Member Coffey seconded the motion.

Roll Call Vote

Aye: Waltman, Gray, Vocke, Bailly, Coffey, Katz, Macomber, Wright, Westlake

Concurs: Buchanan, Goldman

Nay: None

Abstain: None

Absent: None

There was further discussion about the application and the reclamation plan to appear before the Planning Board on April 5. Member Katz noted a few items that may be up for discussion. One is to relocate a drainage feature that is on property once connected to the quarry property, but is no longer quarry property. She noted that this feature could cause changes or revisions to the Reclamation Plan, and such changes will be governed by the State of NJ – DEP, as wetlands and streams are involved.

Chair Westlake stated that repeated requests be made to urge Collier to follow through on all discussed topics. She asked that the emails include herself, Member Macomber, Township Engineer Sterbenz, and the Township Hydrogeologist. It was noted that the Township Committee may need to intervene.

There was a discussion about onsite visits to the Quarry. Member Katz stated that it has been many years since there was an inspection, for the 2008 Reclamation Plan hearing. It was noted that if the site visit is to be done as a full Board, there has to be notice for a public meeting to which the public has a right to attend. Administrative Officer Klink stated that she will verify with the Board Attorney the number of people who can attend a site visit without a public notice. It was noted that these visits will have to be coordinated with Trap Rock, so that there are no more than three members at a time.

Stormwater Management Committee – Member Gray

Member Gray reported that there was no meeting. Member Lockwood reported that there was a meeting and that Member Gray was not notified. Administrative Officer Klink stated that she will notify Gayle Conover, Chair of this Committee, that Member Gray is the Planning Board's liaison.

Member Buchanan stated that he is also willing to be on this committee.

Member Lockwood stated that one goal of this committee is review past reports prepared by Princeton Hydro. Member Westlake noted that Ms. Conover is also interested in doing research with other municipalities to see what their plans are like and try to make plans compatible.

LIAISON REPORTS

Board of Adjustment – second Thursdays, 7:30 p.m., *Liaison Cline*

Liaison Cline reported that the tennis training facility is still an active application. He noted that the applicant presented planning testimony at the January 13 meeting. He noted that testimony was given about a comparison between the proposed tennis facility and a permitted eight-lot subdivision, which could become up to 13 houses with additional, adjoining acreage.

Liaison Cline noted that the March 10 meeting will be used for the objector's attorney to cross-examine the applicant's architect and planner.

Liaison Cline stated that the Board is trying to add additional special meetings to move the application along. He also invited Planning Board members to attend.

Liaison Cline explained that if the proposal is approved, the applicant will preserve 37 acres at no cost to the Township. He noted that the eight-lot subdivision is a concept plan that meets the standards of the ordinance.

Environmental Commission – third Wednesdays, 7:30 p.m., *Liaison Katz*

Katz reported that Towpath Trek – 8:30 to 11:30; groups can sign up.

Liaison Katz reported that the Township Committee has stated that they are taking the lead on the project to hire a Park Planner and create a Master Plan for Dilts Park. She also reported that there is a subcommittee to walk the Dilts Park to make recommendations for the Master Plan for Dilts Park.

Liaison Katz reported on easement monitoring. She noted that the Planning Board will be asked to clarify this language so that easements going forward will have maintenance responsibilities more clearly worded. There was a discussion about the language found in these two easements, *Conservation and Drainage Easement*, 230 Attachment 10; and *Conservation Easement*, 230 Attachment 11. It was noted that the language is not the same in both easements. Member Coffey gave some history of the easements as developed by the Planning Board. It was noted that in the Conservation Easement, the language specifies that the Grantor has the obligation to keep waterways clear; and that in the other easement, this specific language is not included. It was noted that DEP language concerning easements is similarly vague, but should be reviewed as well. It was noted that any language change should be supervised by Board Attorney Goodell.

Liaison Katz noted that Township Attorney Tauriello stated that when there is no resolution to an easement issue, the matter should be referred to the Township Committee.

Liaison Katz stated that she will working on setting up a meeting with the appropriate persons and that she will review the DEP regulations.

Historical Advisory Committee – second Wednesdays, 7:30 p.m., *Liaison Vocke*

Nothing new to report

Shade Tree Commission – fourth Thursdays, 7:00 p.m., *Liaison Coffey*

Member Coffey reported that the Shade Tree Commission reorganized with Bob Hornby as Chair. He noted that the Shade Tree purchased new trees for Dilts. He also noted that there is a joint meeting of the Shade Tree Commission and the Environmental Commission to have a presentation on Ash Trees, the Emerald Ash Borer, and what to replace ash trees with; on March 16, 7:30 p.m.

Meeting opened to the Public for Comments or Questions

There were no comments or questions from the public.

Liaison Cline stated that he was present at the last Township Committee meeting as a member of the public. He stated that he asked about 5G network and the need for more cell towers. He noted that some townships have mounted towers on telephone poles, but gave the opinion that cell towers need a variance when built anywhere in the Township.

There was a discussion about “appurtenances” to telephone poles. It was noted that this seems to be a device for fiber optics.

Liaison Cline also noted that he discussed the issue with the Zoning Board Planner, Jim Kyle, who reported that no one has started working with any new technology to date.

Liaison Cline asked if there could be a presentation by Verizon, or another company, to explain what future needs are for 5G. Member Waltman stated that he will bring this issue to the Township Committee and the attention of Township Attorney Tauriello.

Member Goldman stated that in his line of work, some of this work is for distribution lines on tall poles for transmission.

Liaison Cline noted that anything over 35 feet would need a variance. He noted that there may need to be ordinance language concerning this issue. Member Waltman stated that the information being given to the Township Committee at this time is concerning fiber optics and not necessarily 5G. He stated that he would forward information to the Planning Board.

Chair Westlake closed the public portion of the meeting.

It was noted that there is one bill that needs to be paid, as noted:
Parker McCay, #3142932, General Legal Matters \$34.00

Member Bailly made a motion to approve payment of this bill. Member Macomber seconded the motion.

Roll Call Vote

Aye: Waltman, Gray, Vocke, Bailly, Coffey, Katz, Macomber, Wright, Westlake

Concurs: Buchanan, Goldman

Nay: None

Absent: None

Meeting opened to the Board for Comments or Questions

Member Goldman stated that he is happy to come on Board. There was nothing else from any other members. Chair Westlake welcomed new Members Buchanan and Goldman.

NEXT MEETING: April 5, 2022

Trap Rock, 55/3 and 4 – quarry license renewal and review of reclamation plan.

ADJOURNMENT: 9:40

It was moved, seconded, and unanimously carried to adjourn at the noted time.

Respectfully submitted,

Kathleen E. Klink,
Administrative Officer