

REGULAR MEETING

Lebanon Township Planning Board
Municipal Building 530 West Hill Road Glen Gardner, N.J.

July 19, 2022

The 947th Lebanon Township Planning Board meeting was called to order at 7:02pm by Chairman Gary MacQueen. Present were: Mr. Rich, Mr. Schmidt, Mr. Laul, Mr. Duckworth, Ms. Koehler, Mr. Skidmore, Mr. Abuchowski, Attorney Gallina and Engineer Bayer. **Excused:** Ms. Bleck, Mr. Piasecki and Mr. Weiler.

Notice of this meeting was published in the "Annual Meeting Notice Schedule" adopted by this board on January 18, 2022, emailed to the Hunterdon Review & Courier News, faxed to the Hunterdon County Democrat, Express Times & Star Ledger. Posted on the Lebanon Township Website & Bulletin Board in the Municipal Building on July 12, 2022.

PRESENTATION OF MINUTES: June 21, 2022 Regular Meeting

Ms. Koehler made a comment regarding some of the discussion that took place at the meeting.

June 21, 2022 Executive Session

Motion by Mr. Abuchowski and seconded by Mr. Skidmore to approve both sets of minutes. Unanimously approved by those eligible to vote with Ms. Koehler and Mr. Duckworth abstaining.

May 3, 2022 Executive Session

Motion by Mr. Duckworth and seconded by Mr. Abuchowski to approve the Executive minutes with a minor correction. Unanimously approved.

May 3, 2022 First page of Regular Minutes – amend

Motion by Mr. Piasecki and seconded by Mr. Rich to approve the Regular Minutes of June 21, 2022 as amended. Unanimously approved.

APPLICATION FOR COMPLETENESS/WAIVERS/ SET PUBLIC HEARING DATE:

NAR Group LLC Block #57 Lot #23
Nitin Manglani 62 Anthony Road RC 7½ zone
P.O. Box 4098
Warren, N.J.

The following people were present to represent the NAR Group: Attorney Gruenberg, Applicant Mr. Manglani, Engineer Edwin Caballero and Senior Geophysicist/Hydrogeologist Alexander Ross. Attorney Gruenberg made a presentation to the board. Attorney Gruenberg stated that because of the notoriety regarding this application, in the newspaper and discussed around the township. If any board member does not feel they can be impartial they should recuse themselves and hope that Attorney

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Gallina would support it. Attorney Gallina agreed with Attorney Gruenberg's comment and said that when a board member is sworn the oath he takes is a part of it. Ms. Koehler stated that if anyone on the board has any financial interest in this application they also need to recuse themselves even it is with a family member. Chairman MacQueen said that he hopes that the board would not jeopardize the board in any way.

Attorney Gruenberg said this evening they are only here to discuss completeness and set public hearing date and will not be starting the public hearing this evening. Attorney Gruenberg said that the area of disturbance has been satisfied and the only other is Item #17 on the checklist which is the aquifer testing requirement which needs to be provided. Attorney Gruenberg state that Item #17 is not applicable. Attorney Gruenberg referred to Township Ordinance 330-31, which refers to major subdivisions. In subsection C(3) which refers to non-residential use for preliminary site plan. The applicant is proposing using water trucks and by providing water to the site via water trucks, the applicant addresses any concerns regarding the water usage. Because of the sensitive nature of water supply within the Highlands, there is no negative impact for the surrounding wells. Attorney Gruenberg said they will be using one truck per week to bring water to the site. Attorney Gruenberg said they will be doing aquifer testing and if the board requires aquifer testing results during the public hearing process, then a temporary waiver for completeness only for Item #17 should be granted. Under the circumstances there is no legal basis to deem the application incomplete. Attorney Gruenberg asked that the board deem the application complete and set a public hearing date.

Engineer Bayer said he saw no formal documentation referencing to bring water in via water tankers to the site. Attorney Gruenberg said in his June 16th correspondence to the board, responding to Engineer Bayer' completeness report states in the interim the applicant's proposal is to provide water to the site via water trucks until such time that the well came be used in the future. In the meantime, 3000 gallon water tanks will be located within the renovated building. There will be 2 delivers of 6000 gallon water tanks to the site per week. Because of the plan that is purposed there will be no negative impact of neighboring wells. Attorney Gruenberg said 2 delivers per week will no impact on any traffic.

Attorney Gallina informed the public that there will be no public comment this evening since the application is for completeness only. When it is scheduled for a public hearing, the public will have the opportunity to ask questions of witnesses, along with comments and statements. Attorney Gallina stated regarding the amount of water that will brought to the site and how many trips there is going to be and the truck capacity, this will be addressed at the public hearing. At that time if the board wants a traffic analyses, regarding the number of trucks that will be addressed at that time.

Chairman MacQueen asked if the plans that the board has now, do they show where the tanks will be located and the turning radius of the trucks on site. Attorney Gruenberg said I believe they do. Attorney asked what the date was on the Site Plan, Engineer Bayer said June 30th. Chairman MacQueen asked if they will have a plan showing the different roads that will be used in the Township to get to and

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from the site. Attorney Gruenberg said they will talk about that at the public hearing but if you want something ahead they will be happy to provide it. At the conclusion of the applicant's presentation for completeness, Chairman MacQueen asked each board member for their comments. Mr. Skidmore asked to clarify that this evening was just for completeness only and that all the issues will be addressed at the public hearing. Attorney Gallina said yes. Mr. Skidmore had no questions regarding completeness. Mr. Abuchowski expressed concerns regarding the water issue. Attorney Gruenberg said they are waiting on the results of the aquifer testing and will be discussing at the public hearing. Ms. Koehler said she is also concerned about the water usage, but is also concerned about a Resolution from 1988 regarding cleanup and all but one building and the house being torn down. This was a concern since the property had been in the I5 zone and was to be changed to RC (Resource Conservation) zone and the buildings have never been torn down. Attorney Gruenberg said they will have to deal with it at the public hearing. Ms. Koehler referred to the DEP and that the EPA had done a cleanup but then turned it over to the NJDEP. Ms. Koehler said she didn't know where the applicant stood regarding the DEP.

Mr. Duckworth and Mr. Laul had no comments. Mr. Schmidt referred to the traffic and how it won't be an issue compared to when Diamond was in operation. Mr. Schmidt said they are now looking to truck in water via tanker trucks. These plants require a lot of water for the facility to be successful. Mr. Schmidt said he rather wait to see the results of the aquifer testing before scheduling a public hearing. Chairman MacQueen said he agrees with Mr. Schmidt and that everything relies on water. We are going to have four 3000 gallon tankers bringing in water. This is a lot of water during winter months. If we deem this application complete they will have to show us at the public hearing how the trucks will get to the site, what it will do to our roads, they are all small roads. I think we can move forward and have a public hearing date at this time. Chairman MacQueen said there are a lot of questions that will need to be answered. There will be a lot of issues that will be brought up by the board, our professionals and the public.

At this time Chairman MacQueen asked for a motion. Motion by Mr. Rich and seconded by Mr. Duckworth to deem the application complete with Item #17 for completeness only and to set a public hearing date.

ROLL CALL	Yes: Mr. Laul	No: Mr. Schmidt	Absent: Ms. Bleck
	Mr. Duckworth	Ms. Koehler	Mr. Piasecki
	Mr. Rich		Mr. Weiler
	Mr. MacQueen		
	Mr. Skidmore		
	Mr. Abuchowski		

Ms. Glashoff offered Tuesday August 16th to start along with Tuesday August 23rd and August 30th. Ms. Glashoff informed everyone that she has been trying to contact someone at the Woodglen School. As

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soon as she had conformation on the dates, they will be posted on the Home Page of the Township's Website.

PRESENTATION OF BILLS & REPORT:

a. John Gallina, Esq.	\$ 637.50
b. Bayer/Risse Engrs.	\$3,185.00
Total:	\$3,822.50

Motion by Mr. Schmidt and seconded by Mr. Abuchowski to approve the bills as presented. Unanimously approved.

CORRESPONDENCE: a. Hunterdon County Soil Conservation District – 62 Anthony Road
b. NJDEP – 62 Anthony Road

OPEN TO THE PUBLIC

Several member of the public asked questions regarding the procedures for the application including when they would be able to come in and review the file.

Being no further business to come before the board, nor additional comments by the public, motion by Mr. Schmidt and seconded by Mr. Duckworth to adjourn the meeting at 8:02 pm. Unanimously approved.

CHAIRMAN GARY MACQUEEN

GAIL W. GLASHOFF, PLANNING BOARD CLERK