

**CHESTERFIELD TOWNSHIP PLANNING BOARD
REORGANIZATION MEETING
January 12, 2010**

The Secretary called to order the Reorganization Meeting of the Chesterfield Township Planning Board at 7:30PM. The Open Public Meetings Statement was read and compliance noted. Mr. Kelly, Mr. Durr, Mr. Coover, Mr. McMahon, Mr. Nunziato and Mr. Panfili declared their Oaths of Allegiance. Mr. Kelly was appointed as a Class I member for a one-year term; Mr. Durr was appointed as Class III member for a one-year term; Mr. Coover was appointed as a Class IV member for a four-year term. Mr. McMahon was appointed as a Class II member for a one-year term; Mr. Nunziato was appointed as a 3rd Alternate member for a two-year term and Mr. Panfili was appointed as a 1st Alternate member for a two-year term. Mr. Wilson was appointed as a Class IV member for a four-year term and will declare his Oath of Allegiance at a subsequent meeting.

Roll call was taken showing present: Donald Coover, Lawrence Durr, Brian Kelly, Deborah Kelly, Joseph Malison, Glenn McMahon, John Nunziato, Lido Panfili, F. Gerry Spence and Mr. Weismantel. Absent were Mr. DeFelippis and Mr. Wilson. Also present were Frederick Hardt, Planning Board Solicitor and Nancy Jamanow, Township Planner.

The Secretary asked for nominations for Chairman. Mrs. Kelly nominated Mr. DiFelippis, seconded by Mr. Coover. The Board Secretary asked if there were further nominations. Mr. Durr nominated Mr. Malison, seconded by Mr. Spence. There being no other nominations, nominations were closed. Mr. Malison asked to be withdrawn from the nomination due to scheduling issues. His withdrawal was accepted. All were in favor of Mr. DeFelippis for Chairman.

The Chairman asked for nominations for Vice Chair. Ms. Kelly nominated Mr. Malison, seconded by Mr. Spence. There being no other nominations, nominations were closed. All were in favor of Mr. Malison for Vice Chairman.

MINUTES

December 8, 2008 Regular Meeting and Executive Session Minutes

Mr. Weismantel asked if a second meeting would be needed for the Master Plan Reexamination. Although there is further information to be sent to the county in the way of maps, the Master Plan Reexamination was considered complete after the Planning Board Members' review of the amendments.

A motion was made by Mr. Coover, seconded by Ms. Kelly, to approve the December 8, 2009 Regular Meeting and Executive Session Minutes. The vote was unanimous and the motion carried.

INVITATION FOR PUBLIC TO SPEAK- Matters not on the Agenda

Vice Chairman Malison opened the meeting for public comment. There being none, the public portion of the meeting was closed.

RESOLUTIONS

1-2010 A Resolution Designating Regular Meeting Time and Place.

Resolution 1-2010 will be held until the end of the meeting when a meeting on January 21st will be considered.

42-2009 Reexamination of the Chesterfield Township Master Plan: Approved December 8, 2009

A motion was made by Mr. Panfili, seconded by Ms. Kelly, to approve Resolution 42-2009. The vote was unanimous and the motion carried.

43-2009 Richard Minar: Block 206, Lot 10; 57 Fenton Lane; Bulk Variance for Coverage in the Residential I Zone. Approved December 8, 2009

The Planning Board was advised that paragraph C. was added noting that “All block and lots which make up the site are to be consolidated into one lot as a condition of this approval.” A motion was made by Ms. Kelly, seconded by Mr. Coover, to approve Resolution 43-2009 with the addition of the consolidation requirement. The vote was unanimous and the motion carried.

44-2009 Colonial Pipeline Company: Block 107, Lot 10.06; 493 Ward Avenue; Preliminary and Final Major Site Plan in the Office Park Zone. Continuance to the January 12, 2010 Planning Board Meeting.

A motion was made by Mr. Kelly, seconded by Mr. Coover, to approve Resolution 44-2009. The vote was in the affirmative, with the exception of Mr. Panfili, who abstained, and the motion carried.

ITEMS FOR ACTION

Colonial Pipeline Company: Block 107, Lot 10.06; 493 Ward Avenue; Preliminary and Final Major Site Plan for Construction of a Staging Area for Construction Activity Related to the NJ Turnpike Widening Project in the Office Park Zone.

Linda Osman, attorney for the applicant, advised the Planning Board that the applicant brought revised plans to the meeting. Ms. Jamanow suggested that the hearing should reflect the plans that were reviewed in her report and if the applicant needs to review something that goes to the new plan, the new plan can be used.

The exhibits were marked. Ms. Osman introduced Deborah Descaro, STV Project Manager; Terry Mock, Right-of-Way Consultant; Steve Schory, Engineer for the project and who was determined to be qualified; Mike Coyle, Engineer for STV and Sam Whitehead, Government Affairs Manager. All were sworn and exhibits were marked.

Solicitor Hardt stated that according to Ms. Jamanow’s recommendations and subject to supplementation on noise later in the hearing, a motion would be to declare the application complete with waivers of the Landscape Plan, Community Impact Statement,

Preliminary Assessment and Environmental Impact Study (with the exception of testimony on the issue of noise).

A motion was made by Ms. Kelly, seconded by Mr. Spence, to grant said waivers and deem the application complete. The vote was unanimous and the motion carried.

Mr. Mock testified that Colonial Pipeline Company was founded in the 1960's. The company owns 20 acres of land off Ward Avenue, which is the location of their pump station. Refined liquid petroleum products are carried via pumps through the pipeline. Colonial Pipeline is required to relocate those pipes due to the widening of the Turnpike.

Ms. Descaro testified that the company originally thought they would need a trailer or two. They later determined that they would need more of a staging area. They took into account that the township was concerned about the impact from truck traffic. They have approached Sunoco and have come to an agreement on the design and temporary use for both companies to use as a turn-around, to eliminate the truck traffic through the village. Colonial Pipeline had determined that it would take approximately one year to 18 months to complete the project. Ms. Descaro noted that they are located away from the roadway and there is not much residency around the area. Colonial Pipeline must relocate their assets before the Turnpike is able to move forward. Ms. Descaro testified that there will be a low impact on noise and lights. Solicitor Hardt marked the location map as exhibit A-8 and the areal photo as exhibit A-9.

The applicant proposes a 10' x 10' dumpster area. Ms. Jamanow's report indicated a need for testimony regarding the amount of waste generated and frequency of pickup. Mr. Schory advised that there would be only two dumpsters on the site and they would be used for office waste and to support construction crews. The dumpsters will be emptied probably every two weeks. Solicitor Hardt advised that the applicants must comply with recycling regulations, if required in this situation.

Exhibit A-11 was marked (page C131). This item is a revised staging area plan that has not yet been reviewed by the Township Engineer. They will be widening the gravel drive, primarily for the flat beds and construction related vehicles and adding more driveways for turns and the storage area. Parking will be provided for the employees and for office type trailers and bathroom facilities. Re-grading will be done for sediment basins. The applicant will also be installing a fence and lighting.

There will be a night guard at the 18 pipe stack areas as well as dusk to dawn lighting. The property is currently being farmed and will be returned to that use when the staging area improvements are taken away. Hours of operation will be 7AM to 5PM, 6 days a week; however, hours may expand due to the time it takes to get to and from the site. Some deliveries will be made to the office during the 7AM to 5PM hours. Ms. Osman was concerned with excluding time for the operation of the nitrogen bleed, which would need to be done at any time of the day or night. Another concern was if the company had a need to bring in a contractor for an emergency situation it could also be at any time of day or night.

The route of the trucks to the site will be from the Turnpike to Route 130 to Ward Avenue. No trucks will use Hogback Road. Ms. Jamanow advised the Board that the bridge at Ward Avenue will be relocated and the road around it will be improved. Ms. Descaro added that the bridge will not be widened before the pipeline work is completed.

Mr. Weismantel questioned the use of the 119 parking spots at the site. He was advised that they were mostly for the construction workers. The construction workers will use the same route with their personal vehicles as the route for the trucks. There is one training trailer for workers. The trailer for bathrooms fulfills OSHA standards. The potable water for the site will be bottled. Water for the water closet will be brought in by a tank truck and will be both hot and cold. Waste will be hauled away through a service. There will be barbwire fencing at the site which is standard for Colonial Pipeline as well as Homeland Security.

Mr. Nunziato felt that the slide gate that was 30' off of the roadway should be moved further back. Mr. Schory advised that once permanent slide gates are installed for the tank area the gate at the entry site will be removed.

Mr. Schory identified the topsoil stockpile area, on page C-151 of the site plan. Although Ms. Jamanow felt that the area was not of adequate size, she advised that they must be able to control their site. It was noted that the pipeline was not in the area of the soil stockpile area.

Mr. Mock testified on the transportation of hazardous material. Their company follows regulations of the Department of Transportation as well as the Department of Environmental Protection. Contractors are required to have a Spill Prevention Plan. There will be no storage tanks. Although the pipes take a crane to move them there is a plan put in place for leakage. Ms. Jamanow advised that this issue was not spill from the product in the pipe, but spill from the personal and construction vehicles.

Mr. Malison noted that the use at this site was not in the original Master Plan. Mr. Mock advised the Planning Board that he met with the Township Committee. The Township Committee and Colonial Pipeline are working on this issue together with their attorneys.

Mr. Nunziato noted that hard surface parking spaces for handicap parking should be added. Mr. Moot will provide them if they are required at this site. Ms. Descaro advised that the parking lot will be gravel and lighting will be provided. There will also be security at the site. It was determined that guide standards would not be used in the parking lot. Mr. McMahon advised that the construction area for the new school will not have guide standards.

Mr. Kelly asked that there be signage on Ward Avenue indicating that there are construction vehicles in the area. Ms. Jamanow stated that signs of that nature have been added to the plan. Mr. Kelly asked if someone would be controlling traffic early in the morning. Ms. Descaro agreed to that provision.

Mr. Kelly asked who would be the Township's contact at Sunoco. Ms. Descaro advised that the Township would be provided with that information. As to the pipe bleeding Mr. Mood advised that the bleeding has been happening. Nitrogen is pumped in the pipeline. The nitrogen is displaced into the air causing a loud roar. Everyone within a one mile radius will be notified of this procedure ahead of time. It will also be advertised on the Department of Transportation message boards. The company usually bleeds the lines at about 4AM. Other than the bleeding and emergencies the hours of operation will be 7AM through 5PM.

Vice Chairman Malison opened the meeting for public comments. There being none the public portion of the hearing was closed.

Solicitor Hardt advised the Planning Board that an approval would be for Preliminary and Final Site Plan. The applicants will comply with the Township Engineer's report dated January 4, 2010. Signage indicating the route from the site to the turnpike will be provided. Hours of operation will be 7AM to 5PM, with the exceptions of pipe bleeding and emergencies. A design waiver for the barbwire fence is to be included with the site plan approval.

A motion was made by Mr. Panfili, seconded by Mr. Coover, to approve the Preliminary and Final Major Site Plan with a design waiver for the barbwire fence. The vote was unanimous and the motion carried.

Ms. Osman requested an At-Risk Permit so that work could begin prior to memorialization of the applicant's approval. A motion was made by Mr. Durr, seconded by Mr. Spence, to grant Colonial Pipeline an At-Risk Permit. The vote was in the affirmative, with the exception of Mr. McMahon, who abstained, and the motion carried.

CORRESPONDENCE

December 16, 2009 Letter from the Chesterfield Elementary School Regarding Status of the Improvements on the Bicycle Pathways and Walkways.

Ellen McHenry, Superintendent of the Chesterfield Township School District addressed the Planning Board regarding the schools concern as to the sidewalks and pike paths for pupils coming to the new school in September. There will be many walkers and they need to make sure that there is a clear and safe pathway for everyone. Elise Bremer-Nei, a Thorn Lane resident, spoke with the Board about the proposed bridge and the NJDEP permits that are required. Ms. Jamanow advised that the bridge and walkways were bonded items that have no time frame for completion. Safety issues were discussed. There is a concrete culvert that is covered with shards of glass, Fenton Lane does not have sidewalks and seven inlets are not bike friendly. There will be a School Board Meeting on Wednesday, January 20th at 6:30PM. Mr. Kelly will make every effort attend.

DISCUSSION

There were no items for discussion.

INVITATION FOR PUBLIC TO SPEAK

Vice Chairman Malison opened the meeting for public comment. Robert Schoen, Fenton Lane, expressed concern, after experiencing the congestion at the Bordentown School, as to traffic impact on Fenton Lane once the school is built. It was noted that Bordentown is 100% commuter and a large percentage of children will be walking to the new Chesterfield Elementary School. There being no further comments, the public portion of the meeting was closed.

MISCELLANEOUSPossible Violation Regarding Fence Variance

A variance was previously approved by the Planning Board permitting a fence to be installed. A condition of that approval was that the rear fence must be placed in an area that would not require any tree removal. It was reported that a tree may have been removed and the adjoining property was left in disarray. Mr. McMahon, Zoning Officer, reported that the Township could not verify that a tree was removed at the site. The resident apologized for the broken branches caused by the workers' installation of the fence. Mr. McMahon added that the debris from the broken branches has been removed from the site.

Approval of Meeting Dates

1-2010 A Resolution Designating Regular Meeting Time and Place.

A motion was made by Ms. Kelly, seconded by Mr. Panfili, to approve Resolution 1-2010. The vote was unanimous and the motion carried.

EXECUTIVE SESSION

Resolution 2-2010 Executive Session on Requests for Proposals. At 9:25PM, a motion was made by Mr. Spence, seconded by Mr. Coover, to approve Resolution 2-2010 and enter into Executive Session. The vote was unanimous and the motion carried.

At 10:00PM the Planning Board returned to the public hearing. A motion was made by Mr. Durr, seconded by Mr. Malison, to approve a meeting for professional interviews on January 21, 2010. The vote was unanimous and the motion carried.

ADJOURNMENT

At 10:03PM, there being no further business, a motion was made by Mr. Panfili, to adjourn. So moved.

Respectfully submitted,

Linda S. Wills, Secretary