

**WASHINGTON BOROUGH PLANNING BOARD
MINUTES OF REGULAR MEETING HELD ON
MAY 11, 2015**

The regular meeting of the Washington Borough Planning Board was called to order by Vice-Chair Pohorely at 7:30 P.M. in the second floor Court Room/Council Chambers of the Borough Hall. Vice-Chair Pohorely read the following statement into the record: "The requirements of the "Open Public Meetings Law", P.L. 1975, Chapter 231, have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of the Borough Hall stating the time, place and purpose of the meeting as required by law." Vice-Chair Pohorely led the Board in the Pledge of Allegiance.

ROLL CALL:

Present:	Conry, Post, Aron, McDonald, Turner, Pohorely, Allin
Absent:	Frascella
Also Present:	Steven Gruenberg, Board Attorney Stan Schrek, Board Engineer Chris Dochery, Board Planner

Chair Van Deursen will be late to meeting.

New employee representative, David Allin, was sworn in before the meeting.

APPROVAL OF MINUTES:

Meeting of March 9, 2015: No comments. Therefore, it was moved by McDonald, seconded by Conry to approve the minutes as presented.

ROLL CALL: Conry, Post, Aron, McDonald,
Turner, Pohorely, Allin
Ayes: 6; Nays:0; Abstentions:1(Allin)
Motion carried.

RESOLUTION: None

APPLICATIONS:

Courtesy review – Environ: Pohatcong Valley Groundwater Contamination Site/Extraction & Treatment System Construction

Bruce Kerenington, Environ representative, and Scott Tarman, Engineer, appeared before the Board to discuss the construction of the treatment system. Attorney Gruenberg stated to the Board that this was an EPA project and understands that the presentation is for a courtesy review as no formal application has been filed. This project is different that the Park Avenue project but it is the same plume.

Ray Duckett is the project manager of the site. They are requesting a courtesy review and to obtain comments from the Board. Mr. Schreck asked if they were exempt from local zoning. Attorney Gruenberg stated that if there is federal jurisdiction then they are exempt. The site is part of Vicon Tile and Albea properties. Mr. Schreck stated that a survey and zoning table would be helpful. There will be no oath as this is not a public hearing.

Mr. Tarman reviewed the treatment system. There will be two pumping wells that will join a pipeline; separate power supply to pumps; pipe to go under railroad to Albea property; 50' x50' treatment facility will be on Albea property.

Chair VanDeursen arrived at 7:50 pm. Access to the plant will be through Albea. They have applied to Warren County and soil conservation office for drainage and stormwater runoff. After the water is treated, it will be pumped to another line then discharged to the ground. The system will be unmanned but will have routine maintenance performed. There is a contingency plan should the pumps breakdown. Fifty year projection to complete. Mayor McDonald asked what happens at the end of the treatment. The system will be decommissioned.

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Mr. Tarman stated that he has met with Kristine Blanchard and Dawson Bloom. A notice to residents will be sent regarding a public information session. Motion to instruct Board attorney to send a letter regarding the courtesy review with the following comments/concerns: fencing, public information, decommissioning. All in favor. February 2016 to start operation.

OLD BUSINESS:

A. COAH update:

A memo was sent to the Board regarding the Supreme Court decision that COAH is not meeting its obligation. Chris Dochney discussed the memo. The 2010 housing plan was remitted but never acted on. There is a small window for Court to review plan. Attorney Gruenberg stated that there are three classes of municipalities: 1) submitted plans (judicial immunity to builders remedy lawsuit); 2) participant (judicial immunity to builders remedy lawsuit); and 3) never participated (open to lawsuit). If Court does not agree with the plan, the municipality has 5 months to submit a new plan. Attorney Gruenberg stated he has recommended to Boards to file a declaratory judgement action. Motion to instruct Board Attorney to send a letter to Council to recommend a declaratory judgement action be filed. All in favor. Chair VanDeursen stated that the Borough should be in good shape as the plan was remitted for review.

NEW BUSINESS:

New Board member, David Allin, fire official in the Borough, was welcomed.

REPORTS OF OFFICERS AND COMMITTEES: None

UNAGENDIZED STATEMENTS:

Peter, resident from South Lincoln Ave., came before the Board. He stated that they are trying to get another attorney to represent them in their dealings with Ray Rice. He stated that Ray had put a no parking notice on his door. Attorney Gruenberg stated that the status of the application was approved with conditions. The Board has no jurisdiction in regards to a property owner dispute with the applicant. Peter stated that he is concerned with parking. Chair VanDeursen suggested speaking with the Borough Clerk. Peter also voiced concerns with his back steps being cut in half even though Ray stated that there will be no damage to property. Attorney Gruenberg suggested speaking with the Borough Engineer regarding the back steps and actual field work. He also encouraged him to get legal representation.

Close public portion. All in favor.

COMMUNICATIONS:

Receive & file. All in favor.

Chair VanDeursen commented that she and the Mayor were approached by the Rossi brothers regarding their interest in the property across from Washington Square.

Attorney Gruenberg asked the Board if it would be acceptable for him to put on his website that he represents Washington Borough Planning Board and Board of Adjustment. Permission granted.

ADJOURNMENT: Motion to adjourn. All in favor. The meeting was adjourned at 8:45 p.m.

Respectfully submitted by Patricia L. Titus, Planning Board Clerk.