

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
April 8, 2024**

CALL TO ORDER:

D. Pomponio called the meeting to order at 7:00 PM

FLAG SALUTE:

D. Pomponio called for everyone to rise and recite the pledge of allegiance to the flag.

SUNSHINE STATEMENT:

D. Pomponio announced that this meeting is being held in compliance with the Open Public Meetings Act and has been duly noticed and published by law.

ROLL CALL:

On roll call vote, the following members answered present to roll call: Mayor R. Miller, Councilman M. Wilkinson, K. Ryker, D. Pomponio, W. Hans, F. Ballak, J. Cole, J. Schumacher, H. Earle, E. Hahn

MINUTES:

D. Pomponio asked if there were any questions or comments on the minutes for February 12th, 2024, none heard.

A motion to approve the February 12th, 2024, minutes was made by F. Ballak and seconded by W. Hans

Roll Call

R. Miller-ABSTAIN
M. Wilkinson-AYE
K. Ryker-ABSTAIN
D. Pomponio-AYE
W. Hans-AYE
F. Ballak-AYE
J. Cole-AYE
J. Schumacher-AYE
H. Earle-AYE
E. Hahn-AYE

RESOLUTIONS:

**Ordinance 2024-02 To Amend Chapter 335, Zoning and Land Use, of the Borough Code to Incorporate Pinelands Development Credits Requirements into the PC-3 Zoning District
N.J.S.A. 40:55D-26**

A motion to approve Ordinance 2024-02 was made by H. Earl and seconded by M. Wilkinson.
RC

ROLL CALL

R. Miller-AYE
M. Wilkinson-AYE
K. Ryker-AYE
D. Pomponio-AYE
W. Hans-AYE
F. Ballak-AYE
J. Cole-AYE
J. Schumacher-AYE
H. Earle-AYE
E. Hahn-AYE

ZONING OFFICERS REPORTS:

Zoning report for February and March 2024

D. Pomponio asked if there were any questions or comments on Zoning reports, none heard.

ALL IN FAVOR:
AYE

OLD BUSINESS:

Berlin Wall Holdings, LLC “Whispering Woods” hearing to conceptually approve development plans for a mixed-use development on the property of Route 30 & Pine Ave, Block 1502 Lots 1, 2, and 3

The attorney representing the applicant Berlin Wall Holdings, Justin Santagata from the firm of Cooper Levinson, explains that the purpose of the hearing is to allow public comment on a settlement reached in litigation regarding the property development. The attorney provides an overview of the proposed concept plan, which includes a Dollar General store moved further from Pine Avenue, 48 townhomes on Pine Avenue, and a 250ft buffer around the commercial and residential developments.

Berlin Boro’s attorney Chris Norman stated that this meeting is just conceptual, to resolve the settlement and superior court. Chris Norman then swore in the applicants engineer, Ahmad Tamous, PE.

The Vice Chairman Dan Pomponio opened the discussion to the public with any questions.

Multiple residents voice concerns about environmental contamination from the former Owens Corning site, increased traffic, impact on wildlife, and adding more housing density. Once

resident questions why the commercial development is being moved across the street, instead of redeveloping the existing site.

James Adair from 265 South White Horse Pike, Berlin Borough came up to the podium and voiced his concerns about the environmental contamination from Owens Corning site, trees being removed, traffic and the rumors of a deal that was made. Mr. Adair objects to the plan. Chris Norman explained that they sued because of the denial of the Dollar General and that is the litigation. Mr. Norman went on to say that a lot of the issues related to the former Owens Corning Site and the settlement addresses how this site is going to be developed with a minimal amount of disturbance to that area and the environmental conditions that exist there, they must be addressed for the satisfaction of outside agency to review any environmental concerns, like the EDP. That is true for any development with environmental issues.

James Adair asked if this was checked for asbestos and Anthony LaRosa the Borough's engineer explained that a environmental impact statement was completed, that has to be done with in accordance with certain federal regulations and requirements and that will be revisited when they come in with their full engineering plans and that will be addressed to the requirements of the state, town and everything that is required. Mr. LaRosa also pointed out that the White Horse Pike is a state road and all requirements that the state imposes as it relates to a traffic study, etc. cetera would have to be taken care of as part of the application. Chris Dochney, the Boroughs planner stated that the Borough has jurisdiction over land uses on individual parcels, but any access bike is entirely jurisdiction of the state.

Harriet Walcott from 3 Pine Ave., Berlin Borough stepped up to the podium and voiced her concerns about the neglect and appearance of Kmart and the empty stores, tearing down of the beautiful woods, disturbing animal life, traffic, noise. Mrs. Walcott feels that if they plan on putting 47 townhomes in then a 8ft privacy wall should be built along Jackson road to the White Horse Pike to keep noise out. Mrs. Walcott asked the board why Pine Ave is the entrance to this project. Vice Chairman D. Pomponio stated that it is conceptual, and it is a concept plan, studies are still needed. Mr. Pomponio did let Mrs. Walcott know that all concerns are being noted.

Mr. Norman asked the board planner what the underlying zoning that is there now. Mr. Dochney state that he doesn't believe it is a permit residential, the entirety is the White Horse Pike frontage is the C two, so the Dollar General is already a permitted use same with the restaurant which judging by that layout, Mr. Dochney is guessing that it is a Chipotle. Flex space would probably be permitted and self-storage.

D. Pomponio stated that when this was originally approached about the Dollar General it was on the corner of Pine Ave and White Horse Pike and the board rejected it and that what lead into this litigation, so a different concept plan was proposed and none of the commercial type uses effect Pine Ave. Mrs. Walcott agreed but feels that the 47 town homes do effect Pine Ave. D. Pomponio explain that this is just a concept plan, there are different things that still need to be reviewed. Mr. LaRosa added that the original concern was the access off Pine Ave and now there is no commercial access into Pine Ave but again this is residential access, but it is only conceptual at this time.

Ken Ryker wanted to confirm with the public that no deal was made for the board to be here today, it was a superior court judge that ordered this hearing because of the denial that the planning board initially put in place. So please keep that in mind as anger is put towards the planning board, it was not our decision to have this hearing again it was a superior court judge.

Kathleen Healey of 34 Hillcroft Road, Berlin Borough stepped up to the podium, Mr. Norman swore her in and then she voiced her concerns about the environment with the number of people suffering from cancer causing issues in the town and county. Mrs. Healey said did an OPRA request for information regarding pending litigation or pending environmental issues but is there anything anyone can tell the public tonight that would not be breaching the OPRA request. Mr. Norman stated that there is no litigation involving the environmental. Mr. Dochney stated that the Owens Corning site and the corporation of Owens Corning, whoever is currently in charge of overseeing the environmental radiation is not subject to this litigation, they are not a party in this at all. If there is any contamination it is subject to the dep or Pinelands review of any contamination. It is not the authority of the board to review contamination issues, it is a state issue. The developer would be responsible for cleaning up any contamination to satisfy any state requirements. Mr. Norman added that the 250 ft buffer is designed to prevent non-disturbance of the areas of the homes in the red zone on Jackson. Mrs. Healey explained that she lost both her brother and sister-in-law to a red zone in Gloucester township, that is why Mrs. Healey is adamant about not causing more issues in the world. Mrs. Healey other issue is the schools, she wants to know if there is anything that can be done to decrease the number so it wouldn't be overwhelming to the taxpayers and school. How is this going to be addressed. Mr. Dochney stated the trend has been that in townhouses there aren't as many school children as in detached single-family homes and all those townhomes would be also paying property taxes that will go into the school system and any decision of this board or town or the borough level that goes into creating more housing the board of education is notified about it so they can make plans accordingly. Mr. Norman then stated that they will be paying taxes between 350 to 425,000.

Mayor Rick Miller advised Mrs. Healey that there is a site, it's called Berlin Community site.com and that's where Owen's puts their updates for that site and the last one was October of 2022. It's not updated very often but there are some fact sheets on that site.

Harriet Walcott asked if her letter could be included in the commitments, one term letter. Mr. Norman agreed, and it was marked as A one.

Joanna Nixon from 136 Jackson Road, Berlin Borough stepped up to the podium. Mr. Norman swore her in. Mrs. Nixon asked what an impact statement was? Mr. LaRosa explained that it is a document that has certain requirements of parameters that are set out that a developer in this case would be required to put data together to answer several issues, questions, that must deal with the impact that the development would have to the environment. Mrs. Nixon then stated that she had written letters to the DEP, Pinelands regarding Owens dumping in the woods, their pool overflowed, they drilled in the well and dumped in there for years. Mrs. Nixon concern is asbestos is everywhere. Mrs. Nixon stated that she had a team meeting with the Camden County Health Commissioner; and they basically sent her to someone else. Mrs. Nixon also feels that this is going to be another vacant building and Berlin Borough doesn't have the demographics to

support this plan. Another concern that Mrs. Nixon has is, there are a lot of people that walk to the Dollar General and now they are going to cross over the pike to get to the Dollar General. Councilman M. Wilkinson then spoke up to state that borough is not moving the building, it is a business owned by other individuals and the borough doesn't own the property. Mr. Dochney then stated that the borough doesn't have control to say what specific business can move into certain areas if an area allows retail space. Under land use law, if a retail store is operating and just generally selling goods to people that come there, the borough doesn't have the right to say yes, or no. Councilman M. Wilkinson then stated that Dollar General are moving into all these free-standing places. Mr. Norman stated that if this litigation never existed the property owner would by right, be allowed to come in with a permitted use that meets the C two standards, and this board would be obligated to approve then Mr. Norman stated that requirement is a 50 ft setback not 250ft.

Mrs. Nixon felt they should have sued the realtor that sold them the property, if they didn't warn them of the possibility that the ground is contaminated. Mrs. Nixon feels that someone needs to take the time out to go back in the woods to see where they contaminated the ground, she also stated that the drilling and dumping was all done late at night. Mr. Dochney questioned, Mr. LaRosa, with a new environmental impact statement and stormwater management are they to be digging test pits against soil samples and Mr. LaRosa answered, moving forward the requirements that they have to do is to prove that the soil can take storm water etcetera and part of that is when you do alter down and do borings they use certain sensors and stuff to kind of sniff the soils to make sure they are not contaminated. Mrs. Nixon also stated that behind her house, which is 450, maybe 606ft away from Owen's property, there were kids back in the day running through the pink stuff. Mrs. Nixon other concern is certain wildlife is coming back after years of not seeing them.

Mike McGuckin from 41 London Ave, Berlin Borough stepped up to the podium and Mr. Norman swore him in.

Mr. McGuckin then stated that on Christmas Eve there was a bulldozer rolling down, unloading next to his property, Mr. McGuckin stated that right up against the Owens fence that no one can see from the Pike or London Ave that it is all cleared and staked out. Mr. McGuckin took pictures and went down to talk to Lynn in the tax office to see if they knew anything that was going on and the tax office didn't know anything. D. Pomponio asked if it was on this parcel storage and Mr. McGuckin stated that he is guessing it's the storage they are trying to build, and he feels when he tried to move his business to his property he had to go through hoops and he contacted the Pinelands to ask if they were ever notified about property being cleared and they stated no. Mr. McGuckin then stated that he thought they were not going to disturb the land within so many hundred ft from Owens. Mr. Dochney stated that the 250ft buffers will be at the back of the residence on Jackson Road. Mr. McGuckin concern is the well is right next to the Owens fence where they are clearing the land. Mr. Norman stated that it is not on the site that they are proposing and then Mr. Dochney confirmed that it wasn't the developers who did that on this property it was something on Owen's property. Mayor Rick Miller stated that the proposal stops at Townsend. Mr. Norman asked if it is on the 32-acre site they are proposing. Mr. McGuckin said he will come back with his survey.

Randy Molineaux from 12 Bishop Ave, Berlin Borough came up to the podium and Mr. Norman swore him in.

Mr. Molineaux concern is the traffic and D. Pomponio stated to keep in mind this is only a concept plan, and the board is listening to all concerns of the public. Mr. Molineaux stated that on Tansboro they put the main road and they put one entrance, one exit with the homes all going around so traffic doesn't deviate on any of the side streets. The way this concept plan is set up all the traffic is put on to the side streets and with them redoing Jackson Road, dropping the speed limit down, sidewalks etc., with stopping speed limit down they will all turn down the side roads to cut through. Mr. Molineaux feels the traffic should go out to the White Horse Pike where they can enter, a berm can go back sort of like Walmart or Taylor's run office on Rt73, and it is not on anyone side street. Mr. Molineaux asked, if it was true since Pine Ave is residential, they weren't allowed to enter or exit from Pine Ave. Mr. M. Wilkinson stated that the original plan for the Dollar General was almost on top of Pine Ave and townhomes were proposed afterwards which put Dollar General and commercial stuff further down from Pine Ave. Mr. Molineaux commented that back in 2011 the properties were sold for \$275.00 and then the month after being sued they were resold for 2.5 million and Mr. Molineaux stated that was what he read that online. Mr. Molineaux feels that the builders may not be large enough to handle something that big. Mr. Molineaux stated they built on his street and finished the fourth house after four years, so for four years he had to live with these builders and contractors on the street.

Lorraine McKeown from 112 came up to the podium and Mr. Norman swore her in. Mrs. McKeown concern is the drainage area would be with a 250 ft buffer, the low point comes right up into her backyard. Mr. LaRosa asked her to show him on the concept plan where her property is so he can address it. Both Mr. LaRosa and Mrs. McKeown discuss her concern and Mr. LaRosa confirmed that this area will not be touched, it will be left in its natural state. The applicant's engineer Ahmad Tamous confirmed. Mr. Norman asked Mr. Tamous to turn the plans towards the public so they can see what he is referring to, Mr. Tamous turned the plans around and explained that it is an exhibit of the area and the surrounding area. Mr. Tamous pointed out the 250ft buffer and all the homes and Mr. Tamous confirmed that the one area will remain in its natural state. Mr. Tamous went on to explain that all the commercial buildings and their parking will be closer to the state highway and at the back near the residential area it will remain as is and the townhomes will be where Pine Ave is. Mr. Tamous stated, with this concept plan they plan on preserving as much buffer as possible between the development and residential property. Mr. LaRosa stated two points relating to the buffer, one, the deed restricted means that there will be a document filed in the county that states that nothing can take place in that buffer area and the second point to make is about stormwater and basin. The concept plan dictates or shows that all the basins for storm water will be outside of that buffer and there will be no disturbance in that area. Mrs. Nixon went back up to the podium to state a concern on the demographics of that area, the Mullica River runs underneath there so wherever the retention ponds are anything that gets in there is contaminated and the river going to pull it. Mr. LaRosa remembers the testimony from before this is going to have to be documented as they move forward in the engineering studies that the gradient of the way that the water moves underground supposedly does not move from Owens coming outwards in this direction and moves in the opposite direction. Mrs. Nixon stated it moves from Whitehorse Pike to Jackson Road out past over to Collins Ave down Jackson Road, that is where it flows. Mr. LaRosa answered by stating that you're not getting flow from the Owens Corning site down towards you. Mrs. Nixon

concern is that they did so much dumping that it flowed behind her property. Mr. LaRosa stated by doing certain testing you can see what direction the water flows on the ground and if there was something dumped on that property that they are going to develop is there a potential to move, yes, whether the development would exacerbate that, Mr. LaRosa stated he is not a hydro geologist but that is a good question moving forward. Mrs. Nixon agrees to bring the homes down because it will be a lot of homes on Pine Ave.

Brendon Cohen from 19 Bishop Ave, Berlin Borough came up to the podium and Mr. Norman swore him in.

Mr. Cohen asked if there was a plan where they can create an entrance to the residential through the commercial to avoid Pine Ave because Mr. Cohen concern is the traffic, to make a right or left turn onto White Horse Pike from Pine Ave is very dangerous. D. Pomponio again explain this is conceptual plan. Mr. LaRosa stated realistically feasible with the DOT they are going to get the permits for every one of those entrances on Route 30. Mr. Cohen stated that the traffic volume off Pine on the White horse pike and then the traffic study, putting a light on the state highway at that intersection is a major undertaking as well as we're getting into that plan. Mr. F. Ballak stated his concern with that suggestion or proposal is that you don't want the people that are going to the commercial, the restaurant or whatever it may be. Mr. Cohen stated he suggested no entrance on the pine, eliminating pine. Mr. LaRosa stated you should address any ideas with the applicants engineer. Mr. Tamous stated that this is a conceptual meeting and there could be some improvements with the traffic on route 30 and Pine Ave. Mr. Cohen said his concern is the traffic and he would like to see some change to help with eliminating the traffic it is going to cause. D. Pomponio said he understands, and this is only a conceptual plan. Mr. LaRosa asked the solicitor how much leeway there is if it is approved to certain conditions or is it wholesale. Mr. Norman stated it's got to be substantially consistent with what the concept plan is but there could be tweaks and changes if the applicant would agree to them but if the applicant finds that it's not consistent it would be a problem with change. Mr. Tamous then stated that he would like to add about the traffic is if we conduct the traffic study and there are concerns about Pine and Route 30, we are required to come to court with the plan whether it's widening or the traffic signal, any improvement that will not make the condition worse. The traffic engineer is welcome to the area, his office is close to the area, so he is familiar with the area and knows the concerns.

Mr. Santagata wanted to confirm that part of this is a redevelopment plan, and the residential portion is subject to a redevelopment ordinance that has not yet been enacted by the council so there's going to be an interaction between what this board does and what council does so some of the questions that have come up have yet to be addressed in the redevelopment plan and it must be substantially consistent with what's approved but there will be further action by not just this board but by the council. Mr. Dochney stated there will be multiple meetings before any construction is started. Mr. Santagata agreed, and the first meeting will be on the subdivision. Mr. Santagata marked the exhibits, P one is the concept plan that's been on file, dated January 8, 2024, and the other exhibit is an aerial exhibit from April 11th, 2022, which will be exhibit P two.

Mrs. Walcott asked about the traffic study on Pine Ave and D. Pomponio stated they have not done one yet.

Robert Todd from 19 Pine Ave came up to the podium and Mr. Norman swore him in.

Mr. Todd concern is putting the 48 townhomes and the traffic that it is going to cause. Mr. Todd also expresses his concern about the builders and the work that they have already done that caused water to run onto his property and neighbors' property.

Louis Neirle came up to the podium and Mr. Norman swore him in. Mr. Neirle concern is about the rock pile in front of his home on 3 Pine Ave. Mr. Neirle stated that twenty years ago it was supposed to be corrected and then ten years ago it was supposed to be corrected. Pine Ave would have to be raised as high as the White Horse Pike. Every time it rains Mr. Neirle says he gets water in his basement, garage, and property because the drain was never put in properly so he would appreciate it if someone would come down to look at it. Mr. Neirle is not happy about all the traffic that it is going to cause and how it is going to affect the wildlife that lives in those woods.

Charlene Galliano from 265 South White Horse Pike, Berlin Borough came up to the podium and Mr. Norman swore her in. Mrs. Galliano stated that she recently found an article dated February 11th, 1942, that discusses when researchers from Owens Illinois came to Berlin to speak with Berlin Rotary about the research and experiments that they were doing at Berlin Brick, which became Owens Corning, this is stating that there were experiments being done at that site during World War Two. Mrs. Galliano stated that she will notify anybody that comes to purchase or rent, any property near Pine Ave or around Owens Corning that this area is not safe. Mrs. Galliano said she contacted Norcross to get a signage to pay homage to the people that died at that warehouse, the servicemen and women that have died on our ships because of the asbestos that was used in the creation of those ships. Mrs. Galliano also stated that there is no mention in Berlin Borough to pay respect to anybody that has died in this town from that company nor has there been any lawsuit that has gotten this town any money for the damage that Owens Corning has done for years and know they want to develop that land. Mrs. Galliano would ask someone to find out exactly what the experiments were. Mrs. Galliano handed the article to the board and Mr. Norman marked it A two.

James Adair then came back up to the podium to ask for the planning board to deny the subdivision of the property.

Justin Lobb from 124 Jackson Road came up to the podium and Mr. Norman swore him in. Mr. Lobb stated that his property is the most affected by this and he is good with the 250ft buffer. Mr. Lobb feels like this is the chance to get that deed restricted buffer. Mr. Norman stated that it's not just the 250ft buffer, on the concept plan they designed it in a way that there's a basin behind each of the uses. Mr. Lobb request would be to add planted buffer behind those basins. Mr. Dochney stated that the existing trees would stay there.

Rhonda Breslin from three Maloney Ave came up to the podium and Mr. Norman swore her in. Mrs. Breslin concern is the trash, traffic, woods, and wildlife.

Dan Mohnacs from 9 Pine Ave came up to the podium and Mr. Norman swore him in. Mr. Mohnacs concern is the Dollar General, Mr. Mahnacs job is to build business cases and in his job

there are two key aspects, there is business value, and there's the customer value. In Dollar general's case, the business value is clear. They want to cut their costs and they want to own copy and paste their 20 other Dollar Generals on White House Pike, the same singular building. Mr. Mohnacs feels that Dollar General is doing the same business that is across the street knocking down our woods and they are gaining a net loss in Mr. Mohnacs opinion because they are creating an additional vacancy across the street without addressing any of the main problems that is already sitting there.

D. Pomponio asked if there were any other comments from the audience on this concept plan.

A few residents asked to come up to take a pic of the concept plan.

Mayor R. Miller asked if people would like to add their email addresses on a piece of paper, the secretary will send them a PDF of the concept plan.

Alex Sinelnik that has the law office at 270 White Horse Pike, south came up to the podium. Mr. Norman swore him in. Mr. Sinelnik stated that years ago, arterial access for emergency, fire etc... was proposed and the reason is because no one was going to pay for the lights. The light was going to be across a crossroad to make a left going east or a right going west. If there was arterial access to everything, fire, ambulance, police, residential. This way there is no access on Pine. There is not any access to the main arterial route, so it doesn't slow traffic. You enter and then you access the project. Mr. Sinelnik then went on to say where the dog lake begins at Pine is where they tested the bore holes. There were two drill spots, lighter loam and our dark orange loam was left there, and they were testing everywhere. Mr. Sinelnik also stated that last time there was a presentation they came out after that and tested so there is a piece of paperwork out there stating whether or not it has any type of geological concerns.

D. Pomponio then asked if there were any other comments from the public, none heard or seen. The public portion was then closed.

Mr. Norman explained that the next step is for them to come in with a formal application and subdivision and site plans. The first subdivision plan will be for the relocation of the Dollar General. The rest of it would be the redevelopment stuff which would have interaction between the Borough council before it comes back here for further site plans. Mr. Dochney stated that there will be at least three or four more meetings in the next couple of years.

D. Pomponio stated that there will be at a lot done before anything happens and Mr. LaRosa commented that they have forty-five days to make the first application. Mr. Dochney stated that is just for the subdivision site plan.

W. Hans stated everything is subject to change. D. Pomponio stated that all they are looking at tonight is the concept of something happening.

J. Schumacher just wanted to clarify that the 250ft buffer is not up for debate. Mr. Norman stated correct, that was the key incentive for the plan, regardless of what the outcome of anything else,

they have the 250ft buffer, plus plantings and then they will also get the basins as an additional buffer.

A motion to approve the Whispering Woods settlement was made by F. Ballak and seconded by H. Earle

Roll Call

R. Miller-AYE
M. Wilkinson-AYE
K. Ryker-NAY
D. Pomponio-AYE
W. Hans-AYE
F. Ballak-AYE
J. Cole-AYE
J. Schumacher-NAY
H. Earle-AYE
E. Hahn-AYE

NEW BUSINESS:

NONE

CORRESPONDENCE:

NONE

PUBLIC PORTION:

D. Pomponio stated that originally, we were opened up for just that application, now if anyone has any other questions or anything. Mr. Santagata came forward to thank the board for their time.

There was nothing heard or seen so D. Pomponio closed the public portion.

GOOD OF THE ORDER:

None

F. Ballak asked if there was an actual tree clearing ordinance in town? Mr. Dochney stated not yet.

D. Pomponio asked if he was referring to the gentleman that was showing the clearing on his phone on December 24th. Mayor R. Miller stated that there is a state mandated ordinance that's going to be passed Thursday, it will address the clearing for storm water restrictions, but this application may be exempt from it, but as it stands today, somebody can clear their entire land. Mr. LaRosa stated that they should be careful because you're always subject to soil erosion control requirements, which are dictated by the county. You can't do more than 5000 square feet. F. Ballak stated he was just wondering if there was anything that the municipality needed to be looking at for someone out there with the bulldozer clearing things. I don't think it was on, it seemed like it was not on the applicant's property. Mr. Dochney stated that he thinks it was on the property in between his property on London and another one. Mayor R. Miller stated that one did come in for a storage unit. J. Schumacher stated that the corner lot across from where the bartending school was. Those are two separate lots. D. Pomponio asked who owned that property on this plot. Mayor R. Miller stated that Owens Corning owns the property on Jackson. Mr. Dochney said it wasn't Owens property it was in-between Owens property and London and extends to the pike. W. Wilkinson stated that it does back up to where Ownes property is. Mr. Dochney stated that the property was not on the application that was talked about in tonight's meeting. Mr. Dochney also stated that no one has any idea if they got the proper permits, and they would need those permits from the soil conservation. Mr. LaRosa stated that usually the terminology is 5000 sq feet of disturbance or more and you take down trees, you're going need to build a road for a bulldozer to go through over 5000 square feet. Mr. Dochney stated that he would assume that the soil conservation district would send a notification letter to the borough on the application permit for clearance.

D. Pomponio asked if there were any other questions or comments.

Mr. Dochney advised the Planning Board that there is going to be new affordable housing legislation adopted by the state, that will need to be discussed in the coming future.

ADJOURNMENT OF REGULAR MEETING:

A motion to adjourn the meeting was made by J. Schumacher and Second by W. Hans at 9:00pm. All in Favor: AYE

Cc: Bill Behnke, Fire Marshal
Stacey DiVello, Escrow Financial Department
Al Hallworth, Construction Official
Michael Bernardins, CTA Tax Assessor