

**MERCER COUNTY PLANNING BOARD
REGULAR MEETING MINUTES
WEDNESDAY, NOVEMBER 12, 2008**

PRESENT: John A. Cimino, Chairman
William S. Agress, Vice-Chair
Anthony P. Carabelli, Freeholder
Jack Flood
Edward W. Fedorko, Jr.
Samuel M. Rubino
Thomas M. Ryan
Gregory Sandusky, County Engineer

ALSO PRESENT: Robert Ridolfi, Board Counsel
Donna M. Lewis, Planning Director
Leslie Floyd, Assistant Planning Director
Richard Smith, Planning Board Secretary
Lisa Fritzinger, Staff
Matthew Lawson, Staff
Dan Pace, Staff
Marisa Wieczorek, Staff

Mr. Cimino called the meeting of the Mercer County Planning Board to order at 9:00 a.m.

I. STATEMENT OF ADEQUATE NOTICE

Pursuant to the Sunshine Law, notice of this meeting was sent to the Trenton Times, the Trentonian, and was posted in the County Clerk's office and the County Administration Building on October 21, 2008.

II. APPROVAL OF MINUTES

Mr. Agress made a motion to approve the minutes of the October 8, 2008 Planning Board meeting and Mr. Fedorko seconded the motion. The minutes were approved with the following vote:

Y	John A. Cimino	Y	Edward W. Fedorko, Jr.
Y	William S. Agress	Y	Samuel M. Rubino
Y	Anthony P. Carabelli	Y	Thomas M. Ryan
Y	Jack Flood	Y	Gregory Sandusky

III. PUBLIC COMMENT

There was no public comment.

IV. OLD BUSINESS

a. Mercer County Planning Board Resolution No. 2008-04

“ Proposed Amendment to the Mercer County Water Quality Management Plan Concerning the Adoption of an Amended Wastewater Management Plan for Robbinsville Township and a Modification to the Hamilton Township Wastewater Management Plan”

Mr. Flood made the motion to approve Resolution No. 2008-04 and Mr. Fedorko seconded the motion. The resolution was approved with the following vote.

Y	John A. Cimino	Y	Edward W. Fedorko, Jr.
Y	William S. Agress	Y	Samuel M. Rubino
Y	Anthony P. Carabelli	Y	Thomas M. Ryan
Y	Jack Flood	Y	Gregory Sandusky

V. NEW BUSINESS

a. Phillip S. Miller, Executive Director of the Mercer County Improvement Authority presented to the Board an informal presentation on the County Court House project.

b. Public Hearing – Proposed amendment to the Mercer County Water Quality Management (WQM) Plan.

Mr. Todd Fryer representing the applicant introduced the proposed amendment. The proposed amendment to the Mercer County Water Quality Management Plan (WQM) was submitted on behalf of Viridian Partners, LLC and Hampshire Companies. Mr. Fryer explained that the proposed amendment would modify the Mercer County Water Quality Management Plan and the East Windsor Municipal Utilities Authority (EWMUA) Wastewater Management Plan (WMP) by expanding the sewer service area of the EWMUA water Pollution Control facility (WPCF) to include Block 13, Lots 1.01 and 1.02 within East Windsor Township Mercer County. He noted that the WPCF has a permitted capacity of 3.35 million gallons per day (MGD) to discharge to the Millstone River under NJPDES Permit.

Mr. Fryer stated that Block 13, Lot 1.02 which is located northeast of the intersection of I-95 and Wyckoff Mills Road, is the former National Lead site, owned by Wyckoff Mills, LLC. Viridian Partners, LLC is the contract purchaser of this property. The site currently contains abandoned manufacturing facilities. Viridian Partners, LLC is interested in redevelopment in the future, but at this time does not have a plan or a time frame for development.

Mr. Fryer also noted that Block 13, Lot 1.01, located directly east of Block 13, Lot 1.02 on Wyckoff Mills Road is owned by Hampshire Companies and Elementis Specialties is the tenant currently occupying the existing office buildings on Lot 1.01 and is operating the existing onsite wastewater treatment facility that currently serves both Lot 1.01 and 1.02. The Elementis Specialties, Inc. Wastewater Treatment Plant currently operates under NJPDES Permits which is permitted to discharge 0.007 MGD to the Millstone River and 0.007 MGD to ground water.

Mr. Fryer explained that there is no current site plans for redevelopment, but maximum projected flow for these two parcels has been calculated to be 43,046 gallons per day. He said that under the proposal, upon connection of these properties to the EWMUA WPCF, the Elementis Specialties, Inc. Wastewater Treatment Plant would be abandoned. Mr. Fryer advised the Board that the flow anticipated from the two parcels was accounted for in the EWMUA Wastewater Treatment Plant flow projections and the proposed expansion of the EWMUA WTP sewer service area will not require an increase in the permitted capacity of the WTP.

Mr. Cimino asked if there were any other comments or questions. It was noted that the hearing will remain open for 15 days and a resolution will be presented at the December 10, 2008 Planning Board meeting. There were no comments from the public and Mr. Cimino asked for a motion to close the Public Hearing. Mr. Agress made the motion and Mr. Carabelli seconded the motion. The motion was approved by the following vote:

Y	John A. Cimino	Y	Edward W. Fedorko, Jr.
Y	William S. Agress	Y	Samuel M. Rubino
Y	Anthony P. Carabelli	Y	Thomas M. Ryan
Y	Jack Flood	Y	Gregory Sandusky

VI. CORRESPONDENCE

- a. Letter dated October 27, 2008 from Daniel Pace, MCADB Administrator.

VII. ADJOURNMENT

Mr. Flood made the motion to adjourn the meeting and Mr. Carabelli seconded the motion. The meeting was adjourned at 9:55 a.m. with the following vote:

Y	John A. Cimino	Y	Edward W. Fedorko, Jr.
Y	William S. Agress	Y	Samuel M. Rubino
Y	Anthony P. Carabelli	Y	Thomas M. Ryan
Y	Jack Flood	Y	Gregory Sandusky

Respectfully Submitted,

Richard J. Smith, Planning Board Secretary

Attachments, if any, which are listed in the minutes, are made part of the permanent record in the Minute Book and are available upon request.