

7:30 PM

MINUTES

PRESENT: T. Ciacciarelli
R. Dodds
D. Haywood
S. McNicol
J. Strasser
M. Synchronick
L. Voronin, Alt #1
E. Ely, Alt #2
D. Pierce, Attorney

ABSENT: J. Mathieu
L. Riggio

CALL TO ORDER

The meeting was called by M. Synchronick at 7:34 PM.

NOTIFICATION

In order to ensure full public participation at this meeting, all members of this Board, and members of the public are requested to speak only when recognized by the Chair so that there is no simultaneous discussion or over-talk, and further, all persons are requested to utilize the microphones which are provided for your use by the Township. Your cooperation is appreciated.

Notification of the time, date and place of this meeting has been published in the Hunterdon County Democrat and Courier News, and has been posted in the Kingwood Township Municipal Building at least 48 hours prior to this meeting and has been filed with the Municipal Clerk.

NEW AND PENDING MATTERS

Approval of Minutes

It was moved by D. Haywood, seconded by R. Dodds and carried to approve the minutes of February 11, 2016 and place on file. All members present voted **AYE** on **ROLL CALL VOTE**, except L. Voronin, who **ABSTAINED**.

Sustainable Aquaculture – Block 15.01, Lot 1 – Route 12/Pittstown Road;

M. Synchronick stated C. Ely, L. Voronin and herself were going to go to the Franklin Township Land Use’s meeting in March but were informed by Franklin Township that the matter had been removed from the agenda and it was suggested they not come to the meeting. D. Pierce had prepared some questions for them to ask the Franklin Land Use Board. M. Synchronick stated the Land Use Board secretary is ill and will be out for a while. Kingwood feels that it has not been noticed properly. She asked the Board if they felt a letter should be sent to the Franklin Land Use Board and ask the questions D. Pierce had formulated. M. MacConnell has sent an OPRA request for additional information from the file.

D. Pierce stated he had spoken to the attorney yesterday and the attorney inquired what Kingwood was looking for from the application package. He had responded Kingwood was looking to see if they had been noticed and how they were noticed. Kingwood has a request into Franklin for that information. Franklin Board's attorney called the attorney for Sustainable Aquaculture and suggested he call me. D. Pierce stated he did receive a voicemail from the attorney for Sustainable Aquaculture. Franklin Board's attorney stated he would make anything available to us that we needed. D. Pierce stated he was looking for the affidavit of mailing and service of how and when Kingwood was noticed. It would have been delivered to the Clerk's office.. Kingwood does not have any indication that they received any notice. The only problem is that the MLUL (Municipal Land Use Law) does not require that the addressee receive the notice just that the applicant can prove that they provided notice as required under the MLUL. Kingwood is just looking for the white receipts. The glitch is that if they notified us by certified mail and it never got here, a notice is placed in the newspaper also.

M. Syrnick stated everything has been hearsay, drafts or old information. When she spoke with the secretary of Franklin's Land Use Board a couple of weeks ago, she said she sent the information on December 31, 2015. Franklin has been having hearings since last July.

D. Pierce stated the OPRA request asked to see what documents they have and the affidavit of service should be on file with the Board. Kingwood should have been notified before the hearing was opened at the first meeting in July. If proper notice was not provided whatever Franklin's Land Use Board has done is invalid. It is a jurisdictional issue. A Board cannot act on an application if there is a problem with the notice. The applicant and Franklin Township will have to restart the application with the appropriate notice. An action in court can be filed to have it overturned on jurisdictional grounds of faulty notice.

D. Haywood stated Sustainable Aquaculture was supposed to appear in March before the Township Committee. She had received a message from a resident who wanted to have a conversation with her about the water. She informed them that her hours are 5-7 on Tuesday evenings. Representative from Sustainable Aquaculture came in and did a brief presentation to her. They basically went over the project. They answered a lot of the questions that she had in regard to the project. The system is almost self-contained. They recycle as much as possible. She does not know if they did an aquifer test.

L. Voronin stated, after reading some of their minutes, the applicant was requested to perform an aquifer test and they declined.

M. Syrnick stated we currently don't have any facts. There are enough open questions and not enough information that is accessible.

D. Haywood stated Sustainable Aquaculture is going to appear before the Township Committee and is happy to appear before the Environmental Commission. They will also be appearing before the Planning Board. She stated they were going recycling as much as they can including using the fish waste as fertilizer for their hydroponic plant greenhouses that they have set up. It sounded like a great system. She is no expert and her biggest question is still what the impact of the water being withdrawn is on the aquifer. Would it be more than if the property was farmland being farmed? She does not know what the impact on the MEL plume will be with the water being withdrawn by Sustainable Aquaculture.

C. Ely stated most of the farming facilities in the area rely on what nature gives them, unless they are a large vegetable farm, who would utilize an irrigation system. Most farming facilities use as little water as possible. D. Haywood stated they have a system in Emmaus which they have been using as their "pilot" to work out the kinks and everything. They want it to be a self-contained system. There will be no antibiotics and that sort of

thing. They are using bio-filters and ultraviolet light. They stated they won't using antibiotics and/or fungicides. From that perspective it sounded good. She thinks it was very positive in her mind what they were doing. She does not know the impact on the land and would like to see the Township's experts have an opportunity to take a look at what they are planning and tell us the Township can or cannot sustain this type of operation. D. Haywood stated L. Voronin provided some information to her that indicated they would be expanding the facility in Kingwood. L. Voronin stated it was in the testimony from their experts from the November meeting. D. Haywood stated it sounded to L. Voronin that they were taking out 50,000 gpd and they were talking about expanding, in the November minutes, and possibly withdrawing additional water, which would possibly stress the aquifer more.

M. Syrnick stated that is probably our biggest concern. It would be nice to have a business that is a substantial business that hires employees but not at the cost of draining the aquifer for everyone else.

C. Ely stated, after reviewing the documents at the building, it was not a closed loop system. They are stating in their documentation they will be withdrawing 50,000 gpd and discharging up to 25,000 gpd.

M. Syrnick stated the DEP permit is for 18,000 gpd.

C. Ely stated they call them sustainable but that is not sustainable.

D. Haywood stated they were growing vegetables, such as lettuce, cilantro, etc, that is going to take up some water. She does not know if that is a reasonable amount for vegetation.

C. Ely stated water will be used up by the vegetables and will be needed to process the vegetables. They will have to clean and wash. They need to provide details on their process.

D. Haywood stated they will not be importing their stock. They will be breeding yellow perch and hybrid striped and white bass that would be sterile. If you breed two different types of fish you wind up with sterile fish. There would be no GMO.

C. Ely stated there are no GMO fish except for the raised salmon, which are also sterile. It is like crossing a mule and a donkey, which will result in sterile animals.

M. Syrnick stated the final plans were dropped off by Franklin Township and are sitting behind C. Keller's desk.

C. Ely stated one of the drawings was of all the water testing they have done. The other one is a detail explanation of what they think will be developed on the property. He reviewed the plans and made a lot of notes for their meeting with Franklin Township. He did not see anything on the plans that showed a natural filtration system. They claim they have a re-bed. It is so tiny he can't see it processing the amount of water they claim they need to use on a daily basis.

D. Haywood stated they gave her some handouts but the diagram was not included, which showed you where everything was going.

J. Strasser stated the biggest concern is the aquifer being sucked dry and they are refusing to perform testing. We had a big problem when we had the Horseshoe Bend development. We proved that they couldn't supply

enough water for houses on three acres. He doesn't know how much water a house uses on a daily basis. D. Haywood responded 200 gpd per bedroom.

D. Haywood stated they have two wells, one which produces 70 gpm and one with 20 gpm.

PennEast Pipeline – Presentation by Environmental Commission

M. Syrnick stated D. Kratzer offered to present to the Planning Board the impact the PennEast Pipeline would have on the Township. The presentation will provide the impact it will have across the entire Township and all the issues that may come up.

D. Kratzer presented a Powerpoint presentation

After the presentation, there was some discussion on all residents in Kingwood having the opportunity to have a baseline for their well done and Penneast to assume the cost.

D. Kratzer offered to provide updates as the pipeline progresses.

R. Dodds stated PennEast states that it will lower the rates for its customers. Its customers are the consortium of companies that make up PennEast. The ratepayers who buy the gas and use it to heat their homes are going to have an increase to pay for the pipeline. This is a way of essentially milking the ratepayers to pay for something that will put more money in the consortium's pockets. This has nothing to do with public interest. This is totally corporate greed. He stated he has a real problem with the constitutionality of this project. This is right up there with allowing someone to pay more taxes and take the next door neighbor's yard because they want to build a bigger house. It is the same concept. They are going to pay more taxes so we will let them build a bigger house. It is wrong.

The Board thanked D. Kratzer for the presentation.

APPLICATION STATUS

CORRESPONDENCE

PRIVILEGE OF THE FLOOR

ADJOURNMENT

It was moved by R. Dodds, seconded by C. Ely and carried to adjourn the meeting at 9:04 PM. All members present voted **AYE**.

Respectfully submitted,

**Diane Laudenschach
Secretary**