

December 21, 2006

Mr. Scott called the regular meeting of the Union Township Planning Board/Board of Adjustment to order at 7:00 p.m. The Sunshine Statement was read.

Members Present: Mr. Rossi, Mr. Mulhall, Mr. Martin, Mr. Brandt, Mr. Bischoff,  
Mr. Rosol, Mr. Roth, Mr. Grossi, Mr. Scott

Members Absent: Mr. Lukasik

Others Present: Atty. William Sutphen, Robert Bogart, Carl Hintz, Stephen Souza,  
Vincent Uhl, Kenneth Newman, Atty. Michael Gross, James Woods  
Jeffrey Schaumburg, Atty. Douglas Janacek, Thomas Ricker, Michelle  
McBride, John & Kathleen Corcoran, Tom Apostolik, Betsy Piner  
Glenn Roth, Andy Willmer

**Ehrlich: Block 1.09, Lot 23.01, 705 Deerfield Lane: Memorialization of Resolution #2006-007:** A motion to memorialize the Resolution was made by Mr. Rossi and seconded by Mr. Rosol.

Vote: Ayes: Mr. Rossi, Mr. Rosol, Mr. Martin, Mr. Brandt, Mr. Scott

**Pilot Travel Centers LLC: Block 11, Lot 24.03, 68 Route 173 West:** Mayor Rossi and Committeeman Mulhall recused themselves prior to the Pilot Hearing. Mr. Scott mentioned three letters, an October 25, 2006 letter from Kathleen Corcoran, a November 13, 2006 letter from Daniel and Christina Bulinski and a December 6, 2006 letter from Michelle McBride. Mr. Scott asked secretary to forward copies to Atty. Gross. Mr. Scott said the letters would be marked for identification purposes only. Atty. Douglas Janacek voiced his objection with Joseph Staigar not being present tonight. Atty. Gross called Engineer James Woods forward. He was sworn by Atty. Sutphen. Mr. Woods stated his credentials and experience. He is the Chief Engineer with Omland Engineering. Mr. Bogart stipulated to Mr. Woods' qualifications. Atty. Gross said Mr. Woods would be presenting testimony on the Storm Water Management Plan, as well as explaining changes to the Site Plan. Mr. Bogart asked that Mr. Gross clarify the responsibilities of different engineers. Atty. Gross said Mr. Stout's office is responsible for basic civil engineering; Mr. Woods prepared the revised Stormwater management plan and assisted with the revised site plan. Mr. Stout signed and sealed the plans. Mr. Woods expounded about his knowledge of Stormwater management.

Mr. Woods presented a rendering of the revised site plan that he and Mr. Stout had prepared. The rendering was marked Exhibit A-19. Atty. Sutphen asked Mr. Woods the most recent revision date. Mr. Woods said A-19 does not have a date. It is a compilation of a number of the Plan sheets that had been resubmitted in November 2006. Mr. Woods said front yard parking has been eliminated and therefore the variance for that relief is being withdrawn. With that change, the parking had to be reconfigured and the proposed landscaping locations had to be shifted. The proposed height of the eight light poles has been reduced from 18 feet to 16 feet.

The most easterly truck parking aisle has been reconfigured. The various changes have resulted in a reduction of the amount of impervious surface by 1/3 of an acre.

Mr. Bischoff asked the total amount of coverage and the percentage. Mr. Woods said the total coverage would be about 6.31 acres which would be 56%. Mr. Woods said revised plans show the location of the proposed wastewater management system. He also said steep slopes are shown. Mr. Woods said the new Stormwater management system was his firm's major responsibility. A Stormwater Management Report (SMR) dated November 16, 2006 had been submitted to the Board. Mr. Woods explained components of the SMR and how the proposal would comply with the Municipal Ordinance. Mr. Woods said there is an existing detention basin. Pilot proposes cleaning and reclaiming the basin. Regarding water quality management, Mr. Woods said the Ordinance states that if impervious surface is not increased, water quality does not need to be addressed.

Mr. Scott asked about runoff into C1 Waterways and the issue of anti-degradation. Mr. Woods said the proposal to modify the site would not cause degradation. He said, however, Pilot indicated they would provide a greater level of water quality management and the Stormwater Management Plan (SMP) shows that upgrade. The SMP provides for 50% removal of Total Suspended Solids (TSS) and complies with the NJDEP policy. A 6,000 gallon oil water separator is proposed. Due to concerns stated at a previous Hearing, Pilot would upgrade that to 9,000 gallons and would stipulate to the change. A question was asked about the downstream defenders and the need for maintenance. Mr. Woods recommended that, if the project proceeds as proposed, a maintenance monitoring plan be submitted for review by the Board and Board Professionals to assure long-term maintenance of all components. Atty. Gross said he had no further questions. He asked for questions from the Board and/or its Professionals. Dr. Souza asked for clarification about the removal of TSS removal of 50% off of impervious surfaces. Mr. Woods indicated the percentage of removal would be greater if there was 1/4 acre of new impervious surface. Mr. Souza felt State Standards did not refer to site improvements. Mr. Woods said he would provide Dr. Souza with the relevant State Citation. Dr. Souza asked for clarification on the NJDEP's Anti-Degradation Rules. He said the Rules state that any project activity cannot alter the intended use of a water waterway. Mr. Woods indicated that he agreed with Dr. Souza.

Dr. Souza continued. He said testimony was given that applicant would provide a full-containment system capable of storing 9,000 gallons of oil. Mr. Woods said the oil-water separator would collect water until it reached a level where it would be pumped out to a hauler. Dr. Souza said the plans show a discharge from the separator to the downstream defender. Mr. Woods felt issues should be addressed in the maintenance plan. Dr. Souza emphasized the need to have the maintenance manual prepared in advance for the Board to know how potential problems would be taken care of. Dr. Souza asked Mr. Woods to provide calculations for the emergency overflow spillway for the new detention basin.

Mr. Woods said they would have to be submitted to the Soil Conservation District. He indicated they would be provided to the Board as well.

Mr. Uhl asked Mr. Woods the distance from the drainage structures to the C1 streams. Mr. Woods said he did not know, however, the buffer line is more than 300 feet from the site. Mr. Uhl asked Mr. Woods to have a travel time analysis prepared showing how long it would take for a catastrophic spill to reach a C1 Stream. Mr. Woods said they have not done a spill analysis. Mr. Uhl questioned Mr. Woods about the appropriateness of the analysis given the proximity to the Reservoir. Mr. Woods indicated that it could be important. Mr. Uhl wanted more information on the oil-water separator, the volume and the location. Mr. Woods said the separator would be below ground near the southwest corner of the proposed paved area. It will accept flows from the area beneath the canopy of the diesel fuel area. Mr. Uhl understood there would be inward draining under the canopy. Mr. Woods said each of the fueling stations has an inlet and the concrete pitches toward the inlet. He said that 3,000 gallons could be stored there before spilling over. Mr. Woods said the maintenance program is needed to address over spillage.

Dr. Souza asked about snow management. He wanted to know if that issue had been considered. Mr. Woods said that was an operational concern and something could be put in the Stormwater Maintenance Plan to address that issue. Dr. Souza mentioned putting a provision in the Plan that would not result in piling up of plowed snow on the downstream defenders. Mr. Woods said there should be a provision to mark the location of the defenders in case access was needed during a snow event. Dr. Souza had a concern about the excavation for the defenders, since they are large structures. Mr. Woods did not think it was a concern.

Glenn Roth voiced a concern about who would be responsible for the maintenance plan. Mr. Woods said Pilot would have the responsibility of delegating one or more individuals to carry out the plan. Checklists are used to implement required maintenance. Mr. Bogart asked Mr. Woods about an annual report to the Municipality regarding Stormwater. Atty. Gross indicated information would be provided. Mr. Bogart had a question about the fuel oil and diesel tanks. Atty. Gross said Brad Alsup could be sworn in to answer the question. Mr. Alsup was sworn by Atty. Sutphen. Mr. Alsup said the two diesel tanks and the one home heating oil tank are in the same area. Mr. Bogart asked Mr. Woods if proposed devices would control a spill in that area. Mr. Woods said spill containment had not been looked at. Atty. Gross said the loading area for diesel tanks would be connected to the oil-water separator. Mr. Bischoff noted that Mr. Woods had mentioned devices specified for several other projects. Mr. Woods said he mentioned water quality treatment devices, specifically an oil defender. Those devices are manufactured by an international company. Mr. Woods indicated he would provide information to the Board. Mr. Bischoff voiced a concern about the device having been proven. Mr. Woods said it has not been proven on any of his projects; however he is convinced it is proven. Mr. Scott asked to go back to the diesel tank area, an area that drains towards Charlestown Road.

He wanted to know, from an engineering perspective, if a connection to the oil-water separator could be done and if that was where Atty. Gross said it would be connected. Mr. Scott's concern was about drainage and topography. Mr. Woods said he was sure it could be done. Atty. Gross said he meant that applicant would connect the separator. He didn't say how. Mr. Rosol asked what system was in place for containment, should there be a spill in the car fueling station area. Mr. Woods said the focus was on Stormwater management. They would look into the containment matter. Mr. Scott asked for other questions from Board Members and/or Professionals. Dr. Souza asked Mr. Woods if he was aware of the highly contaminated soils that are located in the area of the oil-water separators, downstream defenders. Mr. Woods said he was unaware of that. Dr. Souza said he was looking for measures that would be taken when old structures were removed and new piping installed, since the contaminants would potentially make their way downstream. Atty. Gross said if the Board grants approval, Pilot would clean up the site to the satisfaction of the NJDEP. Dr. Souza had a question about the revised plans and the structure identified as a Wastewater Treatment Plant. Mr. Woods said he understands there will be some form of pretreatment. Atty. Gross said there is a witness who will provide testimony in that regard.

Mr. Scott asked for questions from the Public. He said questions should be confined to testimony given by Mr. Woods. Mr. Scott said testimony or opinions are not appropriate at this time. John Corcoran, 17 Midvale Drive, asked Mr. Woods if there were existing failures or inadequacies of the existing drainage system. Mr. Woods said he did not know of any other than the overgrowth of the detention basin. Mr. Woods felt that affected the basin's operation. Mr. Corcoran said it seemed that pipes and structures would be along the site perimeter. Mr. Woods said "Yes". Mr. Corcoran asked how old the existing pipes are and if they could be near the end of their effective life. Mr. Woods said he did not know. The Board Engineer recommended that the pipes be inspected and replaced, if necessary. The matter would be addressed during construction. Mr. Corcoran mentioned the inlet filters and their potential shelf life. Mr. Woods said he did not know their shelf life. The filters would be addressed in the maintenance plan.

Mr. Corcoran said Mr. Woods testified that because of less impervious surface coverage there would be less runoff. Why is applicant proposing to increase the capacity of the detention basin by 40%? Mr. Woods said it would be more effective. He also said Stormwater maintenance is an operational issue. Michele McBride, 10 Old Forge Lane, asked if the capacity of the oil-water separator or the TSS removal system could be overtaken by a large sudden storm. Mr. Woods indicated the proposed unit should be adequate. Regarding contaminated soil at the site, Ms. McBride asked Mr. Woods why the soil might be contaminated close to an oil-water separator. Mr. Woods said he didn't think he could answer that question, since he was unaware of specifics. Ms. McBride asked if the Township would be responsible for insuring maintenance and if there is an oversight agency. Mr. Woods said it would be Pilot's responsibility. The Township has the right to insure maintenance. Ms. McBride asked if the NJDEP would be involved.

Mr. Woods said not on a routine basis, the DEP does not provide oversight on individual sites. Ms. McBride mentioned problems with a Pilot site in Virginia. She wanted confirmation that there wouldn't be a similar problem here. Mr. Woods said he was unfamiliar with that situation. Ms. McBride continued. She wanted to know if the oil-water separator or TSS removal system would separate any spilled materials, such as herbicides, cleaning agents, etc. from parked trucks. Mr. Woods said that issue could be addressed after doing a spill plan. Ms. McBride said she had no further questions. Atty. Douglas Janacek, representing INO Therapeutics, had questions about impervious coverage. Mr. Woods said the maximum allowed is 25%, proposed is 56% and existing is 56/1/2%. Mr. Janacek asked Mr. Woods what his mention of the light poles had to do with Stormwater management, since Mr. Woods indicated his involvement was with Stormwater. Atty. Gross said Mr. Woods testified to changes in the Plan. Atty. Janacek proceeded to ask Mr. Woods about the number of light poles. Mr. Woods said the number is the same. They will be 16-feet high as opposed to 18-feet. There will be less area to cover. Atty. Gross asked Mr. Woods to show where impervious coverage used to be. Mr. Janacek asked Mr. Woods about zoning. The site is zoned Professional Office. Property north of the site is Watershed Management. Atty. Janacek asked Mr. Woods if he was familiar with the statement of purpose and intent for that district. Mr. Woods said he had reviewed the Township's Stormwater Management Ordinance. Atty. Janacek asked Mr. Woods if the subject site was in the Highlands. Mr. Woods was not sure. Atty. Janacek asked Mr. Woods about drainage. Mr. Woods said the site drains in four different directions. It would impact the Reservoir, the Mulhockaway Creek and an unnamed tributary that flows in the Reservoir. In response to a question from Atty. Janacek about the downstream defender, Mr. Woods explained the device and its operation.

Atty. Janacek asked if there was an L.O.I. for the property. Mr. Woods said he didn't recall. Mr. Janacek asked if he or anyone else had looked at the existing basin for evidence of wetlands. Mr. Woods said he was not qualified. Atty. Janacek asked if there were wetlands on adjacent properties that would impose transition areas on subject property. Mr. Woods said he did not recall. Mr. Janacek said he had no further questions. Arthur Nevins, 41 Charlestown Road, asked about downstream defenders. Mr. Woods said they prevent solids and other pollutants from flowing downstream. Mr. Nevins said Mr. Woods indicated that water would be separated from oil in the oil-water separator in the southwest corner of the property. Atty. Gross objected to the characterization. He said Mr. Woods testified as to what was proposed, not about existing things that would do the same function. Mr. Scott asked if the downstream defender could separate petroleum. Mr. Woods said it provides some separation, according to the literature he had read. Mr. Nevins questioned Mr. Woods on other statements, including water flowing from under the canopy and discharge from car diesel fuel filters flowing toward southeast and southwest corners. Mr. Nevins asked if oil from a catastrophic spill would flow in the same direction as water. Mr. Woods said applicant has agreed to look at spill containment to address those issues.

Atty. Gross asked Mr. Woods if oil could have a tendency to clog the downstream defenders. Mr. Woods didn't think that would happen. Mr. Nevins focused on the issue of maintenance. Mr. Bischoff asked where separated oil and petroleum products go. Mr. Woods said they would mix with solids and generally go to the bottom. Mr. Bischoff mentioned the possibility of a major spill. Mr. Woods reiterated that spill containment had not, as of yet, been looked into. Dr. Souza said the Township is responsible for maintenance of Stormwater control structures. The Township needs a NJPDES Permit and is responsible for management of Stormwater within its boundaries. Applicant would have to provide reports to the Township so they can provide required information to the NJDEP. Mr. Scott thought that could be addressed in the Resolution of approval as a condition whereby there would be an assessment against the property if maintenance were not done.

Mr. Uhl voiced his concerns about spill containment. He wanted information on potential spills, small and catastrophic. Atty. Gross said Mr. Woods would look into the matter. Atty. Gross said he had questions for Mr. Woods. He asked Mr. Woods to compare the proposed spill containment and Stormwater Management Plan with that which exists. Mr. Woods said there are presently two oil-water separators and no spill containment controls. The proposed Stormwater plan would enhance Stormwater controls. Frank Goldberg, 64 Cooks Cross Road, asked how the proposed Stormwater Management plan would compare to one if this was a new site. Mr. Woods said that would be hard to say. If it were a new site, the design would probably be different. Atty. Janacek contended that what is being proposed at the site is a new plan. Frank Goldberg asked Mr. Woods if Pilot had asked him to design the site to new standards, could that have been done. Atty. Gross objected saying there was no legal basis for the question. Mr. Scott said he thought the question had to do with achieving 80% TSS. Mr. Woods said "Yes".

The Board took a brief recess. Atty. Gross asked about the next meeting date for the Pilot application in order that he could testify whether Mr. Staigar would be there. Mr. Scott told Mr. Gross to schedule Mr. Staigar for January 25, 2007. If there were any changes at the January 9, 2007 Reorganization meeting, Atty. Gross would be notified.

Atty. Gross called Jeffrey Schaumburg forward. Mr. Schaumburg was sworn by Atty. Sutphen. Mr. Schaumburg is a Geotechnical Engineer with Whitestone Associates and would be testifying about the septic system. Mr. Schaumburg stated his credentials. Mr. Bogart recommended they be accepted. Mr. Scott asked Dr. Souza and Mr. Uhl if they had questions for Mr. Schaumburg. They had none. Mr. Scott said Mr. Schaumburg would be recognized as an expert in Geotechnical Engineering and Subsurface Septic Systems. Atty. Gross asked Mr. Schaumburg to explain the proposed septic system. Mr. Schaumburg said there would be a septic tank, a pretreatment system and disposal beds for off-site disposal. The effluent leaving the pretreatment system would meet standards required by the NJDEP.

An amendment would be needed to the Township's Wastewater Management Plan. Mr. Scott asked the location of the disposal beds. Mr. Schaumburg said they would be located on the eastern and southeastern most part of the site. He stated the septic system has not been designed yet. Extensive testing had been done to determine the type of disposal beds required. Mr. Scott asked about the amount of disturbance. Mr. Schaumburg said he could not comment on the percentage of disturbance, since he did not do the site plan. He said there would be three beds, approximately 40' x 90', plus additional area for the pretreatment system. The Civil Engineer would check total disturbance limits. Mr. Scott asked the capacity of the proposed system. Mr. Schaumburg emphasized the plan is conceptual. He said they are working with a 6,500 gallons per day (gpd) limit, with an estimated rate of 5,400 gpd. Mr. Scott asked about accommodations for dump stations for RV vehicles. Mr. Schaumburg said the system is sized to hold additional capacity for such stations, however, it has not been determined if there will be a dump station. Mr. Uhl asked about the degree of the pretreatment system. Mr. Schaumburg said it's not so much about the degree. He explained that a NJPDES Permit is required and the DEP will determine what has to be done to meet groundwater quality standards. Mr. Uhl asked Mr. Schaumburg to identify the conceptual location of the septic beds. He said the two preliminary beds would be in the southwestern corner and the existing bed north would be shifted and reused. He also asked if seasonal high water tables in the southeastern site area had been evaluated when the geotechnical testing had been done. Mr. Schaumburg said "Yes". Seventy-foot monitoring wells were installed and they were dry. Also, additional wells were installed at shallower depths for monitoring purposes.

Mr. Uhl asked about geology in the area of the wells. Mr. Schaumburg said the Jutland Klippe formation is on about 50 feet along the eastern end and Triassic formations are to the west. Mr. Uhl asked the proposed location of the septic system drain fields. Mr. Schaumburg said they will be primarily in the Triassic formation and about 50 feet would be in the Jutland Klippe along the eastern end. Dr. Souza said tonight was the first he had heard about the existing septic field being utilized. He asked the distance from the existing septic system to the detention basin. Mr. Schaumburg said he did not know, however, the offsets have been laid out to meet needs. Dr. Souza asked the State Code separation for the distance of a septic field from a detention facility or other type of Stormwater system. Atty. Gross interjected. He said applicant needs a State Permit and separation requirements would have to be met. Mr. Gross also said he wasn't sure the Board had jurisdiction over the design of the system, in terms of the NJDEP requirements. Dr. Souza told Atty. Gross he was correct about the Township not having control over the septic system relative to the detention basin. Dr. Souza said the detention basin location relative to the septic system is something the Board has control over. Mr. Schaumburg responded by saying they would move the bed if it was too close. Dr. Souza asked about the soil borings where the septic fields would be located and if there would be adequate space. Mr. Schaumburg replied in the affirmative. In fact, he felt the system is more than actually needed.

Dr. Souza asked about soil replacement systems. Mr. Schaumburg said GWA type sand would be brought in for the treatment zone. Dr. Souza asked about the form of denitrification. Mr. Schaumburg they are looking at the Aquapoint Bioclear System which is a trickling media filter whereby sludge falls to the bottom and is recirculated. The State has quarterly monitoring requirements. The System is a continuous treatment operation. A licensed plan operator would be responsible for maintenance of the pretreatment system and pumping of sludge out of the tank or the Bioclear unit. Mr. Schaumburg did not know if it would be the same individual. Dr. Souza asked about a nitrate-dilution analysis on the beds on the downgradient sides of the septic beds. Mr. Schaumburg said that would not be done since that would be used to justify not using pretreatment. The analysis is frowned upon by the NJDEP. Dr. Souza said the proximity to the Reservoir and the tributary to Mulhockaway Creek is a concern. Mr. Schaumburg said the issue had been addressed with the NJDEP. He assured Dr. Souza that the final design will include a report about anticipated discharge concentrations for nitrates. Atty. Gross said he thought that any NJPDES Permit would contain effluent limitations and the Municipality would be copied.

Mr. Hintz asked Mr. Schaumburg if the proposed septic system would have an effect on steep slopes. Mr. Schaumburg did not think the design would present a problem with steep slopes. Mr. Hintz noted that one of the disposal beds was in an area with existing vegetation. Had Mr. Schaumburg looked at that and what vegetation would be removed? Mr. Schaumburg said he had looked at the vegetation; however, he didn't classify the species. Mr. Hintz asked about tree cover. Mr. Schaumburg said there had been clear cutting. There were shrubs and brush and some may need to be cleared. Mr. Hintz asked about proposed buffering. Mr. Schaumburg deferred that issue to the Civil Engineer.

Mr. Uhl asked about NJDEP monitoring of the effluent. Mr. Schaumburg said typically the DEP requires quarterly sampling from the dosing tank. Mr. Uhl asked about groundwater monitoring. Mr. Schaumburg said groundwater background quality would be sampled. Mr. Uhl asked the depth of bedrock in the borings and wells. Mr. Schaumburg said bedrock was not encountered. Mr. Uhl asked how the wells were drilled. Mr. Schaumburg explained. They were built per NJDEP Guidelines for a NJPDES investigation. He asked Mr. Schaumburg to provide details. Mr. Uhl asked the nearest site well that had some water. Mr. Schaumburg did not know the distance. Since it was beyond the contact in the geologic formation he did not consider it to be relevant in the study. Mr. Uhl asked how close the production well for the facility was to existing or proposed disposal beds. Mr. Schaumburg said he did not have the distance, but the production wells were well beyond radius requirements. Mr. Uhl asked about the production well at the eastern part of the site. He wanted to know if the level in that well had been checked. Mr. Schaumburg said they had reviewed the depth of water reported by the well driller. He said they would not open up a potable well.

Mr. Bogart asked Mr. Hintz about a possible conflict between the septic system and buffering. Mr. Bogart did not see buffering proposed on the Landscaping Plan. Mr. Hintz said he had commented in a report that the buffer does not meet Ordinance standards. Mr. Bogart said the site plan doesn't show that the existing septic system would be used. The Plan shows in schematic form the Wastewater Treatment Plan and two 30' x 90' rectangles for the new system. Mr. Bogart wanted to know if that was a drafting issue or was the use of the old system an afterthought. Mr. Schaumburg said he notified the Civil Engineer that the Plan is not correct. He thought the drafting had not been finalized. Mr. Bogart asked if the Wastewater Treatment facility would be built as an integral part of the site Plan. Mr. Schaumburg said "Yes". Mr. Bogart asked how much earth disturbance would be associated with the septic system. Mr. Schaumburg said the calculations were not done and he would provide the information.

Mr. Bogart had a question about the figure 5,400 gallons for the septic system. Mr. Schaumburg said he would be willing to provide a breakdown as to how that figure was derived. Mr. Brandt asked about the design of the septic tank and if the design differed because the water was pretreated, setting a cleaner standard of water into the system. Mr. Schaumburg indicated the overall design was affected. Mr. Bischoff asked if the three 3,600 foot disposal beds included the existing bed. Mr. Schaumburg said "Yes", one existing bed and two new beds.

Atty. Janacek asked the location of the entire system. Mr. Schaumburg provided details. He said the existing leach field is about 40' x 90'. The existing septic tank has a capacity of 3,000 gallons. Mr. Schaumburg does not believe that tank will be reused. The existing septic system pipes will not be used. The existing septic system, including the leach fields, was reportedly installed in 1996. The original system dated back to 1980. Mr. Schaumburg was uncertain of the location of the leach fields prior to 1996. Mr. Janacek asked if an analysis had been done to determine their existence in connection with the proposed leach fields. Mr. Schaumburg said extensive test pits were performed and there was no indication of a leach field in the proposed area. Atty. Janacek asked if the existing leach field would remain as is, with no work to be done to it. Mr. Schaumburg said it would be replaced. Atty. Janacek asked if the Wastewater Treatment Plant was a building. Mr. Schaumburg said "No". It is similar to a septic tank, except that it is a vertical tank. The tank has an access hatch which tapers off to a pump to re-circulate wastewater. Atty. Janacek asked about operation and maintenance of the system. Mr. Schaumburg said levels of contaminants are recorded and adjustments would be made if necessary. Typically maintenance is performed outside the Unit. The existing septic system accommodates 1,800 gallons per day. The new system is designed to accommodate 6,500 gallons per day. Atty. Janacek asked the number of proposed sinks, water closets and urinals. Mr. Schaumburg said he did not know.

Atty. Janacek asked how long Whitestone had been involved with the project. Mr. Schaumburg said at least two years. He has been involved since November 2005. Atty. Janacek said the latest plans fail to show the three existing leach fields. Mr. Schaumburg said they did not submit the plans. He also said that they would probably submit a design to the NJDEP by the end of January or February. The final design of the system would be a NJPDES application showing conceptually what is proposed and the result of the hydro-geologic study. Mr. Schaumburg said the DEP process can take years.

Thomas Apostolik, 104 Perryville Road, asked if any maintenance was being done on the current septic system. Mr. Schaumburg said the existing bed is being replaced; however, he is not doing the work. That bed will be used in the proposed design. Mr. Apostolik asked about the capacity of the proposed septic system. He wanted to know why 6,500 gallons per day was proposed when it was determined that 5,000 gpd would be adequate. Mr. Schaumburg said he used State criteria. Mr. Scott said it was an analogy, i.e., if you were designing a beam on a porch, you weigh 200 pounds, but the design might be to accommodate 600 pounds. Mr. Apostolik had a question about the aquifer test numbers of 3,200 gallons per day versus the proposed 5,000 gpd. Mr. Schaumburg said the aquifer test was a restriction imposed for water use. A different department approves septic designs. Atty. Gross said the 3,200 gpd was a number agreed on by the Board of Adjustment until an aquifer test was submitted and accepted. He said there is an opportunity to increase. Mr. Apostolik voiced a concern about the difference in number of gallons. Mr. Schaumburg said the design criteria for a septic system has nothing to do with what is actually being used.

Kathleen Corcoran, 17 Midvale Drive, said Mr. Schaumburg testified the proposal is for a continuous treatment system. Would there be flow equalization? Mr. Schaumburg said equalization tanks are proposed. She mentioned the Wastewater Plan Amendment for the NJPDES permit and its relevance to the project meeting Executive Order 109. Atty. Gross said applicant would have to meet whatever requirements are imposed. Ms. Corcoran said Stormwater requirements would be stricter. Atty. Gross disagreed. Ms. Corcoran asked if the site would be considered a visitors center. Mr. Schaumburg said he was uncertain what Ms. Corcoran meant. She said "as opposed to counting the flow from how many showers you estimate will be used by the truckers"? Mr. Schaumburg said it was considered per the standards they used and the NJDEP. Ms. Corcoran asked what that was based on. Mr. Schaumburg said that was based on square footage of the store, number of fueling positions, number of showers and the number of seats in the restaurant. Ms. Corcoran asked about the Aquapoint Bioclear System of treatment of nitrates. Mr. Schaumburg said the System is designed to meet limits specified by the NJDEP.

Andy Willmer, 14 Midvale Drive, stated that the current facility has a usage of 1,800 gallons per day. Mr. Schaumburg said that was incorrect. The system was designed for 1,800 gpd. Mr. Willmer had other concerns about an application to allow 3,273 gallons per day and a NJPDES permit requiring a system that can deal with 6,400 gpd.

Mr. Schaumburg said that figure was approximately 5,400 gpd. Mr. Schaumburg estimated additional gallons. Mr. Willmer said the plan shows about 1,800 gallons flowing through the system per its design. Atty. Gross said Mr. Schaumburg never verified the design. Mr. Scott noted one of the figures relates to water consumption and one is the discharge. Mr. Willmer asked if the water consumption would be roughly equal to water discharge. Mr. Schaumburg said "No". Water consumption is a limitation. It is not the same as the discharge.

Betsy Pyner, 34 Grove Farm Road, wanted to know if the effluent in the septic system reaches its maximum, does the truck stop shut down, and is there a monitor. Mr. Schaumburg said there is a high water alarm and electronic monitoring. He also said there are equalization tanks that control peak flows. Ms. Pyner asked if there was an alarm system that is monitored 24 hours a day. Mr. Schaumburg said he has designed a system with remote monitoring sensors. Ms. Pyner was concerned about the system backing up as it had at her home. Mr. Schaumburg said he was doubtful of that happening since the systems are different.

Mr. Scott asked if Whitestone was supervising the reconstruction of the existing bed. Mr. Schaumburg said he believes Thomas Yeager Associates are supervising that project. Mr. Scott said a Stop Work Order had been issued because of unauthorized land disturbance. Mr. Schaumburg said that had nothing to do with Whitestone or Pilot. Atty. Gross said he wanted Whitestone to make sure that work done at the site would be compatible with Pilot's future work. Mr. Gross said that Whitestone or Pilot had nothing to do with that work. Mr. Scott said the letter was addressed to Pilot. Atty. Gross acknowledged that there might have been a notice issued to Pilot. A response will be sent indicating that Pilot doesn't have any ownership interest and is not responsible for the work. Mr. Schaumburg had been at the site and in response to a question from Mr. Bogart said the work is compatible so far.

Dr. Souza had a question as to how the wastewater treatment system would sustain itself. The system is designed to treat more water than that which is allowed to be used. Mr. Schaumburg said he had worked with Bioclear. They designed a system for a McDonald's that has no flow in winter and high flow in summer. Dr. Souza and Mr. Schaumburg discussed the merits of a continuous treatment system versus a batch flow type of situation. Mr. Uhl asked if the monitoring wells that Mr. Schaumburg mentioned were still there or had they been abandoned. Mr. Schaumburg said they are still in place.

Mr. Scott announced the Hearing would be continued in January with no further notice.

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**Approval of Minutes:** Mr. Bischoff made a motion to approve the minutes of the November 14, 2006 workshop. Mr. Rosol seconded the motion.

Vote: Ayes: Mr. Bischoff, Mr. Rosol, Mr. Martin, Mr. Brandt, Mr. Grossi,  
Abstain: Mr. Roth, Mr. Scott

Mr. Bischoff made a motion to adjourn and it was seconded by Mr. Roth. (10:20 p.m.)

Vote: All Ayes

Grace A. Kocher, Secretary



