

The Chairman called the meeting to order and stated it was being held in compliance with the "Open Public Meetings Act" and had been duly noticed and published as required by law.

ROLL CALL

Present: Mr. Platt, Ms. Branch, Mr. Ravitz, Mr. Schallenhammer, Mr. Rashatwar, Mr. Schwenke

Absent: Mr. DiNatale, Mr. Kleiman, Mr. Nicini, Mr. Kleinman, Ms. Augustine, Mr. Rashatwar

Also present was Mr. Norman, Board Solicitor and Mr. Rohan Tadas, LSRP from ERI.

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Board engineer Mr. Rakesh Darji is sworn in.

MEMORIALIZATION OF RESOLUTIONS

PC#24-018  
Voorhees Academy LLC  
Site Plan Waiver  
1201 White Horse Rd  
Block 199.06; Lot 41

Mr. Schallenhammer makes a motion to memorialize the resolution, seconded by Mr. Platt. Motion carries by the following Roll Call Vote:

AYES: Mr. Platt, Ms. Branch, Mr. Schallenhammer  
ABSTAIN: Mr. Ravitz, Mr. Schwenke  
NAYS: None

APPROVAL OF MINUTES

Motion made by Mr. Platt to approve the minutes dated November 13, 2024; motion seconded by Mr. Schallenhammer. Motion carries by the assenting voice vote of all present board members excluding Mr. Ravitz and Mr. Schwenke, who must recuse themselves.

CONTINUED BUSINESS

PC#22-023  
Devel LLC  
Amended Preliminary and Final Subdivision  
1 Deanes Ave  
B 206; L: 12

Mr. Norman explains that the application had been previously heard by the board at the February 23, April 26, and May 24, 2023 hearings, and since the time of those hearings there are new members of the board present who needed to fill out certification to vote forms certifying that they viewed the appropriate recordings of the previous hearings on the application. Mr. Platt and Ms. Branch both confirmed their viewing of the requisite previous hearings and that they completed the certification to vote forms for the application. Mr. Norman also states that as the application had been heard by the board previously, the testimony for this hearing will be focused on recent developments with the application.

The applicant's attorney, Mr. Stephen Samost greets the board and states that the plans revised in Spring 2024 should address all the concerns noted in the board engineer's review letter. Mr. Samost describes the recent background of the application; he explains that a study of the vapor intrusion barrier system installed in the model home was conducted, and the results indicated that there were no significant intrusions into the system. Mr. Samost testifies that he and Mr. Norman have been in correspondence with GE's LSRP, who have indicated that they do not wish to be involved with the application as they comply with their obligation to submit environmental reports on the former landfill sites biennially.

At this time, Mr. Doug Schott of ARM Brickhouse, the applicant's geologist, and Mr. Frank Dougherty of Earthen Engineering, the applicant's Licensed Site Remediation Professional (LSRP) approach the board and are sworn in.

Mr. Samost addresses some matters from the previous hearings. He states that the applicant would agree to limit construction access to and through the Voorhees Township landfill,

provided that they would not incur any environmental liability in doing so, and that the Township would obtain the necessary approvals from NJDEP as the work concerns landfill access and altering the fence for a gate. He testifies that they are awaiting updates from the Township Committee on the agreement. Mr. Samost also testifies that the applicant submitted applications related to sanitary sewer connections and updating the pump station force main for the subdivision, and they await response from the Township on this application.

Mr. Doug Schott approaches the board to testify on the July 2023 environmental assessment of the model home on the property. Mr. Schott states that indoor air and gas samples in the model home were collected from the basement and from drilling into the basement floor. He testifies that the samples were tested for volatile organic compounds, and results were compared to NJ state indoor air standards; concentrations were below NJDEP indoor and sub-slab air criteria.

Board chairman Mr. Ron Schwenke asks the board engineer's LSRP, Mr. Rohan Tadas for comment and/or concerns on the report as presented thus far. Mr. Tadas testifies that he has no major concerns with the report's results, testing processes, etc. but he requests that Mr. Schott describe the main differences between the NJDEP's residential and nonresidential environmental standards. Mr. Schott explains that the NJDEP residential standards consider length of residential exposure, for adults as well as children. Mr. Tadas asks Mr. Schott if the testing done was below the most stringent available criteria that the DEP has. Mr. Schott confirms this. Mr. Tadas states that he has no other issues with the report.

Mr. Frank Dougherty approaches the board to testify on the most recent documentation obtained on the Buzby Brothers Landfill. Mr. Dougherty states that the landfill LSRP submitted a groundwater remedial action protectiveness certification in December 2023 and it was accepted by the NJDEP in February 2024. He explains that Buzby landfill is required to submit this certification every two years and have been doing so since at least before 2009. He explains that the landfill LSRP is also required to conduct groundwater vapor intrusion investigations every two years. Mr. Dougherty states that the vapor intrusion investigation done in 2023 showed that no groundwater wells near the Haddonbrook development site indicated exceedances for the groundwater vapor intrusion levels, and tests and investigations conducted by the landfill's LSRP continue to present data showing no potential for groundwater vapor intrusion into the Haddonbrook property.

Mr. Schwenke asks Mr. Dougherty for information on the ranges in the three depths for monitoring groundwater vapor intrusions. Mr. Dougherty provides values for the shallow, intermediate and deep zones that were used in the tests and investigations.

Ms. Branch asks Mr. Dougherty how long the landfill needs to submit biennial groundwater certifications for the site. Mr. Dougherty explains that the requirement could be for another decade or more. Mr. Tadas states that the NJDEP requirement for biennial certifications continue until such time that there is no contamination that requires monitoring, and with the size of the landfill property as well as the duration and magnitude of contamination, monitoring could continue for a substantial period of time. Mr. Tadas states that monitoring in this case is not uncommon, and the NJDEP is continuing to monitor data on the contamination from the landfill.

Mr. Platt asks Mr. Dougherty if the model home that had vapor intrusion testing done had had to switch from a passive to active monitoring system due to detection of vapor intrusion in the house. Mr. Dougherty testifies that he does not believe any vapor intrusions were detected in the model house. Mr. Samost states that he believes the issue was to do with the home not complying with construction codes at the time and needing to be updated to comply with present code standards. Mr. Platt asks Mr. Samost if there is risk for vapor intrusion into existing homes in the surrounding area from construction activity or over time. Mr. Samost states that all necessary vapor intrusion tests were done in the model home and indicated no risk of vapor intrusions.

Mr. Ravitz asks Mr. Dougherty and Mr. Samost if construction activity for the new development may cause release or movement of contaminated groundwater vapors into the surrounding residences. Mr. Samost states that the contaminated groundwater resides in the deep zone 50 feet below surface level, and construction of the proposed new residences would involve going only 10-12 feet deep.

Mr. Schallenhammer states for the record that at a previous hearing on the application it was stated that the model home had indeed gone from a passive monitoring system to active for vapor intrusion. Board engineer Mr. Darji states that the model home was originally constructed without any vapor venting system, then had first a passive, then active venting system installed.

Mr. Schwenke asks Mr. Tadas if he agrees with the applicant's testimony that the contamination in the deep zone 50 feet and below exceeds the environmental standard. Mr. Tadas agrees with the testimony.

Mr. Schallenhammer asks Mr. Samost if the proposed Haddonbrook homes will include venting for vapor intrusion as part of acquiring CO's. Mr. Samost brings Mr. Robert Fecso, from DR Horton to respond. Mr. Fecso testifies that passive venting systems were to be installed in all homes and as a condition of CO approval. Mr. Schallenhammer states there is a discrepancy with the given testimony as in a previous hearing, Mr. Ralph Ford had testified that if testing for vapor intrusions yielded high levels of contaminated vapors, a passive system would be installed to acquire the CO. Mr. Darji states that every home will be built with a passive venting system, and during testing should it be found that there are indeed high levels of contaminated vapor intrusions, an active system will be installed. Mr. Schallenhammer asks what the tree count is for trees that were cut down on the property. Ms. Linda Samost testifies that she does not have the exact count currently, but she would be able to find an email regarding the agreement on the trees cut down. Mr. Darji confirms that the applicant had made an agreement with the Township regarding the trees cut down onsite.

Mr. Schwenke asks Mr. Samost if he can confirm that there will be a point-of-sale disclosure for each home that discloses the history of the neighboring properties formerly being a landfill, and that being the reason for having passive venting systems in the homes. Mr. Samost confirms this. Mr. Schwenke asks Mr. Darji on the applicant/application's progress with review letters and if he is satisfied with all items pertaining to the application in the letters. Mr. Darji testifies that all comments on the plans have been satisfied, and the applicant has provided the requested testimony on the application, so there are no more outstanding engineering issues to be addressed with the application. Mr. Schwenke asks Mr. Darji to confirm whether there are any variances requested for the application. Mr. Darji states that there are no variances being sought in the application.

Mr. Schallenhammer asks Mr. Samost what the seasonal water table high is for the property. The applicant's engineer Mr. Rick Clemson approaches the board to respond. Mr. Clemson states that the seasonal high varies across the site, but on average it can be 10 feet, with the shallowest approximately 5 feet. He explains that the stormwater basins have also been designed to account for the estimated seasonal high water table, and all necessary perc tests have been conducted. Mr. Schallenhammer asks the applicant if there is a septic system installed at the model home. Mr. Samost states that as the model home had never been inhabited, there was not a septic system installed.

Mr. Ravitz asks the applicant if they would agree to the conditions noted in the letter from the Township Sanitary Sewer Engineer, Churchill. Mr. Samost confirms that the applicant agrees to it. Mr. Clemson states that they also received the compliance letter from the sewer engineer in regard to the site plans.

Mr. Platt asks the applicant whether the sample soil around the model home was taken from mounded soil, or elsewhere from the site. Mr. Clemson states that he believes the soil immediately around the model home was infill, but he is unsure of where to sample soil was taken from as he had not been involved with the application at that time. Mr. Darji states that there is soil mounded around the basin where the basement of the model home was built. Mr. Samost testifies that there is mounding around the front and sides of the home, and there is a walk out in rear.

Seeing no further testimony, Mr. Schwenke opens the meeting to the public.

Tom Kenny  
22 Wilderness Dr

Mr. Kenny poses concerns regarding the vapor intrusion testing done at the model home, stating that the model home was built at ground level and outside soil for mounding was

brought in later. Mr. Kenny states that this was done to be able to pass the vapor intrusion tests for the model home. He poses further concerns regarding potential negative impacts from construction activity for the site with the possible release of contaminated vapors, and also pertaining to who may assume liability for future activity on the site. Mr. Tadas testifies that with the level of significant groundwater contamination at 50 feet or lower, there is little risk in the release of contaminated vapors to the surrounding area. Regarding liable entities for the groundwater contamination, he also explains that GE would be the responsible party for any possible seepage of toxic groundwater vapors to adjacent properties, as tests would very likely show the pollution to be originating from the landfill site.

Harry Monolkian  
21 Wilderness Dr

Mr. Monolkian expresses concerns about the environmental impact of the development and the scope of jurisdiction that the NJDEP has over the application. Mr. Samost explains that the NJDEP has various applications on environmental matters for the property.

Jason Cutler  
24 Wilderness Dr

Mr. Cutler has concerns regarding the health impacts of any potential future vapor intrusions from the landfill due to the Haddonbrook development construction and also seeks information on where testing for vapor intrusions and groundwater contamination levels was conducted on the site. Mr. Cutler states that he was present at the construction of the model home and there had been infill/backfill soil added onto the ground level layer of soil following the digging out for the basement and foundation. Mr. Samost states that soil testing was done across the property, and the installation of sewer lines and other underground construction would occur at 12 feet max depth, significantly above the deep zone 50 feet below ground level that contains the groundwater with high contamination levels. Mr. Cutler lastly expresses concerns about increased traffic as a result of new homes, as well as the number of school children that would move into the area. Various members of the board respond that such matters are not within the purview of the planning board, but traffic studies conducted on the residential streets did account for larger vehicles.

Mr. Kenny approaches the board again and seeks information on whether contaminated groundwater had been detected at the shallow as well as deeper water tables. Mr. Samost states that GE's tests showed no groundwater contamination at the water table levels.

Seeing no further public comment, Mr. Platt makes a motion to close the public portion of the hearing, seconded by Mr. Schallenhammer. Motion carries by the assenting voice vote of all present board members.

Mr. Schallenhammer asks Mr. Darji if the planting of any trees such as Arbor Vites would possibly aid with stormwater runoff and/or groundwater discharge/seepage from the landfill site and Haddonbrook development site. Mr. Darji explains that the applicant has designed stormwater basins to collect stormwater runoff, but for groundwater discharge/seepage tree planting would have minimal effect. Mr. Darji states that the applicant is also already proposing a row of vegetation along that side of the property.

Mr. Ravitz makes a motion to reopen the public portion of the hearing, seconded by Mr. Platt.

Cindy Minoki  
21 Wilderness Dr

Ms. Minoki expresses concerns about truck turning space along Wilderness Dr for construction and future transportation with school buses near the site, particularly the cul de sacs. Mr. Clemson states that the cul de sacs and truck turning templates are designed in conformance with RSIS standards, and school buses would likely pick up at the intersection between Wilderness Dr and Deanes Ave. Mr. Ravitz states that all truck turning templates are subject to Fire Marshall review standards as well.

Seeing no further testimony for the second public portion, Mr. Schallenhammer makes a motion to close public portion, seconded by Mr. Platt. Motion carries by the assenting voice vote of all present members.

Mr. Darji asks the board about the dollar amount to be paid for the tree compensation plan. After some deliberation between board members and discussion with the applicant, the dollar amount agreed upon for tree compensation is \$67,500.

Mr. Platt makes a motion to grant preliminary and final major subdivision approval for the property located 1 Deanes Ave, Block 206, Lot 12 for the development of 20 single-family building lots and 1 open space lot with the following conditions/stipulations:

1. The applicant will comply with an agreement with the Township regarding access points for construction vehicles at the site
2. Applicant will obtain a CP-1 township sewer permit signed off by the Township Committee
3. Applicant will agree to include a point-of-sale disclosure on installation of passive venting systems for each residence in the development
4. Applicant agrees to comply with the conditions noted in the board engineer's report, dated May 15, 2024
5. Applicant agrees to comply with the conditions noted in the sewer engineer's report, dated May 15, 2023
6. Applicant will acquire any and all required outside agency approvals
7. Applicant will send notification of any approvals, the application's resolution, and environmental testing reports to GE's LSRP via certified mail with the opportunity for GE's LSRP to comment within 60 days

Motion seconded by Ms. Branch. Motion carries by the following roll call vote:

AYES: Mr. Ravitz, Mr. Schallenhammer, Mr. Schwenke

ABSTAIN: None

NAYES: Mr. Platt, Ms. Branch

Seeing no further business Mr. Schwenke adjourns the meeting.

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Rashane Thapa

Planning Board Secretary

Voorhees Township Minutes prepared by Rashane Thapa. The minutes are intended to reflect the basic comments and action. Verbatim transcripts of all electronic recordings can be available upon proper request and payment