

**MERCER COUNTY PLANNING BOARD  
REGULAR MEETING MINUTES  
IN-PERSON MEETING  
September 09, 2021**

**PRESENT:** Michael Shine, Chair  
William S. Agress, Vice-Chair  
Sam Rubino  
Basit Muzaffar County Engineer  
Leslie R. Floyd for Brian Hughes, County Executive

**ALSO PRESENT:** Robert Ridolfi, Planning Board Counsel  
Matthew Zochowski, Planning Board Secretary

Chairman Shine called the meeting of the Mercer County Planning Board to order at 9:04 AM.

**I. STATEMENT OF ADEQUATE NOTICE**

Pursuant to the Sunshine Law, notice of this meeting was sent to the Trenton Times and the Trentonian on August 25<sup>th</sup>, 2021, was posted in the County Administration Building on August 29<sup>th</sup>, 2021 and was published in the Trenton Times on August 29<sup>th</sup>, 2021.

**III. APPROVAL OF MINUTES**

Chairman Shine announced that minutes have been distributed from the August 11<sup>th</sup>, 2021 meeting and asked if there were any comments. There were no comments. Vice-Chairman Agress made a motion to approve the August 11<sup>th</sup>, 2021 Planning Board minutes which was seconded by Chairman Shine. All members voted in favor.

**IV. PUBLIC COMMENT**

Chairman Shine asked if there are any public comments this morning related to non-agenda items. There were no members of the public requesting to comment.

**V. OLD BUSINESS**

Status of appeal by OTR East Windsor Investors, LLC (the "Developer") with Mercer County Planning Board's Site Plan decision requiring, Inter alla, the Developer to provide a cross access easement for vehicular traffic from its proposed residential development to a neighboring/adjacent residential development.

Mrs. Floyd mentioned that OTR has amended their court complaint in court and Bob Casey will continue to represent the Planning Board. Mike Herbert will represent the Board of Commissioners. The judge handling this matter has since retired and this is being handled by her replacement.

**VI. NEW BUSINESS**

Vote on Mercer County Sewer Service Amendment Public Hearing

- Staff introduced proposed amendment to the Mercer County Water Quality Management Plan (WQMP) at last meeting. This amendment proposal, titled "Ohm Amrutam" submitted by Mr. Tony Dilodovico of TonyD Environmental Permitting, LLC, on behalf of Ohm Amrutam, LLC, would designate approximately 15.3 acres as a discharge to groundwater (DGW) sewer service area (SSA) within portions of Block 19, Lots 3 and 25, located in Robbinsville Township, in order to allow for the construction of 12 5-bedroom single family homes.

The entire lots cover 64.8 acres and are currently a mixture of farmland and woodland. Mercer County Planning and the NJ Department of Environmental Protection have reviewed this

application, have found it to be consistent with applicable state and county WQMP regulations, and the Mercer County Master Plan, and have therefore arranged for this amendment application to be publicly noticed and presented before the public and the Mercer County Planning Board today, 11 AUG, 2021. The Township of Robbinsville has been notified of the need to review this project for consistency with its municipal master plan and zoning but has not replied as of today.

Statement of Adequate Notice: In accordance with the Statewide Water Quality Management Planning rules (NJAC 7:15-3.5) and the Mercer County Wastewater Management Plan Amendment Procedures, public notice of this proposed amendment titled "Ohm Amrutam" was published in the New Jersey Register on June 21, 2021; and both the Trenton Times and Star Ledger newspapers on June 21, 2021

- Public hearing period ended August 26<sup>th</sup> with no public comments.
- Chairman Shine asked the Board members if they have any questions. No members had questions.
- Vote took place at the September 9<sup>th</sup>, 2021 meeting. Chairman Shine asked for motion. Vice-Chairman Agress made the motion. Mr. Rubino seconded the motion to approve. All members voted in favor.

**VIII. CORRESPONDENCE**

There was no new correspondence.

**IX. ADJOURNMENT**

Mr. Shine asked for the motion to adjourn the meeting and Mr. Agress made the motion. Mr. Rubino seconded the motion. The meeting was adjourned at 9:12 a.m. with the following vote:

Y Michael Shine  
Y Samuel Rubino  
Y Leslie R. Floyd

Y William S. Agress  
Y Basit Muzaffar

Respectfully Submitted,



Matthew Zochowski, Planning Board Secretary