

Florence, New Jersey 08518-2323
February 27, 2013

The regular meeting of the Florence Township Planning Board was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Chairperson Hamilton-Wood called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Chairperson Hamilton-Wood then read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided and posted in the main hall of the Municipal Complex."

Upon roll call the following members were found to be present:

William Federico	Council Representative Ted Lovenduski
Mildred Hamilton Wood	Mayor Craig Wilkie
Tim Lutz	Raymond Montgomery
Wayne Morris	Thomas McCue

ALSO PRESENT: Solicitor David Frank
Engineer Lee Phillips
Planner Barbara Fegley

ABSENT: James Molimock

Solicitor Frank administered the Oaths of Office to Council Member Lovenduski as the Council representative (1year term) and Wayne Morris (Class 2 – 1 year term).

RESOLUTIONS

- A. Resolution PB 2013-06, continuing the application for the Diocese of Trenton until the February 27, 2013 meeting.

It was the Motion of Lutz, seconded by Federico to approve Resolution PB 2013-06.

Upon roll call the Board voted as follows:

YEAS: Federico, Hamilton-Wood, Lutz, Morris, Lovenduski, Wilkie,
Montgomery, McCue
NOES: None
ABSENT: None

MINUTES

It was the Motion of Lovenduski, seconded by Morris to approve the minutes of the regular meetings September 26, 2012, November 1, 2012, November 20, 2012, the closed session of November 28, 2012 and the special meeting December 5, 2012. All ayes.

CORRESPONDENCE

- A. Letter from the Burlington County Soil Conservation District dated February 1, 2013 regarding Burlington Coat Factory, Block 160.01, Lot 1.01.

It was on the Motion of Lutz, seconded by Federico to receive and file Correspondence A. All ayes.

APPLICATIONS

Application PB#2012-06 for the Diocese of Trenton. Applicant is requesting Minor Subdivision, Preliminary and Final Major Site Plan approval with bulk variances to subdivide property into 3 lots. One for the existing Riverbank Charter School, one for a 34 unit senior rental development, and the third for a single family home on property located at 1300 Hornberger Avenue, Roebling. Block 143.01, Lots 1 & 10.

Chairperson Hamilton-Wood said the applicant has requested a continuance until April 24, 2013. Solicitor Frank said the applicant will need to re-notice the public. There are significant changes being made. Chairperson Hamilton-Wood said the applicant has requested an unusually long continuation to allow them time to submit re-engineered plans and then re-notice the public via certified mail and in the newspaper.

It was the Motion of Montgomery, seconded by Lutz to approve the continuance of the application with the requirement of re-noticing the public.

Upon roll call the Board voted as follows:

- YEAS: Federico, Hamilton-Wood, Lutz, Morris, Lovenduski, Wilkie, Montgomery, McCue
- NOES: None
- ABSENT: Molimock

Chairperson Hamilton-Wood called Application PB#2013-01 for Solar Management NJ Solaire, LLC, Series II. Applicant is requesting Preliminary and Final Major Site Plan approval with bulk variances to permit construction of a Solar Panel Project on property which contains an existing landfill located at 1200 Florence Columbus Road. Block 173, Lots 1, 2, 3.02 & 3.03.

John Gillespie appeared to represent the applicant. He said the application is to reuse the landfill for solar. The legislature and Governor have determined solar fields are good uses for landfills. The applicant is looking for Preliminary and Final Approvals, variances and completeness waivers. He said over the last couple of days there were amendments made to the application as a result of discussions held with the Board's professionals.

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The applicant is seeking Preliminary and Final approval for the entire site but there are a couple of pieces that will be conditioned upon future DEP approval. Everything else falls outside of the 105' buffer. He didn't think that Soil Conservation District Approval was required, but there is an area being cleared. Even though they are not taking out the stumps or grinding them, the approval is required. As a result of that there also will need to be some stormwater management.

At this time the applicant prepared to show completeness. Robert Stout of Stout & Caldwell Engineers and Stuart Longman of Solaire were sworn in to testify. Mr. Stout was accepted by the Board as an expert. He reviewed the report from the Board Engineer. He said he is responsible for preparation of the site plan and he is familiar with the site and the application. He would like to respond to issues in Engineer Phillips report. There were initial conversations with NJDEP. He said this is under the jurisdiction of solid waste management and there were two meetings with DEP. The initial meeting outlined what the applicant had to do. That meeting was held on October 3, 2011. Since that time the applicant has been getting everything in order to conform to NJDEP application requirements and their solid waste management formatting. He said the application is currently under review and it is being finalized. He said many of the issues raised will be superseded by the DEP.

Mr. Stout submitted the minutes from the October 3, 2011 meeting into evidence. There were members of the DEP's Solid Waste, Land Use, and Flood Hazard divisions in attendance. He said Engineer Phillips said the application requests many waivers because many of the things physically cannot be done because there is a cap that cannot be penetrated. The first waiver is for the Environmental Impact Statement. There is an NJDEP permit so it is under their jurisdiction. A waiver is also requested for a Letter of Interpretation on wetlands. On the site there are several wetlands. There is stream corridor along the back section and there are some wetlands that are mapped on the DEP's website. An independent wetlands expert visited the site to delineate the wetlands at the request of the DEP. The plan reflects a 150' buffer that is the maximum buffer allowed. Because of this no formal LOI is required. He said the LOI is the longest part of the approval process. There were a couple areas of the plan that are inside the wetlands. Mr. Stout indicated the sections on a colorized version of the plan. To the east and west were the actual wetlands submitted to the DEP. He said westerly there will be a 50' buffer and east there could be the 150' buffer. The plan is divided into 4 zones. Zone 4 has 2 sections; A & B. They are located in the buffer and would require an LOI. In the future the zone will be built and at that time an LOI will be obtained. At this time he requests a waiver for the LOI. It is banked space. He said the approval would be for the entire project.

The next waiver requested was a floodplain management waiver. The area to the east is within the DEP jurisdiction but it is outside of the buffer. He said there is a grove of trees that is going to be removed. There are no specimen trees and it is not a dense forest. He requested a waiver of not removing trees that are more than six inches in diameter.

The next requests are stormwater related. There are comments asking if the plan is required. He said most of the project is on top of the landfill and the landfill is capped. He said the runoff will not change and does not apply. The only part that is not on top of the landfill is a cleared area with sand type material. Based on the area and acreage there will need to be some stormwater management. The applicant plans to install a small retention basin. It will be a small swale. There will be a drainage study provided for this area. The panels are not deemed impervious. The foundation systems are impervious. He referred to a rendering of the panels proposed. He explained the panel is a 4' X 4' aluminum construction that is adjustable to the contours of the grade. There are four 4" X 4" runners that sit on the ground. On top of those there is a concrete block that sits on the runners. The actual amount that physically touches the ground is only about 4,000 square feet, which is well under the requirements. Rainwater that falls on the panels will run off. The water goes under the runners. Engineer Phillips said the applicant will come up with an analysis of what will happen when the trees are taken out.

Mr. Stout said there are underground utilities that were part of the landfill that were not identified. Everything that was visible was identified. He would like a waiver of the ancillary utilities. The applicant will apply for a soil erosion permit. That can be a condition of approval. He indicated where the inverters will be placed. There will be a central location for the inverters and supporting items. He also indicated how the panels will be laid out and how the electric will be tied back into the grid.

Stuart Longman approached. He explained that he is the Operating Manager of Solaire. He said the inverters need a very small amount of A/C power to work. It is just to keep the circuits warm at night and to convert the energy. Mr. Stout said there are no roads planned; drainage for structures does not apply because there are no structures proposed. He said nothing is being disturbed so there is no need for providing cross sections for the stream. Nothing will be touched within 150' of the stream corridor. He said soil borings would not be provided because the cap cannot be penetrated. They can be provided with the stormwater management plan for that area but asks for a waiver at this time. There is no Township right of way; it is under County jurisdiction so he asks for a waiver of that also.

Buffer and landscaping ties into a variance that is being requested. He showed the aerial view that shows the site. He showed that no one can see the site so there is no need for buffering. He asked for a waiver for architectural plans because there are no buildings. A circulation plan would be needed for traffic but there will be none once the panels are constructed. They will be in place and there will be no access. Recovery Road is a dead end and it is gated off, no people can drive into this section. There are no requirements for facilities except for sending the power back to the grid. PSE&G and the applicant have entered into an agreement to accept the power.

Member Federico expressed concern about the trees being removed. Mr. Stout explained they are not specimen trees there, and it is against a landfill. Member Federico said he understands the panels are better on the landfill but does not like the idea of having to cut down trees.

It was the Motion of Wilkie, seconded by Lutz to accept the requests of the applicant for waivers for submission items and deem the application complete.

Upon roll call, the Board voted as follows:

YEAS: Federico, Hamilton-Wood, Lutz, Morris, Lovenduski, Wilkie,
Montgomery, McCue

NOES: None

ABSENT: Molimock

Being deemed complete, the applicant continued with the application. Mr. Stout said the site is an 88 acre tract; the application will use about 25 acres of that. There will be 36,980 panels in groups of 20. The panels were placed wherever they can for maximum output. There are slopes that prevent placement in some areas. He described the different sections. The inverters will tie all the panels together. There will be a gate and a small stone entrance, and he indicated its position. He said it was placed toward the back because the panels are accessible from existing road conditions.

Mr. Stout said there is not much from a site plan standpoint. The site will generate about 9.2 megs of power. The applicant is requesting a rear yard setback because the township line splits the site so there is a zero yard setback. If the property lines were used there would be no rear yard setback variance needed. The second variance is a front yard setback. He said the applicant is trying to utilize as much of the site as they can to produce as much power as possible. There is a road but it is a dead end and is gated at night. No one can drive on it. There is no way to get to the site. He also asked the fence requirements be waived because the new fence will tie in with the existing fence. There is no negative impact. The landscaping should be waved because there is no view into the site. There is no loading zone planned and a waiver is requested because there will be no deliveries or traffic at the site.

Solicitor Frank asked Mr. Stout to describe the site. Mr. Stout explained that when the landfill was put in the bridge that went from Florence to Mansfield Township was closed and access to the site was denied. There is only one way in and out. The road is gated at the weigh station and the site is closed at night. There is no lighting proposed for the site. A waiver for that is requested. The County provided a review and requested some easements from the applicant. There are two culverts and a bridge. The County requested easements from the applicant.

Engineer Phillips asked about emergency access. Mr. Stout explained that the roads that are already there are being used and there will be no access to the back. The clearing will provide access. There is a methane gas piping system that runs in the site so that restricts access for emergency vehicles.

Mr. Gillespie said that Township Ordinance does require sidewalks, but this site does not warrant sidewalks. There is no public access. Mr. Stout added there is no pedestrian traffic to facilitate the need for sidewalks. The applicant would like a waiver of the

sidewalk requirement. Mr. Gillespie said the applicant could ask Mayor and Council to waive the requirement for the funds provided in lieu of sidewalks. An alternative is that if the County even opens the site for access the applicant could provide sidewalks at that time. He said his client would rather deal with the issue now.

Solicitor Frank explained that the Board can give them permission to make a payment and the applicant can appeal that to the governing body, but the Board will have done its job. Mr. Stout said as far as the trees, they are not species trees and the area is overgrown and not in good condition. In order to maximize the solar arrays the area to be cleared was incorporated so the trees need to be removed. He said there can be a reforestation note in case the array is disbanded. The trees can come down without an adverse effect.

Planner Fegley inquired about areas where trees could be placed on the site. The applicant will work with Planner Fegley to reforest. She did visit the site and said it is overgrown. She did not see anything of specimen quality. The applicant agreed to landscape a different area as long as it does not shade the site.

Mr. Stout said there is no need for a site triangle; it is not applicable. The chain link fence will be black vinyl coated. The project should take 6-8 months to complete from start to finish. There is no trash generated from this project. Planner Fegley inquired about a contingency plan that was mentioned. It was explained that it is a DEP requirement and the DEP will monitor construction to be sure there is no disruption to the landfill.

Mr. Stout said there will be no signs. Solicitor Frank suggested there be informational signs with contact information in case of emergency. Mr. Stout said usually that would be done when the field is built near houses. That is not the case here and it is under the jurisdiction of the County. Solicitor Frank is concerned that someone will trespass and get injured. The applicant agreed to provide signage. Solicitor Frank also asked if the applicant will work with the local first responders. The applicant agreed to provide training for first responders.

It was the Motion of Lutz, seconded Lovenduski to open the meeting to the public for comments on Application PB#2013-01. All ayes.

Fred Wainwright, 1011 Cedar Lane, said years ago you could go from Florence to Jacksonville on Cedar Lane. The Turnpike and Route 295 cut it off, and the County put in a landfill so Cedar Lane is gone. He said he was farming that land before the landfill was put in. He thinks the address of the project should say it is on the former Cedar Lane.

It was the Motion of Lutz, seconded by Federico to close the public portion of the application. All ayes.

Solicitor Frank said the applicant is seeking Preliminary and Final site plan approval with some bulk variances for the rear and front set back, the buffer requirement. The applicant

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is also looking for some waivers for the loading zone requirement and the recycling area. He said some conditions for approval are requiring the DEP Letter of Interpretation for the panels in the 150' area, soil conservation approval, stormwater management provisions subject to administrative review. He said this use is permitted on a landfill. It is also a permitted use in the area that is going to be cleared because it is in an industrial zone. Additional conditions are orientation of local first responders, with regard to sidewalks, there is an either or possibility for the Board to decide if the applicant will be required to install sidewalks or if they will make a payment in lieu of that can be appealed to the governing body. The applicant agreed to work with the planner to plant trees within the site and potentially off site to mitigate for the tree loss. The applicant also agrees to provide signage with contact information and comply with design comments of the professionals. The usual conditions also apply.

It was the Motion of Wilkie, seconded by Lutz to approve Application PB#2013-01 with the conditions as stated above.

Upon roll call the Board voted as follows:

YEAS: Federico, Hamilton-Wood, Lutz, Morris, Lovenduski, Wilkie,
Montgomery, McCue
Noes: None
Absent: Molimock

OLD BUSINESS

None at this time.

NEW BUSINESS

None at this time

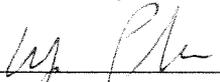
OTHER BUSINESS

None at this time.

It was the Motion of Lovenduski, seconded by Wilkie to open the meeting to the public.
All ayes.

Seeing no one wishing to be heard, it was the Motion of Federico, seconded by Montgomery to close the public session.

Motion of Federico, seconded by Lovenduski to adjourn at 8:46 p.m.



Wayne Morris, Secretary

WM/ak