

MINUTES OF CLINTON TOWNSHIP PLANNING BOARD
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PUBLIC MEETING

DATE: November 3, 2014

PRESENT: John Higgins, Chris D'Alleinne, Richard Scheick, Kevin Cimei, Suzanne Kleinhans, Brian Mullay and John Kilduff.

PROFESSIONALS: Jon Drill, Attorney, Michael Sullivan, Planner and Rebecca D'Alleinne, Administrator.

ABSENT: Sam Mardini.

CALL TO ORDER

Chairman Higgins called the meeting to order at 7:33PM.

PUBLIC NOTICE

This is a public meeting of the Planning Board of the Township of Clinton, County of Hunterdon and State of New Jersey. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act in that an Annual Notice was published in the Hunterdon County Democrat and the notice of and agenda for this meeting was posted on the bulletin boards in the Municipal and faxed to the Hunterdon County Democrat, the Express Times, the Courier News, the Hunterdon Review, and the Star Ledger, no later than the Friday prior to the meeting.

MINUTES

Brian Mullay moved and Chris D'Alleinne seconded a motion to approve the regular session minutes of October 20, 2014, as written. The Board concurred unanimously.

RESOLUTION

CELLCO/VERIZON WIRELESS, Block 30, Lot 30

Resolution #2014-11, Application #2014-09

Jon Drill read several minor corrections into the record. Chris D'Alleinne moved and Brian Mullay seconded a motion to memorialize the resolution as corrected. Members in favor: Higgins, D'Alleinne, Scheick, Mullay, Kleinhans and Kilduff.

PUBLIC HEARINGS

NJ SOLAR POWER,LLC/GODDARD SCHOOL, Block 78, Lot 1

Application #2014-11

Kevin Benbrook, Esq. introduced himself on the behalf of the applicant. He introduced Bill Hoey, of NJ Solar Power, who was sworn along with Michael Sullivan, Board Planner. Mr. Benbrook referred to Resolution #2012- 01A, the previous resolution of approval. He indicated that originally there was relief granted to eliminate dormers on the south side roof because the applicant was considering putting solar panels on that face. He stated that the applicant determined that he would need additional solar panels to meet the amount of power needed for the project. Exhibit A-1 (Google Photo-Top View of Building with Panels Superimposed), Exhibit A-2 (Product Details for Kyocera Blue Module Technology) and Exhibit A-3 (11" x 17" Solar Array Drawing, dated 8/27/14) were marked into evidence.

Mr. Hoey stated that the roof was a charcoal grey and referred to Exhibit A-1, which showed the location of the vents. He discussed Exhibit A-2 and displayed samples of the solar panel technology. Exhibit A-3 consisted of construction drawings. He indicated that he had been installing the panels since 2003, and had installed 400 residential and commercial projects. Mr. Hoey stated that the building required 47 KW of electricity and that the system would not be too large for the project. He discussed the 3.25 ft. x 5 ft wide panels and commented on designing the panel layout to fit around the dormers.

Exhibit A-4 (Photo of Allentown Residence with Roof-Mounted Panels) and Exhibit A-5 (Sample of Kyocera Blue Panels) were marked into evidence. Mr. Hoey expressed the opinion that they were the best product available. He explained that they were multi-crystalline silicon cells and discussed the manufacturing process. He indicated that 39" x 60" panels would be used and would have a muted aesthetic appearance. Mr. Hoey discussed glare, noting that there was no problem with current systems, because they were less reflective than older systems. He explained that the power would be brought directly into the building and there would be no external wiring. He noted that the panels would be 3" above the roof.

John Kilduff asked about the total number of panels. Mr. Hoey responded that the aim was to produce 70-80% of the total electric bill. Chairman Higgins discussed the south roof versus the east and west in terms of production. Mr. Hoey indicated that they would produce 70-80% as much as the south roof. Michael Sullivan asked about the north face and Mr. Hoey stated that it wasn't possible to put the panels at an angle. He commented on potential wind uplift and lack of production. Brian Mullay asked about the view from the surrounding residences that were uphill of the project and Mr. Hoey stated that there would not be any glare, because the panels absorbed the light. Kevin Benbrook commented that the applicant had received relief on landscaping and noted that the buffer would be shielding the neighbors as the materials grew in.

Jon Drill discussed the resolution condition referring to future solar installation. Exhibit A-12 from the 2012 site plan hearing was displayed and Mr. Benbrook discussed the view from the west noting the amount of landscaping on that side. Jon Drill referred to the differences between the Hartman site plan and the current approved site plan. Mr.

Benbrook discussed glare from older solar panels and noted that the existing landscaping was comprehensive. Michael Sullivan noted that the township ordinance required a traditional architectural look and that solar modules don't always fit on traditional roofs. He discussed retrofitting and a possible change of the ordinance requirements. Mr. Hoey stated that he would train the local department as a condition of approval. Mr. Sullivan discussed the requirements in other towns and commented that the applicant must comply with local fire department needs. He further noted that the application met all of the ordinance requirements under 165-110B. Jon Drill discussed the Route 31 Highway Character District design requirements and whether the proposal was in compliance with the ordinance 165-75L(3).

Kevin Benbrook commented that there were only 128 panels on the south roof face and that a total of 278 would be needed to achieve the amount of production required. Chairman Higgins noted that if the applicant were to reduce the number of panels, it would reduce the economic feasibility of the project. He indicated that there were competing interests, between practical considerations and the purity of the roof. He discussed the ziggurat configuration and asked about dummy panels. John Kilduff asked about moving the plumbing vents. Discussion ensued concerning having the Construction Official approve the placement of the panels as a condition of approval. Mr. Hoey stated that he could work with the Construction Official, or add dummy panels to fill in the gaps. Dummy panels with vent holes were discussed. Mr. Hoey stated that water would get in the panels, and expressed the opinion would be better to move the vents. Brian Mullay asked about the landscaping and whether it would be sufficient, and Michael Sullivan responded that the plant material would provide a significant amount of screening. Chris D'Alleinne commented that, at the time of the original hearing, the Board's intent was to break up the view of the roof. Discussion ensued as to the number of panels that would be on the east roof.

The Board determined that all ordinance standards were met. Chairman Higgins moved and Chris D'Alleinne seconded a motion to grant minor site plan approval, subject to construction and fire code review and approval and moving the vents. Members in favor: Higgins, D'Alleinne, Scheick, Cimei, Mullay, Kleinhans and Kilduff.

Mr. Benbrook gave the Board an update on the Arrowmill Project.

NEW BUSINESS

1. Approval of Vouchers –Brian Mullay moved and Chris D'Alleinne seconded a motion to approve the vouchers as presented. The Board concurred unanimously.

REPORTS & ASSIGNMENTS

1. Report from Council: Brian Mullay reported that the Council had hired two policemen.
2. Report from Ordinance Committee: Michael Sullivan discussed the “disconnect” between traditional architecture and modular solar panels. Flat roofs, the fire code and retrofitting were discussed. Jon Drill discussed large ground-mounted solar panels in other communities and the fire department

requirements. Michael Sullivan noted that the state was drafting fire code changes, and expressed the opinion that the fire department should review solar projects.

3. Report from Open Space: There was no report.
4. Report from Environmental Commission: Chairman Higgins reported that the commission would meet later in the week.
5. Jon Drill reported that the FCC had decided that DAS systems would be subject to new rules. He commented that the FCC preempted all local rules on “time of decision” rules and noted that the length of time for completeness determination had been changed to 30 days from the date of submission for a co-location. He reported that the FCC agreed with boards making the determination, not the zoning officer.

EXECUTIVE SESSION

Chairman Higgins moved and Chris D’Alleinne seconded a motion to enter closed session in order to receive legal advice as related to COAH litigation. The Board concurred unanimously and entered executive session at 9:14PM.

PUBLIC SESSION

The Board entered open session at 9:53PM.

ADJOURNMENT

Rich Scheick moved and Brian Mullay seconded a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 9:54PM.

These minutes were approved on January 12, 2015.

Rebecca E. D’Alleinne
Administrator