

**RESOLUTION OF THE BOROUGH OF MOUNT ARLINGTON,
COUNTY OF MORRIS, STATE OF NEW JERSEY
EXPRESSING OPPOSITION TO
A-3062 AND S-1303 REGARDING "INHERENTLY BENEFICIAL USES"**

WHEREAS, A-3062 and S-1303 will establish renewable energy as an "inherently beneficial use" for purposes of municipal zoning; and

WHEREAS, A-3062/S-1303 defines "inherently beneficial use" as a use which is universally considered of value to the community because it fundamentally services the public good and promotes the general welfare, including, but not limited to, a hospital, school, child care center, group home or a wind, solar or photovoltaic energy facility or structure; and

WHEREAS, the Borough of Mount Arlington does not believe that renewable energy facilities demonstrate the same level of public benefit as is associated with other "inherently beneficial uses" including hospitals, schools, child care centers and group homes; and

WHEREAS, while the intent of A-3062/S-1303 is admirable, it permits solar panel fields and wind generation facilities to be placed anywhere in a municipality without regard to the comprehensive municipal master plan and zoning regulations or any other state planning initiatives; and

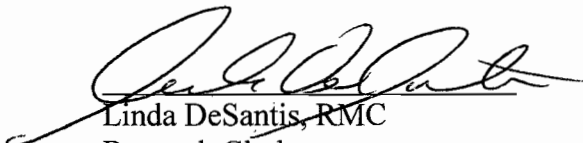
WHEREAS, while the Borough of Mount Arlington supports the intent to develop legislation that will encourage renewable energy in New Jersey, it must be done without negatively effecting the growth, farmland and open space preservation plans of municipalities; and

WHEREAS, municipalities are best equipped to address local land use issues and should be provided with discretion to establish appropriate regulations and controls consistent with their master plan.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Mount Arlington in the County of Morris and State of New Jersey hereby urge Governor Corzine to veto A-3062 and S-1303; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senator Bucco, Assemblyman Carroll and Assemblyman Merkt, the New Jersey League of Municipalities and the Governor of the State of New Jersey.

I hereby certify the foregoing to be true copy of a Resolution adopted by the Borough Council of the Borough of Mount Arlington at a Regular Meeting held on the 9th day of November, 2009.



Linda DeSantis, RMC
Borough Clerk