

BOROUGH OF MOUNT ARLINGTON
LAND USE BOARD MEETING MINUTES
October 23, 2019
7:00 PM

Meeting called to order at 7:05 p.m.

“Pledge of Allegiance to the Flag” recited.

This meeting was advertised in the Daily Record and the Roxbury Register.

Swore in Joe Lang as LUB Alternate Member #1

Attendance Roll Call: Hallowich, Foley, Driscoll, Van den Hende, Rinaldi, BaRoss, Green, Lang, Meehan

Absent: Fostle, Loughridge, Mayor Stanzilis

Motion for approval of meeting minutes from September, 25, 2019. Motion by Driscoll second by Rinaldi

Roll Call: Hallowich, Foley, Driscoll, Van den Hende, Rinaldi, BaRoss, Green, Meehan. Motion approved.

Voucher approval was stricken as PO’s were not available

Memorialization of Resolution: Lloyd and Carol Kitchin, 21 Edgemere Ave. Block 14, Lot 10

Motion by BaRoss, second by Hallowich

Roll Call: Hallowich, Driscoll, Van den Hende, Rinaldi, BaRoss, Meehan

Application: Taylor – 113 N. Bertrand Island Rd. Applicant’s attorney Anthony Sposaro requested to carry this application to the next scheduled meeting on November 20, 2019 without further Notice.

Application: HESP Solar, LLC– Berkshire Ave. Block 3, Lot 8

- Preliminary and Final Major Site Plan Approval, Bulk and Planning Variances
- Deemed Complete October 8, 2019

Robert Simon, Esq. of Herold Law, PA representing the Applicant, HESP Solar, LLC provided opening statement. Property is owned by the Borough of Mt. Arlington and is subject to a Redevelopment designation. A Redevelopment Plan was adopted via ordinance as Mt. Arlington Landfill Redevelopment Plan. The Borough and HESP solar entered into a Redevelopment Agreement with HESP Solar.

Variances needed:

- Max Height of Fence - 6ft. allowed requesting 8ft.
- Plan Variance for Unimproved Road
- Buffer Variance 200ft required and 6.5ft is proposed
- Minimum Driveway width required is 24ft. and 12 ft. is proposed
- Lighting and Signage, none is proposed

Design Waivers:

- Slope Disturbance
- Environmental Impact Statement

Robert Moschello, PE of Gladstone Design, Inc., 265 Main Street, Gladstone, NJ was sworn in to give testimony.

Exhibit A1 –Arial Map

Exhibit A2 - Environmental Constraints

Exhibit A3 – Overall Site Plan with layout of solar facility

Exhibit A4 – Site plan blown up showing access from Berkshire Ave.

Exhibit A5 – Construction details of ballast mounted solar panels

Proposed solar design, access coming off gravel drive will be realigned. 8ft. chain link fence around entire solar facility with gate, 10ft passage way outside of fence for access to the monitoring wells. The solar panels are ballast mounted rather than posts in the ground. A Table consists of 5 panels, there will be approximately 1,100 Tables totaling 5,970 panels. The system is laid out horizontally, south facing orientation to get the most sun, 6.5 ft between rows. 30 to 40 panels are wired together to an inverter. Maximum mounting height of the arrays are approximately 10ft. No changes to the existing utility poles on Berkshire Rd. HESP will maintain the property inside the fence and the Borough will continue to maintain outside the fence. It is estimated that it will take 3-6 months to build the facility. Construction access to the property is limited and HESP will use smaller vehicles to deliver equipment to the site. There are 3 utility pads and there will be a small flood light if needed for maintenance in the dark hours. Nearest residential property is 600 ft from the site. No tree removal is proposed.

Exhibit A6 – Alternate Layout

There is a limit where panels can be located on the site as per the Highlands Preservation approval. Corner of solar panels on the southwest have to be realigned. The access driveway goes slightly over that limit and it has to be moved over.

Exhibit A7 - Slope Disturbance, 2 sections where fencing is proposed

Andrew Thomas, Thomas Planning Associates, P.O. Box 363, Brielle, NJ testifies as an expert Planner.

Exhibit A8 - Arial Site and Land Use Map

Showing the additional Borough owned lots along with a couple of privately owned lots. Resident closest to the Site is approximately 600ft away.

Positive Criteria

- Municipal Land Use Law was amended including a definition of solar facilities were added as a beneficial use.
- Solar energy facility structure shall be a permitted use in every municipality in the state of NJ regardless of what zone the site is located.

Negative criteria

- Solar panels are exempt by law from impervious surface calculations
- Placement of solar panels will 600 ft from Berkshire
- Benign usage no smoke, fumes or dust
- No glare, no reflection
- Only 1 or 2 vehicles entering the facility per year for servicing transformers and landscapers monthly in season.
- Will not increase storm water runoff

Conditions:

1. Alternate Array layout
2. Fire and Police approval

Jessica Caldwell stated that when the Borough initially created the redevelopment plan there were multiple uses proposed to go on the land fill area but after the Plan was adopted it had to go before the Highlands. The proposed plan was shut down except for the Solar field and the Highlands dictated where everything would go.

Susan Brodie, Executive Vice President of HESP Solar, 400 Rella Blvd., Suffron, NY gave testimony. Life span of the Solar panels are approximately 35 years but the manufacturer warranty is for 25 years. If the lease expires the host site opts to renew the lease or buy the system. The Redevelopment agreement that is in place between HESP and the Borough addresses these issues.

Open to the Public

Debbi Ross, 11 Berkshire Avenue

Asks about the cables running on the poles. There will be three (3) additional wires on the poles. There will be no vibration or transformers along the road, only on the site. The existing gate will remain and an additional gate will be at the entrance with the fencing around the facility. If there is any damage to Berkshire Rd. during the construction it is in the developer's agreement that either HESP or the contractor will be responsible for repairs.

Closed to the public

Motion to approve by Foley. Second by Hallowich

Roll Call: Hallowich, Foley, Driscoll, Van den Hende, Rinaldi, BaRoss, Lang

Vote:

Yes: 7

No: 0

Abstained: 2

Discussion on Changing November Meeting Date

November Meeting date will remain as November 20, 2019

Meeting adjourned: 9:05pm

Motion to Adjourn by Foley, Second by Hallowich

all in Favor

Respectfully submitted

Kathy Appleby

