

CALL TO ORDER:

Mr. O'Leary called the meeting to order at 7:35 p.m. and stated it was open to the public in compliance with Public Law 1975, Chapter 231, sections 4 & 13.

FLAG SALUTE

ROLL CALL: Members Present: Hughes, Luthman, Randazzo, Corcoran, Leuthe, Didyk, Straub, Taylor, Van Sickle, O'Leary.

Members Excused: Fette.

Members Absent: None.

Also Present: Ursula Leo, Esq.
Gene Weber, PE
David Banisch, PP

MINUTES: October 28, 2010, November 11, 2010.

A motion to approve the minutes of the October 28, 2010 with the noted correction was made by Mr. Corcoran. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Hughes, Luthman, Randazzo, Corcoran, Didyk, Leuthe, Taylor, O'Leary.

A motion to approve the minutes of the November 11, 2010 meeting with the noted correction was made by Mrs. Straub. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Luthman, Randazzo, Corcoran, Straub, Leuthe, Taylor, Hughes, O'Leary.

AUDIENCE:

M. O'Leary opened the meeting to the public. With nobody coming forward, the meeting was closed to the public.

COMPLETENESS/HEARINGS:1.) Beaver Run Solar Farm Phase II SP11-3B:25 L:2 & 4.01

Mr. Kevin Kelly, Esq. said he was representing the applicant. He explained that Beaver Run Solar Farm, LLC is owned by Shotmeyer Solar which is owned by Mr. Charles P. Shotmeyer, Mr. Charles A. Shotmeyer and Timothy Shotmeyer. The property is owned by Shotmeyer Inc. which is owned by Charles P. Shotmeyer.

Ms. Van Sickle disclosed that she does business with Beaver Run Farms. She felt this would not affect her hearing this matter.

Mr. Kelly gave a brief history of phase I. He said they had received approval for phase I and had obtained building permits and then were faced with snow all winter and could not build phase I. He felt they could not bifurcate the use variance from the site plan. Due to the request to include the use variance with the site plan, Mr. Hughes and Mr. Corcoran stepped down from the Board for this matter.

A motion to approve the waivers with the Board reserving the right to get the information was made by Mr. Randazzo. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Luthman, Randazzo, Didyk, Straub, Leuthe, Taylor, Van Sickle, O'Leary.

A motion to deem the application complete with the Board reserving the right of the Board Engineer's concerns was made by Mr. Randazzo. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Luthman, Randazzo, Didyk, Straub, Leuthe, Taylor, Van Sickle, O'Leary.

Mr. Thomas Knutelsky, PE of Harold Pellow and Associates was sworn in by Ms. Leo. Mr. O'Leary noted the Board had only one day to review the application. The Board Engineer did not review the application until the escrow was posted. Mr. Weber went over his report dated 4-15-11 and noted the incomplete application items. There was a discussion on the vacation of a portion of Fox Hill Road.

Mr. Kelly said they will be building phase I and phase II together. Mr. Banisch asked if the phase I approval was indicated on the phase II plans to which Mr. Knutelsky said yes. Mr. Kelly said they do not want to abandon the approvals of phase I. Ms. Leo advised the Board phase I was not part of this application. Mr. Weber said the Applicant's Engineer did not show how the electric is tied into the grid. Mr. Knutelsky said they are using existing poles and lines owned by SREC. Mr. Weber went over the requested waivers with the Board. Mr. Luthman asked about an L.O.I. to which Mr. Knutelsky said it had been submitted with the application.

Mr. Kelly said there is a total of 243 acres with 140 acres of disturbance. The panels will cover 90.44 acres. The energy will be 15 megawatts of A.C. Mr. Kelly said they are seeking a use variance and the preliminary site plan approval.

Mr. Allan Gregg, senior director of systems and engineer for Satcom Tech Corporation located at 27 Drydock Ave., Boston, MA was sworn in by Ms. Leo. He presented a data sheet of his credentials which was marked and entered as exhibit A-1. The Board accepted his credentials.

Mr. Gregg presented a power point presentation of various photovoltaic systems which was entered as exhibit A-2. He explained the slides to the Board. Mr. Gregg presented a power point presentation of various sites from around the world where solar systems have been installed and entered it as exhibit A-3. He explained the environmental concerns such as glare, noise and the recycling of the old panels. He said there is no pollution from a solar system. He said the inverters are about the size of a shed. Mr. Banisch asked about the failures the system could encounter. Mr. Gregg said the connectors become loose at times. He said he knows of only a few fires that have ever started and they were all on roof mounted systems. Mr. Banisch asked if the grass could catch on fire during the dry season. Mr. Gregg said they have never encountered this. Mr. Banisch asked what would happen if the system was exposed to a fire. Mr. Gregg said the wires and backing would melt. There is no combustible fuel on the panels.

Mr. O'Leary asked about the difference between a ground mounted and roof mounted system. Mr. Gregg said a ground mounted system is more cost effective to install. Mr. O'Leary asked if Mr. Gregg has ever designed a system for a residential zone to which Mr. Gregg said no.

Ms. Didyk expressed a concern with the wildlife in the area and asked if there was any data on geese and ducks flying into the panels. Mr. Gregg said there is no data he knows of. He said there is no negative impact on wildlife. Mr. Randazzo asked if there are any hazardous materials associated with the system to which Mr. Gregg said no. He said the only material that can leak out from a damaged panel is non-hazardous oil. An alarm would go off and the oil would leak into a catch pan. There was a discussion on a shade abatement area that is needed for a solar system. Mr. Gregg said solar panels work everyday even if the sun is not shining. They would be less efficient however they are still collecting light.

Mr. Gregg listed some of the benefits of solar power. He said large power plants do not need to be built, there is no harm to the environment, no pollution and the Country could become less dependant on foreign oil. Mr. Luthman asked what would happen if natural gas would become the main source of power. Mr. Gregg said solar is still better for the environment. Mr. Luthman expressed a concern with a loss of 90 acres of trees. Mr. Gregg asked the Board to consider the overall benefit of solar.

Mr. O'Leary opened the meeting to the public. With nobody coming forward, the meeting was closed to the public.

The Board agreed to carry the application to the May 19, 2011 meeting without further notice.

OLD BUSINESS:

1.) Master Plan Reexamination Report

Mr. Corcoran returned to the Board at 10:35 p.m..

Mr. Banisch went over the changes he made to the report. Mr. Banisch suggested the Township Committee investigate the issue of designating the property along Route 15 an area in need of rehabilitation. He suggested a community disposal system for the properties that have no room for a new septic system.

A motion to approve the Master Plan Reexamination Report of Banisch and Associates dated 3/15/11 with the revisions made at the 4/21/11 meeting was made by Mr. Randazzo. It was seconded by Mrs. Straub and passed with a roll call vote. Ayes: Luthman, Randazzo, Corcoran, Leuthe, Didyk, Straub, Taylor, Van Sickle, O'Leary.

NEW BUSINESS:1.) Solar Application Fee

The Board agreed to carry this to the May workshop meeting.

2.) Gateway Plan as an element to the Land Use Plan

There was a discussion on whether to do this as part of the Master Plan or at a later time. The Board agreed to carry this to the April 28, 2011 meeting.

3.) Request for an Extension of Preliminary Subdivision for Bubalo.

The Board agreed to carry this to the April 28, 2011 meeting so information can be researched.

RESOLUTIONS:1.) O'Connor, John & Carolyn MNR10-14, VAR10-15 B:14 L:4,5, & 6

A motion to approve the resolution was made by Mr. Randazzo. It was seconded by Ms. Didyk and passed with a roll call vote. Ayes: Randazzo, Corcoran, Didyk, Taylor, Van Sickle, O'Leary.

ORDINANCES:

No.	Name	Citation	Memorialized	Date to Clerk	TC Agenda	First Reading	Adopted	Adoption
1	Renewable Energy	13-6	8/20/10	9/10/10		4/5/11		
2	Clothing Bin Ordinance	3-11	5/27/10	9/10/10	4/5/112	4/5/11	4/19/11	
3	Minor Site Plan	12-5.6		3/29/11	4/5/11	4/5/11	4/19/11	

PENDING APPLICATIONS:

No.	Name	Application Number	Complete Date	Time to Act	Status
1	Lafayette Asphalt	ASP11-1	1/27/11		Carried to 4/28/11
2	Gernat	VAR11-2	3/24/11		Carried to 4/28/11
3	Beaver Run Solar Farm Phase II	SP11-3			Needs to be deemed complete
4	Daura, Damon	SP11-4 FSP11-5			Needs to be deemed complete

TRC REPORT: None.

ZONING REPORT: None.

BILLS: None.

EXECUTIVE SESSION:

A motion to go into executive session to discuss pending litigation with the minutes being release upon resolution of the matter was made by Mr. Corcoran. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Luthman, Randazzo, Corcoran, Leuthe, Didyk, Straub, Taylor, Van Sickle, O'Leary.

A motion to come out of executive session was made by Mrs. Straub. It was seconded by Mr. Randazzo and passed with a roll call vote. Ayes: Luthman, Randazzo, Corcoran, Leuthe, Didyk, Straub, Taylor, Van Sickle, O'Leary.

CORRESPONDENCE:

- 1.) To Township Committee
Re: Proposed Clothing Bin Ordinance
- 2.) To: Township Committee
Re: Proposed Minor Site Plan Ordinance
- 3.) From: Ms. Ursula Leo, Esq.
Re: Lentini Redi-Mix Escrow Account
- 4.) From: Mr. Kevin Kelly, Esq.
To: Mr. Roy Kurnos, Esq.
Re: Road Vacation Ordinance
- 5.) From: Mr. Andrew Zjawin – Pennoni Associates, Inc.
Re: Evaluation of Future Water Uses for Block 2 Lot 4.02
- 6.) From: Mr. Keith A. Hyche, Esq.
To: Township Committee
Re: Vacation of a Portion of Fox Hill Road
- 7.) From: Mr. Kevin D. Kelly, Esq.
Re: Beaver Run Solar Farm, LLC
- 8.) From: Bernd E. Hefe, Esq.
Re: Jurisdictional Waiver Request for Site Plan Application for Andover Township

ADJOURNMENT:

With no further business to discuss, a motion to adjourn at 11:28 p.m. was made by Mr. Corcoran. It was seconded by Mr. Randazzo and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Board Secretary