
CALL TO ORDER

Mr. O'Leary called the meeting to order at 7:34 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, Corcoran, Leuthe, Didyk, Taylor, Van Sickle, Aikens, Allison, O'Leary.

Members Excused: Cutler.

Members Absent: None.

Also Present: Ursula Leo, Esq.

MINUTES: February 25, 2016

A motion to approve the minutes of the February 25, 2016 meeting was made by Mr. Corcoran. It was seconded by Ms. Van Sickle and passed with a roll call vote. Ayes: Hughes, Luthman, Corcoran, Leuthe, Didyk, Van Sickle, Allison, O'Leary.

COMPLETNESS / HEARINGS / CONCEPT: None.

AUDIENCE:

Mr. O'Leary opened the meeting to the public. Mr. William Dorkus of 274 Warbasse Jct. Road, Lafayette and Mr. Frank Dewitt of 2 Price Road, Augusta, NJ addressed the Board. Mr. Dorkus explained that he was looking to put ground mounted solar panels on his property to help with his electric bill however he does not have the three acres that the ordinance requires. His property is only 1.3 acres. Mr. Dorkus said he cannot put the panels on his roof because it faces east and west and the panels need to face south. He asked the Board to consider changing the three acre minimum requirement. He felt it takes away the ability of residents from putting in solar.

Mr. Dewitt said his company has helped other communities develop solar ordinances. He said a lot of communities adopted restrictive ordinances to stop the large development. He said the ordinance is a living document and is certainly open for review. He asked for the Board's thoughts on why the three acre minimum is in place.

Mr. O'Leary said Lafayette is in favor of solar energy and had approved a large solar facility on Beaver Run Road. He said the ordinance requires the three acre minimum because the Board had an application where the neighbors objected to seeing the ground mounted arrays. He said the Board had much discussion over the ground mounted array placement. Mr. O'Leary said the application that did come before the Board turned into a nasty situation between the neighbors. He said the Board is concerned with the industrial look of the arrays.

Mr. Dewitt felt if they are properly screened they can be respectful of the neighbors involved. Mr. O'Leary said if someone really wants to put the arrays in they can apply for a variance. He felt it is visually different from a pool because a pool does not have an industrial look to it.

Mr. Dewitt said he had approached the mayor last year about community solar systems which will eventually be allowed by the utilities where the arrays would go in an area set aside by the town where all of these systems can be located and shielded properly and then get the power back to the homes. He felt the fact that the Mr. Dorkus cannot put this in now is unfair because the tax credits are going to run out. Mr. Dewitt discussed the benefit of a solar system. He asked the Board to consider reducing or eliminating the minimum lot size.

Mr. Hughes noted Lafayette is a rural community and the ordinance addresses respecting the neighbors in a farming community. He said the visual impact along with recommendations from the Board's Professionals is why the three acre minimum lot size is a requirement.

Mr. Dave Glueck, of Newton NJ asked how the three acres prevents a neighbor from seeing the array. He said an array can be in the middle of a 50 acre lot and be seen by multiple neighbors at one time. He said he did not see the correlation between the size of the property and the sight line. Mr. O'Leary said a one acre lot may not have a lot of places to put the array and it may become obtrusive. Mr. Glueck asked if a resident has three acres are they required to move the array to a certain spot on the property. He said he did not see anything in the ordinance that demanded that that would have to be done. Mr. O'Leary said the resident would not need a variance at that point. Mr. Glueck said then the resident could put it in a spot that is visible to everyone. He said he did not understand how the three acre minimum will prevent what the Board is trying to prevent. Mr. Dewitt suggested a policy change of allowing the zoning officer to go out to look at the property and see if the array would be obtrusive or getting letters from the neighbors saying they are ok with the placement to help avoid a resident from having to go through the variance application procedure. He said Vernon Township had adopted a policy like this.

Mr. Dorkus said the location where he wants to put the array would be difficult for a neighbor to see and asked if the Board would consider allowing the zoning officer to determine if the array would be visible. He asked if he could come in with letters from all of his neighbors saying they were ok with the array. Mr. O'Leary said the Board would take the comments under consideration.

Mr. Taylor asked how big the array would be to which Mr. Dewitt said 55feet by 12 feet. He said they will be about 12 feet in height. Mr. Dorkus said his house is fully electric and he is not creating a carbon footprint with oil heat.

With nobody else coming forward, the meeting was closed to the public

OLD BUSINESS:

1.) Housing Element and Fair Share Plan

A motion to go into executive session to discuss pending litigation was made by Mr. Corcoran. It was seconded by Mr. Leuthe and passed with a roll call vote. Ayes: Hughes, Luthman, Corcoran, Leuthe, Didyk, Taylor, Van Sickle, Aikens, O'Leary.

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

A motion to approve Lafayette's Housing Element and Fair Share Plan with the minor corrections as identified and to submit the plan to the court was made by Mr. Hughes. It was seconded by Mr. Corcoran and passed with a roll call vote. Ayes: Hughes, Luthman, Corcoran, Leuthe, Didyk, Taylor, Van Sickle, Aikens, O'Leary.

Ms. Leo wanted to put on the record that should the court approve the plan Lafayette will move forward and formally adopt the plan.

NEW BUSINESS: None.

RESOLUTIONS:

1.) Housing Element and Fair Share Plan

A motion to adopt the resolution prepared regarding submission was made by Mr. Hughes. It was seconded By Mr. Corcoran and passed with a roll call vote. Ayes: Hughes, Luthman, Corcoran, Leuthe, Didyk, Taylor, Van Sickle, Aikens, O'Leary.

ORDINANCES: None.

ZONING REPORT: See Attached

BILLS: List #3

Mr. Leuthe went over the bills list with the Board. A motion to pay the bills as presented was made by Mr. Leuthe. It was seconded by Mr. Hughes and passed with a roll call vote. Ayes: Hughes, Luthman, Corcoran, Leuthe, Didyk, Taylor, Van Sickle, Aikens, O'Leary.

The Board Secretary advised the Board that Mr. Fusco's escrow account is still deficient and that Ms. Leo is still waiting to be paid. The Board agreed to pay the Board Attorney out of its legal budget and then turn the deficient account over to the Township Attorney for collection.

A motion to pay the outstanding escrow bill for the Fusco account for Laddey, Clark and Ryan out of the Board's legal budget was made by Mr. Hughes. It was seconded by Mr. Leuthe and passed with a roll call vote. Ayes: Hughes, Luthman, Corcoran, Leuthe, Didyk, Taylor, Van Sickle, Aikens, O'Leary.

CORRESPONDENCE:

- 1.) From: SC Soil Conservation
Re: Block 1.02, Lot 1

ADJOURNMENT:

With no further business to come before the Board, a motion to adjourn was made by Mr. Leuthe. It was seconded by Ms. Van Sickle and passed with everyone saying aye.

Respectfully submitted,

Stephanie Pizzulo
Secretary