

Holland Township Planning Board

Minutes of the Regular Meeting

February 8, 2016

The meeting was called to order by the Chairman Rader:

“I call to order the February 8, 2016 Meeting of the Holland Township Planning Board. Adequate notice of this meeting was given pursuant to the Open Public Meeting Act Law by the Planning Board Secretary on November 12, 2015 by:

1. Posting such notice on the bulletin board at the Municipal Building.
2. Published in the November 12, 2015 issue of the Hunterdon County Democrat
3. Faxed to the Express Times for informational purposes only.

Flag Salute

Chairman Rader asked all to stand for the Pledge of Allegiance

Identification of those at the podium

Present: Dan Bush , Ken Grisewood, Dave Grossmueller, Michael Keady, Carl Molter, Dan Rader, Tom Scheibener, Duane Young, Don Morrow, Esq., , Bill Burr, Engineer, Court Reporter Lucille Grozinski, CSR and Maria Elena Jennette Kozak, Secretary.

Excused Absent: Casey Brickhart and Mike Miller. Per Chairman Rader Elizabeth McKenzie, Planner is not in attendance for this meeting.

Let the record show there is a quorum.

Appointments and Re-appointments

Chairman Rader asked Attorney Morrow to swear in the following member:

Thomas Scheibener – Class III Member for a one year term 12/31/16 –

Congratulations were expressed to Thomas Scheibener.

Minutes

A motion was made by Mike Keady and seconded by Dan Bush to dispense with the reading of the minutes of the January 11, 2016 reorganizational meeting and to approve the minutes as recorded. All present were in favor of the motion with the exception of Thomas Scheibener and Duane Young who abstained. Motion carried.

Old Business:

There was no Old Business scheduled at this time.

New Business:

There was no New Business scheduled at this time.

Completeness Review:

Block 2 Lot 1.02 & Block 4 Lot 1– Mill Road Solar Project LLC – 10 Mill Road – Preliminary and Final Site Plan – Solar Project – Received into our office January 18, 2016 – 45-day completeness deadline March 3, 2016. Board Action needed.

Applicant’s Attorney Doug Cole is present. The Completeness Review letter dated February 5, 2016 prepared by Engineers Burr and Roseberry of Maser Consulting was previously distributed and reads as such:

To: Members of the Holland Township Planning Board
From: William H. Burr, IV, P.E.C.
Richard Roseberry P.E., P.P., AICP
Date: February 5, 2016
Re: Mill Road Solar Project, LLC -
Completeness Review Preliminary and
Final Major Site Plan Application
Block 2, Lot 1.02; Block 4, Lot 1 –

10 Mill Road
MC Project No. HLP-017

This office is in receipt of an application for the above referenced Preliminary and Final Major Site Plan application. The following documents were submitted for our review:

- Letter from Attorney Douglas A. Cole, Esq. dated January 19, 2016;
- Holland Township Planning & Zoning Board Application Form;
- Certification of Taxes Paid dated December 6, 2015;
- Checklist Section D – Preliminary Major Site Plan;
- Copies of NJDEP Freshwater Wetlands Letter of Interpretation/Line Verification, dated September 12, 2011 for Block 2, Lot 1.02 and Block 4, Lot 1;
- Copies of Drainage Calculations (2 sheets) dated January 17, 2016;
- Copy of BPU Order dated June 17, 2015 certifying the proposed properties to be brownfields and appropriate for solar facilities pursuant to the “NJ Solar Act”.
- Plans, consisting of thirteen (13) sheets, entitled “Preliminary and Final Site Plan for the Mill Road Solar Project, Block 2, Lot 1.02 and Block 4, Lot 1, Holland Township, Hunterdon County, New Jersey” prepared by Richard J. Pantel, P.E. of TectoniCorp, P.C. Princeton Engineering, dated January 18, 2016.

PROJECT & PROPERTY DESCRIPTION

The subject properties are known as Block 2, Lot 1.02 and Block 4, Lot 1 and consist of 65.568 acres and 92.498 acres, respectively, according to the submitted site plans. The properties are located within the IND – Limited Industrial Park District and have frontage on Cyphers Road. The Musconetcong River runs along the north side of the properties. Block 2, Lot 1.02 contains numerous industrial buildings (commonly known as “Fibermark-Hughesville facility”). Block 4, Lot 1 contains a number of farm related buildings along with other related improvements. Both properties contain a mix of agricultural and wooded areas, along with numerous environmental constraints. The applicant is proposing to develop portions of the agricultural areas on the subject properties for a photovoltaic (PV) solar farm.

We would recommend that the Board Attorney and Planner review the application and related submission materials to confirm that the Planning Board has jurisdiction over this application.

COMPLETENESS

Upon review of the above-referenced submission versus the Holland Township Development Review Checklist D, this office finds that the following items are outstanding:

- D-4 Written Request and Explanation of all Requested Waivers.
- D-7 Environmental Impact Assessment (note: this was marked as N/A).
- D-9 Receipt indicating delivery to County Planning Board.
- D-10 Receipt indicating delivery to County Health Department.
- D-11 Receipt indicating delivery to Soil Conservation District.
- D-16 Financial Disclosure Statement.
- D-17 Submission of Protective Covenants/Restrictions (note: this was marked as N/A).
- D-19 Highlands Exemption Determination.
- D-32 Key Map showing entire site and surrounding area, block and lot numbers of all Properties, all streets and roadways, and all zone district boundary lines.
- D-34 Signed certification on the plan by owner of property.
- D-35 Signed and sealed certification on plan by the licensee as to the accuracy of the details on the plan.
- D-36 Surveyors certification on site plan.
- D-38 Front, side and rear yard setback lines shall be labeled and dimensioned.
- D-39 Plans shall locate and describe all survey monumentation.
- D-41 Existing natural features within 400’ of site.
- D-42 Plans shall indicate location and size of all existing and proposed easements (note: this was marked as N/A).
- D-43 Location of existing features within 200’ of site.

- D-47 Plans shall indicate existing contours at 2 foot intervals within tract and within 200 feet (note: elevations as shown are not legible).
- D-49 Plans shall indicate floodways, flood hazard areas, wetlands, riparian zones, etc. (note: these features as shown are not legible).
- D-50 Plan shall indicate soil classifications in accordance with Hunterdon County Soil Survey.
- D-52 Area of Impervious Surfaces.
- D-54 Plans shall indicate existing sewage disposal systems and wells.
- D-60 Plans shall indicate location, height, size, etc. of all proposed signs (note: this was marked as N/A).

D-62 Stormwater Management Plan (note: submitted information not in accordance with Article XXIV – Sec. 100-182 of the Township Code).

D-63 Plans shall indicate proposed lighting (note: this was marked as N/A).

Upon review of the above deficiencies, this office does not recommend the Board waive any of these items, unless additional information or testimony is provided, as this information is essential to allowing our office, Township Planner and the Board members to complete a review of the application.

We note that the applicant has only requested waivers of items D-1, D-22 and D-64.

Item D-1 Submission of Filing Fee Calculation Form. The applicant has requested that the Township consider reducing the require escrow fee. According to the applicants attorney, the calculated escrow for this project would be \$178,188.61. It appears that \$5,000 escrow was submitted. Since the Township Committee adopted the fees by ordinance in Chapter 83, it is outside of the authority of the Planning Board to waive any fees. Any requests for waivers or reduction of fees should be made to the Township Committee.

Item D-22 Scale of Plans to be 1 inch equals not more than 50 feet. The applicant has submitted plans at a scale of 1” = 200 feet; however, these plans at this scale are difficult if not impossible to read. If the Board is inclined to grant a waiver for this item, we would recommend that the plans at least be revised to make all text, labels, dimensions, notes, line work, etc. clear and legible.

Item D-64 Landscape Plan as prepared by a licensed landscape architect. The applicant has requested permission for the Landscape Plan to be prepared by the N.J.P.E. for the project. While this is not ideal, we do not have any objection to the Board granting a waiver for this item, provided the applicant agrees to revise the plans to address/incorporate any landscaping related comments from our office and/or the Township Planner.

There were also a number of items marked as “Not Applicable” on the checklist that need to be clarified. As a result, we have listed those items above and labeled them as “outstanding”. Testimony should be provided to confirm that they are not applicable otherwise this information should be provided.

In addition to the items required to be completed per the checklist (as listed above), this office has the following additional comments regarding completeness:

- It does not appear as though a boundary or topographic survey was used in the preparation of the site plans. A signed and sealed survey as prepared by a licensed professional surveyor must be submitted. In general, the submitted site plans are hard to read and not legible which makes for review of the plan information very difficult and time consuming. While some of the items listed above may have been shown on the plans, additional revisions are necessary to ensure that the plans are in a suitable format/scale to be reviewed by the Board (and its professionals) and subsequently used for construction.
- The submitted application form indicated that this application is for both Preliminary and Final Major Site Plan approvals; however, a Final Site Plan Checklist was not submitted.
- We note that only two (2) pages of Drainage Calculations were submitted with the application. The applicant and its engineer should be aware that the information as submitted does not comply with Ordinance Article XXIV, Section 100-182 - Stormwater Management Regulations. This project is considered a major development application and must provide calculations to show compliance with the stormwater recharge, rate reduction, and water quality.
- The applicant will need to clarify whether this project meets the Ordinance definition for a “Solar Energy Facility (Major/Commercial)” or “Solar Energy System (minor).

- The project will need to comply with all applicable Township solar ordinances (Sec. 100-20.1, Sec. 100-21M, etc.) and should provide for the following:
 - Maintenance Plan.
 - Emergency Response Plan.
 - Decommissioning Plan.
 - Geotechnical Report – if applicable depending upon the proposed solar panel footings.
- Based on the above deficiencies, we recommend that the Board determine the application **INCOMPLETE.**

If you have any questions regarding this correspondence, please contact this office at your earliest convenience.

CRR/WHB/dw
Cc:Holland Township Land Use Board Members (via email)
Elizabeth McKenzie AICP, PP
Don Morrow Esq., Board Attorney
Richard Pantel, PE
Douglas Cole, Esq., Applicants Attorney

Attorney Cole handed in checklist items that were deficient. Discussion about soil disturbance took place. Engineer Burr stated that solar panels do not disturb land like regular developments but there are issues such as noise and glare that should be addressed. The board also has to determine if an EIS is required. After some discussion, the board agreed that an EIS is needed but not a full blown report like in a development and that the Engineers can work together to discuss what is needed. There are concerns and they need to be addressed. This is an old industrial site and issues potentially exist. D16 was handed in. The DEP application was filed today and it will be submitted digitally to Hunterdon County as well. Checklist items 32, 34 and 35 were agreed upon with our Engineer. Checklist item 36 is also ok. Regarding Checklist 38 our engineer thinks that the maps are not visible enough – they are difficult to read. They need some additional housecleaning. The line needs to change and the scale was off. This is consistent in many aspects of the submitted plan. Attorney Cole stated that the applicant will make corrections and will work with Maser to clear up outstanding mapping issues. Checklist 41 is to be submitted once the aerial is completed. Checklist 42 questions easements and none are proposed but the existing will be put on the map. Checklist 43 will be done with the aerial. Checklist 47 will be addressed. Checklist 49 is another housekeeping issue with the map and needs to be resolved which the applicant will work on. Board Member Grisewood suggested a key or legend appear on each map. All agreed and the applicant will address the concerns. Checklist 50 will be addressed. Checklist 52 had discussions and the gravel fire lane needs to be on the plans. Checklist 54 requires board of health and will be addressed. Checklist 60 talks about signs and details of the signs going on the fence will be addressed on the plans with the following of ordinance requirements. Checklist 62 will be addressed and checklist 63 is non-applicable since lighting is not proposed. They do not need lighting and if they go to the site in the middle of the night they provide their own lighting. Escrow was discussed and the Township Committee is working with the Engineer to address the issue as this is not something the Planning Board handles.

Checklist 22 – more discussion of the size of the plans and the need for better housekeeping and cleaner plans. A waiver is ok for completeness but will be required.

Checklist 64 – A landscape plan discussion took place. Our ordinance requires a Landscape Architect and the applicant feels an engineer is sufficient. After some additional discussion, our board strongly agreed that a Landscape Architect is required to do the plans and asked the applicant to provide the plans as requested of the board. Waiving for completeness is ok but this will be required.

A survey needs to be done and requires signatures.

The applicant will work with the boards engineer on refining the maps. Drainage calculations will also be provided as agreed by Attorney Cole.

The power generated from this project will go back to the grid. This is a Major Commercial project per Attorney Cole.

An additional lighting conversation took place. Concerns about safety and the arrival of safety equipment if need. Lighting up the facility is not needed on a constant basis but what about for

emergency responders? Attorney Cole believes that those issues will be addressed in an Emergency Response Plan.

Discussion took place about the firm involved in this project having other projects in New Jersey and it was stated the projects are in Gloucester County and Washington Township. The company is a west coast company but they are a National Company with experience. The Engineering Firm has experience as well. Engineer Pantel was with another company that has done a lot of work in Hunterdon County.

A motion was made by Tom Scheibener and seconded by Ken Grisewood to deem the application incomplete as illustrated pending receipt of items stated tonight. At a roll call vote, all present voted in favor of the motion. The motion carried. Attorney Cole will redo and probably resubmit within two months.

Resolution

There are no resolutions to discuss at this time.

Public Hearings

There were no public hearings scheduled at this time.

Sub-Committee Status and Updates:

There was nothing new to report at this time.

Public Comment

There were no public comments offered at this time.

Executive Session

There was no Executive Session scheduled at this time.

Adjournment

Dan Bush made a motion to adjourn. Motion approved. The meeting ended at 8:15 p.m.

Respectfully submitted,

Maria Elena Jennette Kozak

Maria Elena Jennette Kozak
Secretary