

REGULAR MEETING

Lebanon Township Planning Board
Municipal Bldg 530 West Hill Road Glen Gardner, N.J.

June 21, 2011

The 841st Regular Meeting of the Lebanon Township Planning Board was called to order at 7:03 p.m. by Chairman Gary MacQueen. Present were: Mr. Milkowski, Mr. Schmidt, Mr. Piasecki, Mr. Rich, Ms. Bleck, Mr. Piazza, Mr. Weiler, Attorney Gallina, Planner Bolan and Engineer Risse. **Excused:** Mr. Gerlich

This meeting was noticed in the "Annual Meeting Notice Schedule" adopted by this board on January 11, 2011, mailed to the Hunterdon Review, Hunterdon County Democrat, Express Times, Courier News, Star Ledger and posted on the bulletin board in the Municipal Bldg on June 15, 2011.

PRESENTATION OF MINUTES: Regular Meeting June 7, 2011

Motion by Ms. Bleck and seconded Mr. Weiler to amend the minutes per comments by Mr. Rich regarding the Grading Ordinance. Unanimously approved.

UNFINISHED BUSINESS:

New Cingular Wireless	Block #12	Lot #45.05
340 Mt. Kemble Ave	Route 513	B1
Morristown, N.J. 07962		

CONTINUATION OF A PUBLIC HEARING Conditional Use/Site Plan/Variances

Ms. Glashoff informed the board that she contacted Attorney Fairweather to confirm they would be here this evening to continue with the public hearing. She was informed they would like another continuance to the July 19th meeting date of the Board. Ms. Glashoff read the letter from Attorney Fairweather into the record and stated the applicant has granted an extension through August 31, 2011. Attorney Gallina announced this application will be carried to the July 19th meeting with no further notice given.

ITEMS FOR DISCUSSION:

a. Memo on Solar in Non-Residential Zones – Planner Bolan

Planner Bolan said the suggestion for including non-residential zones for Solar came from the Board of Adjustment. When the annual report from the Zoning Board was addressed at the Planning Board, the board said it was a good idea to include non-residential zones in the Alternative Energy Ordinance for Solar. Planner Bolan said he had a few ordinances that he used in preparing this section along with the fact that the Zoning Board had already dealt with a solar application in the B2 zone. Planner Bolan said the solar farm in the B2 zone was on a 16 acre lot and it was a 2 megawatt facility. This was for about 40% of the property. Under the Highlands rules the only coverage that counts is the stakes (4" poles) that go into the ground. Planner Bolan went over the proposed setback requirements in his memo. During the discussion, Planner Bolan suggested the following changes to the setback requirements: lot width from 300' to 450', lot depth from 400' to 450'. Under the standards, Item E regarding Soil Erosion, it was decided to add approval from Hunterdon County Soil Conservation District. Items B, F & G were okay. Planner Bolan said the life expectancy of these facilities is now about 20 years. Chairman MacQueen noted the solar panels have changed drastically in the last 10 years. During the discussion, Mr. Rich suggested taking out the wording "ground level". Planner Bolan agreed and the wording of "ground level" was eliminated. Item K the wording in the Decommissioning Plan was good and nothing was changed or deleted.

At this time Chairman MacQueen asked for a motion to open the meeting up to the public for comments. Motion by Ms. Bleck and seconded by Mr. Rich to open the meeting to the public. Unanimously approved. Mr. David McCrone owner of the property on the corner of Route 513 and Trimmer Road addressed the board. Mr. McCrone said before putting in a Solar Farm, there is an extensive study that has to be done with a private company that is involved with the utility company. Mr. McCrone said when you submit you plan with how much power you plan on producing, they do a study which is a 2 part study to see how your grid can handle it along with the grid your connected to see how it can handle it. If there is too much it can cause problems down the line. All this has to be done before you can be hooked up to the grid. There are solar panels that can be mounted without penetrating into the ground. Mr. McCrone said he doesn't know of any panels that give glare.

Mr. McCrone said he was concerned with some of the items in the proposed ordinance section for the B2 & I5 zones. Mr. McCrone said the setbacks are unreasonable and possibly discriminatory. Mr. McCrone said it would be more realistic to have the setbacks at either 25' or 50'. Planner Bolan said the setbacks for the I5 zone are 50', but you need to consider this is a 15 acre parcel compared to a 5 acre lot. Mr. Schmidt questioned whether 50' would be enough for landscaping. Planner Bolan didn't think it would be enough. The other concern was with the wetlands on the property. They have gone through the DEP fast track process for Solar Farms. Chairman MacQueen asked where the property was located. Mr. McCrone said at the corner of Route 513 and Trimmer Road. Chairman MacQueen asked which is considered the front yard. Ms. Glashoff said he has two front yards. Mr. McCrone referred to Item B in the ordinance and questioned whether the board would deny the application. Engineer Risse said the board can not over step

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he jurisdiction of the DEP. Chairman MacQueen said if the applicant can get a permit from DEP stating he can build and if the DEP doesn't regulate that area or if it is a transition area/or waiver and the DEP says they can build there, then it is not an issue. Planner Bolan will amend this section of the ordinance.

Planner Bolan asked what is the configuration of the lot. Mr. McCrone said it is a square lot which is 15.01 acres. Mr. Rich asked where the panels would be located on the property. Per Mr. McCrone, the panels would be on an angle facing Route 513 and Trimmer Road. The existing building sets up front facing Route 513. Mr. McCrone said the applicant plans on having the panels flush with the ground and will be fixed and will not rotate following the sun. Mr. McCrone informed the board that Sun Farm was aware that he was coming to the meeting this evening and offered to come before the board to discuss Solar and any questions the board might have. The board thanked Mr. McCrone for his comments.

Marc Laul asked to address the board. Mr. Laul said this area is covered by an EGM grid. They can not go above 60 hertz on the power lines. The hertz can't go above 61 or below 59 because it can upset the power grid. Because of all the SREC's (**Solar Renewable Energy Certificates**) and incentives this year, next year the SREC will disappear. Starting next year, they will be requiring battery storage on the facility to absorb it. If the grid can't absorb all the power because of going above the 60 hertz they can dump it into the battery. The benefit to the person with the Solar Farm is that they will be paid \$315,000.00 per mega watt for a year in order to have that battery storage facility. Planner Bolan asked what is done now if they go over the 61. Mr. Laul said they are trying to regulate it with small generator plants but they regulate at about 52% to 53% accuracy. Mr. Laul said it costs a lot of money to run these small generator plants. Mr. Piazza asked about what size batteries and how much room would you need. Mr. Laul asked how many acres. He was told 10 acres. Mr. Laul responded saying at 2 mega watts you would need in order to regulate, two 45' tractor trailers. Chairman MacQueen said we could include screening for tractor trailers if we had too. Mr. Weiler asked Mr. Laul if he foresees with solar farms if they will come with battery storage in the near future. Mr. Laul said yes. There is also talk of Wind Farms off the Jersey shore. Mr. Schmidt asked who makes these batteries for the solar farms. Mr. Laul said a big company called A.E.S. They have been trying to use the lead acid batteries because they are almost 100% recyclable. The problem is they are not fast enough, they can't discharge and absorb power fast enough. The lithium ion batteries that are good enough but they are the most pollutant product that can produce. Chairman MacQueen thanked Mr. Laul for his comments.

Being no further comments from the public, Chairman MacQueen asked the board for their comments on the proposed amendments to the ordinance. Mr. Piasecki wanted to know the regulations are for power plants and power storage. Mr. Piasecki expressed concern with the C1 streams and rivers in the area for these facilities. Planner Bolan asked Engineer Risse if he remembered the site plan for the Solar Farm that was approved by the Zoning Board in the B2 zone and asked what the ancillary infrastructure was beside the panel. Engineer Risse said it was the invertors, the analog digital convertors that shot it up into the grid. They were metal boxes mounted on concrete pads, convert DC into AC. Engineer Risse said if Garden Solar who had gotten approval from the Zoning Board if they decide they want the battery credits they will need to come back before the Zoning Board for approval since it was not part of their original approval. Planner Bolan said in the industrial zone what really controls the mass on the site is impervious coverage. This can not be an effective control with solar panels if you are only counting the posts as impervious coverage. In the industrial zone we have 40% impervious coverage limit. These setbacks with a 15 acre lot, the minimum amount of area that you would have to work with on a lot is 50%. It is more liberal than the 40% impervious coverage that is permitted in the I5 zone.

Mr. Weiler asked about the proposed setbacks. Planner Bolan said they are proportioned to size and lot configuration. Planner Bolan explained the configuration with the setbacks. Mr. Schmidt did not agree with Mr. McCrone suggestion using 50' for setbacks. It needs to be more than the 50' along with more landscaping. Mr. Rich said that the setbacks are important, but that he needs to study and learn more about this. Mr. Rich referred to the J&J facility on Route 202 and was shocked at what he saw. Also, how would this look when you enter the township. Ms. Bleck thanked Planner Bolan for giving us a formula for the setbacks that he proposed. Ms. Bleck mentioned the use of batteries and felt we needed more information before making a decision. Mr. Weiler agreed in that we need more information. Chairman MacQueen agreed with Mr. Rich and Mr. Piasecki regarding the setbacks. The ground mounted panels are more pleasing to the eye. You can landscape and hide them better. Chairman MacQueen said he would like some Solar people to come in and talk to the board. The board during their discussion mentioned other locations that have the ground mounted solar panels. Chairman MacQueen stated that we need more information before going forward. Mr. Piasecki said we need to know more about battery storage, maximum lot coverage/disturbance. Mr. Rich referred to a bank of solar panels in a residential zone here in the township. Mr. Rich asked Planner Bolan if it conformed to our solar ordinance for residential. Planner Bolan said yes, he thought so.

Chairman MacQueen noted the Wood Burning Furnaces are not on the agenda. This item will be on the next agenda for discussion.

After a brief discussion, motion by Mr. Rich and seconded by Mr. Schmidt to cancel the July 5th Regular Meeting of the Planning Board. Unanimously approved. The next meeting is scheduled for July 19, 2011 at 7:00 p.m.

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PRESENTATION OF BILLS & REPORT:

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|-----------------------|-------------------|
| a. John Gallina, Esq. | \$ 455.00 |
| b. Michael Bolan, PP | \$3,739.00 |
| Total: | \$3,938.40 |

Ms. Glashoff referred to the Agenda Addendum with additional bills from Engineer Risse totally \$597.50. This brings the grand total to \$4,535.90. Motion by Mr. Weiler and seconded by Ms. Bleck to approve the bills as amended. Unanimously approved.

Since all items that pertain to the Alternative Energy Ordinance will be on the July 19th, the Board decided if the Cell Tower applicant is present, the board will stop at a specific time in order to discuss the ordinance.

CORRESPONDENCE:

Mr. Piazza asked to address the board at this time. Back in January it was noted there were two openings for Alternate positions on the Planning Board. Mr. Piazza said he has two applications for those positions and went over the applications at this time with the board. Both gentlemen are present this evening. Chairman MacQueen noted there is no room for any additional people to sit at the board, plus the board does not have a problem having a quorum. Chairman MacQueen agreed that both these gentlemen would be an asset to the board. Mr. Rich who had been chairman for many years said we went from a 7 member with 2 alternates to a 9 member board. Mr. Rich said he likes both gentlemen and agreed they would be an asset, but there is no room to add additional members and since we have 9 regular members we are not in need at this time for additional members. Mr. Piazza said until there is a need, they won't advertise for additional members for the Planning Board.

Being no further business to come before the board nor comments from the public, motion by Ms. Bleck and seconded by Mr. Piasecki to adjourn the meeting at 8:20 p.m. Unanimously approved.

CHAIRMAN GARY MACQUEEN

GAIL W. GLASHOFF, PLANNING BOARD CLERK