

**WOOLWICH TOWNSHIP JOINT LAND USE BOARD
REGULAR BUSINESS MEETING
MARCH 1ST, 2018
MINUTES**

Chairman Maugeri called the meeting to order at 7:00 pm.

Adequate notice of this meeting had been provided in accordance with the Open Public Meetings Act.

Chairman Maugeri led all present in the Pledge of Allegiance.

Roll call of JLUB members present:

Matt Blake – Absent, John Casella – Present, Dave Glanfield – Present, Mike Iskander – Absent, John Juliano – Present, Chairman Maugeri – Present, Sue O’Donnell – Absent, Deputy Mayor Carleton – Absent, Beth Sawyer – Present, Bob Rushton – Present, Mayor Schlump – Present.

Also present: Mike Aimino – Solicitor, Tim Kernan – Planner, Matt Baldino – Engineer

Next are the minutes from the Re-organization and Regular Meeting of January 18th, 2018. Bob Rushton made a motion to approve the minutes as written and was seconded by John Juliano. All were in favor.

New business of John Schenck requesting bulk variance approvals for a solar ground mount. Property located at 391 Asbury Station Road, designated as block 20, Lot 1.02.

Mayor Schlump recused himself.

Mike Aimino made the applicant aware that since the matter consists of solely a zoning issue, the Board configured into a Zoning Board. With respect to that, we had 6 of the 7 members of the Zoning Board. Mike Aimino informed the applicant they have the right to postpone until we have a full 7 member Board.

The applicant agreed to proceed.

Mike Aimino swore in Zachary Logan and Abiola Adeseko from Solar States.

Mr. Logan started by stating they are looking to place a solar ground mount in the left corner of John’s backyard. By doing so, the ground mount would encroach in both the side and rear yard setbacks. Mr. Logan added that John’s property is less than one acre; therefore, they will be seeking a variance to allow the ground mount on a lot that is .77 acres. In addition, the system is 880 square feet, exceeding the 800 square foot limit. Mr. Logan stated that the height of the ground mount is 10 feet, which is in conformance with the 10 foot height limit.

Chairman Maugeri asked what the gray square was below the proposed mount location on the aerial photograph.

Mr. Logan responded it is John's garden and he will be moving that towards the middle of the yard.

Chairman Maugeri asked why can't you move the ground mount a little further in and a little further forward.

Mr. Logan stated the proposed location is less intrusive on John's backyard, his kids playset is there, and that the more they move the ground mount into the suggested area, the visibility becomes much stronger for John's neighbor.

Chairman Maugeri added this is the reason we don't allow ground mounts on properties less than one acre. They are less rural in character and your neighbors are closer to you. Chairman Maugeri continued, asking why it couldn't be moved closer to the garden and toward the house more.

Mr. Logan responded on John's property is there is a really strong growth of trees right next to the neighbor that the array is pointing to. The closer we move the array to the trees; it gets significantly impacted to where it doesn't make financial sense to do this type of investment. Mr. Logan added the way the sun moves across his property, the array needs to point South, and the closer we move the array to those trees, it is going to have a greater impact. The other thing that John is willing to do to make this completely concealed is plant new hedges to provide a plant buffer. Continuing, Mr. Logan stated they wanted to find a specific location to maximize generation while keeping it hidden and secluded so it does not affect the rest of his neighbors.

Chairman Maugeri stated if it was not affecting the rest of the neighborhood you wouldn't need a variance.

Chairman Maugeri asked if the reason he can't move it forward is because it would be in the shade too many hours of the day.

Mr. Logan responded yes.

John Schenck was sworn in.

John stated that one of the reasons they need to do the ground mount is because his roofline does not provide enough sunlight during the day to make it feasible to do it. John continued stating his back property line is a field that never passed a perk test; therefore it will never be developed. For the neighbor to the left, John stated he will be putting in a plant buffer that will be maintained at 15 feet.

John Juliano asked Mr. Schenck to point out on the aerial photo where on the roof it does not work because there are some open spots.

Mr. Schenck explained that the one portion of his roof that gets the proper exposure has minimal square footage and the space would not allow the required number of panels.

John Julian clarified it is not necessarily the shade, it's the space.

John Schenck responded it's both.

Mr. Logan added when you think about a winter solstice and a summer solstice; winter solstice, the sun sits lower on the horizon and in the summer it sits higher. The Majority of the year there is little to no great impact. John's sun exposer on most of those roof surfaces was about 40%. On a standard home we look for at least 80% on our threshold minimum. As a company we don't sell anything below a 65%-70% threshold. Since John hit such a low sun score, that yielded the ground mount discussion.

Mr. Logan continued by pointing out two very large trees and explaining that they shade the rooftops that the panels would go on. During the spring, summer, and winter the sun is not sitting high enough in the horizon for it to surpass the height of the trees.

Bob Rushton asked for clarification as to why the ground mount is getting tucked into more trees.

Mr. Logan stated that is why it is going so far to the left, to avoid shade.

Bob Rushton stated that it could go in the center of the yard to avoid shade and variances.

Mr. Schenck stated that one of thing things the aerial photograph does not show is the septic system. He explained that if the ground mount is moved forward it would be directly next to the septic system making his yard unusable.

Mr. Logan stated another thing to note is that the farmer leaves a thick buffer between the farmland behind his home and his property line.

Mr. Schenck added the neighbor that he is adding the plant buffer for, he had already spoken to. He went over the entire system with him and he is not here to oppose and that he is happy with the buffer Mr. Schenck will be providing.

Chairman Maugeri asked if there is any kind of combination of roof mount and ground mount panels that would negate the need for some of the variances.

Mr. Schenck asked to discuss something with Mr. Logan.

Chairman Maugeri called for a 5 minute recess at 7:30 PM

Chairman Maugeri called the meeting back in session at 7:36 PM

John Juliano asked Tim Kernan if the land behind Mr. Schenck's property is still R-2.

Tim Kernan verified it is R-2.

Bob Rushton stated that could be homes someday.

Mr. Schenck stated that in 2006 that land was dug for a perk test in 4 different spots and none of them passed.

Beth Sawyer asked if they are leasing or buying the solar.

Mr. Schenck responded that he is buying it.

Dave Glanfield asked what are the typical kilowatts for a house of that size.

Mr. Schenck stated that his usage is 20,000.

Beth Sawyer asked what the square footage is over Mr. Schencks house.

Mr. Schenck responded 2,000 square feet.

Chairman Maugeri asked if they came up with anything regarding splitting the system into rooftop and ground mount.

Mr. Adeseke went over some of the issues involved in splitting the systems including combining the panels and efficiency.

Beth Sawyer asked what the amount of SREC generated by this system for the year.

Mr. Logan responded about 16.8 SREC per year.

Beth Sawyer stated that the average kilowatt system for a house that size is usually only 8 kilowatts. Ms. Sawyer asked what the reason is for Mr. Schenck doing double the size.

Mr. Schenck responded that they do a lot of entertaining.

Beth Sawyer asked if he has a swimming pool.

Mr. Schenck responded no but he has a large hot tub.

Beth Sawyer repeated that she sold a house that has a pool, hot tub, finished basement, all the bells and whistles and it's an 8 kilowatt system. She continued even 3,000 square foot homes only use 10 kilowatts. Beth explained she understands he probably wants the money for selling it back, however it seems a little too large for that size house.

Mr. Schenck responded he is not installing the system to sell SREC; he is installing the system to cover his electric bill.

Chairman Maugeri stated that you are not allowed to produce more than what your annual usage is. They don't allow you to generate more than you actually use.

Bob Rushton asked if they have submitted to Atlantic City Electric.

Mr. Logan clarified they have not applied for interconnection because they wanted to first get the variance approval.

Chairman Maugeri asked if it is possible that this is oversized.

Mr. Logan used an example of another ground mount that they installed in PA that did not require any transformer upgrades.

Dave Glanfield asked if the design had to be rectangular in nature, or can it be changed so it's more of a triangle that can fit into the corner of the property better.

Mr. Logan responded it will have to be rectangular.

Dave Glanfield went into detail about the possibilities of a different shaped mount to eliminate the need for variances with Mr. Logan.

Chairman Maugeri called for another 5 minute recess at 7:51 PM.

Chairman Maugeri called the meeting back in session at 7:57 PM.

John Casella made a motion to open the meeting to the public which was seconded by John Juliano. All were in favor.

With no comment from the public, John Casella made a motion to close the meeting to the public which was seconded by John Juliano. All were in favor.

Mike Aimino stated he understands that the applicant may be seeking a continuance of the hearing to take a further look at the issues that have been raised.

John Schenck stated that is correct.

Mike Aimino addressed the Board stating the applicant would like to take another look at the solar array in light of the comments that have been made and come back to the next meeting.

Mike Aimino clarified the applicant would be willing to waive all statutory time periods by which the Board has to make those determinations.

John Schenck stated that is correct.

Mike Aimino asked if it is John's request to continue to the next meeting.

John Schenck stated yes.

John Casella made a motion to grant a continuance which was seconded by Dave Glanfield.

Roll call was as follows:

Bob Rushton – Yes, John Casella – Yes, John Juliano – Yes, Dave Glanfield – Yes, Beth Sawyer – Yes, Chairman Maugeri – Yes.

Mike Aimino stated for the record the applicant will not be required to re-notice. The matter will be continued to the next meeting which is March 15th at 7:00 PM.

Mayor Schlump rejoined at 8.01 PM.

Next on the agenda was Summit Ventures, LLC with an amendment to the final approved plan of Villages II Section I. – The Ridings.

Beth Sawyer recused herself.

Larry Ragone with Summit Ventures and Paul Witthohn with Consulting Engineer Services were sworn in.

Mike Aimino raised the issue of no attorney being present.

Mr. Ragone stated that they did not come before the Board tonight with an application.

Mike Aimino asked if they are seeking any kind of decision from the Board.

Mr. Ragone stated they are asking that the Board gratify that they make their change administratively and not have to come before the Board as a formal application. There are no planning changes, just grading changes.

Tim Kernan stated the sectioning is changing because of the grading changes. Basin B is proposed to not be constructed in this phase, but to be constructed in a later phase. There is only going to be a small temporary basin built in this first phase.

Tim Kernan confirmed it is really a grading and drainage exercise.

Mike Aimino stated it is up to the Board to allow to two professionals to take action and not the Board.

Chairman Maugeri stated one of the reasons they are there is because he is not a fan of administrative approvals in terms of him making decisions unilaterally. Given the scale of this proposed administrative request, he wanted to bring it before the Board and discuss it.

Chairman Maugeri continued with that being said he does not think it is a full application by any means. It is just grading.

Chairman Maugeri stated that he is okay if they proceed without an attorney and entertained a motion to let the applicant proceed without legal representation.

Bob Rushton made a motion to allow the applicant to proceed without legal representation to discuss the minor amendment which was seconded by Dave Glanfield. All were in favor.

Larry Ragone continued while referring to his plans, nothing changes between the two except for the grading which now allows the storm water to move into another area of the site and eliminating the need to build a certain basin at this point.

Chairman Maugeri asked Mr. Ragone to explain the basin again.

Mr. Ragone continued under the original design the storm water was going in a different direction which required that basin. When the site was regraded, it changed the flow of the storm water eliminating the need to for the big basin at this point. The basin still gets built in another section. However it does not need to get built with the 31 lots.

Chairman Maugeri asked where the water is going to go now.

Paul Witthohn further explained the flow of the water and functionality while referencing his plan.

Mayor Schlump asked if the undeveloped area to the left will utilize the same basin once that land is developed.

Mr. Ragone answered right.

Mayor Schlump asked if the size of that basin large enough to cover the 31 homes and the homes to be developed.

Mr. Witthohn answered yes.

Tim Kernan briefly reviewed his letter.

Matt Baldino made one comment regarding a storm manhole that the applicant has agreed to adjust.

Tim Kernan stated it was previously talked about with the applicant to put in a bike path along Auburn Road.

Mr. Ragone agreed stating they are looking to fill in the gaps and finish the bike area all the through the Weatherby development.

Tim Kernan stated there was a waiver to not put the path along Auburn Road and now the request is to undo that waiver.

Chairman Maugeri asked Mr. Ragone if he agrees to that.

Mr. Ragone answered yes.

Chairman Maugeri stated the applicant is seeking administrative approval and we would request, if there was a motion granted, that the applicant work with the professionals to carry out what was testified and discussed tonight.

Bob Rushton made a motion to allow the applicant to work with our professionals to continue with the proposed amendment as an administrative change. John Casella seconded.

Roll call was as follows:

Bob Rushton – Yes, John Casella – Yes, John Juliano – Yes, Mayor Schlump – Yes, Dave Glanfield – Yes, Chairman Maugeri – Yes.

Beth Sawyer rejoined at 8:23 PM.

Next on the agenda were discussion items.

The first item was sign variance versus bulk variance fees. The Board decided that “sign variance” falls under “bulk and/or other” variances on the JLUB checklist and should not have two different application and escrow fees.

John Casella made a motion to recommend to Township Committee that “sign variance” be eliminated from the JLUB fee schedule. Seconded by Beth Sawyer.

Roll call was as follows:

Bob Rushton – Yes, John Casella – Yes, John Juliano – Yes, Mayor Schlump – Yes, Dave Glanfield – Yes, Beth Sawyer – Yes, Chairman Maugeri – Yes.

Next discussion item was the Findings and Conclusions of the Zoning Board of Adjustment Report.

John Juliano made a motion to recommend the report to Township Committee and after review, do not have any changes at this time. Seconded by Dave Glanfield.

Roll call was as follows:

Bob Rushton – Yes, John Casella – Yes, John Juliano – Yes, Dave Glanfield – Yes, Beth Sawyer – Yes, Chairman Maugeri – Yes.

The next discussion item was JLUB checklist adjustment of Environmental Site Assessment and soil testing, Item #9.

Builders League of South Jersey Vs. Township of Woolwich - ESA ordinance No. 2005-26 was repealed on July 20th, 2009 by ordinance No. 2009-12.

John Juliano made a motion that due to the fact that ordinance No. 2005-26 was repealed, the JLUB secretary removes item #9 from the checklist. Seconded by Bob Rushton. All were in favor.

The final discussion item was the difference between home and professional home occupations.

Chairman Maugeri asked Tim what the crutch of the argument is.

Tim responded signage that may or may not be permitted.

Tim Kernan reviewed the definitions of each.

The Board members and Tim had a lengthy discussion and decided the best way to handle this is to remove ordinance 203-60J.

Bob Rushton made a motion to recommend to Township Committee that 203-60J is removed from the zoning code. Seconded by Beth Sawyer. All were in favor.

John Casella raised the issue of the Wolfon's signs along 322 and if there was a time restraint on the approval.

The Board members agreed and they believe it is past the time period.

Chairman Maugeri asked the JLUB secretary to review the resolution in which the approval was granted.

With nothing further to discuss John Casella made a motion to adjourn which was seconded by John Juliano. All were in favor.

The JLUB meeting adjourned at 9:04 PM

Respectfully Submitted,

Julie Iacovelli

Joint Land Use Secretary

Minutes not verbatim

Audio recording on file