

**Township of Lumberton
Land Development Board
Regular Meeting
July 18, 2012**

The regular meeting of the Lumberton Township Land Development Board was called to order by Acting Chairman Pagenkopf on Wednesday, July 18, 2012 at 7:30 p.m.

Acting Chairman Pagenkopf read the following statement:

In compliance with the Open Public Meetings Act, this is to announce that adequate notice of this meeting was provided in the following manner:

On January 4, 2012 advance written notice of this meeting was posted on the bulletin board in the main lobby in the Town Hall; was mailed to the Burlington County Times and the Courier Post; was filed with the Clerk of Lumberton Township and was mailed to all persons who requested and paid for such notice.

Please note that unless otherwise modified by Resolution of the Land Development Board, all meetings shall begin at 7:30 p.m. and no new matter shall be initiated after 11:00 p.m., except where the Land Development Board, by majority vote of those present, shall specifically authorize the extension of the meeting beyond 11:00 p.m.

Those testifying before the Board on any application are required to be sworn in. The Board's Engineer and Planning Consultant have taken an oath upon their agreement and their testimony on an application is under oath on a continuing basis.

Roll Call

Citizen Member

Robert Bennett, Absent
Nancy Bleznak
Sheldon Evans
Beverly Marinelli, Absent
Robert Morton
John Pagenkopf

Representatives of Governing Body

James Conway, Jr.
Sean Earlen

Alternate #1

Alternate #2

Alternate #3

Alternate #4

Edward Borm

Mr. Tynon, Absent

Solicitor

Consulting Engineer

Consulting Planner

Mark Roselli, Esq.

William Long, PE

Alaimo Group

Joseph Augustyn, PP, AICP, Absent

Kevin Rijs, PP, Absent

Minutes

Meeting minutes for Regular Meeting June 20, 2012

Motion was made by Mr. Morton to approve the minutes for June 20, 2012, seconded by Mr. Evans. The vote was affirmative and the motion carried.

Correspondence

Resolutions

Items for Action

- a. Jasionowski, Andres**
33 Bridge Road
Block 40, Lot 13
Zone RA/S

Chairman Pagenkopf stated that the applicant was before the board for a bulk variance for ground mounted solar panels. Mr. and Mrs. Jasionowski were sworn in to provide testimony along with a representative from Rec Solar, Inc..

The applicant explained that the decision to have ground mounted solar panels instead of roof mounted was because of the angle that would be required for the panels could not be met if they placed them on the roof.

Chairman Pagenkopf asked about the surrounding area, Mrs. Jasionowski testified that the property has 25' pine trees that buffer the property.

Testimony was provided in regards to the benefits of alternative energy describing the benefits that would out way any negative criteria.

Mr. Long reviewed with the applicant his review letter dated May 10, 2012. All outstanding items were satisfactorily addressed.

Chairman Pagenkopf asked if anyone from the public had any questions, there being none. He asked for a motion from the board.

Motion was made by Mr. Morton to approve, seconded by Mr. Conway for Bulk Variance for placement of ground mounted Solar Panels. The vote was affirmative and the motion carried.

- b. MUA**
26 Maple Ave
Block 60, Lot 2
Block: 13, Lot(s): 2.02, 2.04, 2.05 & 2.06
Zone I-1

Chairman Pagenkopf stated that the applicant was before the board for a bulk variance for ground mounted solar panels. Chairman Pagenkopf announced at 7:53 PM, Mr. Conway and Mr. Earlen stepped down. Also, Mr. Long from Alamino Group stepped down and Mr. Taylor from CME Associates will represent the LDB for engineering concerns.

Chairman Pagenkopf informed the applicant that at this time we have five voting members present and the applicant will require all five affirmative votes to grant a Use Variance. Mr. Norman attorney for applicant stated that he will like to take a moment to discuss this with his client.

Mr. Norman announced that his client would like to proceed, although if it appears that the members will not vote favorably that at the time he would the opportunity to request a continuance. Mr. Roselli informed the board that is a reasonably request.

Chairman Pagenkopf asked if this application can be deemed complete, Mr. Taylor stated that the applicant has requested the following waivers, Environmental Impact Statement, Community and Contours (TOPO), Mr. Taylor stated that he has no objection to granting the waivers. Chairman Pagenkopf asked the board for a motion to deem the application complete with waivers.

A motion was made by Mr. Evans to deem the application complete with waivers, seconded by Mr. Morton. The vote was affirmative and the motion carried.

Applicant presented a site plan dated February 2, 2012 and was marked as A-1, which outlines the applicants proposal for grounded mounted solar array. The applicant also presented the board with an aerial photograph of the site which was marked as A-2.

Mr. Keenan, engineer for the applicant, stated that they are seeking a Use Variance and a Bulk Variance for the installation of a ground mounted solar system.

Mr. Keenan stated that the site currently consists of two one story buildings and three above ground clarifier tanks with various pipes. They are proposing to construct ground mounted solar panel arrays which will occupy approximately 3.9 acres of the existing 12.9 acres site.

Mr. Bour, professional planner for the applicant was sworn in to provide testimony. Mr. Bour stated that is a licensed professional engineer by the State of New Jersey, Chairman Pagenkopf stated that the board will consider Mr. Bour a expert. Mr. Bour stated that the solar panels will require a use variance since accessory uses are not permitted within the I-2 Zone. Mr. Bour stated that the site is suited for this type of use since it is within the I-2 Zone which is industrial and will have minimal impact to the surrounding properties. It has been determine that Solar Panels are a good source for alternative energy. A bulk variance will also be required for the setback required for accessory buildings from the street line, 60 feet is required and 40.5 is proposed.

Mr. Dunn, director for the MUA was sworn in to provide testimony. Mr. Dunn addressed the boards concerns in regards to the existing buffering and what is proposed. After several concerns were raised by the board in relation to the existing elevations of the surrounding properties and the buffering that was proposed by the applicant it was determined that the board engineer would meet with the applicants engineer to address the need for buffering using plantings and fencing with vinyl slats from the surrounding properties.

At this time Chairman Pagenkopf opened the meeting up for public comment. There being none this portion of the meeting was closed.

A motion was made by Mr. Morton to approve the applicant for a Use Variance with a Bulk Variance for setbacks for an accessory structure, seconded by Ms. Bleznak. The vote was affirmative and the motion carried.

Old Business

Public Comment

Comments from Professionals

There was none.

Comments from the Board

- a. Bill List

A motion was made by Mr. Evans, seconded by Mr. Conway to approve the bill list for May. The vote was affirmative and the motion carried.

Adjournment

At 8:56 p.m. a motion was made by Mr. Evans, seconded by Mr. Morton to adjourn. The vote was unanimous and the motion carried.

Respectfully submitted,

Catherine A. Borstad
Land Development Board Secretary