

**MINUTES
BUENA VISTA TOWNSHIP
PLANNING/ZONING BOARD
FEBRUARY 19, 2015**

The Regular meeting of the Buena Vista Township Planning/Zoning Board was held on February 19, 2015.

Chairman Michael Bylone called the meeting to order at 7:33 p.m.

Chairman Michael Bylone stated the following announcement:

On January 20, 2015, Notice of this meeting was mailed to *The Daily Journal & The Press* and duly posted in the Main Lobby of the Municipal Complex. All requirements of the Open Public Meetings Act have been met in compliance with the Sunshine Law.

Chairman Michael Bylone led the flag salute.

Board Secretary Lisa Tilton performed Roll Call:

The following members were present: Akers, Babel, Bylone, Chiarello, Kelly, Monfredo Sr., O'Connell, Rohs, Rovani Sr., Seelman & Turner

The following members arrived late at 7:51 p.m.: Bracaliello

The following members were absent: Merighi

Approval of Minutes: Minutes from January 15, 2015 were moved to the Meeting in March for approval.

Approval of Bill List from February 19, 2015:

On a motion by Kelly, seconded by Rovani:

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Chiarello, Kelly, Monfredo Sr., O'Connell, Rohs, Rovani Sr., Seelman & Turner

Approval of Decision & Resolutions: None

Motion to Approve: None

Zoning Applications:

Zoning Completeness:

#01-2015 Inspira Health Network

Prelim & Final Major Site Plan / "C" Variances

B. 4001, L 48

On a motion by Akers, seconded by Monfredo Sr. the application was deemed complete:

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Chiarello, Kelly, Monfredo Sr., O'Connell, Rohs, Rovani Sr., Seelman & Turner

#02-2015 Michael Levari

Bulk & Height Variance / Use

B. 6101, L 11

On a motion by Monfredo Sr., seconded by Akers the application was deemed complete:

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Chiarello, Kelly, Monfredo Sr., O'Connell, Rohs, Rovani Sr., Seelman & Turner

Hearing Applications:

App# 02-2015, Michael Levari

Start Time: 7:40 p.m., End Time: 7:48 p.m.

Bulk & Height Variances

Block (s) 6101 Lot (s) 11

Applicant Attorney: Mr. Terry Bennett

The applicant is seeking an addition of 40x40, 1,600 square feet addition. Conditional use variance, bulk & height variance are required. Board previously approved a 40x120 building.

There was no public comment.

On a motion by Monfredo Sr., seconded by Akers the application was approved:

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Monfredo Sr., O'Connell, Rohs, Rovani Sr., Seelman, and Turner

Board Member Rick Bracaliello arrived at 7:51 p.m.

App# 01-2015, 761 S. Harding Highway LLC / Inspira Health Network

Start Time: 7:49 p.m., End Time: 8:22 p.m.

Prelim & Final Major Site Plan / C Variances

Block (s) 4001 Lot (s) 48

Applicant Attorney: Michael Albano, Esq.

Applicant Engineer: Brian Cleary

The applicant presented the application to the Board.

Minimum lot area is 2.5 acres; the parcel is an existing non-conforming lot. Rear yard setback required is 25-feet; the trash enclosure is proposed to be 9.3 feet from the rear property line. Rear yard setback variance is required. Variance is required for landscape buffering. Design waiver is required for parking spaces. Design waiver for off-street loading area is required, and a design waiver for paving is required.

The site is formally known as the Buena Tavern. Site contains .91 acres and is located in the PT Pinelands Town zoning district.

LED lighting fixtures are proposed on the site. All lighting will meet land use requirements. Impervious coverage will decrease from 95.9% to 52.6%. Proposed drainage calculations indicate a reduction in storm water run-off without the need for a dedicated retention / infiltration basin. Run-off is proposed by a pipe to the storm water system within Route 40.

Variance relief for three wall signs is requested by the applicant. Applicant stated they will meet the requirements of the Planner's landscaping requirements. The interconnection at the rear of the property will be removed between the site and Railroad Drive.

The applicant stated the hours of operation shall be 8am to 6pm, Monday – Friday with Saturday having modified hours. There is estimated to have 15-18 employees on site. Trash pick-up will be during off-hours once per week. The applicant provided architectural plans to Board. All utilities will be underground.

Board Engineer David Scheidegg presented his report to the Board. Applicant agreed with the Engineers report.

Board Planner Tiffany Cuvillo presented her report to the Board. Applicant agreed with the Planners report.

There was no public comment.

On a motion by Monfredo Sr., seconded by Kelly the application was approved:

Roll Call Vote: **Ayes:** Akers, Babel, Bracaliello, Bylone, Chiarello, Kelly, Monfredo Sr., O'Connell, Rohs, Rovani Sr., Seelman, and Turner

The Board took a break at 8:22 p.m. and returned to open session 8:28 p.m.

Board Members Mayor Chuck Chiarello, Deputy Mayor Teresa Kelly, Rick Bracaliello, and Fred Rohs abstained from the application for Cedar Branch Solar LLC.

Zoning Hearing(s):

Start Time: 8:28 p.m., End Time: 10:06 p.m.

App# 08-2014

Prelim & Final Major Site Plan / Use Variance / "C" Variances

B. 7402, L 6 & 7

Applicant: Cedar Branch Solar LLC

Exhibits:

A-1 Aerial Photo – Site and Surrounding Area

A-2 Aerial Photo with Site Plan Superimposed

A-3 As Filed Site Plan

A-4 Three Photos of Solar Equipment

A-5 Buffer Cross Section

A-6 Site Plan with Revised Buffer

A-7 Buffer Site Plan Detailing Setbacks

A-8 Photo Composite of Buffer from Vine Road

A-9 Photo Composite of Buffer from Lot 8

A-10 Photo Composite of Buffer from Lot 9

A-11 Photo of Layland Cypress Buffer from Farm

The applicant is represented by Stephen R. Nehmad, Esq., of Nehamd, Perillo & Davis.

Applicant Engineer is James Mellett, PE of Churchill Engineers

Applicant Planner / Engineer is Gary White, PP, PR of Churchill Engineers

Applicant professional Dr. Thomas Tuffey

Applicant Electrical Engineer Steve Hazel with Community Energy

Application was continued from the January 15, 2015 meeting. Stephen Nehmad, Esq., Applicant's Attorney gave a brief description of the project.

Chairman Bylone continued the public portion of the application.

Public Comment:

- Ann Marie stated she agreed the project was a good idea, however requested the panels be moved back.
- Krista Mazzoni stated she supports the application
- Greg Mazzoni stated he has lived on Vine Road for 39-years and supports the application
- Eric Mazzoni stated he was the son of the applicant and had lived on Vine Road for 20-years and supports the application.
- Mary Motter stated the project was good for the environment and was in favor of the application.
- Charles Muzzarelli stated he has a farm on the backside of the solar farm property and requested information on who to contact if there was a problem with the Solar Farm and stated he supported the application.
- Richard Garrison stated he had no concerns with the project and supported the application.
- Peter Sikking Jr. stated he owns the farm across the street and has solar panels on his farm. Stated he supported the application.
- Michael Sikking stated he owned the farm across the street and south of property. Trees proposed will block it currently.
- Susan Simpson stated the project was industrial in size. Master Plan is not consistent with the project.
- James Ott stated the project encompasses the whole back yard. Requested if applicant can setback the panels further from his property line. Presented Board Secretary with pictures showing where the storm water currently flows.

- John Rein stated he was concerned with the storm water run-off and may lose property value with the proposed project. Requested the property be reduced in size.

On a motion of Monfredo Sr., seconded by Akers, the public portion of the meeting was closed.

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Monfredo Sr., O'Connell, Rovani Sr., Seelman, and Turner

Stephen Nehmad, Esq., presented additional Exhibits to the Board.

A-6 Site Plan with Revised Buffer

A-7 Buffer Site Plan Detailing Setbacks

A-8 Photo Composite of Buffer from Vine Road

A-9 Photo Composite of Buffer from Lot 8

A-10 Photo Composite of Buffer from Lot 9

A-11 Photo of Layland Cypress Buffer from Farm

Applicant is proposing to increase the buffer to 160-feet with a three (3) foot berm on the west side of the property. Applicant is proposing a 95-foot set back with a (3) foot berm on the east side.

Stormwater calculations show a reduction for the 5-year, 10-year and 20-year storm.

Dr. Thomas Tuffy presented the Board with a Decommissioning Plan, and such plan will be shown on the final plans. The panels will be removed and the site restored to its original state.

Board Comments:

Board Engineer David Scheidegg questioned if the berm would be continuous with no breaks.

Board Planner Tiffany CuvIELlo stated she visited another site which had a solar farm and it limited to any noise being heard.

Chairman Michael Bylone questioned if the panels would be recycled after decommission.

Vice-Chairman Victor Rovani questioned where the panels come from and how many homes would the solar farm serve.

Board member Greg O'Connell questioned who the public would contact. Applicant will provide contact information as condition of approval.

Board member Kathleen Babel questioned who would be responsible if company files bankruptcy and the limit on the noise for construction.

Board member David Turner questioned who would maintain the facility.

Board member Tony Monfredo Sr. questioned if a Knox box would be installed on the gate for emergency access.

Second Session Public Comment:

- Krista Mazzoni thanked the Applicant for the revisions.
- James Ott questioned how far back the first tree would be from his property line and requested his view not be blocked.
- John Rein was okay with revisions.
- Susan Simpson thanked for the revisions but still believed the application was inconsistent with the Master Plan.

On a motion of Monfredo Sr., seconded by Akers, the second public portion of the meeting was closed.

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Monfredo Sr., O'Connell, Rovani Sr., Seelman, and Turner

Stephen Nehmad, Esq. presented a closing statement on behalf of the application for this application.

Board Solicitor Jim Schroeder, Esq., summarized the application.

On a motion of Akers, seconded by Monfredo Sr., the application for a Use Variance and Preliminary and Final Major Site Plan was approved.

Roll Call Vote: **Ayes:** Akers, Babel, Bylone, Monfredo Sr., O'Connell, Rovani Sr., Seelman, and Turner

Board Discussion: None

Public Comment: None

On a motion by Monfredo, seconded by O'Connell the meeting was adjourned at 10:08 p.m.

Respectfully submitted,

Lisa A. Tilton
Planning/Zoning Board Secretary