



MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD MEETING HELD JUNE 28, 2012

CALL THE MEETING TO ORDER: Chairman Kaminski called the meeting to order at 7:30 p.m. and read the following Statement of Compliance.

STATEMENT OF COMPLIANCE: Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

ROLL CALL:

Leslie Hamilton – Present
Carl Miller – Present
Robert Neubig – Present
Robert F. Schultz – Excused
William Hickerson – Present
James Homa – Present
Randy Roof – Present
Donald Trien – Present
Brian Kaminski – Present

OTHERS PRESENT: Robert P. Guerin, P.E., P.P.; Thomas J. Molica, Esq., P.P.; Carrine Piccolo-Kaufner, P.P., Deputy Manager

APPROVAL OF MINUTES: *Minutes of the Hardyston Township Planning Board Meeting Held May 24, 2012:* A motion to approve was made by Leslie Hamilton and seconded by James Homa. Roll Call: Leslie Hamilton – yes; Bob Neubig – yes; William Hickerson – yes; James Homa – yes; Randy Roof – yes; Donald Trien – yes; Brian Kaminski – yes. The motion carried.

RESOLUTIONS: PB-2-08-1b, **St. Jude the Apostle Parish, Preliminary and Final Site Plan, “C” Variance, Block 68 Lot 14:** Board members reviewed the resolution. There was no discussion. A motion to adopt the memorializing resolution was made by Leslie Hamilton and seconded by Randy Roof. Roll Call: Leslie Hamilton – yes; William Hickerson – yes; James Homa – yes; Randy Roof – yes; Donald Trien – yes; Brian Kaminski – yes. The motion carried.

CAPITAL IMPROVEMENT REVIEW: PBCAP-6-12-1, Sussex County Renewable Energy Program, Wheatsworth Road Facility, Block 62 Lot 34.07: Michael Beck, Esq., appeared on behalf of Sussex County and Power Partners. He provided an overview of the matter and explained a partnership between Sussex County and the Morris County Improvement Authority. He stated the County aggregated 35 solar projects at county, school, and municipal locations. He stated County bonds are used to fund the respective projects, and the County is able to secure solar installations at no cost to local units. He stated the local units receive the benefits of reduced electricity bills. He detailed fiscal aspects of the subject project stating the contract is with Sunlight General Capital, selected through a bidding process, for a 15-year term. He stated the County has made sure there are restoration funds available. He noted that the Hardyston Township Middle School will be included sometime in the future.

Joseph D. Hanrahan, P.E., was sworn, qualified, and accepted as an expert. He stated the property is 7.3 acres and contains the county facility. Mr. Hanrahan stated the proposed project is sized to provide 27% of the facilities energy usage. He explained the credits earned, and Mr. Beck confirmed that credits are not sold. Mr. Hanrahan stated the panels on the ground-mounted solar array, located at the northwestern corner of the property, would be tilted toward the sun; and the panels and inverter will be enclosed within an 8' high chain-link fence. He confirmed there are nine groupings of panels and an inverter that it is monitored remotely. He also confirmed there is no battery storage component.

Miss Hamilton asked where the County could put more parking. Mr. Hanrahan confirmed that the panels would not impact parking or the truck wash at the rear of the building. He noted the

panels would be pointing away from Wheatsworth Road and there would be no glare. Mr. Beck noted the County has a cleared area for parking.

Mr. Hanrahan presented that construction is expected to commence in August, and it is expected that the construction will take place over a two to three-week period. He stated box-wood shrubs could be utilized to screen the project.

Chairman Kaminski opened the meeting to the public. No members of the public addressed the Board. The meeting was closed to the public.

A motion to approve with a recommendation that shrubs be used to screen the project was made by Leslie Hamilton and seconded by Bob Neubig. Roll Call: Leslie Hamilton – yes; Carl Miller – yes; Bob Neubig – yes; William Hickerson – yes; James Homa – yes; Randy Roof – yes; Donald Trien – yes; Brian Kaminski – yes. The motion carried.

APPLICATIONS: PB-6-12-1, Crystal Springs Builders, LLC, Amended Preliminary and Final Site Plan, Greenhouses @ Village Center, Block 14 Lots 24.01, 24.02, 24.04: Bob Neubig recused. M. Richard Valenti, Esq., appeared on behalf of the Applicant. Mr. Molica confirmed that notice was adequate. Robert P. Guerin, P.E., P.P., provided an overview of the waiver requests and had no objections to the requests. A motion to grant the waivers was made by Carl Miller and seconded by Leslie Hamilton. Roll Call: Leslie Hamilton – yes; Carl Miller – yes; William Hickerson – yes; James Homa – yes; Randy Roof – yes; Donald Trien – yes; Brian Kaminski – yes. The motion carried.

Witnesses Thomas F. Graham, P.E., and Wendie Blanchard, NORWESCAP Program Director, were sworn. Thomas F. Graham, P.E., was accepted as an expert witness. He confirmed that no variances are requested. He stated the facility would not have signage or be opened to the public. Mr. Valenti added that the application is temporary in nature and is intended to be for a 5-year period of time. Mr. Valenti noted the intent is to develop the property in accordance with approvals previously granted by the Board. He stated the Applicant is proposing a temporary agricultural and educational use that fits in the CR Zone. He stated the lots are owned by common principals, and the Applicant agrees to provide parking.

Ms. Blanchard explained that the proposed facility would provide employment and training opportunities to disabled adults. She provided an overview of operations and stated the facility would provide fresh produce year round to Crystal Spring's restaurants. She confirmed the greenhouses would not be open to the public. Ms. Blanchard stated the hours of operation would be 10:00 a.m. to 2:00 p.m., Monday - Friday.

Thomas F. Graham, P.E., provided an overview of the project and reviewed Mr. Guerin's report dated June 20, 2012. He stated the adjoining facility would be immediately adjacent to the existing parking facility that services Cava Winery. He submitted a colored rendering of sheet two of three of the site plan titled *Village Center Green Houses* dated 6/4/12 and marked it as Exhibit A-1. He stated the greenhouses are 30' x 90' and would tie into the parking lot via a handicapped accessible sidewalk. Building materials and the hydrophobic system were discussed. Mr. Graham presented that the sidewalk is 6' wide and adequate for emergency services access.

With reference to drainage, Mr. Graham stated there is swale on the northerly side and between the buildings to direct stormwater. He stated he has resolved drainage issues with Mr. Guerin noting the project does not meet the criteria for a major development. He stated the water will be directed to drywell systems, and the project will not have an impact. He stated the soils are excellent and had no doubt about the ability of the property to handle the drywells.

With reference to utilities, Mr. Graham stated the greenhouses require 100 gallons of water per week, and they propose water and electric tie-ins to the Crystal Spring's office buildings. He confirmed that the health department has been contacted for input. Mr. Valenti stated the sanitary facilities at the adjoining properties would be made available.

With reference to parking, Mr. Graham stated the project was viewed as a wholesale facility for parking analysis purposes. He stated the creation of additional parking spaces is not required, and a handicapped space would be designated.

Mr. Valenti stated there is no residential facility in proximity to the greenhouses. Mr. Graham stated the use is an agricultural use and fit the setting. Board members discussed landscaping and agreed that additional landscaping would not be required.

Board members addressed abandonment concerns, and the Applicant agreed to remove the facility if it were abandoned for a one-year period.

Chairman Kaminski opened the meeting to the public. Ms. Peggy Kurlander was sworn. She identified the location of her home on the plan. She stated she has a problem with the dirt bikes and noise on the company's property. Board Attorney Molica noted that the issue was not within the Board's jurisdiction.

Ms. Kurlander also expressed concern about poles on the property. Dale Pierson, Crystal Springs Administrator of Development, was sworn. She stated the developer plans to relocate the equipment, which is a resort recreational amenity.

No other members of the public addressed the Board.

A motion to approve the application subject to the conditions noted below was made by Leslie Hamilton and seconded by Carl Miller. Roll Call: Leslie Hamilton – yes; Carl Miller – yes; William Hickerson – yes; James Homa – yes; Randy Roof – yes; Donald Trien – yes; Brian Kaminski – yes. The motion carried. The specific conditions of approval are those noted in Mr. Guerin's memorandum dated June 20, 2012; and the provision of a consent agreement for sanitary facility access at the Cava Winery and Crystal Springs Office Building; Department of Health review and approval; provision of an additional ADA parking spot closer to the greenhouses for a total of nine ADA parking spots; comply with standards for greenhouses when applying for a building permit; provision of an agreement to decommission/remove the facility or return to the Board if the site were abandoned for a minimum period of one year; provision that the obstacle course will be relocated where in conflict with the greenhouses; and the standard conditions.

The Applicant requested a waiver of the reading of the written resolution. A motion to grant said waiver was made by Leslie Hamilton and seconded by Carl Miller. All were in favor. The motion carried.

DISCUSSION: There was no discussion.

CORRESPONDENCE: There were no comments.

BILLS: A motion to recommend that the Hardyston Township Council pay the bills on the July 26, 2010 report was made by Leslie Hamilton and seconded by James Homa. Roll Call: Leslie Hamilton – yes; Carl Miller – yes; Bob Neubig – yes; William Hickerson – yes; James Homa – yes; Randy Roof – yes; Donald Trien – yes; Brian Kaminski – yes. The motion carried.

PUBLIC PARTICIPATION: The meeting was opened to the public. There were no participants. The meeting was closed to the public.

ADJOURNMENT: Having no further business, a motion to adjourn was made by Bob Neubig. All were in favor. The meeting was adjourned at 8:50 p.m.

Minutes respectfully submitted by:
/s/ Anne-Marie Wilhelm
Anne-Marie Wilhelm
Land Use Administrator