

## **CHESTERFIELD TOWNSHIP PLANNING BOARD**

July 13, 2010

As neither Chairman DeFelippis nor Vice Chairman Malison was present, a motion was made by Mr. Spence, seconded by Mr. Panfili to nominate Ms. Kelly as acting Chair person. All were in favor.

The meeting of the Chesterfield Township Planning Board was called to order by Ms. Kelly at 7:35PM. The Open Public Meetings Act statement was read and compliance noted.

Roll call was taken showing present: Donald Coover, Lawrence Durr, Brian Kelly (7:50), John Nunziato, Lido Panfili, F. Gerry Spence, Matthew Weismantel, John Nunziato. Professional staff present: Frederick Hardt, Solicitor; Nancy Jamanow, Engineer. Absent: Glenn McMahon, Joseph Malison, Brian Wilson, and Chairman DeFelippis.

### **MINUTES**

#### June 8, 2010 Meeting

A motion was made by Mr. Spence, seconded by Mr. Panfili, to approve the June 8, 2010 Regular Minutes. The vote was in the affirmative, with the exceptions of Ms. Kelly who abstained, motion carried.

### **INVITATION FOR PUBLIC TO SPEAK – Matters not on the Agenda**

Chairman DeFelippis opened the meeting for public comments. As there were no comments, the public portion of the meeting was closed.

### **PRESENTATION**

Justin Murphy the attorney for American Energy & Utility Consultants, Inc. Spoke to the Board informally regarding a Solar Farm Business Model. He informed the Board that it is a long term contract the project is for 30 years and that the structure is temporary. The company leases land from farmers and they do not purchase the land. They use a screw mount so that very little land is used, no trees are removed, no buildings are required and they stay away from water. The land remains an area for grazing. Frederick Hardt informed Mr. Murphy that the land is TDR preserved therefore is deed restricted and could only be used for agricultural purposes other than that a use various would be needed. Nancy Jamanow mentioned that in an Agricultural Zone it would be difficult to meet the positive criteria for conforming with the master plan. She also stated that a solar

farm is inheritably beneficial in a commercial or an industrial zone but not in an agricultural zone.

Roseanne Greenburg – asked the board if a clause could be put in changing the land back from to sending districted once the solar farm has completed its 30 year contract. Mr. Hardt said that this would tornado the TDR program.

On TDR preserved land the solar panels could only be used to generate power for Agricultural use. In other preserved lands, preserved by the County a use various could be applied for after approval from the County.

Mr. Durr asked Mr. Murphy in his opinion if this was not in a TDR zone how would this project be taxed. Mr. Murphy believes the state prohibits the taxing of these structures it would be the increase of the land value that would be recalculated, that would be based on the local tax assessor. At this point it is unknown.

## **RESOLUTIONS**

20-2010     New Cingular Wireless PCS, LLC: Block 103, Lot 21; 101 Hogback Road; Minor Site Plan and Conditional Use for the Installation of a Transport Dish Antenna in the Agricultural District approval.

A motion was made by Mr. Weismantel, second by Mr. Spence, to approve Resolution 20-2010. All were in favor, with the exception of Ms. Kelly, who abstained, motion carried.

## **DISCUSSION**

Ordinance 2010-10 Recycling: Nancy Jamanow, Engineer mentioned that this was before the board last month and she had asked that it be tabled till the July meeting so that she had time to review. Ms. Jamanow informed the board that the county drafted an ordinance for all Townships to follow. Her letter dated June 25, 2010 states that she has no comments and that it was her recommendation that it be adopted.

Mr. Hardt asked for a motion from the board. Mr. Spence made a motion to recommend to the Township Committee for the adoption of ordinance 2010-10, second by Mr. Panfili. All were in favor, with the exception of Mr. Durr and Mr. Kelly, who abstained, motion carried.

## **CORRESPONDENCE**

### Letter from ERI regarding Renaissance Boulevard

Ms. Jamanow reference her letter date June 4, 2010 regarding the concerns of the Planning Board of Saddle Way in Chesterfield Downs. She listed some suggestions that could be transmitted to the Developers so they may put them into their plans. The first would be to eliminate the center island this section is 160 feet long. The second would be the section around the open space parcel in the center of the development. She suggested that this be revised to include 20 feet wide travel way as apposed to 16 feet, an 8 feet wide plating strip as apposed to 10 feet and 3 feet grass strip as apposed to 5 feet. The last would be in the commercial area, it is suggested that this be revised to include the travel lanes be at 20 feet wide as apposed to 18 feet and an 8 foot wide planting strip as apposed to a 12 foot strip. Ms. Jamanow stated that the radius on both sides of the island are lined with cobble stones to allow any emergency vehicles to pass that she has not made any proposals to.

It was suggested that District 1 Fire Department should be sent the suggestions. Mr. Kelly suggested an aerial be done to which Ms. Jamanow agreed. It was stated that there is no parking on these streets other than in the commercial area. Where parking is allowed it is with in 20 feet.

A motion was made by Mr. Spence, seconded by Mr. Kelly to forward Ms. Jamanow recommendations to Saddle Way to Fire District 1 for their review. All were in favor, with the exception of Ms. Kelly, who abstained, motion carried.

Ms. Jamanow stated that she will include an aerial view along with a cover letter and she will ask for a response with in a certain date.

### Letter from Environmental Commission

Nancy Jamanow spoke with John Benton in regard to the letter that was written to the Board. Mr. Benton told her that he wrote the letter and he could not speak for everyone and that he does not have any problem with Clarke Caton Hintz. Nancy informed Mr. Benton that we had no control and that many of the issues have been addressed with the developers and that Chesterfield Green Phase 2 are just now getting to the punch list generated about a year ago. Mr. Kelly suggested that the Environment Committee meet with the planners to discuss these issues. Ms. Jamanow will contact Judy Buster and John Benton and set up a meeting on the site.

### **INVITATION FOR PUBLIC TO SPEAK**

Acting Chairwomen Kelly opened the meeting for public comment. As there were no comments, the public portion of the meeting was closed.

## **ADJOURNMENT**

There being no further business, a motion was made by Mr. Spence, seconded by Mr. Kelly, to adjourn. All were in favor, meeting adjourned @ 9:05.

Respectfully submitted,

Aggie Napoleon, Secretary