

Greenwich Township Land Use Board
MAY 13, 2015

The May 13, 2015 regular meeting of the Greenwich Township Land Use Board was called to order by Chairman Tom Bolger at 7:30 p.m.

Adequate notice of this meeting was sent to the Express Times and Star Ledger and posted on the municipal bulletin board.

Members present: Bruce Williams, Tim Gale, Frank Marchetta, Dan Detore, Deborah Pasquarelli (arrived at 7:43 p.m.), Tom Bolger, Frank Winters, Elaine Emiliani (via phone), Peter Grenyo, Michael Black, Joseph Tauriello
Absent: Steve Babula, Cathie Cullen (excused)
Others present: Attorney Jon Drill, Engineer Michael Finelli, Planner Elizabeth McManus (arrived at 7:57 p.m.), Secretary Barbara Margolese

Minutes

April 8, 2105 Regular meeting

A motion was made by Mr. Gale to approve the Planning Board's April 8, 2015 regular meeting minutes, seconded by Mr. Black. A roll call vote was taken and the motion carried.

Ayes: Tim Gale, Dan Detore, Tom Bolger, Frank Winters, Frank Marchetta, Michael Black, Peter Grenyo Nays: None Abstentions: Bruce Williams, Joe Tauriello, Elaine Emiliani

RESOLUTIONS:

A. SANTINO & CHRISTINE SANTINI – Application No. 2015-02- Block 23, Lot 32 – 520 Main Street -Minor Subdivision with variances – Withdrawal of application - Resolution No. 2015-02

The Board reviewed the resolution. A motion was made by Mr. Williams, seconded by Mr. Gale to adopt the resolution as presented. A roll call vote was taken and the motion carried.

Ayes: Tom Bolger, Dan Detore, Bruce Williams, Frank Marchetta, Tim Gale, Elaine Emiliani, Joseph Tauriello, Frank Winters, Peter Grenyo, Michael Black Nays: None Abstentions: None

B. GREENWICH SOLAR, LLC – Application No. 2015-03 – Resolution No. 2015-03, Block 15, Lot 1 – Use Variance & Preliminary/Final Site Plan – Completeness waivers and delegation of completeness determination to the board engineering expert and board secretary

The Board reviewed the resolution. A motion was made by Mr. Gale, seconded by Mr. Black to adopt the resolution as presented. A roll call vote was taken and the motion carried.

Ayes: Tom Bolger, Dan Detore, Frank Marchetta, Tim Gale, Frank Winters, Peter Grenyo, Michael Black
Nays: None Abstentions: None

Mr. Tauriello, Ms. Emiliani, and Mr. Williams left the meeting at 7:38 p.m. because Mr. Tauriello and Mr. Emiliani could not vote on the remaining agenda items because of being Class I and Class III members and Mr. Williams recused himself because of a conflict of interest with the remainder of the agenda items.

NEW BUSINESS

A. GREENWICH SOLAR, LLC – Application No. 2015-03 – Block 15, Lot 1- Rt. 57 -RCD Zone Public Hearing - Use Variance & preliminary/Final Site Plan for the construction of an underground electrical line to service a proposed solar farm

The applicant's attorney, Mark Bellin introduced the project to the Board. Engineer Finelli recommended that the application be deemed complete. A motion was made by Mr. Detore, seconded by

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Mr. Marchetta to deem this application complete and proceed with the public hearing. A roll call vote was taken and the motion carried.

Ayes: Tom Bolger, Dan Detore, Frank Marchetta, Tim Gale, Frank Winters, Peter Grenyo, Michael Black
Nays: None Abstentions: None

Mr. Evan Hill, P.E., Mr. Andrew Janiw, Planner and Board engineer Michael Finelli were sworn-in. Mr. Hill referred to the submitted site plan and use variance for Block 15 lot 1 dated 4-7-15 with a revision date of 4-20-15. Mr. Hill told the Board that Block 15, Lot 1 is located on Route 57 and Richline Hill Road. He stated that the property has 31.5 Acres and is currently being farmed. He stated that the Greenwich Solar Farm site is adjacent to this lot and that this lot will be used to install an underground utility line which will connect to a meter pole. Ms. Pasquarelli arrived at 7:43 p.m.

Mr. Hill referred to Sheet 3 of 7 which shows a partial site plan. He stated that the switch gear is being moved to the back of the property and that it will be connected to the solar facility via an underground utility easement. He said that the utility easement will be 50 feet by 100 feet and will be located at the rear of the property. Mr. Hill stated that two electrical conduits will be installed and that a 12 inch diameter hole and a 10 inch diameter hole will be drilled for the conduits. He stated that an easement will be granted to JCP&L for access and maintenance. Mr. Hill stated that there will be a total of three utility poles installed. Planner Beth McManus arrived at 7:57 p.m. and was sworn-in.

Mr. Hill noted that he and Engineer Finelli went to the site and they have agreed to what needs to be done regarding the site plan. Ms. McManus asked about the proposed tree line. Mr. Hill stated that no new trees are to be planted; however, some trees will be cleared and that this will create a new tree line. The Board reviewed Engineer Finelli's 5-8-15 report. Mr. Hill noted that the applicant will increase the front yard setback to 40 feet and agrees to the having the yards along Route 57 and Richline Hill Road to be indicated on the plans and the yard along the Conrail, Morris and Essex Railroad to be indicated as a rear yard. Mr. Hill stated that the applicant will be dealing with the Warren County Planning Department with regard to the Morris Canal. Mr. Hill stated that on Sheet 2 of 7 the supposed location of the Morris Canal has been shown. Attorney mark Bellin stated that they went to the Warren County Planning Board and offered an easement for the Morris Canal once the project is terminated. Mr. Finelli noted that Greenwich Solar is also offering an easement for a path around the property. Mr. Grenyo noted that the driveway is somewhat hidden and that he recommends that a sign stating hidden driveway be installed to alert drivers. Mr. Hill stated that they could put up a sign if the Board requests it. Mr. Finelli stated that this sign should be placed south of the railroad bed for north bound traffic. Mr. Hill said he would work with Mr. Finelli on the sign location. Mr. Hill stated that the applicant agrees to comply with Mr. Finelli's comments from his report. He said that the applicant will enter into an ICA (Interconnection Construction Agreement) and that its submission can be a condition prior to receiving a construction permit.

The Board reviewed Ms. McManus's report. It was noted that she is not requiring any additional plantings. She noted that this use will not impact farmland as that use will continue. She did recommend that if a tree is killed during drilling that it be replaced. Mr. Hill stated that there will be a minimum of 24 inches of cover over the conduit. After a brief discussion, Mr. Bellin stated that the plans will stipulate that there will be no less than 36 inches of cover over both of the HDPE pipes and that the location of the pipes will be marked with red or yellow signs saying buried cable.

The applicant's planner, Andrew Janiw presented his testimony. He stated that this application is straightforward and that the connection to the solar facility makes this an inherently beneficial use, as defined in the Municipal Land Use Law's 40:55D-4 and 7. He said it meets the SICA enhanced standard of proof for a use variance as it addresses the four prong test of being related to a public interest, has a minimal negative impact, any negative impact can be reduced through conditions, and the positive criteria outweighs the negative criteria. Mr. Marchetta left the meeting at 9:00 p.m.

A motion was made by Mr. Gale, seconded by Mr. Winters to close the public hearing for Greenwich Solar, LLC. A roll call vote was taken and the motion carried.

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Ayes: Tom Bolger, Dan Detore, Tim Gale, Frank Winters, Peter Grenyo, Michael Black Nays: None
Abstentions: None

A motion was made by Mr. Gale, seconded by Mr. Winters to approve the D-1 variance and the preliminary/final site plan for Greenwich Solar, LLC with conditions as noted in during the testimony and in Engineer Finelli's 5-8-15 report.

A roll call vote was taken and the motion carried.

Ayes: Tom Bolger, Dan Detore, Tim Gale, Frank Winters, Peter Grenyo, Michael Black Nays: None
Abstentions: None

A motion was made by Ms. Pasquarelli, seconded by Mr. Marchetta to adjourn the meeting at 9:20 p.m.

Respectfully submitted,

Barbara J. Margolese, Secretary