

MONTGOMERY TOWNSHIP PLANNING BOARD
MONTGOMERY TOWNSHIP, SOMERSET COUNTY, NEW JERSEY
REGULAR MEETING
MARCH 5, 2012
7:30 pm

Chairman Some called the meeting to order at 7:30 p.m. and read the opening statement that adequate notice of the meeting had been posted and sent to the officially designated newspapers.

BOARD MEMBERS PRESENT: Chairman Some; Vice Chairman Matthews; Mr. Conforti; Ms. Davis; Ms. Dyer; Mr. Mason; Mayor Trzaska; Mr. E. Willson; Mr. T. Wilson; Mr. Glockler, Alternate No. 1, Mr. DeRochi, Alternate No. 2

ALSO PRESENT: Francis P. Linnus, Esq., Board Attorney; Jason Cline, Board Engineer; Cindy Coppola, Board Planner; Richard Bartolone, Landscape Architect; Ms. Savron, Secretary

I. PUBLIC COMMENT – 5 MINUTES PER PERSON

Chairman Some read the public comment statement. There was no public comment.

II. ADMINISTRATIVE BUSINESS

A. RESOLUTIONS

Case PB-05-03 Applicant: Handler Estates, LLC
Block 6001 Lot 8
Exportation of Soil

Richard Schatzman, Esquire represented the applicant. Mr. Willson noted the omission of a word in Number 7.

A motion to memorialize the resolution with the correction was made by Mr. DeRochi, which was seconded by Mr. Mason. This was carried on the following roll call vote:

Ayes: Conforti, Davis, DeRochi, Dyer, Glockler, Mason and Matthews
Nays: None

Case PB-05-03 Applicant: Handler Estates, LLC
Block 6001 Lot 8
Early Start

Richard Schatzman, Esquire represented the applicant.

A motion to memorialize the resolution was made by Mr. DeRochi, which was seconded by Mr. Glockler. This was carried on the following roll call vote:

Ayes: Conforti, Davis, DeRochi, Dyer, Glockler, Mason and Matthews
Nays: None

Case PB-05-08 Applicant: East Country Development Associates
Block 16002 Lot 9
Exportation of Soil

Mr. Willson noted the omission of a word in Number 7.

A motion to memorialize the resolution with the correction was made by Vice Chairman Matthews, which was seconded by Ms. Dyer. This was carried on the following roll call vote:

Ayes: Conforti, Dyer, Glockler, Mason and Matthews
Nays: E. Willson

III. APPLICATION

Case PB-01-12 Applicant: KDC Solar GRQ, LLC
Block 1001 Lot 45
Waiver of Site Plan
Affidavit of Notification and Publication Submitted

Mr. Wilson and Vice Chairman Matthews stepped down. Richard Schatzman, Esquire represented the applicant. Notice was in order.

Mr. Schatzman explained that the application is a waiver of site plan approval or alternatively minor site plan approval. The subject property is the quarry on Route 601.

Mark Lukasik, 89 Griggs Road, was sworn in. Mr. Lukasik is employed by Tectonic. He gave the Board his qualifications and was accepted as an expert engineer.

Mr. Lukasik summarized the application and showed the Board photos. The scope of the project is a 2+ megawatt ground mounted solar installation which is predominately located in the large open region in Hillsborough. All the electricity that serves the quarry is fed on the set of overhead wires along an access road and switch yard in Montgomery. Power is only being produced for the quarry operation. An approximately 2,300' long wire needs to be routed to the point where the meter is located in the switch yard. The existing poles are roughly 30' above grade and the wires are strung in three phase service along the route. The area is wide open and clear but in some areas it does get steep and tightened down with some of the vegetation. There would be a slight expansion of the switch yard of about 900 square feet. There will be a line of proposed utility poles with a single messenger cable attached. The proposed poles will be 33' from grade to the wire mount and 34' to the top of the pole. The same type fencing as currently exists will be put back. The existing poles are fully loaded and can't be used.

Mr. Lukasik discussed the waivers. The site is 550 acres in Hillsborough and 175 acres in Montgomery and one of the general requirements is to locate any trees that are being cut down. In total 20-25 acres will be cleared. A couple sample plots have been taken in Hillsborough and the general sample that was taken appears to be consistent between both communities. They would like to apply the ordinance to the sample to count the number of trees greater than 2" in caliper and then multiply that across the area that is potentially being cleared. The net result was 4 trees were to be replanted. A waiver is also needed for the overhead wires. The facility is temporary with a life of twenty (20) years. The footprint in terms of clearing is less than an acre. The stumps will remain in place to minimize soil disturbance. The overhead wires will minimize disturbance to the steep slopes in the area. The applicant would like to post money in the tree fund in lieu of planting the trees on site. A sign will be placed on the fence with emergency contact information. The array borders the fines pile which is about 200' to the area of tree clearing for the array. There will be no material from this project placed on the fines pile nor would any material be taken from the fines pile. There will be no impact to the fines pile during pre and post construction.

Ms. Coppola said the impact of the project is minimal in Montgomery. The applicant should explain why the new line of poles requires 50' of clearing from the existing line. It should be closer to minimize the clearing. At the municipal boundary there is a separation of overhead wires that doesn't follow the road.

Mr. Lukasik said the 50' separation is there for numerous reasons. There is an existing act of service which is fed by PSE & G and powers all the processing equipment which has to be maintained. If something is to happen during a wind or ice storm with an adjacent power line and that were to collapse into it the whole system would come off. There is a requisite minimum separation which is approximately 50' from the two power lines. The 25' is on the outside which establishes the limits of clearing. In some instances it is not necessary to clear; they will only need to trim tree limbs. With regard to varying the alignment, generally they like to stay parallel; half of the 50' is already cut. There is quarry infrastructure in the area and they are able to take advantage of those areas that are already partially cleared. The route has to be such that it does not impact wetlands or wetland buffers.

Mr. Bartolone said he has problems with the four trees proposed for replacement. He recommended a contribution into the tree fund calculated on replacement of the number of trees that are being cut (one for one). The fund is based on 6" diameter tree or larger. Mr. Schatzman agreed.

Mr. Cline asked if the overhead wires were adjacent or near any exceptional value wetlands. Mr. Lukasik said they were not. Mr. Cline asked if the equipment being used during construction would cause erosion in the critical slope areas. Mr. Lukasik replied that the poles will be installed with an auger. They will use a truck that has an arm with a range of 8-10 feet. The work would be subject to the Somerset Union Soil Conservation District review.

Chairman Some asked Mr. Cline to meet with the applicant on site and report back to the Board.

Mr. Conforti noted that PSE & G has been replacing existing poles with higher poles asked if it would be easier to replace the poles with the higher poles to minimize the tree clearing that would be required.

Mr. Lukasik replied that the quarry's operation could be put at risk when the live lines are transferred from the existing poles onto the taller poles.

Chairman Some agreed with Mr. Conforti and noted there have not been any outages associated with the pole replacement.

Chairman Some asked if there was any comments from the public. There were none.

The application was continued to the April 2, 2012 Planning Board meeting with no further notice. Mr. Schatzman agreed to an extension to April 30, 2012.

IV. UPDATE ON SHARBELL LITIGATION

Mr. Linnus reported the results of the Court decision to the Board and the Board's responsibilities on a remand.

V. MINUTES

January 9, 2012 – Regular Meeting

A motion to approve the minutes was made by Mr. Conforti, which was seconded by Mayor Trzaska. This was carried on the following roll call vote:

Ayes: Conforti, Davis, DeRochi, Dyer, Glockler, Mason, Matthews, Trzaska and Some

Nays: None

There being no further business to come before the Board, the meeting was adjourned at 8:30 p.m.