

**MILLSTONE TOWNSHIP  
PLANNING BOARD  
MEETING MINUTES  
DECEMBER 22, 2010**

At 7:40p.m., Chairman Newman called the meeting to Order.

The Secretary read the Adequate Notice.

Flag Salute.

Roll Call: Present: Beck, Kurzman, Pado, Pepe, Mayor's Designee Bailey and Newman.  
Absent: Blanco, Grbelja, Masci, Pinney and Rundella.

**P10-12 NORTH PARK SOLAR ENERGY FARM** – Block 16, Lots 2.01 located at N. Disbrow Hill Road consisting of 126.29 acres in the BP zone and Lot 9.05 located at 700 Rike Drive consisting of 4.93 acres in the BP Zone. Applicant seeks waivers from checklist items. Waivers granted 12-8-10. Applicant seeks Preliminary and Final Site Plan approval to construct a solar energy farm. Variances requested. Noticing required for the hearing.

Mr. Pado steps down due to a conflict.

Attorney Michael Steib, Esq. advised that he had read the noticing packet and found same in order to accept jurisdiction over the application.

Attorney Steib read the following exhibits into evidence:

- A-1            Jurisdictional Packet
- A-2            Application dated 10-18-10
- A-3            Web Notice
- A-4            Aerial of Property dated 10-07-10 prepared by KZA Engineering
- A-5            Survey of Block 16, Lot 9.05, Prepared by Crest Engineering dated 2/12/03
- A-6            Survey of Block 16, Lot 2.01, Prepared by Paulus Sokolowski & Sartor LLC consulting Engineers dated 12-30-02; last revised 11/11/10
- A-7            Wetlands Data Sheet of Block 16, Lot 2.01 prepared by Paulus Sokolowski & Sartor LLC consulting Engineers dated 8-4-02
- A-8            Preliminary and Final site Plan prepared by KZA Engineering, P.A. dated 9-2-10, Last Revised 12-9-10

- A-9 Historic Pesticide and Soil Contaminant Report for Block 16, Lot 2.01 prepared by Crest Engineering dated 12-14-07; Last Revised 10-18-10
- A-10 Stormwater Management prepared by KZA Engineering dated 11-4-10
- A-11 Statement prepared by KZA Engineering dated 10-11-10 concerning Impacts of Solar Energy Farm Development on Stormwater Runoff
- A-12 EIS prepared by KZA Engineering dated 10-11-10.
- A-13 Red-headed Woodpecker & Wood Turtle 2010 Final Report prepared by Waters Edge Environmental LLC dated 11-6-10
- A-14 Letter from the NJDEP Division of Parks and Forestry dated 10-18-10 re: applicant's request for rare species information on the subject property
- A-15 Declaration of Covenants and Restrictions for Moto Industrial Park Assoc. Inc., dated 2-14-2001, recorded 2-20-01
- A-16 First Amendment to the Declaration dated 11-24-04, recorded 12-13-04
- A-17 Traffic Assessment prepared by KZA Engineering dated 10-11-10
- A-18 Letter dated 11-29-10 from Moto Industrial Park Assoc. advising they have no objection to Lot 9.05 being developed as presented.
- A-19 Letter from Mr. Pape to Millstone Township Fire Bureau dated 12-7-10 setting forth their interests in the proposed project.
- A-20 North Park Solar Energy Farm Aerial (10/7/10)
- A-21 North Park Solar Energy Farm Rendering dated 12-7-10
- A-22 8.5" x 11" Sheet with 2 photographs of Panel Array and Racking Array
- PB-1 Report of Board Engineer dated 12-6-10
- PB-2 Report from Planner dated 12-6-10
- PB-3 Report from the Environmental Commission dated 11-29-10
- PB-4 NJDEP LOI extension as to Block 16, Lot 2.01 granted extending term of original LOI to 12-2-13

- PB-5 MCPB letter dated 11-8-10 stating no approval is required since project does not affect any County facility
- PB-6 Freehold Soil Conservation district Certificate Letter dated 12-9-10
- PB-7 Shade Tree Commission memorandum dated 12-7-10
- PB-8 D& R Canal Commission Report Dated 12-6-10

Kenneth Pape, Esq. representing the applicant. He thanked the Board for attending this special meeting. He explained that the application was for preliminary and Final Site Plan Approval for the development of a solar power electricity generating facility. He explained that the purpose of this facility is to collect the sun's rays, convert them into power through the panels.

Mr. Pape advised that he had met with Board professionals to make sure that the applicant had all of issues under control. The project would be perfected in II phases. The first phase is void of environmental concerns. The project is not a complex development plan. The applicant proposes to landscape the perimeter, put in a gravel road for circulation and install solar panels in a systematic fashion.

The property consists of 134 acres. Panels shall be placed on 50 acres and the balance shall be placed in a conservation easement. Mr. Pape stated that a private company owns and controls the grid and you must ask permission to put electricity into the grid. He explained it is a lengthy process (PJM Review process). He explained the process of obtaining outside approvals. He stated that Solar Farms are fairly new.

Mr. Steib swore in John Martinez, P.E. He presented his credentials. In 1986 he received his BS in engineering from Rutgers. He presently associated with KZA engineering as a project manager and a principal in the firm. He has worked for State of NJ (NJ Meadowlands Commission as Chief Engineer). Mr. Martinez has had his planning license for 14 years. He is testifying this evening as a planner and an engineer. He was the Marlboro assistant engineer. Mr. Martinez has testified as a professional planner in Marlboro on bulk variance issues.

Mr. Steib marked into evidence the following exhibits:

A -20 North Park Solar Energy Farm dated 10-7-10;

A-21 North Park Solar Energy Farm 2-D rendering dated 12-7-10.

Mr. Martinez explained that Lot 9.05 is the smaller lot and part of the Moto Industrial Park. Lot 2.01 larger lot. Referring to Exhibit A-20, he explains the property location. Lot 9.05 is under 5 acres with 200 feet of frontage on Rike Drive. Lot 2.01 has no direct frontage on any roadway and boarder Monroe Township to the North. Referring to Exhibit A-21, Mr. Martinez explained the project. The 50 acres of land where the solar panels are to be installed, was previously farmed. The applicant is not proposing to go into wet areas that were previously farmed. Those areas will be reforested.

The applicant proposed to install landscaping at the entrance off of Rike Drive and install an 8 foot high black chain link fence around Lot 9.05. The paved driveway would be 10 foot wide 75 feet long then it would become gravel. Mr. Martinez explained the purpose of the gravel path. Phase I (field C show on the Exhibit) is 20 acres. Mine Run Brook bisects the western portion from north to south. Also there is a flood plain associated with that Brook. Bentley Brook runs to the north and only a portion comes on to the site. The applicant has phased the project. They want to make sure that Phase I is free of any environmental issues. The applicant is seeking approval on Phase I. Phase II would be conditioned upon completion of the endangered species investigation.

Chairman Newman brought to light a potential risk should D&RCC take issue with the project. Mr. Pape advised that they have been working with them closely. He stated that the D&RCC embraced the project and has met with the applicants to work through those concerns. The applicant advises there are no concerns from D&RCC on Phase I of the project. Once the panels are installed, the property would no longer to be farmed.

Mr. Pape advised that the applicant had worked with Freehold Soil to plant a grass and clover mixture that will thrive in solar fields for area underneath the solar panels. The grass clover mixture top out at 18 inches and require periodic maintenance (1 or 2 times per year). No pesticides are to be used and weeds are okay. The 50 acres of grass and clover would be a bonded item.

Attorney Steib swore in Lloyd Hoffstatter. Mr. Hoffstatter received his Bachelor's of Science in Physics. He has is Masters and is a solar installer in the states of NY and PA, NJ and Conn. He is involved in State agency granting programs. He is the Vice-President of Engineering at Mercury Solar Systems in NY. He has worked in worked in various capacities installing and training. This is the largest project he has been involved in.

Attorney Steib advised as his expertise even though he is not as a title expert or a lay witness, he has a degree in solar energy and with those credentials that allow him to testify, giving his background the weight necessary.

Mr. Hoffstatter advised that the Laws have brought the solar energy industry front and center. He stated that the State of New Jersey has passed a number of laws. New Jersey finds solar energy to be inherently beneficial in all industrial zones. Mr. Hoffstatter explained that national funding available through the stimulus bill. They are clean energy incentives.

Mr. Hoffstatter explained that the grid is highway of electrons. Electricity use starts to grow (such as summer afternoons in the east). Power sources can provide energy to cities through this electrical grid. Local generation in the northeast has a load profile directed toward middle of the day. The use of solar energy can help prevent brownouts or blackouts. Solar power can generate electricity to be placed in the grid and used. He explained that no energy is stored and only works when the sun is shining. He advises that a 2,000 sf home uses 10 to 20 kilowatts. Mr. Hoffstatter explained that the potential

of this solar farm is 17-19.6 megawatts. He explained full sun hours are the equivalent of full sun from 3 to 6 hours/day, depending on the time of year.

Mr. Hoffstatter addressed safety concerns. The panels get somewhat hot, no fluids or heavy metals or odor is connected with the solar panels. High voltage electricity is under the regulations of the National Electric code all UL listed.

Richard Coppola, Board Planner advised that he has researched these facilities. He is not an expert but what he is hearing conforms with what he is researching for the preparation of an Ordinance for the Township.

Mr. Hoffstatter was asked if the wiring above ground is shielded? Mr. Hoffstatter said you could touch the wire while it is generating electricity. He advised that no one is in danger of electroc and he explained all metal surfaces are grounded.

Mr. Hoffstatter advised that PGM has ultimate controls and approved this facility to provide local electricity where a need for local electricity was designated. A feasibility study begins the process. Detailed assessment of need was performed. The electricity produced is collected at the Applegarth substation, located approximately 2.9 miles away. Miles of line is to be installed to carry power.

The use of concrete as opposed to no concrete was discussed. Mr. Hoffstatter advised non-concrete basin is less work on the site. It is protective of existing grades. It has less impact on the site.

Does this help out Millstone Township? It provides injection of electricity into the grid when these brownouts/blackouts occur. This farm would benefit is to the grid as a whole. Chairman Newman asked if the power generated from this facility will include Millstone as part of the benefactor of that electricity. Mr. Hoffstatter stated that the solar farm can only put the energy into the grid.

Alternative energy generating facilities. Helps reduce carbon footprint. Aids us to help us reduce our reliance on out of country fuel entities.

SREC or Solar renewable energy credit. How State of NJ handles SREC's. Concern about abandonment.

Mr. Pape advised that the applicant will set forth in the Developer's Agreement with the Township that if the property was to be put to any other use, the entire solar panel system would be taken down. He stated that this is a long term commitment. Interviewed a number of tax assessors throughout the state. These are commercial projects and taxable as such and he explains. Property owner shares the income stream with the assessor and the assessor values it accordingly. Mr. Pape advised that this is a commercial rateable and a clean rateable.

Mr. Pape offered that this project is a unique use. There would be positive income to municipal with no environmental impacts to the environment.

Attorney Steib read from the Municipal Land use Law section 40:55D-41 as to what is to be included in a site plan. State law says we can put a Solar farm there. The applicant is here with a permitted use. He goes over what we are to be looking at in a site plan application.

The board took a break at 9:55 p.m.

Return from Break at 10:00 p.m.

Chairman Newman announced that the application was not open to the public this evening and the public will have an opportunity to ask questions at the next meeting, January 12, 2011 beginning at 7:30 p.m.

Shade Tree Commission rendered a report. No problem with recommendations. Fire Department Representative, Matt Wagner did not have the secretarial power to generate a letter and Mr. Pape sent a letter that and read into the record. The Fire Department did not consider the solar farm to be a fire hazard but asked to have access to the woodlands and go through the gated area. Engineer Shafai would confirm this with Matt Wagner. The Environmental Commission did generate a report and the applicant comfortable with the guidelines.

Attorney Steib carried the matter to the January 12, 2011 meeting with no further public noticing grequired. All members that were not in attendance this evening would be required to listen to the tape or watch the video taping of the meeting and review the exhibits.

See no further business, Chairman Newman asked for a Motion and Second to adjourn the meeting. Mr. Kurzman offered the Motion and Mr. Pepe offered a Second and by unanimous vote the meeting adjourned at 10:10 p.m.

Respectfully submitted,

Pamela D'Andrea