

FEBRUARY 20, 2012

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by Chairman John Barton at 7:30 PM.

The meeting was opened by stating that adequate notice of this public meeting had been provided in accordance with the Open Public Meetings Act by:

1. posting a notice of this regular meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Star Gazette;
3. furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. filing said notice with the Township Clerk.

Present: Barton, Myers, Mayor Tomaszewski, Watters, Smith, Hazen, Creedon, Vaezi, Mills, Spender, Farino.

Absent: Hight.

Also present: Drew DiSessa, PE; William Edleston, Esquire.

The Pledge of Allegiance was recited.

MOTION was made by **HAZEN** to approve the minutes of the January 16, 2012 minutes, as written.

SECONDED: CREEDON.

Those in favor: Myers, Mayor Tomaszewski, Watters, Smith, Hazen, Creedon, Vaezi, Mills, Spender.

Opposed: None.

Abstained: None.

Resolution for Case #11-07, Garden Solar, LLC

Present for the applicant: Walter Wilson, Esquire; James Chmielak, PE; Timothy Ferguson, Principal.

Mayor Tomaszewski and Watters were recused from the resolution discussion.

Wilson went over the applicant's changes to the resolution draft. Edleston and DiSessa also addressed some changes. Edleston and Wilson discussed whether or not COAH fees would be applicable. Wilson indicated they would be paid if they were applicable. Wilson also indicated the applicant would stand behind all changes they agreed to during the hearings. Wilson stated they would submit a Stipulation of Dismissal to the Court.

Vaezi asked questions regarding various details of the plan: landscaping, limiting number of solar panels, buffering the residential areas, etc.

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Wilson stated the number of panels would vary by manufacturer. Wilson stated the number of panels is also limited by the buffered area of the project, and the megawatt power allowed by the site.

Edleston asked if the applicant would be willing to consider a berm if the proposed landscape trees weren't a sufficient buffer. Wilson replied the Township Engineer and Planner's offices would have to sign off on the result.

MOTION was made by **CREEDON** to grant preliminary and final site plan approval for Case #11-07, Garden Solar, LLC, subject to the conditions agreed upon at the hearings.
SECONDED: MYERS.

Those in favor: Smith, Hazen, Creedon, Vaezi, Mills, Spender, Myers, Barton.
Opposed: None.
Abstained: None.

MOTION was made by **MYERS** to memorialize the resolution adopted, as amended, for Case #11-07, Garden Solar, LLC.
SECONDED: HAZEN.

Those in favor: Hazen, Creedon, Vaezi, Mills, Spender, Myers, Smith, Barton.
Opposed: None.
Abstained: None.

Wilson mentioned projects that are in the process of construction and project that are already generating electricity.

Barton asked that the applicant take into consideration the neighbors during construction.

Mayor Tomaszewski and Watters returned to the board.

Carol Thompson of Route 57 asked how many employees would be on the site during construction, and the hours of operation. Wilson indicated the applicant has made provisions for staging and parking, and the hours of operation will be by Ordinance. Wilson also indicated no construction traffic would access the site from Route 57.

MOTION was made by **MYERS** to authorize payment by the Township Committee invoices submitted by the professionals.
SECONDED: SMITH.

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Those in favor: Creedon, Vaezi, Mills, Myers, Mayor Tomaszewski, Watters, Smith, Hazen, Barton.
Opposed: None.
Abstained: None.

Vaezi asked questions regarding the solar and wind Ordinance, and asked if it should be reviewed further. Vaezi asked if the areas allowing solar fields should be limited. DiSessa replied solar field use could be prohibited in the residential areas, thus making it a use variance situation. DiSessa stated the use is currently a conditional use in the residential zones. Unfortunately, stated DiSessa, the State has made the use inherently beneficial so the positive criteria have already been met. The Mayor stated the Township cannot afford to purchase any more property, and is already mowing and fertilizing 80 acres. DiSessa stated, at a minimum, the Ordinance could be modified to provide for a minimum distance between facilities.

MOTION was made by **MYERS** to adjourn the meeting at 8:37 PM.
SECONDED: BARTON.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Clerk
(as written)