

EAST AMWELL PLANNING BOARD MINUTES
7:30 PM East Amwell Municipal Building
September 11, 2019

Call to Order, Attendance and Pledge of Allegiance

This meeting of East Amwell Planning Board was opened on August 14, 2019 at 7:27 P.M. The following notice was read, "In compliance with the Open Public Meetings Act, this is a regularly scheduled meeting pursuant to the annual meeting notice as published in the January 31, 2019 issue of the Hunterdon County Democrat, a copy of the agenda for this meeting was forwarded to the Hunterdon County Democrat, filed in the Township Clerk's Office and posted on the bulletin board on September 9, 2019."

Roll Call and Agenda Review

Present:

Rick Wolfe
Gail Glashoff
Mark Castellano
Jason Silverthorn
Chris Sobieski (7:31pm)
Tamara Lee
Tim Willey
Roger DeLay
John Buckwalter

Also Present:

Attorney Norman
Krista Parsons (Admin. Officer)
Planner Slagle
Bill Burr

Absent:

Frances Gavigan

A moment of silence was observed in remembrance of September 11th.

REVIEW OF AGENDA (7:29:05)

Items Under Discussion were moved prior to the public hearing.

PRESENTATION OF MINUTES: (7:29:15)

Motion made by Mr. Wolfe seconded by Mr. Willey, to approve the August 8, 2019 Regular Minutes were approved with Mr. DeLay abstaining.

Motion made by Mr. Wolfe, seconded by Mr. Castellano to approve the August 8, 2019, Executive Session Minutes was approved as amended with Mr. DeLay abstaining.

CITIZENS PRIVILEGE TO SPEAK ON ITEMS NOT ON THE AGENDA (7:30:36)

Motion made by Mr. DeLay, seconded by Mr. Willey was carried unanimously to open to the public

Seeing no members of the public come forward, motion made by Mr. Willey, seconded by Mr. Castellano was carried unanimously to close to the public.

UPDATE: (7:31:10)

Ms. Lee gave an update on the progress with the checklist.

NEW BUSINESS:

Public Hearing- Trinity Solar/Mastropietro Bulk Variance- Front Yard Setback (7:32:05)

Attorney Norman swore in all parties involved in the application.

All legal notices were entered into evidence as Exhibit A1 by Attorney Norman.

Attorney Richard Stone provided testimony regarding the placement of the solar panels, errors that occurred during the application process and drafting of the plans, as well as the oversight on the ground mount during inspections. Attorney Stone stated Trinity Solar is prepared to install the buffering necessary to satisfy all parties.

Attorney Stone provided the Board with before and after photos of the solar array. Attorney Norman marked the photos into evidence as A2- Before Photo and A3-After Photo.

Lawrence Murphy, Principal of Green Site Engineering and Consulting provided his credentials for qualification by the Board. The Board accepted Mr. Murphy's qualifications.

Attorney Stone presented a cover sheet of the plans that were submitted with the application, and were marked as Exhibit A4 by Attorney Norman.

Mr. Murphy provided descriptions for Exhibits A2, which showed a real time photo of the panels from the roadway as it currently exists with no zoom and A3 included Norway Spruces' that were superimposed and estimated about six to seven feet in height. During the comparison, Mr. Murphy recognized the proposed ten trees that were submitted with the application will not be adequate and will need to propose more trees to restrict the panels from the public view.

Mr. Murphy provided his testimony which included the nature of the property, surrounding uses, sites developed, zoning constraints, wetlands and other factors that supported the placement of the solar array in the front yard setback. Mr. Murphy also stated the homeowners said they were going to farm the land as much as possible in the future and directed Trinity Solar as to the placement of the solar array.

Mr. Murphy gave a description of the panels that are proposed in the application and addressed the questions raised by the Township Engineer, Bill Burr in the Engineering Review.

Attorney Stone reemphasized, the trees that were proposed and would need to be expanded will provide adequate buffering from the adjoining properties. Mr. Murphy replied, yes they will.

Planner Slagle asked Mr. Murphy for more testimony regarding the variance and inquired about a specific location why the panels were not considered for that location. Mr. Murphy reiterated the homeowners planned to farm the area in question.

There was discussion regarding the type of trees for the use of buffering and the terms and conditions that will run with the solar panels.

Homeowner, Kevin Mastropietro addressed the questions asked by the Board regarding the farming intended for the land.

Motion made by Mr. DeLay, seconded by Mr. Willey to open to the public was unanimously approved.

Mike Stambro, 109 Back Brook Road, Ringoes, NJ was sworn in by Attorney Norman. Mr. Stambro stated he is not against solar panels. Mr. Stambro voiced if the Board approved the variance, he suggested it be approved with stringent rules for landscape buffering.

Mr. Stambro provided his testimony regarding his concerns regarding the solar array and the impact it has on his home. Mr. Stambro also provided the Board with a letter dated March 26, 2019, entered as Exhibit O1.

There was discussion amongst the Engineers regarding the septic. Mr. Mastropietro stated he had the location checked by a septic service and they also recommended placing the solar array in this location.

Tamara Lee suggested a Landscape Architect design the buffer look at this site and meet with the homeowners and neighbors to decide on the best landscape solution.

Attorney Stone agreed to have the Engineers work together with the Board Engineers approval and have input from Mr. Stambro to ensure the buffer is adequate for the existing solar array.

The Board discussed the conditions in which they would like to apply. Motion made by Mr. DeLay, seconded by Mr. Willey to close to the public was unanimously approved.

Attorney Norman reviewed the conditions imposed by the Board;

1. The applicant's Engineer will work with Maser's Landscape Architect on an adequate buffer in coordination with Mr. Stambro's input.
 - a. If a plan is determined, it will satisfy the condition.
 - b. If the condition cannot be satisfied the applicant will need to go before the Board.
2. Future maintenance of the buffering shall apply for as long as the solar array exists with deed notice to maintain the buffering.

Motion made by Mr. DeLay, seconded by Ms. Lee to approve the conditions set forth by the Board was approved by Roll Call Vote:

Mr. Wolfe: **Yes**, Mr. DeLay: **Yes**, Ms. Glashoff: **Yes**, Mr. Castellano: **Yes**, Mr. Silverthorn: **Yes**, Mr. Sobieski: **Yes**, Ms. Lee: **Yes**, Mr. Willey: **Yes** and Mr. Buckwalter: **Yes**

Public Hearing- Bolt Industries, LLC. Request for Certification of Non-Conforming Use (9:00:25)

Mayor Wolfe and Chris Sobieski recused themselves and left the meeting room as the Board is functioning as a Board of Adjustment on this application.

Attorney Ryan Kennedy provided an introduction for the application of the mixed use development that is located in the local business zone. Attorney Kennedy introduced Michael Baldorossi who was sworn in by Attorney Norman.

Attorney Norman marked the Legal Notices and Affidavit of Service as Exhibit A1 and the Applicant's Historical Photos were marked as Exhibit A2.

Mr. Baldorossi managed the property prior to purchasing the property around November of 2018. Mr. Baldorossi reviewed the past and present uses of all the buildings on the property and presented them to the Board and utilized the plans that were provided with the application.

There was discussion regarding the current uses of the buildings to see if they coincide with the former use in 1979. Mr. Baldorossi reiterated the use of each building as of today and the use back in 1979 and also explained his intent for restoration to the buildings on the property.

Some members of the Board questioned the topsoil and gravel located on the property, as well as the location of the well and septic. Mr. Baldorossi addressed each item in question.

Motion made by Mr. DeLay, seconded by Mr. Willey to open to the public was unanimously approved.

John Kobren 376 Route 31, Ringoes, NJ- Mr. Kobren was sworn in by Attorney Norman. Mr. Kobren lives across the street from the site, grew up in the area and knew the previous owner Floyd Mencheck and the operations that were conducted on the site. Mr. Kobren stated he knows why Mr. Mencheck didn't come in for approval.

Mr. Kobren stated he sees the site busier than when Mr. Mencheck owned the site. Mr. Kobren testified that Mr. Baldorossi improves everything he touches; he is neat and tidy, looks at the big picture and likes the neighborhood. Mr. Kobren is glad to see Mr. Baldorossi take an interest in Linvale Road and clean up the property as no one else is interested in that section of the Township. Mr. Kobren asked the Board to give Mr. Baldorossi a break as he is before the Board to set things straight.

Michael Baldorossi commented on the concern that was raised regarding the intensity of the use of the property. Mr. Baldorossi noted the concern for the intensity is valid and real, however, all the spaces on the property are around 900 square feet and the use could not be intensified due to the small square footage of the buildings and is not possible to increase the use of the site at its current state. Mr. Baldorossi noted the intent is not for this site to be a shopping center and mentioned he owns the adjoining property as he was tired of the area looking like a meth lab. Mr. Baldorossi's intent is to clean the site up and improve the area, continue the existing uses of the property and get the property in order.

Motion made by Mr. DeLay, seconded by Mr. Willey to close to the public was unanimously approved.

There was discussion amongst the Board regarding the uses of the buildings. Mr. DeLay suggested a site review subcommittee visit the property. Ms. Lee noted the subcommittee should focus on the extent, character and intensity when conducting the visit. Tim Willey, Jason Silverthorn and Marc Castellano were approved by the Board for the site review subcommittee. Planner Slagle noted the subcommittee should submit a review to the Board of their visit.

Motion made by Mr. DeLay, seconded by Mr. Willey to carry the hearing to the next Planning Board meeting held on October 9, 2019, noting no further notice requirements are needed, was unanimously approved.

PRESENTATION OF VOUCHERS: (10:25:31)

Motion made by Mr. DeLay, seconded by Mr. Sobieski to approve the vouchers was unanimously approved.

ORAL REPORTS: (10:26:07)

FOSPC- No report.

EC- No report.

Secretary- No report.

Vice Chair- No report.

ADJOURN (10:27:54)

Motion made by Mr. Sobieski, seconded by Mr. Willey was unanimously approved to adjourn the meeting.

Krista Parsons, Administrative Officer