

**HAMPTON TOWNSHIP
ZONING BOARD OF ADJUSTMENT**

Minutes of June 14, 2012

SPECIAL MEETING

The minutes of this meeting have not been formally approved and are subject to change and or modification at the next regular meeting of the Hampton Township Zoning Board of Adjustment.

The meeting of the Hampton Township Zoning Board of Adjustment was called to order at 7:30 PM by Chairman Ambrosi who led us in the Flag Salute.

ROLL CALL: Mr. Ostrander, Absent; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Walthers, Yes. Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Nazzaro, Yes; Attorney Morgenstern, Yes; and Engineer Simmons, Yes.

STATEMENT: Chairman Ambrosi advised that this meeting is being held in compliance with the provisions of P.L. 1975, Ch. 231, Secs. 4 & 13 of Sunshine Law. Adequate notice of this meeting has been supplied to the official newspaper of the Hampton Township Zoning Board of Adjustment that being the Sunday and Daily New Jersey Herald and is posted in the usual location of posted notices. Testimony will not be received after 10:00 PM.

APPLICATIONS:

**12-04ZB Sussex County Community College – Block 3301, Lots 2, 2.01
Carport Solar System**

Present for this application was Attorney Michael Beck from Hering, Dupignac, Stanzone, Dunn & Beck, Stephen Pearlman, Esq. for the Morris County Improvement Authority, James Kyle, Planner and Joseph Hanrahan, Engineer.

Mr. Beck gave an overview of how this program is going to work for the 15 years that they will presently be installed. This system will supply electric to 4 or 5 of the buildings on the school campus. The electric is specific for the College's use none will for sale. Unused electric on days when the college is not in session will be returned to the grid. The savings will be about 70%.

The applicant is proposing to install 6 Solar Carports and 800 ft. x 100 ft. of ground mounted arrays in the area of the parking lots located in Hampton Twp.

Mr. Morgenstern reviewed his letter on completeness dated May 14, 2012.

This application requires some variances

1. A use variance for the solar facility
2. A use variance for two (2) uses on one lot or an accessory use
3. If the exterior lighting doesn't meet the Hampton Twp. Ordinance a variance is required

Noise is a big issue in this Township. The applicant stated that these inverters will be less than 60 decibels and do not work at night.

Exhibits A-1 Colored overall Zoning Plan – Aerial View
Exhibits A-2 Canopy Exhibit
Exhibits A-3 Count Planning Board Exemption from applying
Exhibits A-4 2010 Aerial Photo & Tax Parcel Base map
Exhibits A-5 KMB Solar Photovoltaic PV System Overview

Mr. Simmons reviewed his letter dated June 7, 2012

Storm Water Management – no changes are necessary because the water will drain to the existing pavement on the carports and drainage from the ground mounted units will go in the grass underneath resulting in no increase in impervious area.

Lighting Plan – Some poles will be removed and replaced with alternative lighting to be approved by the Township Engineer. New lighting will be placed under the canopies. All lighting will comply with the ordinance. Most subjects were covered in previous testimony from the applicant.

Applicant to educate the Fire Department on the proper techniques to be used in an emergency.

A motion to deem application complete with waivers was made by Mr. Goytil and 2nd by Mrs. Couse.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Walthers, Yes; Mr. Moore, Yes; and Mr. Nazzaro, Yes.

A motion to grant solar use as beneficial use was made by Mr. Daniels and 2nd by Mr. Goytil.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Walthers, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes; Mr. Goytil, Yes; and Mr. Nazzaro, Yes.

A motion to grant the solar facility as an accessory use was made by Mr. Goytil and 2nd by Mr. Moore

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Walthers, Yes; Mr. Ambrosi, Yes; Mr. Goytil, Yes; Mr. Moore, Yes; and Mr. Nazzaro, Yes.

A motion to grant Preliminary and Final Site Plan approval with an "As-Built" was made by Mr. Goytil and 2nd by Mr. Ostrander.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Walters, Yes; Mr. Ambrosi, Yes; Mr. Goytil, Yes; Mr. Moore, Yes; and Mr. Nazzaro, Yes.

A motion to have the Engineer work with the Township Engineer regarding buffering towards Plotts Rd. as requested by the proposed new owners of the Plotts Residence was made by Mr. Daniels and 2nd by Mrs. Couse.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Walthers, Yes; Mr. Ambrosi, Yes; Mr. Goytil, Yes; Mr. Moore, Yes; and Mr. Nazzaro, Yes.

A motion to carry to July 5th for the Memorializing Resolution was made by Mr. Daniels and 2nd by Mrs. Couse.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Walthers, Yes; Mr. Moore, Yes; and Mr. Nazzaro, Yes.

Mr. Goytil Left the meeting

12-05ZB Kittatinny School – Block 2702, Lot 16.03 – Site Plan for Solar Carports

Present for this application was Attorney Michael Beck from Hierung, Dupignac, Stanzone, Dunn & Beck, Stephen Pearlman, Esq. for the Morris County Improvement Authority, James Kyle, Planner and Joseph Hanrahan, Engineer.

This application is to provide 4 Rows Carports with one Inverter and a 8 ft. fence around the inverter, and 4 lights pole to be removed. The location of the inverter has been relocated closer to the school and away from the neighboring property owner.

- Exhibit A-1 – Overall Zoning Plan
- Exhibit A-2 – Canopy Plan
- Exhibit A-3 – Exempt from Sussex County Planning Dept. Review
- Exhibit A-4 – 2010 Aerial Photo
- Exhibit A-5 - KMB – PV system overview

This system will produce 308 KW with a 17% savings. Mr. Morgenstern review is report of May 29, 2012 and Mr. Simmons reviewed report of June 7th, 2012. The previous application was basically the same as this application. The court stenographer was present for both applications. This project will only furnish electric for the school, only the days when the school is not in session that there may be power back to the grid. The meter will run backwards. The carports are high enough for large vehicles to pass thru. No parking spaces will be lost due to this installation

PUBLIC COMMENT

Mr. & Mrs. Scott McGrath of 29 Branchville Lawson Rd., Newton – concerned about the original location of the Inverter and please see that it had been relocated. They had no problem with the program

A motion to deem the application complete with waivers was made by Mr. Ostrander and 2nd by Mrs. Couse.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes and Mr. Nazzaro, Yes.

A motion to grant the Use Variance for the Solar System was made by Mr. Ostrander and 2nd by Mr. Walthers.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes and Mr. Nazzaro, Yes.

A motion to grant a Use Variance for an accessory use to the high school was made by Mr. Daniels and 2nd by Mr. Ostrander.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes and Mr. Nazzaro, Yes.

A motion to grant a variance for the side yard setback 35 ft. required and 32 ft. provided was made by Mr. Ostrander and 2nd by Mrs. Couse.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes and Mr. Nazzaro, Yes.

A motion to grant Preliminary and Final Site Plan approval and furnish an "As Built" drawing of the project was made by Mr. Nazzaro and 2nd by Mr. Walthers.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes and Mr. Nazzaro, Yes.

A motion to allow the applicant to obtain a Permit from the Building Dept. before the Resolution is Memorialized was made by Mr. Ostrander and 2nd by Mr. Nazzaro.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes and Mr. Nazzaro, Yes.

A motion to carry to July 5th for the Memorializing Resolution was made by Mrs. Couse and 2nd by Mr. Ostrander.

ROLL CALL: Mr. Ostrander, Yes; Mrs. Couse, Yes; Mr. Daniels, Yes; Mr. Ambrosi, Yes; Mr. Moore, Yes and Mr. Nazzaro, Yes.

ADJOURNMENT

A motion to adjourn at 11:05 PM was made by Mr. Walthers and 2nd by Mrs. Couse with all members present in Favor and None Opposed.

Respectfully submitted;

Mary Whitesell,
Secretary