

Florence, New Jersey 08518-2323  
November 22, 2011

The regular meeting of the Florence Township Board of Adjustment was held on the above date at the Municipal Complex, 711 Broad Street, Florence, NJ. Vice Chairman Zekas called the meeting to order at 7:30 p.m. followed by a salute to the flag.

Secretary Montgomery then read the following statement: "I would like to announce that this meeting is being held in accordance with the provisions of the Open Public Meetings Act. Adequate notice has been provided to the official newspapers and posted in the main hall of the Municipal Complex."

Upon roll call the following members were found to be present;

Brett Buddenbaum	Candida Taylor
Keith Crowell	B. Michael Zekas
John Groze	Robert Adams
Ray Montgomery	William Bott

ABSENT: John Fratinardo

ALSO PRESENT: Solicitor David Frank  
Engineer Dan Guzzi  
Planner Bob Perry

Vice Chairman Zekas stated that first on the agenda were 3 applications for Effisolar Energy Corporation (ZB#2011-15, ZB#2011-17 and ZB#2011-19). He stated that a letter was received from the applicant's attorney requesting that their applications be continued until the December 15<sup>th</sup> meeting. They have also indicated in their letter that they will re-notice for that date.

Motion of Taylor, seconded by Adams to approve the applicant's request to continue until December 15, 2011 with the requirement of additional public notice.

Upon roll call the Board voted as follows:

YEAS: Taylor, Crowell, Montgomery, Zekas, Groze, Buddenbaum  
NOES: None  
ABSENT: Fratinardo

Vice Chairman Zekas called for Application ZB#2011-18 for John Hiros. Applicant is requesting Use Variance and Minor Site Plan approval to permit installation of ground mounted solar panel systems to offset energy use for existing restaurant (Bung's Tavern) located at 2031 Route 130, Florence Township. Block 159, Lot 8.01.

John Hiros, owner of the property and the business, Scott Hayes, Four Point Solar and Robert Burdick, professional engineer and professional planner were all sworn in by Solicitor Frank.

Mr. Burdick stated that he has appeared before many Boards in New Jersey. He stated that he has been a professional engineer in excess of 30 years. He stated the he has a BS in civil engineering from Clemson University. He stated that he was also a licensed planner in the state of New Jersey and would be testifying on planning matters. The Board accepted Mr. Burdick as an expert in the fields of civil engineering and professional planning.

Engineer Guzzi stated that he had reviewed the application and the supporting documentation with respect to the variance portion of the application. This portion of the application is complete. There were 4 submission waivers that have been requested for the Minor Site Plan portion of the application which included an environmental impact statement, identification of all trees 6" or greater in diameter, storm sewer drainage systems and cross section of water courses. Engineer Guzzi stated that based on the information that was provided and based on the limited scope of the project he would support these waivers.

Motion of Adams, seconded by Buddenbaum to grant the submission waivers and deem the application complete. Motion unanimously approved by all members present.

John Hiros stated that Bung's Tavern has been in business in Florence Township for 50 years although not in the same location. The current restaurant was built in 1999. He stated that he was attempting to provide some homegrown energy to the restaurant. The restaurant uses a lot of electricity and Mr. Hiros stated that he was attempting to offset some of the energy costs by installing solar panels. The solar panels are proposed to be located in a detention basin behind the restaurant. This location is pretty much out of the way and they won't have to clear many trees.

The panels would be facing south and would have an approximately 20 degree angle. From the back windows of the restaurant you will see the panels but not much of the support structure. The impact to the neighboring properties should be minimal. The site is located in the HC Highway Commercial Zone. Most of the properties north and south of the site have minimal development. There will be very little noise associated with solar panels. The only impact would be a slight visual impact.

Mr. Hiros stated that he is happy that he will be providing some green energy to the restaurant. He said that they have always tried to be proactive with recycling and utilizing energy efficient methods and this is just another way to improve their infrastructure and improve the business. The plan is to produce enough energy to power the restaurant for a 12 month period and eliminate the energy costs to PSE&G.

Member Buddenbaum asked if the panels would have a concrete base or just be into the ground. Mr. Hiros stated that there would be concrete footing into the ground with metal

poles coming up to support the panels. Member Taylor asked if any natural barriers were planned. Mr. Hiros answered that no natural barriers were planned. This site is over 300' off the highway and is secluded. Either side of the proposed site is already wooded so there is a natural existing barrier from the north and south.

Member Crowell asked if you would be able to see the solar farm if you were in the restaurant looking out. Mr. Hiros stated that you would be able to see the flat side of the panels but you won't see the supporting structure. There should not be any glare due to the tilt of the panels. Member Crowell asked if there was a plan to control access in terms of vandalism or kids going through there? Mr. Hiros stated that he had talked about this and he thinks that he will need some kind of fencing to minimize access to the area.

Member Taylor stated that there are several different solar farms in Florence Township. She said that the idea is to use what you need and then give back to the grid. She asked if anyone had considered consolidating the energy before it goes back to the grid. Solicitor Frank stated that this is what the Effisolar project is. It is a utility scale solar generation facility. This is a different kind of project as is LB Solar and Nexus Solar (Fountain of Life). Nexus, LB and this project are all net metered so the site is providing energy for the site. The regulatory threshold from the grid controllers (utilities) is very low. The regulatory threshold for the utility scale grid interconnected projects is very high because it can seriously affect grid stability when you have a large input of energy. So the State's Energy Master Plan's vision for providing for renewable energy includes both net metered projects, which can be distributed and happen with very little engagement of the larger grid control and to provide for the larger scale utility scale projects which require there to be grid interface. This is all addressed from the grid level through the grid controller and from the utility at their control switch.

Member Taylor stated she brought this up because it feels like Florence Township is becoming this hub for generation of energy. Solicitor Frank stated that every community in the state is experiencing the phenomenon of net metered projects and every community that has significant undeveloped lands is experiencing the utility scale type projects like the Effisolar project. Solicitor Frank stated that he knows that Effisolar has 16 utility scale projects in the state of New Jersey plus there are other developers who are doing this as well.

Member Crowell said that this leads to the discussion that he wanted to have regarding these types of projects. He said that it is incumbent upon the Board to at least consider where these types of projects should be located. Solicitor Frank stated that the Zoning Board is a quasi-judicial body unlike the Planning Board that is expected to work on a Master Plan that looks to those aspirations. The Zoning Board is here to decide the cases before it based on the facts and the law. What the Zoning Board can do is to send an Annual Report to the governing body about the types of variances that have been granted over the course of the year and any concerns generated from those variances.

Robert Burdick, PE, PP stated for the record that this application is for the Bung's Tavern Restaurant located at 2013 Route 130. Referring to Engineer Guzzi's letter dated November 14, 2011 he stated that the waivers have already been addressed as part of the completeness. Mr. Burdick stated that all the bulk requirements for the site have been met.

Mr. Burdick said that on page 3 Item 1 states that sidewalks are required. He stated that they have requested a waiver for sidewalks because there are no sidewalks adjacent to the site along Route 130. Based on that the installation of sidewalks would have very little positive effect for pedestrians.

Engineer Guzzi stated that Florence Township has a very specific ordinance regarding sidewalks especially along Route 130. This Board has very little leeway with regards to sidewalks. There are 2 options that the Board can consider. The applicant can install the sidewalks along the Route 130 frontage or to allow the applicant to make a cash contribution to the Township Sidewalk Fund in lieu of installing those sidewalks.

Solicitor Frank said that to give a little history on this issue, the governing body became concerned with the waivers of sidewalks coming out of the Boards. The governing body put its foot down about a year and a half ago. First they tried to take away the ability of the Board to grant the waivers at all. After some discussion it was realized that there had to be some flexibility. The goal is to accumulate the funds toward coherent sidewalk installation at some future date along the entire Route 130 frontage.

Mr. Hiros stated that he understood the reason for the sidewalks and he is not opposed to installing sidewalks, but there may be some other authorities, such as DOT, which he would have to get approvals from so it is more than just saying okay. Solicitor Frank stated that Mr. Hiros could make a contribution in lieu of providing the sidewalks. This would be based on 120% of the construction cost as calculated by Engineer Guzzi. Solicitor Frank stated that unfortunately the Board only has the ability to require them or to waive them with the contribution. Mr. Hiros asked if it would be acceptable to the Board if he got the calculations from Mr. Guzzi and then determined whether he would install the sidewalks or make the contribution. Solicitor Frank stated that the Board has approved another application with the same condition.

Mr. Burdick stated that Item 2 refers to a shed that is adjacent to the detention basin at the rear of the property. That shed will be removed, as will the horseshoe pits.

Item 3 regarding the impact that the solar arrays would have on the functionality of the basin. Mr. Burdick stated that there will be 36" footings on 3" steel posts. The cumulative volume that will be taken up by the supports from this entire solar array system is less than 190 cubic feet. The detention basin is over 26,000 cubic feet. Less than 1% would be taken up by these arrays. Therefore the solar array will have a very minimal effect on the detention basin.

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Item 4 construction activities will be completed in a manner to have the least impact on compaction of the soil of the basin. If compaction does occur in accordance with Engineer Guzzi's judgment then the basin will be scarified and re-seeded after completion of the project so that the detention basin works as well or better than it works right now.

Item 5 the horseshoe pits will be removed.

Item 6 regarding the conflict between the solar array and the existing headwall at the southern end of the basin. Mr. Burdick stated that the solar panels would not affect either the headwall, the outlet structure or any of the storm drainage.

Item 7 the solar panels are 21'4" x 154' this detail will be added to the plan.

Item 8 regarding the wetlands buffer. The footing in the northeast corner will not encroach into the buffer area. This distance will be added to the plan.

Item 9 the concrete footings will be 18" concrete footings, 36" deep, 4,000 psi concrete. This detail will be added to the plan.

Item 10 a typographical error in the Environmental Impact Statement will be corrected to indicate that the proposal will not have a negative effect on the environment.

Mr. Burdick stated that the application requires a "d" variance. A "d" variance requires an examination of the advantages and the disadvantages of the proposed project and then show how the proposed use is consistent with the Municipal Land Use Law (MLUL). Mr. Burdick said that for this project a unique opportunity exists at the site to utilize a portion of it for the development of a renewable energy resource. If the application is approved the electrical usage for the restaurant would be virtually 100% taken care of by this solar array. He stated that disadvantages are generally related to noise, odors, lighting, traffic, intensity of use, air, light and open space. For this project the solar array will not have a negative effect on noise levels once the array is installed. There will be no effect on odors, lighting, traffic or intensity of use. The project would be constructed over an existing detention basin. A reduction of air, light and open space may be argued since there would be a solar array where there is now a detention basin, however since this is at the rear of the site and has little visibility from off site, there would be almost no negative affect on surrounding properties.

Mr. Burdick stated that the advantages of granting this variance are that the applicant would be able to reduce his energy cost by generating power from a renewable resource. Since the location is largely shielded from view from off site, the construction will have minimal impact on any adjacent properties. Mr. Burdick stated that this is considered a beneficial use in the state of New Jersey and that in his opinion the proposed solar panels to comply with the MLUL by providing an appropriate use of land in a manner which promotes the general welfare of the community and it complies also with NJAC 40:55D-2(n) which promotes the utilization of renewable energy resources. Mr. Burdick stated

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that in his opinion the advantages of granting variances far outweigh the minimum disadvantages. The project complies with the MLUL and does not significantly impair the zoning ordinance, Master Plan or public good.

Mr. Burdick referred to Planner Perry's letter dated November 18, 2011. In the General Comments section on page 3, Item 1 the project meets all bulk requirements.

Item 2 the solar array is designed to provide virtually 100% of the electrical use of the restaurant.

Item 3 all site impacts of the development are minimal since it is not seen from Route 130 and won't generate any noise, odors traffic or light that could affect adjacent properties.

Item 4 the shed and horseshoe pits will be gone.

Item 5 the solar panels will have a very minimal effect on the detention basin.

Item 6 the sidewalk issue has already been discussed.

Item 7 there is no separation between the solar panels and the restaurant. The system is a stand alone system. A 4' black vinyl clad chain link fence will be installed for security purposes.

Item 8 the installation does call for the removal of some trees, most are less than 6". The only one in excess of 6" was a 12" beech tree. However this beech tree was damaged by Hurricane Irene and is in very poor condition. He stated that they will revisit the site and provide any additional trees in excess of 6" within the disturbance area as they are removing some trees to the west of the solar array.

Item 9 no specific training is required for emergency responders. The site is a relatively standard electrical array and emergency responders are well versed in the dangers of electrical equipment.

Mr. Burdick stated that the applicant will comply with the administrative requirements of the board and will provide outside approvals, which they believe are limited to the Burlington County Planning Board and the Burlington County Soil Conservation District.

Member Taylor said that in the event that there is new technology and another way to harness energy she asked the applicant to insure that the land is returned to its original state if he chooses to abandon the solar panel.

Mr. Hiros stated that he understands the request, however he doesn't know how the township would enforce the removal of a structure on private property which was constructed with approvals.

Solicitor Frank stated that he has represented a number of developers of utility scale solar projects in other municipalities and this issue of removal always comes up. When it first started to come up boards were seeking the posting of a performance bond to ensure the removal. After careful investigation, it was determined that the MLUL doesn't provide for there to be removal bonds. There are only 2 kinds of bonds performance and maintenance.

Solicitor Frank stated that they then looked at the issue philosophically and determined that everything that we approve has an economic life. Whether it is a swimming pool, shopping center, warehouse or a cell tower – everything has an economic life, but for some reason people are concerned that we make sure that solar facilities be removed at the end of their economic life. Member Taylor stated that she thinks that this is due to the vast green space that the solar fields cover. This is a large area and Burlington County prides itself on green space preservation. While this is private land and Mr. Hiros can use it as he sees fit, she wants to talk about if this technology is abandoned in the future and something else comes up that we don't just leave this.

Mr. Hiros stated that these panels are warranted for 25 years. They have an expected minimal life of 30 years. So for 30 years they will be producing electricity and someone will be using that electricity. He said if he is not at that building, whoever is at the site will be using the electricity. He said that he couldn't see why this would be replaced when it is projected to produce energy for at least 3 decades.

Member Taylor stated that she is just asking that Mr. Hiros submit an exit strategy. Mr. Hiros stated that if a new technology were to come along and he wished to replace the solar field with it, he would be required to come back to this Board for the approval.

Scott Hayes, Four Point Solar stated that the racking structure is made of aluminum and the perimeter of the panel is built of aluminum and the front façade is glass. It is all recyclable materials. The question that was asked about longevity and technology, Mr. Hayes added that the same technology has been with us for 30 years. The only thing that is changing is output. This plan utilizes panels with the greatest output available at this time and they will last for the next 30 years.

Member Taylor stated that she is not questioning that Mr. Hayes technology would last but that other technology will come in that would be more effective and more desirable.

Solicitor Frank stated that Mr. Hayes had testified that the support structure was made of aluminum and the surrounds on the panels are made of aluminum. These are recyclable materials, which have a ready market.

Engineer Guzzi stated that it is reasonable to assume that once the investment is made to install the solar panels, it would be used for as long as it works, no matter who is there. Once the investment is made to install it, it doesn't cost anything to use it.

Member Taylor stated that it is not out of the realm of possibility that after 10 years someone approach you with new technology that is cheaper and more efficient that would make the existing technology obsolete and if it does she wants to know that there is an exit strategy for those acres and acres of land that are covered with the panels.

Mr. Hiros stated that he doesn't know how to accomplish those goals. There are a lot of "what ifs?" He said that he is making a considerable investment here approximately three quarters of a million dollars so to say that he would replace it in 10 years doesn't make sense. He stated that the investment that he is making is considerable and he is banking on that it is going to work for a long time. Mr. Hiros stated that if it doesn't work – well he has maintained his property and has done a good job of keeping things up to code and up to date. He is inspected several times a year. He stated that if he weren't using the solar panels he would take it down and probably would get some scrap value from it, but he doesn't know how he would accomplish a guarantee that they would be removed. Secretary Montgomery said that there could be a condition on the approval.

Mr. Hiros referred back to Solicitor Frank's comment and said that if the restaurant should be abandoned? Would he have to remove that?

Secretary Montgomery asked if the Board had a legal right to mandate that Mr. Hiros provide an exit strategy as a condition? Solicitor Frank stated that this is the Sica test. This Board has to look at the societal benefits, which has been articulated as renewable energy. It has to look at any potential detriments that may flow from it and the applicant has articulated that there really are minimal detriments due to the location and this is for the Board to weigh. He stated that the Board could perceive that there is a potential detriment in the event that the solar panels stay on the site when it is no longer used, as Member Taylor is concerned. If the Board perceives this as a detriment then it could come up with reasonable measures to mitigate that. This is within the Board's power, but the question is that given the larger structure of the law, does it require there to be removal guarantees for anything else? Why are we singling this out? Member Taylor stated because it is huge and covers a huge amount of property. Solicitor Frank asked how large the proposed site was. Engineer Guzzi stated that this is less than an acre. Mr. Burdick stated that the proposed site is actually a quarter of an acre. Member Taylor stated that for her it was a matter of principle, as more and more of the solar arrays are popping up in Florence Township she feels a responsibility to insure that they don't end up as eyesores 30 or 40 years down the road.

Member Crowell stated that he thinks Mr. Hiros' site is particularly suited for the project that is being presented, but that may not necessarily be the case for other locations on Route 130. The Board had an extensive discussion regarding whether or not solar panels should be removed after their lifespan.

Member Taylor asked Mr. Hiros if he would just agree to dismantle the array if he abandoned it? Mr. Hiros stated that it is hard for him to guarantee this. If he is no longer there he doesn't know how to guarantee it.

Vice Chairman Zekas said that if there is a new technology available and Mr. Hiros or a subsequent owner was back before this Board, the first thing that the Board would suggest would be to install it where those solar panels are. He said that he doesn't think that the Board can include a condition on this. He said that he would like to feel that as a business owner would keep his property neat and orderly and only keep stuff on it that is beneficial.

Secretary Montgomery asked if the township had the authority to insure that people maintain their property? Florence Township Code Official Thomas Layout stated that there is a property maintenance code that allows the township to insure that whoever owns the property would have to keep it well maintained. So in 30 or 40 years if the property is not in compliance with the ordinance the township can make the property owner do whatever is necessary to bring it up to compliance. He stated that he doesn't think that the Board should circumvent the authority of the Code Official.

Member Taylor stated that she would be happy to move on with the testimony. Vice Chairman Zekas asked Mr. Hayes if he had anything to add. Mr. Hayes added that the proposed racking system could be reused, if Mr. Hiros decides to upgrade in the future.

Vice Chairman Zekas stated that these panels are proposed to be located on the detention basin. He stated that this is a desirable location because that property can't be used for anything else. Engineer Guzzi agreed that it can't be used for anything else and because the legislature has decided that solar panels are not impervious there is very minimal impact on the operation of the basin. So this is otherwise dead space, albeit green space.

Planner Perry stated that he was satisfied by the testimony given by the applicants planning consultant and stated that they have satisfactorily addressed all the things that had to be addressed for the granting of the use variance.

Planner Perry asked for clarification of where the 4' black vinyl clad fence would be located. Mr. Burdick stated that the fence would come off the trash enclosure coming eastward and then along the solar panels and turning into the existing sidewalk. There will not be any access, but you would be able to get around it on the left side for maintenance. Solicitor Frank asked if this was near the volleyball courts. Mr. Burdick answered that it was. Mr. Hiros stated that the volleyball courts are surrounded by mesh fencing.

Planner Perry stated that rather than have the applicant provide replacement trees would he be receptive to placing shade trees along the Route 130 corridor? Mr. Hiros stated that he would not agree to this. Planner Perry asked if Mr. Hiros would be agreeable to place the trees anywhere on the site. Mr. Hiros answered that they are not removing very many trees. There is one major tree that suffered some storm damage. In addition to that there are 15 acres that are primarily wooded trees. Planner Perry stated that he would leave this to the Board to decide.

Solicitor Frank asked Mr. Hiros why he was resistant to installing the trees? Mr. Hiros stated that he obviously doesn't want to block the view of the restaurant from Route 130.

Planner Perry stated that the only reason he mentioned this was because the town was part of the corridor study and part of that is the beautification of that corridor. They are encouraging new businesses that come in to place shade trees along the corridor or within the parking lot areas.

Mr. Hiros stated that they do have plantings in the parking lot that have grown over the years.

Vice Chairman Zekas opened the meeting to public comment. Seeing no one wishing to comment, motion was made by Taylor, seconded by Crowell to close the public hearing.

Engineer Guzzi stated that all of the items in his review letter of November 14<sup>th</sup> have been addressed. He stated that the fence location and material should be added to the plan. He stated for the record that there was a report from the police chief stating that he had no concerns with the plan.

Vice Chairman Zekas asked Planner Perry for a recap on the tree issue. Planner Perry stated that the ordinance has a requirement for compensatory planting. The applicants consultant stated that there was only 1 tree over 6", so it appears through testimony that there aren't a lot of large caliper trees. Planner Perry stated that when Mr. Hiros came in for the site plan for the restaurant the shade trees should have been addressed at that time.

Member Taylor asked Planner Perry where he was proposing to put trees. Planner Perry stated that he was proposing to put trees along Route 130.

Mr. Hiros stated that there are not very many trees and they are not good quality trees. Mr. Hiros stated that he did not want to block the view of his restaurant from the highway. He said that he had gone before the Planning Board and has an approved site plan including landscaping.

Member Taylor asked Planner Perry how many trees he was proposing. Planner Perry stated 3 or 4 trees. Member Taylor said that she couldn't imagine that 3 or 4 trees would block the view of the restaurant. Mr. Hiros stated that he went through a full site plan for this site. He was required to have plantings in the islands in the parking lot to provide aesthetics. These plantings are mature at this time. It is not a bare site. He stated that this site is unique in that it is 15 acres with thousands of trees on it.

Solicitor Franks stated that given the nature of the site he is not finding tremendous support in the ordinance to require the addition of more shade trees.

Solicitor Frank stated that this is an application for a Use Variance to permit something that is an inherently beneficial use. The test comes out of the Sica case. This is an accessory to the principal restaurant use. The Board had to look at the benefits and

detriments of the application and determine if the benefits outweigh the detriments. He stated that planning testimony was given by the applicant's engineer and planner with regard to his review of the criteria for the benefits and his opinion that there were very few detriments. Conditions include the sidewalk waiver; the applicant will either install the sidewalk or make a contribution in lieu based on the calculations provided by Engineer Guzzi. The shed will be removed. Compliance with Items 4, 5, 6, 7, 8, and 9 in Engineer Guzzi's letter. Installation of a 4' tall black vinyl coated chain link fence between the sidewalk area and the trash enclosure. Its final location and design will be subject to administrative review by the board's engineer and planner. Provide the location of the tree in excess of 6" disturbed area on the plan. Plus the usual conditions regarding outside agency approvals, escrow payments, etc.

Motion of Groze, seconded by Crowell to approve Application ZB#2011-18 with the conditions listed by Solicitor Frank.

Upon roll call the Board voted as follows:

YEAS: Groze, Crowell, Buddenbaum, Montgomery, Taylor, Zekas, Adams  
NOES: None  
ABSENT: Fratinaro

#### MINUTES

Motion of Montgomery, seconded by Buddenbaum to approve the Minutes from the regular meeting of October 25, 2011. Motion unanimously approved by all members present.

#### RESOLUTIONS

##### **Resolution ZB#2011-28**

**Granting a Use Variance to Silvia Secelean to permit conversion of a detached garage into a one bedroom apartment on property located at 1019 Potts Mill Road, Florence Township, NJ. Block 166, Lot 12.01.**

Motion of Taylor, seconded by Buddenbaum to approve Resolution ZB#2011-28.

Upon roll call the Board voted as follows:

YEAS: Montgomery, Crowell, Groze, Taylor, Zekas, Buddenbaum  
NOES: None  
ABSENT: Fratinaro

##### **Resolution ZB#2011-29**

**Granting a Use Variance and Site Plan waiver to Waggin' Tails of Florence, LLC to allow a pet grooming/supply store with overnight boarding on property located at 2037 Route 130 South, Florence Township. Block 159, Lot 4.02.**

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Motion of Taylor, seconded by Zekas to approve Resolution ZB#2011-29.

YEAS: Buddenbaum, Zekas, Taylor, Groze, Montgomery

NOES: None

ABSENT: Fratinardo

#### CORRESPONDENCE

- A. Compliance review letter from Planner Perry dated November 2, 2011 regarding ZB#2011-01 for LB Solar, LLC.
- B. Compliance review letter from Planner Perry dated November 2, 2011 regarding ZB#2011-04 fro Florence Family Dental.
- C. Compliance review letter from Engineer Guzzi dated November 7, 2011 regarding ZB#2011-04 for Florence Family Dental
- D. Letter from Burlington County Soil Conservation District dated November 16, 2011 regarding Dr. Scott Blum (Florence Family Dental).

Motion of Taylor, seconded by Crowell to receive and file Correspondence A through D. Motion unanimously approved by all members present.

#### OTHER BUSINESS

Member Crowell asked if anyone would like to go to the Planning Board meeting to talk about the proliferation of the solar panels in the township. Solicitor Frank stated that the Board should put this in the Board's Annual Report. He stated that the Board Members have the right as individual citizens to appear at the Planning Board and Township Council meeting if they choose.

The Board had a further discussion on the issue of solar farms.

#### PUBLIC COMMENT

The Board opened the meeting to public comment. Hearing no one wishing to comment motion was made and seconded to close the public comment.

There being no further business motion was made by Montgomery seconded by Bott to adjourn the meeting at 9:27 p.m.

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Ray Montgomery, Secretary

RM/ne