

**WHITE TOWNSHIP PLANNING BOARD
555 CR 519, BELVIDERE, NEW JERSEY**

**MINUTES
APRIL 13, 2021**

The regular meeting of the White Township Planning Board was held on Tuesday, April 13, 2021. Present were: Timothy Matthews, Chanda Collom, Michael Grossmann, Robert Mackey, Anne Skoog, Joan Schnieber, Richard Nieuwenhuis, Joseph Phillips, Drew Kiszona (arriving later in the evening) and David Pritchard. Board Member Absent: Nevitt Duveneck. Also present: Attorney Richard Cushing, Conflict Engineer Andrew Holt, and IT Consultant Jean Paul Reese.

CALL TO ORDER:

Chairman Matthews called the meeting to order at 7:05 p.m. He stated that the meeting is being held in accordance with the "Open Public Meetings Act", with adequate notice to the appropriate newspapers and posting on the township bulletin board and the township website. Mr. Reese reviewed the Zoom procedures for this evening.

OPEN TO THE PUBLIC:

Chairman Matthews opened the meeting to the public for non-agenda items.

Gayle Howard asked if there is a conflict of interest over hearing an application with an Applicant that is suing the Township. Mr. Cushing addressed the issue and the process.

Elizabeth McKinnon commented on the concerns raised from residents over warehouse development. Mr. Cushing stated that those type of questions can be asked during the hearing and it is not appropriate for the Board to discuss a specific application. Mr. Matthews stated that planning in the Township is a complicating matter as residents have needs: housing, work, shopping, etc.

Tom Bodolsky stated his concerns that an overview of a project has not been introduced and presented to the Board, although other testimony has been provided. Ms. Schneiber asked if it is possible, as a professional courtesy, to ask who will be presenting at a meeting so that everyone can be prepared.

Caroline Wittke asked if there is a time line in starting in person meetings. Mr. Cushing stated that he does not believe there is a hard and fast date at this time. There was a brief discussion on what the meetings may look like in the future.

Elaine Reichart asked if the Board Members can identify themselves before speaking.

With there being no further public comment, the meeting was closed to the public for non-agenda items at 7:31 p.m.

MINUTES OF PREVIOUS MEETING:

The minutes of the Regular Meeting of February 9, 2021, were distributed to all the Board Members prior to the meeting.

Ms. Skoog made the motion to approve the minutes. Motion seconded by Ms. Collom. Discussion on the motion: Ms. Skoog noticed a minor correction. In a voice vote, all were in favor.

VOTE: 9 AYES

The motion carried

The minutes of the Special Meeting of February 16, 2021, were distributed to all the Board Members prior to the meeting.

Ms. Skoog made the motion to approve the minutes. Motion seconded by Ms. Schnieber. In a voice vote, all were in favor, except for Dr. Phillips, who was not present at the meeting and abstained.

VOTE: 8 AYES

The motion carried

CORRESPONDENCE:

Beckett

. 3-05-21 Board of County Commissioners,
Re: Appeal of Site Plan Denial WCPB

Foul Rift Solar

. 4-13-21 White Township Environmental
Commission, **Re: Buffering**

OLD BUSINESS/NEW BUSINESS:

#790 Jaindl Land Company, Block 7, Lot 16 (Phase 1 Site Plan)

#792 Jaindl Land Company, Block 7, Lots 3, 4, 5, 11 & 14 (Phase 2 Site Plan)

#791 Jaindl Land Company, Block 7, Lots 3, 4, 5, 11 & 14 (Phase 2 Subdivision)

Chairman Matthews stated that the Board received a letter today requesting that these matters be carried to the Board's May 11, 2021 meeting along with granting an extension of time until the end of May.

#795 Foul Rift Solar Farm, Block 21, Lot 11.03

Chairman Matthews recused himself and Mr. Mackey will chair this portion of the meeting.

Mark Bellin Esq. was present on behalf of the Applicant. Robert Streker acknowledged that the was still under oath and he displayed the following Exhibits which were marked:

A-13 Updated A-10, dated 4-13-21

A-14 Updated A-9, dated 4-13-21

Mr. Streker addressed the Exhibits and the visibility of the proposed solar farm, which was discussed with the Board and the Applicant. Mr. Bellin addressed the buffer, Lot 11, and bonding.

The hearing was opened to the public for questions of Mr. Streker.

Arnold Hyndman questioned what the vegetation will look like in winter and early spring, which Mr. Streker addressed.

Diane Reichart stated that they oppose the reduction in the buffer setback and the request for no berm and fencing, which was addressed by the Applicants.

Elaine Reichart questioned the periodic maintenance and review of the buffering. Mr. Bellin stated that they would be happy to have a periodic review of the landscaping.

With there being no further public comment, the hearing was closed to the public.

The Board continued to discuss the proposal and the ph of the soil. Mr. Bellin addressed the possible future different farmland development on Lot 11. Mr. Ferguson addressed the ph of the soil.

Barbara Ehlen, P.P. was sworn in and she presented her education and qualifications as a Planner. In a voice vote, the Board accepted Ms. Ehlen's as an expert. Ms. Ehlen then went on to review the uses permitted in the zone and the Township Master Plan. She reviewed the adjacent use of properties in the area and the prior use of the subject property. She reviewed the low impact of a solar use and the redevelopment of a brownfield site. She stated that the proposed use is an inherently beneficial use. She went on to provide the positive and negative criteria for the requested bulk variances and she stated that the Applicant is willing to work with enhanced landscaping and she reviewed the solar approval granted to DSM. She stated that she does not see any substantial detriments. The Board questioned the ambient temperature and the temperature of the solar panels, which was discussed with the Applicants. Mr. Holt had additional questions regarding the buffering, which was addressed by Ms. Ehlen.

The hearing was then opened to the public of questions of Ms. Ehlen.

Diane Reichart had a question in regards to the testimony and she stated that the solar panels do cast heat and that it is lethal to birds based on a study, which the Applicants addressed.

Elaine Reichart commented on the future reclamation use of the mine property and buffering, moisture, impact of the proposal on the soils and stormwater runoff, which was addressed by the Applicants.

The Board commented on the different type of solar panel projects that generate heat.

Arnold Hyndman commented on the chain link fencing, which was addressed by the Applicants.

With there being no further public comment, the hearing was closed to the public for questions of Ms. Ehlen.

Ms. Ehlen summarized her testimony and the necessary proofs for the granting of the bulk variances with the Board and the Applicants. The Board and the Applicants continued to review and discuss the proposal at great length and the proofs necessary for the granting of variance relief and the balancing of the Applicant's requests. Mr. Bellin asked that the Board grant the bulk variances being requested as they are willing to work with the Township on the landscaping.

Mr. Holt reviewed the possible conditions of an approval.

Mr. Nieuwenhuis made the motion to grant the variance for Block 21, Lot 7. Motion seconded by Mr. Grossmann. Discussion on the motion: The Board discussed the proposal and relief requested. Mr. Holt stated that he feels that they principles of zoning are being advanced and the Applicant has compensated for the negative criteria. In a roll

call vote, all were in favor, except for Mr. Phillips and Mr. Kiszonak, who did not hear all of the testimony and abstained.

VOTE: 7 AYES

The motion carried

Ms. Skoog made the motion to grant the variance for Block 21, Lot 11. Motion seconded by Ms. Schneiber. In a roll call vote, all were in favor, except for Mr. Phillips and Mr. Kiszonak, who did not hear all of the testimony, and abstained.

VOTE: 7 AYES

The motion carried

Ms. Skoog made the motion to grant Preliminary and Final Site Plan, as conditioned and discussed this evening. Motion seconded by Ms. Collom. In a roll call vote, all were in favor, except for Mr. Phillips and Mr. Kiszonak, who did not hear all of the testimony and abstained.

VOTE: 7 AYES

The motion carried

EXECUTIVE SESSION:

Chairman Matthews resumed his position on the Board and he suggested that the Board defer the Executive Session until the May meeting.

BILLS:

ADDITIONAL BILLS:

Colliers Engineering & Design (DBA Maser Consulting)-Foul Rift	387.50	Escrow
Colliers Engineering & Design (DBA Maser Consulting)-Master Plan	2323.00	PBOE
Colliers Engineering & Design (DBA Maser Consulting)-Becrett	116.25	Escrow
Suburban Consulting Engineers-Jaindl	6071.65	Escrow
Gebhardt & Kiefer, P.C.-Jaindl	1302.50	Escrow
Gebhardt & Kiefer, P.C.-Foul Rift Solar Farm	445.50	Escrow
Gebhardt & Kiefer, P.C.-Becrett	33.00	Escrow
Bright View Engineering-Jaindl	3170.00	Escrow
Suburban Consulting Engineers-Foul Rift Solar Farm	1510.00	Escrow

In a motion made by Dr. Phillips and seconded by Mr. Pritchard, the bills were approved. Discussion on the motion: Mr. Grossmann questioned the Master Plan Voucher, which Chairman Matthews addressed. In a voice vote, all were in favor, except for Mr. Grossmann and Mr. Kiszonak, who abstained.

VOTE: 7 AYES

The motion carried.

ADJOURNMENT:

With no further business to discuss, a motion was made and seconded to adjourn the meeting at 10:23 p.m. In a voice vote, all were in favor.

Respectfully Submitted:

Alfia Schemm
Board Secretary

6/6/21