

**HARRISON TOWNSHIP PLANNING BOARD
REGULAR MEETING
DECEMBER 15, 2011
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Chairman Joseph Pacera called the meeting to order at 7:30 p.m. The meeting was held at the Municipal Building with the following Planning Board members present: Chairman Joseph Pacera; Nancy Kowalik; Santo Maccherone; Steve Dickson; Louis Manzo; Matthew Diggons; and Mark Reidenauer, Alternate #1. Absent: Vice Chairman Jack McElwee; Niki Trunk; and Bill Madara, Alternate #2.

Others present: Joan Adams, Esq., Planning Board Solicitor; Robert F. Melvin, Planning Board Planner from Group Melvin Design; Justin Gibson, Planning Board Engineer from Pennoni Associates, Inc.; Emily Givens, Esq., Special Counsel from Maley and Associates; and Susanne H. Rhudy, Planning Board Secretary.

OPEN PUBLIC MEETINGS ACT:

Ms. Rhudy read the following statement into the record: "In compliance with Chapter 231 of the Public Laws of 1975 notice of this meeting was given by way of notice filed with the Gloucester County Times and posted on the bulletin board in the municipal building on January 7, 2011."

FLAG SALUTE:

Chairman Pacera led in the salute to the flag.

APPROVAL OF MINUTES:

Regular Meeting – December 1, 2011

Mark Reidenauer made a motion to approve the minutes. Nancy Kowalik seconded the motion and the motion was approved unanimously.

COMMENTS FROM THE PUBLIC:

Chairman Pacera opened the meeting to public comment. He said comments on agenda items should be held until the matter was opened but that other comments could be made now. Hearing no comments from the public, Chairman Pacera closed the meeting to public comment.

PUBLIC HEARINGS:

Chabad Jewish Center, Inc.

William Ziegler, Esq. appeared on behalf of the applicant. Ms. Adams confirmed that proper public notice had been given. She affirmed Rabbi Richler as a witness. Mr. Ziegler said the Rabbi presented testimony at his last appearance before the Board. A site plan waiver was granted previously subject to conditions including further discussion of the parking requirements, site lighting and ingress and egress. Mr. Ziegler said the Center

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intends to apply for site plan approval within a year to expand the parking area and to build an addition to the main building along with other site improvements. Rabbi Richer discussed the current and anticipated use of the facility. Mr. Ziegler confirmed that the Rabbi intends to use approximately 627 square feet of the building for two classrooms and the first floor hallway. The survey plan shows 6 off street parking spots in the existing gravel parking area. There are 2 parking spots in front of the garage and 2 cars could be parked in the garage. Rabbi Richler said the orthodox congregation is meant to walk to synagogue on Saturday however that is not always possible given the rural setting. Many members will park several blocks away and then walk to synagogue. He said permission has been received from Fertig Funeral Home, Amazing Grace bookstore and St. Stephen's Church to use their parking lots.

Mr. Ziegler said the plan shows additional plantings around the edge of the parking lot and the Rabbi confirmed that those plantings are in place. A four foot wide paver walkway is proposed from the parking area to the sidewalk on Main Street to provide access to the building. The Rabbi said there is a sidewalk along Woodland Avenue to the driveway. It is their intention to extend the sidewalk along the length of the property and reconfiguring the parking area in the side and rear yard. There is a light on the garage which is non-functional but can be turned on. There is also lighting on the side and the front of the building.

Mr. Melvin reviewed his letter dated December 13, 2011. He said the resolution of approval instructed his firm to itemize all the variances and waivers which would be needed either under the current bulk variance application or for the future site plan. His firm also looked at safe movement through the parking lot and into the building, as well as the lighting. Some of the issues are pre-existing non-conformities. Other issues will have to be determined by the applicant such as building coverage calculations. Mr. Ziegler said their surveyor would do that calculation. Mr. Melvin discussed the buffering from neighboring properties. He said the species in the existing buffering should be identified. There is also a buffer and setback requirement for parking from the street line. Mr. Melvin discussed variances involved with the parking lot. The building capacity was evaluated and Mr. Melvin determined that 15 parking spaces would be required for full use of the building. He said it is achievable to accommodate the 15 spaces on the site. Sidewalk is required along the frontages. Additional information is needed for an evaluation of the site lighting. Low garden lighting is proposed along the paver pathway.

Mr. Gibson said the landscaping to the west of the driveway entrance inhibits clear sight and a sight triangle must be provided. The lighting shown is inconclusive. Mr. Ziegler said the power has not been tested to the lighting on the garage. He said the lights will be turned on and an isolux pattern will be submitted to Mr. Gibson. Mr. Ziegler said the parking lot will probably be paved in the future, and as the parking lot will have to be reconfigured at that time, it is not practical to pave it now. The species of landscaping will be provided and the sight triangle will be cleared. Mr. Ziegler discussed the parking need and said they believe the site requires 10 spaces to comply with the ordinances as the entire building is not in use. Rabbi Richler said the intent now is to not go beyond once a week

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classes with the Hebrew school. Mr. Ziegler said the Rabbi intends to use 627 s.f. which equals the 10 spaces needed. Rabbi Richler said there are 8 children enrolled in the Hebrew school and they are dropped off by their parents. Classes and large gatherings are held off site. He said that right now the 8 parking spots are never all in use.

Mr. Melvin said if the spaces in front of the garage were used for parking, the cars would have to back out onto Woodland Avenue. The Board discussed possible conditions of approval which would trigger the necessity of site plan application. The Rabbi said the requested relief is temporary and they will begin working on a site plan early next year. He said landscaping has been planted in the past few months and the species can be identified. Mr. Melvin said the lot should be buffered with 4' to 5' high evergreens and it will be possible to use those evergreens for buffering around the reconfigured parking area after site plan approval. Mr. Ziegler said the isolux pattern will be submitted within 30 days. Ms. Adams said if it meets the ordinances, the Board engineer can approve it, and if it doesn't, the applicant will have to apply for a variance.

Mr. Melvin said details for the pathway were not provided. Chairman Pacera said all the details would have to be provided and would be subject to meeting all of the requirements and approval of the Board planner. Mr. Ziegler said there is insufficient right-of-way along Woodland Avenue to extend the sidewalk within the right-of-way. He said during site plan they will propose to extend the sidewalk and provide an easement to the Township since a portion of the walk will be on private property. Mr. Gibson said the curb should also be extended. A small sign will be placed at the garage that there shall be no parking in the driveway.

Ms. Adams discussed conditions which can be attached to variances which will force the submission of the site plan. If the parking or circulation is causing a traffic hazard, it would trigger a full site plan application. The Rabbi said he would agree to the condition. The isolux plan will be submitted within 30 days.

Nancy Kowalik made a motion to open the meeting to public comment. Mark Reidenauer seconded the motion and Chairman Pacera opened the meeting to public comment. Ms. Adams swore in the following members of the public:

Harry Knorr, 56 North Main Street: Mr. Knorr said he lives on the opposite side of Woodland Avenue from the site. He said a sidewalk along Woodland Avenue would be a safety hazard. While he is in support of the use, he has concerns for the safety. He said the day after he received notice of the hearing, the parking lot was full and someone had stopped right on Woodland Avenue. This creates a traffic hazard for cars turning off of Main Street. Mr. Knorr said his driveway is used for turning around which creates a safety issue for his family. He said the parking area for the site needs to have a two car entry and exit. The pathway on the north side of the building would be safer than a sidewalk on Woodland Avenue. Mr. Knorr said when the parking lot is full, there is nowhere for a car unable to get into the lot to turn around. The Rabbi said on the day the lot was full, they were doing a yard sale off site, and people were loading their cars with items being stored

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at the building. Chairman Pacera said this can't happen again until full site plan review has been done.

Sharon Paterson, 55 North Main Street: Ms. Paterson said she is a vestry of St. Stephen's Church and they have not agreed to allow parking on their site. She said she also has concerns with the safety of the site and the traffic hazards. Ms. Paterson said Chabad's website has a long list of future improvements and Chairman Pacera said those improvements would be reviewed under a site plan approval.

Mayor Manzo said it must be clear that the driveway cannot be used for parking and there will be no backing out of the parking lot onto Woodland Avenue.

Marie Angelini, 62 North Main Street: Ms. Angelini said she is favor of the use but has concerns with the safety of the parking conditions, and is concerned with the whole back yard being turned into a parking lot.

Gary Spinner, 102 Antelope Drive: Mr. Spinner said he drops his children off at the site on Sundays and has never had an issue with turning into the parking lot. He agreed that some of the landscaping needed to be cleared to provide a clear sight triangle. He said he parks his car and walks his children into the building.

Nancy Kowalik made a motion to close the meeting to public comment. Mark Reidenauer seconded the motion and Chairman Pacera closed the meeting to public comment.

The Board asked if written approval had been given for the off-site parking at Fertig's and Amazing Grace and the Rabbi said it would be obtained. The Board discussed the safety issues brought up by the neighbors and asked the Rabbi to let his congregation know of these concerns and address them. Mr. Gibson suggested that the two driveways be used to create a one way driveway, with one as the entrance and the other as the exit, with the parking angled. Mr. Melvin said the parking lot should ultimately be turned 180 degrees from its current orientation. Ms. Adams said the design change to the parking lot should be submitted to the Board engineer for his approval. Rabbi Richler thanked the Board for their consideration of the requested relief.

Mr. Ziegler summarized the conditions: a design change for the parking lot will be submitted to the Board engineer; parking will be eliminated in front of the garage; the paver walkway will be eliminated and the existing concrete walkway will be utilized up to the sidewalk on Woodland Avenue pending extension of the sidewalk at the time of the future site plan; shrubs no more than 3' high will be planted along the curblines, if there were a curb along Woodland Avenue, to prevent backing out from the parking lot; the site isolux plan will be submitted within 30 days. The Board said that the paver walkway should be retained as the walk from the lot to the building. Ms. Adams said the variances as enumerated in Mr. Melvin's letter should be voted on separately. Mr. Melvin noted that any relief granted by variances is interim and may not carry over to the future site plan.

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Santo Maccherone made a motion to grant the variances for landscape buffering subject to the Planner's review and approval of the current plantings to ensure there is adequate buffering from headlights from the side and front. Mark Reidenauer seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Matt Diggons – Aye; Mark Reidenauer – Aye.

Nancy Kowalik made a motion to grant the pre-existing condition variances listed as #1 and #2 in Mr. Melvin's letter. Santo Maccherone seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Matt Diggons – Aye; Mark Reidenauer – Aye.

Steve Dickson made a motion to grant the variances for the parking requirements subject to the testimony on the record, the design revisions proposed, and with the understanding that until the full site plan is done within 12 months, there will be 8 spaces: 2 inside the garage and 6 in the parking lot; submission of letters authorizing the off-site parking; no parking in the driveway and a no parking sign in that location. Mark Reidenauer seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Matt Diggons – Aye; Mark Reidenauer – Aye.

Nancy Kowalik made a motion to grant a variance from the requirement to install a sidewalk, and in the meantime to install a paver walkway. It was noted that the variance is of limited duration and a sidewalk will have to be installed under the site plan approval. Steve Dickson seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Matt Diggons – Aye; Mark Reidenauer – Aye.

Alteris Renewables, Inc.

John Falciani, Esq. appeared on behalf of the applicant. He said the applicant is seeking preliminary and final site approval to construct two separate solar arrays. Ms. Adams confirmed that proper public notice had been given. She swore in the following witnesses: Jason Case, RGS Energy aka Alteris Energy Renewables; Bruce McKenna, engineer; Bruce Haines, Friends School Headmaster. The following were marked into exhibit: A-1 Sub-array plan; A-2 RGS Energy as a Solar Industry Leader; A-3 Historic Electric Usage and Estimated Solar Production; A-4 Panel Specifications; A-5 Solarmount specifications; A-6 RBA Solar specifications.

Mr. Case said his firm is a full service solar installation firm. He explained how the proposed placement, orientation and size of the arrays were determined. He said the placement was restricted to the proposed area by a wetland buffer to the west of the site and future plans for a parking lot expansion to the east of the site. Mr. Case described the array planned for mounting on the roof of the Noel Baker building.

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The Board took a short break.

Mr. Case discussed the roof mounted panel design. He said the panels are proposed to have an aluminum frame. Chairman Pacera said the ordinance requires they be black and Mr. Case said he was aware of the requirement but most commercial applications don't offer the black feature; it would be special order which would be cost prohibitive. Chairman Pacera said the other commercial solar installations approved in the township have all visible parts black. Mr. Case then explained the configuration and placement of the ground mounted array. Chairman Pacera asked how the arrays are buffered from the street view. Mr. Case said there will be a fence and vegetative buffer with a variance requested for less than the required buffer. He said the placement was restricted by the wetland buffer to the west and south and the future parking lot restricts the placement to the east. It was moved to the north to avoid shading from the trees in the wetland buffer. Chairman Pacera asked why access to the fenced area is proposed to come from High Street rather than from the existing parking lot. Mr. Case said they are serviced a few times a year and it is preferred to have access to the invertors from a drive up location and there is an existing drive cut on High Street. He said the same modules used for the roof array will be used for the ground array. The array will be hidden behind the fence and Chairman Pacera asked Mr. Case if he was familiar with the ordinance requirements for black panels and visible structure. Mr. Case said he was but for a system of the proposed size it is cost prohibitive.

Mr. McKenna gave an overview of the site plan. He discussed the visibility of the ground array and said it will be screened by the fence and the vegetation, and there is a 7' drop in elevation which will help hide the arrays. The Board noted that they would be visible from the second floors of nearby houses. Mr. McKenna said the vegetative screening will be provided on three sides of the arrays.

Mr. Gibson reviewed his letter dated November 17, 2011. He recommended that a turn-around be provided with the access to the ground array. Chairman Pacera said the access should be from the parking area and it could be a temporary access. Mr. Gibson said the plan shows tree lines intended for clearing and said a tree protection plan is required to be submitted along with a compensatory plan. Mr. Falciani said they intend to comply with the tree ordinance. Chairman Pacera said as many trees as possible should be planted along High Street. Mr. McKenna said a detailed plan will be prepared. No site lighting is proposed.

Mr. Melvin reviewed his letter dated November 21, 2011. He discussed the variances which are required and some of the issues with the buffering. Chairman Pacera asked why the buffer plan was not prepared for this meeting. Mr. Melvin said the major issues for discussion are the width and quality of the buffer, and the color of the components. Chairman Pacera said a berm and buffer needed to be developed to provide screening from the road. Mr. Melvin said it would be important to understand the footprint of the future parking lot to determine if the location of the arrays could be shifted to allow the adequate screening along High Street. He asked if the basin area was looked at as a possible location for arrays and Mr. McKenna said it was looked at but wasn't a preferred

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location. Mr. Melvin described a possible re-location of some of the arrays to provide more room for High Street buffering. Mr. Haines said if the arrays were moved further east, they would interfere with the future parking lot which will be expanded to the west and south. He said there may be other ways to manage their stormwater which would open the current basin as a possible location. The School Board approved this location because it would have the least impact on future construction plans. Mr. Haines said the Salem building is the least desirable of the current buildings and it may be replaced someday and they would expect to continue to service that building with solar energy, whether from the proposed ground array or by moving them to the roof. Ms. Adams discussed the proofs that need to be considered for the granting of a variance. Mr. Haines said there are three separate metering systems to comply with Atlantic City Electric requirements.

Mr. Falciani said they are committed to providing as much buffering as possible but are looking for an approval tonight to obtain the credits before the end of the year. He said they would also explore moving one row of arrays. Chairman Pacera said the Board needed to see the buffering and didn't have enough information to consider the requested variances. He said he also wanted to find out from the Fire Marshall the purpose of their requested 20' access way around the array. Ms. Adams said an approval could be granted for less than what the applicant is requesting and they would have to apply for an amended approval later. The Board discussed and told the applicant that all panels and structural elements have to be black. The applicant withdrew their request for a variance on the color.

Nancy Kowalik made a motion to open the meeting to public comment. Mark Reidenauer seconded the motion and Chairman Pacera opened the meeting to public comment. Hearing no comments, Nancy Kowalik made a motion to close the meeting to public comment. Mark Reidenauer seconded the motion and Chairman Pacera closed the meeting to public comment.

Ms. Adams reviewed the variances.

Louis Manzo made a motion to grant a variance to permit both roof mounted and ground mounted solar arrays. Matt Diggons seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Matt Diggons – Aye; Mark Reidenauer – Aye.

Steve Dickson made a motion to grant a variance to permit the square footage of the array to exceed the ordinance, with the specific amount to be determined once the final placement of the array is established but not to exceed 13,700 square feet; the buffer requirements must be complied with. Nancy Kowalik seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Matt Diggons – Aye; Mark Reidenauer – Aye.

Matt Diggons made a motion to grant a variance from the 50 foot buffer setback from the property lines and permit a 30 foot setback. Mark Reidenauer seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Nay; Nancy Kowalik – Nay; Santo

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Maccherone – Aye; Steve Dickson – Nay; Lou Manzo – Nay; Matt Diggons – Nay; Mark Reidenauer – Nay.

The applicant withdrew the requested variance from the vegetative buffer and year round screening requirements.

Steve Dickson made a motion to grant a variance to not require the installation of sidewalk along High Street. Mark Reidenauer seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Matt Diggons – Aye; Mark Reidenauer – Aye.

The applicant withdrew the request for final site plan approval.

Steve Dickson made a motion to grant preliminary site plan approval. Nancy Kowalik seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Matt Diggons – Aye; Mark Reidenauer – Aye.

Chairman Pacera told the applicant to have their professionals meet with the Board professionals to work out all of the issues before they return for final approval.

Chairman Pacera recused himself and left the meeting room. Nancy Kowalik assumed the chair.

Review of Preliminary Investigation Report of Block 4 Lot 1 as an Area in Need of Redevelopment

Ms. Givens said proper public was given for the public hearing for the preliminary investigation. She said Township Committee authorized the investigation by resolution. In response to Committee's resolution Mr. Melvin prepared a report which he reviewed. He said it is his professional opinion that the area does qualify as an area in need of redevelopment.

Lou Manzo made a motion to open the meeting to public comment. Santo Maccherone seconded the motion and Acting Chair Kowalik opened the meeting to public comment. Hearing no comments, Lou Manzo made a motion to close the meeting to public comment. Santo Maccherone seconded the motion and Acting Chair Kowalik closed the meeting to public comment.

Steve Dickson made a motion to recommend to Township Committee that the area be designated as an area in need of redevelopment. Mark Reidenauer seconded the motion. A Roll Call Vote was taken: Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Matt Diggons – Aye; Mark Reidenauer – Aye.

Ms. Givens left the meeting and Chairman Pacera returned to the chair.

MEMORIALIZING RESOLUTIONS:

Resolution No. 42-2011 - A Resolution To Deem Complete The Application Of Alteris Renewables, Inc To Construct A Solar Array On Block 6 Lots 3, 5.01, 9, 9.01, 10, 11, 12, 13, And 14 And For Preliminary And Final Major Site Plan Approval

Chairman Pacera read Resolution 42-2011 by title. Nancy Kowalik made a motion to adopt the resolution. Steve Dickson seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Mark Reidenauer - Aye.

Resolution No. 43-2011 – A Resolution To Recommend To The Governing Body Of The Township Of Harrison That Block 59 Lots 12.01, 13, 14 And 17 Be Designated As An Area In Need Of Redevelopment.

Chairman Pacera read Resolution 43-2011 by title. Nancy Kowalik made a motion to adopt the resolution. Steve Dickson seconded the motion. A Roll Call Vote was taken: Chairman Pacera – Aye; Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Mark Reidenauer - Aye.

Resolution No. 44-2011 - Planning Board Resolution Recommending Designation Of Redevelopment Area for Block 4 Lot 1

Acting Chair Kowalik read Resolution 44-2011 by title. Nancy Kowalik made a motion to adopt the resolution. Steve Dickson seconded the motion. A Roll Call Vote was taken: Nancy Kowalik – Aye; Santo Maccherone – Aye; Steve Dickson – Aye; Lou Manzo – Aye; Matt Diggons – Aye; Mark Reidenauer - Aye.

SCHEDULE FOR PUBLIC HEARINGS:

Chairman Pacera said the Board's reorganization would be held on January 5, 2012 at 7:00 p.m.

STATUS OF CURRENT PROJECTS;

Chairman Pacera said the Richwood Town Center is moving forward.

REPORT FROM TOWNSHIP COMMITTEE:

There was no report.

REPORT FROM EDC:

Chairman Pacera said the EDC has made a list of objectives for next year.

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REPORT FROM ENVIRONMENTAL COMMISSION:

Mr. Maccherone said Mr. Heim gave a report on the work of the Pond Committee.

REPORT FROM PLANNING BOARD ENGINEER:

There was no report.

REPORT FROM PLANNING BOARD PLANNER:

There was no report.

COMMENTS FROM THE PUBLIC:

Chris Knisely, 72 N. Main Street: Mr. Knisely thanked the Board for their work.

COMMENTS FROM THE BOARD:

Chairman Pacera thanked the Board for their hard work.

Mr. Reidenauer said he would not be continuing as a Board member due to work obligations.

As there was no further business to be addressed, Santo Maccherone made a motion to adjourn the meeting. Nancy Kowalik seconded the motion and the motion was carried by a unanimous vote. Chairman Pacera adjourned the meeting at 10:58 p.m.

Respectfully submitted,

Susanne H. Rhudy
Planning Board Secretary