

**HARRISON TOWNSHIP ZONING BOARD  
REGULAR BUSINESS MEETING  
SEPTEMBER 28, 2011 – MINUTES  
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Chairman Nancy Kowalik called the Meeting to order at 7:38 P.M. The meeting was held in the Municipal Building in the Township of Harrison, the County of Gloucester, and State of New Jersey. The following Zoning Board Members were present: Chairman Nancy Kowalik; Vice Chair Scott Herman; John Williams; Dennis Bonanni; Fred Link; and Paul Mattessich, Alternate #1. Absent: Ron Moore; and Fran Plitt.

Others Present: John Hoffman, Esq., Zoning Board Solicitor; John Cantwell, Remington & Vernick representative (arrived at 7:40 p.m.); and Susanne H. Rhudy, Zoning Board Secretary.

**OPEN PUBLIC MEETINGS ACT:** Chairman Kowalik noted that the requirements of the Open Public Meetings Act have been satisfied.

**FLAG SALUTE:** Chairman Kowalik led in the salute to our flag.

Chairman Kowalik announced that the public hearing from Robert and Maria Dy will be heard on October 26, 2011. She said there would be no further notice to the public for the hearing.

**APPROVAL OF THE MINUTES:**

**June 29, 2011 – Regular Business Meeting**

Dennis Bonanni made a motion to approve the minutes. John Williams seconded the motion and the motion was adopted by a unanimous vote.

**PUBLIC HEARINGS:**

***William and Penni Heritage – Bulk Variance***

John Alice, Esq. appeared on behalf of the applicant. Mr. Hoffman confirmed that proper public notice had been given and he swore in the following: William Heritage, applicant; Penni Heritage, applicant; Larry DiVietro, professional planner; Ahmad Tamous, professional engineer; Clay Rager, solar contractor.

Mr. Alice said the Heritages are requesting bulk variances to install a ground mounted solar array at their residential property. Mr. DiVietro presented a colored variance plan which was marked as Exhibit A-1. He said there will be two arrays and they will generate electricity for the residential use only. The township has an ordinance which regulates the installation of solar arrays and this installation will require variances from that ordinance. Mr. Alice said a variance is required for an installation on a lot that is less than 1 acre; the solar panels are 1,800 s.f. where the ordinance permits 800 s.f.; and the panels are placed within 6 feet of the property line where 50 feet is required. He

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noted that the applicants own the adjoining property and it has recently been placed under permanent preservation. Mr. DiVietro said the array would therefore have no impact on the adjoining property. He said the applicant is requesting a waiver from fencing around the array, but Mr. Cantwell had indicated in his review letter that some landscaping or screening along Richwood Road should be installed due to the future Richwood Town Center development across Richwood Road. He said the applicant is agreeable to place some buffering along the array. The highest angle of the solar panels will be no greater than 7'. The color aerial photo of the site was marked as Exhibit A-2. Mr. DiVietro reviewed the variances: located on a less than 1 acre lot; total surface area greater than 800 s.f.; located less than 50' from property line; located between principal building and street and in side yard.

Mr. Rager discussed why the applicant needs an installation of 1,800 s.f. He said their consumption requires the array larger than what is permitted by ordinance. The consumption is only for their residential use and the excess will not be sold. Mr. Rager explained why the proposed location of the array is the only available location on the site, and why the arrays can't be placed on the roof due to the orientation of the roof and trees. The inverter will be installed on the backside of an array. Mr. Alice confirmed that the applicants have no contracts with anyone for purchase or sale of the electricity and the use is only for their personal residential use.

Mr. Cantwell reviewed his letter dated September 15, 2011. The zoning schedule on the plans will be corrected. Mr. Cantwell recommended that some screening should be provided along Richwood Road and said the Board should discuss. The applicant agreed that all visible parts of the array will be black. All cables to the house will be underground. Mr. Cantwell said the applicant had submitted a letter indicating that 4 trees were removed and Mr. Heritage said no further trees would be removed. The limits of disturbance will be added to the plan. The legibility of the plan will be corrected.

The Board discussed buffering of the array. After discussion, the applicant agreed to place a 2' berm on the north and east side of the array, planted with evergreens, with two rows of grapevines in front of the berm along Richwood Road. This will be designed to Mr. Cantwell's satisfaction in consultation with the Board chair and the plans will be revised to show the buffering.

John Williams made a motion to open the meeting to public comment. Scott Herman seconded the motion and Chairman Kowalik opened the meeting to public comment. Hearing none, Scott Herman made a motion to close the meeting to public comment. John Williams seconded the motion and the meeting was closed to public comment.

Mr. Hoffman summarized the variances as described in Mr. Cantwell's letter. The applicant will be required to post any necessary bonds and revise the plan to Mr. Cantwell's satisfaction showing the landscaping as agreed to.

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Mr. Herman expressed concern that the size of the array is over the size permitted by ordinance. He asked the applicant if there was any way they could reduce the size of the array. Mr. Heritage said it would be not be economically feasible and they would not proceed with a smaller array.

Dennis Bonanni made a motion to grant the bulk variances. John Williams seconded the motion. A Roll Call Vote was taken: Nancy Kowalik – Aye; Scott Herman – Aye; John Williams – Aye; Dennis Bonanni – Aye; Fred Link – Aye; Paul Mattessich - Aye.

**RESOLUTIONS:**

**Resolution 14-2011 – Paula Crispin – Bulk Variance**

John Williams made a motion to approve Resolution 14-2011. Fred Link seconded the motion. A Roll Call Vote was taken: Nancy Kowalik – Aye; John Williams – Aye; Dennis Bonanni – Aye; Fred Link – Aye; Paul Mattessich – Aye.

**PAYMENT OF BILLS:**

Scott Herman made a motion to approve payment of the bills. Paul Mattessich seconded the motion. A Roll Call Vote was taken: Nancy Kowalik – Aye; Scott Herman – Aye; John Williams – Aye; Dennis Bonanni – Aye; Fred Link – Aye; Paul Mattessich – Aye.

**PLANNING BOARD REPORT:**

Chairman Kowalik said the Planning Board has been working on the Richwood Town Center.

**ZONING OFFICER’S REPORT:**

The report stands as written.

**COMPLETENESS COMMITTEE REPORT:**

Ms. Rhudy said there is a bulk variance application scheduled for October.

**NEW BUSINESS:**

There was no new business.

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**COMMENTS FROM THE BOARD:**

Chairman Kowalik complimented the Board on their work on tonight's application.

Mr. Herman asked Mr. Hoffman about the bifurcation of applications and Mr. Hoffman discussed the risks of leaving conditions to be resolved.

**COMMENTS FROM THE PUBLIC:**

There were no comments.

**COMMENTS FROM THE PROFESSIONALS:**

There were no comments.

**ADJOURNMENT:** Dennis Bonanni made a motion to adjourn the meeting. Fred Link seconded the motion and the motion was approved unanimously. The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Susanne H. Rhudy  
Zoning Board Secretary