

**JUNE 14, 2011**  
**REGULAR SCHEDULED MEETING**  
**OF THE**  
**PLANNING AND ZONING BOARD**

**LET THE RECORD REFLECT THAT THE MEETING  
WAS HELD AT 135 ROUTE 73 SOUTH.**

**CHAIRMAN**

**CH SIMONE OPENED THE MEETING WITH THE OPEN  
PUBLIC MEETINGS STATEMENT JUNE 14, 2011 AT 6:30 PM  
FOLLOWED BY THE SALUTE TO THE FLAG.**

**ROLL CALL**

MR. RIEBEL	P
MR. ROWAN	P
KELLEY MCCAULEY	P
MAYOR MAGAZZU	P
CH. SIMONE	P
MR. DEPALMA	P
MR. DEGEORGE	P
V. CH. MCHENRY	P
COUNCIL PRESIDENT	
MORRIS	P
MR. PANTANO	P
MR. EPIFANIO	A

**SUNOLAR**

**SUNOLAR POWER COMPANY  
115 CUSHMAN AVE AND 106 CHESTNUT AVE  
BLOCK 1412, LOTS 1 AND 10.**

**MR. KEITH DAVIS IS THE ATTORNEY WHO IS REPRESENTING THE  
APPLICANT AND WILL BE PRESENTING THE APPLICATION TO THE  
BOARD.**

**MR. MATT BALDINO IS THE ENGINEER FOR THE APPLICATION**

**MR. CLIFTON QUAY IS THE PLANNER FOR THE APPLICATION.**

**THE APPLICANT IS PROPOSING TO SUBDIVIDE BLOCK 1412, LOT 10  
INTO TWO LOTS. THE PROPOSED LOT, WITH ACCESS ON CUSHMAN  
AVENUE, CONTAINS THE EXISTING DWELLING, GARAGE AND SHED.  
THE APPLICANT IS PROPOSING A SOLAR PANEL FIELD CONSISTING OF  
86 ARRAYS OF PANELS. THE SOLAR PANELS ARRAY WILL BE SPACED  
8.56 FEET APART.**

**THIS PARCEL IS LOCATED WITH THE SINGLE FAMILY RESIDENTIAL  
ZONE (R-2). THE PROPOSED SOLAR PANEL FIELD IS NOT A PERMITTED  
USE WITHIN THE ZONING DISTRICT, SO THE APPLICANT MUST APPLY  
FOR A USE VARIANCE. PUBLIC LAW WHICH WAS ENACTED IN 2009, HAS  
DEFINED SOLAR FACILITIES AS "INHERENTLY BENEFICIAL".**

**THE APPLICANT IS REQUESTING A VARIANCE TO PERMIT THE  
ERECTION OF STRUCTURES WITHOUT DIRECT ACCESS TO THE  
STREET.**

*MR. DAVIS DID STATE THAT THERE IS NO NEGATIVE IMPACT TO THE OVERALL ZONE WITH THIS TYPE USE; IT IS A VERY LOW IMPACT USE. THERE WILL NOT BE A SUBSTANTIAL DETRIMENT TO THE PUBLIC GOOD AND WILL NOT SUBSTANTIALLY IMPAIR THE INTENT AND THE PURPOSE OF THE ZONE.*

*MR. DAVIS ALONG WITH HIS EXPERT WITNESSES EXPLAINED IN GREAT DETAIL TO THE BOARD MEMBERS THE PROPOSED OPERATION, DETAILS REGARDING THE SOLAR PANELS, AND THE MAINTENANCE OF THE SOLAR FACILITY.*

*LET THE RECORD REFLECT THAT IN THE MR. RIEBELS LETTER DATED MAY 20, 2011, STATES THAT THE APPLICANT WILL NEED TO SUBMIT TREE INVENTORY AND MITIGATION PLAN, ALONG WITH THE APPLICATION PACKAGE.*

*APPLICANT HAS AGREED TO COMPLY WITH ALL COMMENTS AND RECOMMENDATIONS MADE BY THE TOWNSHIP ENGINEER, MR. CHUCK RIEBEL.*

*THERE WAS DISCUSSION WITH THE INSTALLATION OF A VINYL COATED CHAIN LINK FENCE AND THE BOARD WOULD LIKE TO SEE THE COLOR OF THE VINYL COATING BLACK AND THE APPLICANT HAS AGREED. THE BOARD STATED THAT ON THE RESIDENTIAL SIDE THE FENCE WILL BE A SOLID VINYL FENCE AND THE VINYL COATED CHAIN LINK FENCE BLACK IN COLOR WILL BE ON THE COMMERCIAL SIDE.*

*CHAIRMAN SIMONE READ THE COMMENTS OF THE FIRE DISTRICT REGARDING THIS APPLICATION.*

*OPEN TO THE PUBLIC*

*A MOTION TO OPEN THE MEETING TO THE PUBLIC WAS MR. DEGEORGE AND SECONDED BY V. CH. MCHENRY.*

*CHAIRMAN SIMONE CALLED MR. JOSEPH CORNFORTH FORWARD MR. CORNFORTH STATED THAT AN ACTUAL RISK OF AN ELECTRIC FIRE IN THAT FACILITY IS NOT THERE. IF A FIRE DID OCCUR ELECTRICALLY THE FIRE DEPARTMENT WOULD NOT PUT THERE TRUCKS CLOSE UNTIL ONE (1) A REPRESENTATIVE FROM THAT COMPANY SAID IT WAS SECURE, OR TWO(2) ATLANTIC CITY ELECTRIC STATED IT WAS SECURE, SOMEONE WOULD HAVE TO MAKE IT SAFE. MR. CORNFORTH DOES AGREE WITH THE CHAIRMAN SIMONE FOR NO GATE ACCESS ON MARIAN AVE.*

*MR. STEVE WAHL  
108 CHESTNUT AVENUE  
WEST BERLIN*

*MR. WAHL QUESTIONED HOW MANY INVERTORS WILL THERE BE. HE DOESN'T FEEL THAT A 6 FEET FENCE WILL WORK WOULD RATHER SEE AN 8 FOOT FENCE CONSTRUCTED. HAD QUESTIONED IF THE PANEL OR THE FACT THAT THIS IS A METAL STRUCTURE WILL THIS ATTRACT LIGHTNING.*

*LEO HOLLAND  
110 CHESTNUT AVENUE  
WEST BERLIN*

*MR. HOLLAND QUESTIONED WHAT WILL THIS DO TO THE VALUE OF THE HOMES? STATED THAT HE IS NOT IN FAVOR OF THIS.*

*MR. LONNIE MELTON  
109 CHESTNUT AVENUE  
WEST BERLIN*

*MR. MELTON IS CONCERNED THAT THE MOTORS WHICH ARE ON EACH PANEL IF THEY GIVE OFF A NOISE. WOULD LIKE TO SEE THE BOARD PUT A CLAUSE IN THAT IF THE NOISE LEVEL SHOULD BECOME A PROBLEM THEN THE APPLICANT SHOULD BE HELD RESPONSIBLE AND BE MADE TO INSTALL A SOUND BARRIER WALL.*

*MR. MELTON DID QUESTION THAT SINCE THE PANELS ARE SUN DRIVEN WILL THEY EVER FACE CHESTNUT AVENUE AND WILL THEY EVER PUT OFF A GLARE.*

*WOULD RATHER SEE A SOLID FENCE VERSUS A CHAIN LINK.*

*JEFF GOTLIEB  
CHERRY HILL, NJ*

*MR. GOTLIEB OWNS TWO BUILDING IN BERLIN TOWNSHIP AND HIS SUGGESTION TO THIS BOARD IS LESS PANELS AND A LARGER BUFFER.*

*CLOSE TO THE  
PUBLIC*

*A MOTION TO CLOSE THE MEETING TO THE PUBLIC WAS MADE BY MR. DEGEORGE AND SECONDED BY V. CH. MCHENRY.*

*THE BOARD AGREED ON A 6 FT SOLID VINYL FENCE BEIGE IN COLOR AROUND THE RESIDENTIAL AREA AND THE COMMERCIAL AREA WILL HAVE A 6 FT VINYL CHAIN LINK FENCE BLACK IN COLOR.*

*MOTION*

*A MOTION TO APPROVE THIS APPLICATION AS SUBMITTED WAS MADE BY MR. DEGEORGE AND SECONDED BY V. CH. MCHENRY AND CARRIED OUT BY ROLL CALL VOTE.*

*INFORMAL*

*JEFF GOTLIEB THE OWNER OF RESINTECH CAME FORWARD. MR. GOTLIEB EXPLAINED TO THE BOARD HIS PROGRESS WITH HIS SOLAR PANEL JOB AT RESINTECH.*

*MR. GOTLIEB EXPLAINED A FRIEND OF HIS WHO OWNS A BUSINESS ADJACENT TO HIS LOT COMPEX CORPORATION, THEY USE A LOT OF ELECTRICITY THERE ELECTRIC BILL IS ROUGHLY 100,000 YEAR, SO MR. GOTLIEB WOULD LIKE TO BUILD A DUPLICATE SOLAR FIELD AND SELL THE POWER TO COMPEX CORPORATION. THERE ARE NO RESIDENTIAL NEIGHBORS, STRICTLY INDUSTRIAL. HAS TO BE BUILT AND COMPLETED BY DECEMBER 31, 2011, BECAUSE THE CASH GRANT WILL BE DONE AND THEN IT WILL BE A TAX CREDIT.*

CHAIRMAN SIMONE RECOMMENDED MR. GOTLIEB MAKE A PRELIMINARY APPLICATION AND COME BACK BEFORE THE BOARD.

**PUBLIC PORTION**

A MOTION TO OPEN THE MEETING TO THE PUBLIC WAS MADE BY V. CH. MCHENRY AND SECONDED BY COUNCIL PRESIDENT MORRIS.

NICK MACARONI  
67 GARDENS AVENUE  
BERLIN, NJ 08009

OWNER OF 159 COOPER ROAD WEST BERLIN, NJ 08091, MAX GRAPHICS.

MR. MACARONI STATED THAT HE WAS BEFORE THIS BOARD 2 MONTHS AGO WITH HIS NEIGHBOR 157 COOPER ROAD TO AMEND HIS SITE PLAN. EXPLAINED THAT AT THE MEETING 2 MONTHS AGO HE WAS GIVEN 60 DAYS TO INSTALL A CURB. AT THIS TIME THE CURB STILL HAS NOT BEEN INSTALLED. WOULD LIKE THE BOARD TO TAKE ACTION.

**ZONING OFFICER**

NOTHING TO REPORT

**RESOLUTION**

THE FOLLOWING RESOLUTIONS WERE MEMORIALIZED:

**2011-21**      ***Resolution of the Berlin Township Planning and Zoning Board, Recommended that the Mayor and Township Council consider Amending the code of the Township of Berlin- Land Use and Development for related Pinelands Zoning Amendments.***

**2011-22**      ***Anthony Pinto  
330 Route 73  
West Berlin, NJ 08091  
Block 810, Lot 1.04***

***Berlin Township Planning and Zoning Board granting Preliminary And Final Site Plan Approval.***

**ADJOURNMENT**

A MOTION TO ADJOURN THE MEETING WAS MADE BY V. CH. MCHENRY AND SECONDED BY MR. DEPALMA. THE MEETING ADJOURNED AT 8:55 PM.