

**RARITAN TOWNSHIP ZONING BOARD OF ADJUSTMENT**

**MINUTES**

**July 21, 2016**

**1. CALL TO ORDER:**

Chairman Kevin Kuhl called the meeting to order at 7:30 p.m.

**2. NOTICE OF MEETING:**

The notice requirements of the Open Public Meetings Act were read into the record by the Chairman.

**3. ROLL CALL:**

**Members Present:**

Kevin Kuhl, Chairman  
Cynthia Schaefer  
Alicia Dominguez  
John Gudelis  
Arthur Teatzner  
John Collins  
Randy Block

**Members Absent:**

Steve Farsiou  
Judy Dreher

**4. ALSO PRESENT:**

Antoine Hajjar, Township Engineer  
Jamie Sunyak, Township Planner  
John Morgan Thomas, Township Landscape Architect

**5. APPEARANCES:**

STICKEL, KOENIG, SULLIVAN & DRILL, LLC  
571 Pompton Avenue  
Cedar Grove, New Jersey 07009  
Attorneys for the Board  
BY: JONATHAN E. DRILL, ESQ.

MESSRS. ARCHER & GREINER  
361 Route 31  
Building E, Suite 1301  
Flemington, New Jersey 08822  
Attorneys for the Applicant  
BY: GULIET HIRSCH, ESQ.

**6. BOARD MEMBERS AND COUNSEL:**

- a. **Comments:** None
- b. **Announcements:** None
- c. **Distribution and Correspondence:** None
- d. **Minutes:** None

**7. RESOLUTIONS:** None.

**8. APPLICATIONS:**

- (1) **Board of Adjustments CASE NO. 9-2016**  
**KASPER, GUSTAV, RUSSELL, DANIEL - KKK**  
**LOCATION: BLOCK 63, LOT 34**

**Application: Interpretation of a Preexisting Nonconforming Certificate**

Attorney Drill indicated that in this case John W. Thatcher, Esq. of Clinton, New Jersey, appeared at the last meeting and Attorney Drill explained to him that they should check the Board File to see if there was any information about when the business began operating on the property. In looking into the

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Board's File they found a previous resolution from 1970 of the Board of Adjustment, so the issue was resolved.

Attorney Drill stated that he drafted a letter indicating that the site had previously received Board of Adjustment approval for a Use Variance for general warehousing, and if they were to come back before the Board at all, it would be for an interpretation of the Resolution as to what kind of general warehousing could be conducted on the site.

**(2) Board of Adjustments CASE NO. 8-2016**

**Raritan Solar**

**Located: Block 86, Lots 10, 26, 26.02 and 100.01**

**Application: Use Variance and Preliminary and Final Site Plan Approval**

Guliet Hirsch, Esq., of the law firm Archer and Greiner, Flemington, New Jersey, appeared on behalf of Raritan Solar. She presented as her witnesses Norman Dotti, her acoustical engineer, Stephen Samouhos and Engineer Julia Algeo.

Engineer Dotti indicated he was from Russell Acoustics in Point Pleasant, New Jersey, and that he is a licensed engineer and planner in New Jersey working as a consulting acoustical engineer.

He testified to the fact there would be typical on-site construction noises, but no long-term noise related to the operation of the solar facility. The only noise generated from the facility would be from inverter cooling fans, and the inverters are situated more than 500 feet from any property boundary. The noise levels would be inaudible at those boundaries.

Mr. Dotti was questioned by the Board Members as well as members of the public, who were concerned about the noises that would be coming from the Solar Facility.

Engineer Julia Algeo then resumed the witness stand. She discussed the decommissioning plans and a staging area shown on the soil erosion plan.

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A discussion took place regarding a report from Fire Marshal Thomas Abraham regarding the fire safety. His letter referred to the location of a proposed water tank, as well as fire access roads. He also indicated that an EUV would be needed for this project, even though it is feasible to use the one from the Millennium Project.

Members of the public asked questions concerning the EUV as well as questioning what would happen if a train passed on the railroad tracks during a fire.

Attorney Drill indicated he believes that Mr. Burenga should be produced as a witness to explain the possibilities.

A discussion also took place with members of the audience regarding setbacks regarding parking lots and access drives from residential zones. Planner Sunyak indicated that they must be at least 25 feet from residential zones and at least 20 feet from the street right of way line and 15 feet from all other property lines. Engineer Algeo indicated that it is a temporary access driveway and the Ordinance applies to a permanent driveway.

Steve Samouhos testified for the applicant indicating he worked for a company called Unity International Group that built solar facilities such as the one applied for here. He indicated they had built Copper Hill Solar Farm. He testified that only water would be used to clean the solar panels, which mostly have an accumulation of dust and dirt that collects on top of them. He stated the modules are tilted between 15 and 20 degrees and that rainfall cleans most of the modules.

After hearing the testimony of Mr. Samouhos, the Board decided that he would have to return for additional questioning and the meeting would have to be adjourned as it was already past 10:30.

A discussion took place as to whether or not the Board Members would be available for the August 4<sup>th</sup> meeting. Ms. Sunyak indicated that she would not be present, and only four members stated they could attend. Attorney Drill indicated that if there were four or more members, a meeting could be held and a transcript could be ordered for the other members to read.

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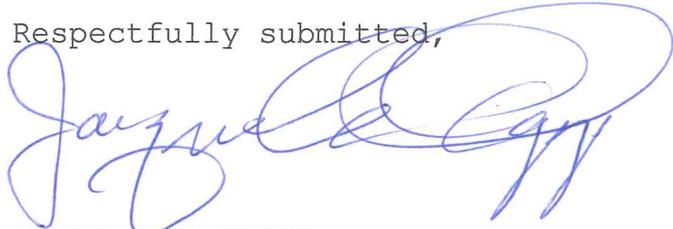
**9. NEXT BOARD MEETING:**

The next Board Meeting is scheduled for August 4, 2016, as well as August 18, 2016.

**10. ADJOURNMENT:**

The meeting was adjourned at 10:48 p.m.

Respectfully submitted,



JACQUELINE KLAPP