

BOROUGH OF FAR HILLS
Planning Board Special Meeting
Site Visit – Fuentes Property
MINUTES
February 15, 2020

CALL TO ORDER

Chairman Robert Lewis called the meeting to order at 8:35 a.m. at 97 Spring Hollow Road, Far Hills, NJ. Mr. Lewis read the Open Public Meetings statement in accordance with the law.

ROLL CALL:

Present: Chairman Robert Lewis, Vice Chairman Tom Rochat, Kevin Welsh, Marilyn Layton and Richard Rinzler

Also Present: Susan Rubright, Board Attorney, David Banisch, Planner, Steve Bolio, Board Engineer and Shana L. Goodchild, Secretary

SITE VISIT

Fuentes Property

Block 6, Lot 25
97 Spring Hollow Road
Use and Setback Variances

Andy DeCarlo and Bill Maier of Solar Me were present with the applicant, Ms. Fuentes. Mr. DeCarlo, Mr. Maier, Ms. Fuentes, Board professionals and Board members present walked to the southeast corner where the location of the proposed ground mounted solar array was staked out by the applicant's professionals at the request of the Board at the February 3, 2020 public hearing. There were flags delineating the setbacks, each single flag represented the 100 foot setback from the property line and each double flag represented the 200 foot setback from the property line. Mr. DeCarlo provided those present with a survey with the 100 and 200 foot setbacks represented, this was marked as **Exhibit A-1**. Mr. DeCarlo opined that the tree line in the proposed location was lushier than other areas of the property, providing a better buffer from the neighbors. Attorney Rubright asked that the applicant photograph the staked out area from various angles to be admitted into the record at the March hearing. Discussion ensued regarding the various utilities present on the site including the location of the septic tank, leach field and stormwater infrastructure.

When asked by Mr. Banisch if she intended to add supplemental screening to block the view from the neighbors, Ms. Fuentes responded in the positive and explained that she would purchase and plant very mature arborvitae (15 foot trees). It was noted by Mr. Banisch that if the Board were to approve the array there would be a condition of approval that landscaping must be provided to the approval of the Board professionals. When asked the height of the proposed array, Mr. DeCarlo responded eleven (11) feet at the high end of the array.

Discussion ensued regarding the private road and whether Ms. Fuentes' property extends 15 feet into the private road.

Mr. Rochat questioned the condition of the grass under the array to which Mr. Maier explained that the applicant would likely place gravel under the array but the final ground cover had not been determined. Clarification was provided by Mr. Banisch that, by law, only the ground contact points are counted as impervious coverage. He noted that larger installations tend to use a wild meadow mix under the arrays that does well and is easily maintained. Ms. Fuentes agreed to look into the meadow mix described by Mr. Banisch.

Mr. Banisch noted that he walked to the southeast corner and looked at the idea of moving the arrays but he did not believe that there would be any appreciable improvement.

There was a brief discussion regarding roof mounted solar and Ms. Fuentes opined that it would be more visible to the neighbor. Mr. Maier explained that the cedar shake roof was not conducive to a solar mount because the shakes split when the panels are installed. He noted that the roof would only accommodate approximately 20 kW of panels.

Chairman Lewis asked Mr. Banisch to provide the riparian zone maps for the next hearing. Discussion ensued about the previous oil leak on the property and the extensive clean-up that occurred.

There was discussion about shifting the arrays towards the applicant's house to gain additional buffer from the neighbor to the south. It was noted that the array would need to avoid all of the existing utility infrastructure.

When asked by Chairman Lewis if the arrays will follow the contours of the land, Mr. DeCarlo offered to follow the contours if the Board required. When asked if the distribution of the panels could change, Mr. DeCarlo responded in the positive noting that one array could be made shorter and the other longer; the current configuration was based on maximizing the sun exposure. Mr. Welsh and Mr. Rochat asked if the arrays could be flipped, putting the taller panel closer to the property line where it would be shielded naturally. Mr. DeCarlo offered to flip the arrays and the Board agreed that the applicant should provide a plan showing the arrays re-arranged as discussed; the plan should be filed with Ms. Goodchild at least ten (10) days prior to the meeting to which Mr. DeCarlo agreed to comply. Mr. DeCarlo was concerned about the underground pipe but Mr. Banisch opined that the pipe could be avoided. Mr. Bolio suggested using the as-built plan when mapping out the design. Mr. DeCarlo offered to provide a landscape plan showing proposed plantings with the ultimate placement, species and number of plants to be determined. Mr. Welsh suggested pulling the arrays towards the applicant's house (avoiding the underground drainage pipe) to buffer the view of the array from the neighbor's house. It was noted that shifting the array would still require a setback variance. It was also noted that the plan should reflect the setbacks measured from the property line, not the fence.

When asked by Chairman Lewis the Board's role in determining the proper front yard, Mr. Banisch explained that the Board should consider the facts and make a decision; review the definition of Front Yard and determine if the northerly or easterly property line meets the definition. Attorney Rubright advised the Board that it has the ability to interpret the ordinance. Mr. Rochat noted that the ordinance does not permit accessory structures in the front yard and suggested that the Board consider the location of the existing pool and other accessory structures on the subject lot when making the interpretation. Mr. Banisch suggested reconfiguring the panels into three (3) arrays which would shorten them to make the arrays slightly more conforming with the 100 foot setback requirement.


The Board and Board Professionals walked the entire site to view potential visual impacts to other neighbors. Discussion ensued regarding locating the arrays in the southwest corner. Mr. Banisch suggested having the applicant prepare a plan showing the three (3) arrays with landscaping provided to buffer the neighbor.

In conclusion, the applicant was asked to prepare plans showing several different alternatives in the southwest and southeast corners of the property with proposed landscaping as discussed during the walk. The plans are to be filed with the Board Secretary at least ten (10) days prior to the hearing.

ADJOURNMENT:

The special meeting was adjourned by a motion of Kevin Welsh, seconded by Marilyn Layton at 9:38 a.m.

Respectfully submitted,


Shana L. Goodchild
Planning Board Secretary

APPROVED 03/02/20