

# LIBERTY TOWNSHIP LAND USE BOARD

Great Meadows, NJ 07838

**Wednesday, August 17<sup>th</sup>, 2022**

LOCATION: Liberty Township Municipal Building  
349 Mt. Lake Road  
Great Meadows, NJ

TIME: 7:30PM

1. CALL TO ORDER AND FLAG SALUTE
2. STATEMENT OF COMPLIANCE – Sunshine Law
3. ROLL CALL
4. MINUTES - April 27<sup>th</sup>, June 15<sup>th</sup>, July 20<sup>th</sup>, 2022
5. DISCUSSION
  - a. General planning issues, Ordinance amendments
6. APPLICATIONS - None
7. BILLS
8. ADJOURNMENT (Automatic at 10:30PM)

## Minutes of the Liberty Township Land Use Board

Regular Meeting August 17<sup>th</sup>, 2022

The meeting was opened at 7:30pm by Wayne Jarvis who read the Open Public Meetings statement.

### **Flag salute**

**Attendance:** Wayne Jarvis, Eric Tibak, Pete Wicki, Dave Snyder, Dan Grover and Joanne Ward were present.

**Minutes:** Three meetings: 4/27 on motion by Wayne Jarvis, seconded by Eric Tibak, all said aye with Dan Grover and Eric Tibak abstaining. 6/15 on motion by Eric, seconded by Dave Snyder, Pete Wicki and Joanne abstained, all others approved. 7/20 moved by Pete, seconded by Wayne, all said aye with Eric and Joanne abstaining.

### **New business: Solar ordinance**

Eric Snyder submitted the revised ordinance. The effort is due to solar farms coming in the direction of Liberty. It is not designed to overly regulate homeowner and small business. Eric Snyder also discussed the need to do a re-exam at least once every 10 years, preferably at shorter intervals as the times change much more quickly than that. As the year rolls out we will go over the whole code. Returning to the Solar Ordinance discussion, he took out the noise section as they don't make noise. A question from Wayne was "Is the 1000 sq ft the right number?". Dan indicated that it is generally much more than needed for a single-family home. Historically, Eric Snyder has treated these as an accessory use. Wayne was concerned by the need to offset a lack of some sun. The 1,000 sq ft limit for a simple Zoning permit is designed to deal with ground mounted solar, not roof. The Board then left the matter for further research. The Board then discussed the degree to which a ground mounted array is an accessory as with sheds, pools, etc. up to the footprint of a home. Moving to the Minor Solar, Wayne looked at the buffer and screening distinction between trees and shrubs so as not to block sunlight. Part of the ordinance is to have the installer think about what he or she is doing so as to avoid long term problems with the installation. A question arose, "Are solar arrays a positive, negative or neutral addition to a home lot? That call is up to the Board/Township. The question for this body is what you want Liberty to look like and what do you want for your township?

The Board expressed concern about glare from panels into homes and highways. All wanted to be sure that no harm to neighbors and travelling public would be caused by a solar array. Pete had questions

regarding the front yard setback and the need to address options within reason. Dan stated that at some point there may be simple variance applications. However, some could lead to problems with and impact on neighbors.

Wayne pointed out that some of the plantings could, as in case of pine, grow to heights that would compromise the utility of the solar array. An installer might want to do something with less impact if it's set back far enough. He and the Board want to allow homeowners and small businesses to install these without unreasonably adding to the overall cost. He questioned the general cost of an array that would serve a single-family home, along with the cost of buffering. Dan spoke to a person with a 300 sq ft home. The solar array and associated equipment were between \$45,000 and \$50,000. Part of the cost may be offset by government subsidies. Wayne wanted an analysis to see what overall costs are. The buffer would apply only to ground mounted solar installations over 1,000 sq ft.

Other members agreed and has no major comments.

Moving to a Major Solar facility, the Board moved to the conference table, inspecting a large copy of the Township zoning map.

The only properties where large scale solar farms are permitted by right are in the I-Industrial zones. The Board had a concern that the ordinance should permit a large-scale facility only where necessary, for instance, a commercial farm under the right-to-farm and SADC rules.

On a business or residential lot without a business building or dwelling, standalone solar facilities would not be permitted. They would only be permitted as an accessory use. The idea is not to allow a large scale facility except where pre-empted by statute.

A question arose regarding the property near the State Fish Hatchery. It was determined that is in Liberty Township along with large tracts in the immediate vicinity. The State can do what it wants on State owned property.

There continued the general discussion regarding agricultural properties, greenhouses and stormwater effects. These, along with warehouses, require very level ground.

The Township may want to reconsider the amounts of land zoned industrial and perhaps expand the AG zone as they may no longer fit the vision of the Township that was held twenty or more years ago. There were issues raised on truck traffic at the intersections of Hope Road and Mountain Lake Road and US 46, long identified as problematic intersections.

Much of the discussion will be revisited during the re-examination discussion. Important issues raised were the old multi-family district zoning, along with the industrial zoning. The R-1 zone is a very old zone and has not been given a particular review for thirty years. The discussion was expanded to address the notice requirements under individual zone changes and under a general re-examination.

Continuing, the location of panels in relation to public roads is a very important issues, including where schools and municipal installations are concerned.

There was also a discussion of performance bonds to be deposited at the beginning, before construction and at projected fifteen-year costs, to avoid later abandonment without the need to find the company after they have left.

Some farmland rules should be moved to the general section.

The question of buffers was discussed and when they should be effective. The consensus was that they should be effective as soon as the use to be buffered is in operation rather than perhaps ten or fifteen years later.

Eric Snyder will fine tune the draft ordinance for submission to the Township Committee and Land Use Board.

The meeting was moved back to the dais.

The Township Committee and Environmental Commission have been addressing the serious issues affecting Mountain Lake. Of great concern is the status of septic systems around the lake. Some grant programs may be available for homeowners to upgrade their systems.

The meeting was opened to the public. There being no one from the public, the meeting was close to the public.

**Bills:** Bills from Richard Schneider and Eric Snyder were moved by Eric Tibak, seconded by Joanne Ward and all voted aye.

Eric has asked Steve Makarivich to be appointed as Class 1 member. He is Kathy Dossena's son-in-law.

There will be business to come up next meeting- minor lot line adjustment with variance.

**Adjournment:** The meeting was adjourned at 9:10pm.

Respectfully submitted,

Eric K. Snyder,

Board Administrator