

MAY 12, 2015

**PLANNING/ZONING BOARD MINUTES
MAY 12, 2015**

Meeting called to order at 7:00 P.M.

Chairman Miller invited the Secretary to read the Opening Statement: "All the notice requirements of the Open Public Meeting Act have been complied with in full".

ROLL CALL:

Present:

Chairman George Miller
Vice Chairman Joseph Hartmann
Mayor Edward G. Campbell
Mrs. Susan Croll
Ms. LuAnn Watson
Mrs. Patricia Croghan

Absent:

Councilman Gerald Bonsall
Ms. Barbara Gellura

Professionals: Engineer - Gregory Fusco
Planner - Brian Slaugh
Solicitor - Donald Ryan

RESOLUTIONS:

2015PB-5-11 RESOLUTION OF BOROUGH OF GIBBSBORO PLANNING BOARD GRANTING CERTIFICATE OF APPROPRIATENESS FOR SOLAR PANELS TO THE RESIDENTIAL PREMISES OF ELVIN HOEL AT THE PREMISES 5 NORTH TANGLEWOOD DRIVE aka BLOCK 18.03, LOT 2, GIBBSBORO, NEW JERSEY

On April 14, 2015, the Borough of Gibbsboro Planning Board held a public hearing at which time the following members were present:

George Miller, Jr., Chairman
Susan Croll
LuAnn Watson
Pat Croghan
Edward Campbell, Mayor
Gerald Bonsall, Councilman

The following were also present at the meeting:

Donald S. Ryan, Esquire, Planning Board Attorney
Maria Carrington, Deputy Planning Board Secretary
Brian Slaugh, Planning Board Planner
Greg Fusco, Planning Board Engineer

SUBJECT

The Board considered the application of Elvin Hoel, who are the owners and reside at the

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premises 5 North Tanglewood Drive, Gibbsboro, New Jersey. The property is also known as Block 18.03, Lot 2 on the Gibbsboro Tax Map.

The applicant proposes to install a solar panel array on the south facing roof, which would be in the front of the residential dwelling.

The property is a moderately large residential lot on which there is constructed a single family detached house with the shed in the rear yard of the property. The houses in the development (Tanglewood) were constructed in the 1990's.

The property is located in a residential R-40 Zoning District and is also located in the Historic District. As a consequence, a Certificate of Appropriateness is required under the Gibbsboro Land Development Ordinance Section 222-1 et seq New Jersey Municipal Land Use Law N.J.S.A. 40:55D-110 et seq.

The applicant, Elvin Hoel and Tom Raynor, the Solar Panel Installer, appeared, were sworn and testified in support of the application.

The following exhibits were also included as part of the record:

- A-1 Application for Historic District Certificate of Appropriateness dated January 15, 2015.
- A-2 Diagram prepared by Raynor Electric dated 12/12/14 depicting the solar panel.
- A-3 Aerial photograph of the subject property.
- A-4 Natural Alliance of Preservation Commission Guidelines for installation of solar panels.
- A-5 Review letter of Brian Slauch, Planning Board Planner dated 2/20/15.

No one testified during the public portion of the hearing.

FINDINGS OF FACT

The Planning Board having considered the evidence submitted as part of the record makes the following findings of fact:

1. The Planning Board has jurisdiction to approve the application for Historic District Certificate of Appropriateness pursuant to the Municipal Land Use Law N.J.S.A. 40:55D-110 and the Gibbsboro Historic Preservation Ordinance as amended Section 222-1 et seq.
2. The applicant is Elvin Hoel, who is the owner and resides at the premises 5 North Tanglewood Drive. The property is also known as Block 18.03, Lot 2 on the Gibbsboro Tax Map.
3. The property is located in the development known as Tanglewood Development, which was constructed in the 1990's. The property is located in the Historic District, as well as the R-40 Residential Zoning District.
4. The property is not designated as a "contributing structure" to the Historic District as provided for in the Historic District Ordinance.
5. At the Planning Board hearing on March 3, 2015, the application was deemed incomplete by reason of the lack of certain information identified to the applicant.
6. The applicant appeared with his installer at the hearing on April 14, 2015 and provided the information necessary in order to deem the application complete. The Planning Board voted unanimously to vote the application as complete.
7. The panels in questions would be 3 feet by 5 feet panels and will be installed on the south roof of the property. The panels will cover substantially the entire roof surface. The solar panels will be affixed to the roof with a rack system.
8. The applicant provided photographs of what the solar panel array would look like on the south facing roof line. In addition, the applicant's installer testified with respect to the reasons why

Photovoltaic Roof Shingles were not feasible for this project. In addition, the applicant and the installer testified that due to the large trees in the yard and the shading of those trees, the installation of a ground solar array was not feasible.

CONCLUSIONS

9. The Planning Board Planner submitted his report dated 2/20/15 and outlined to the Planning Board countervailing considerations applicable to this application.

10. The Planning Board concludes that based upon the fact that the property is a non-contributing property and that the removal of the 30 foot trees in the rear of the property would be adverse to the policy of the Gibbsboro Tree Removal Ordinance, the location of the solar panels on the front roof of the house would be the appropriate solution to the installation of the solar panels. The Planning Board finds that its decision is limited to the facts of this case.

11. The Planning Board further notes that solar panel energy is encouraged by the policies of the State of New Jersey and Gibbsboro provided they do not substantially interfere with the Historic Preservation Criteria.

RESOLUTION

On the motion of George Miller, seconded by Susan Croll, the Gibbsboro Planning Board voted 7-0 to approve the Certificate of Appropriateness for the installation of the solar panels in accordance with the testimony and exhibits presented.

ROLL CALL VOTE

George Miller, Jr.	Yes
Susan Croll	Yes
LuAnn Watson	Yes
Pat Croghan	Yes
Edward Campbell	Yes
Gerald Bonsall	Yes
Joseph Hartmann	Yes

Motion to approve Resolution Mr. Hartmann, Second Mayor Campbell

Poll Vote:	Chairman Miller	Yes	Mr. Hartmann	Yes
	Mayor Campbell	Yes	Councilman Bonsall	Absent
	Ms. Gellura	Absent	Ms. Watson	Yes
	Mrs. Croll	Yes	Mrs. Croghan	Yes

CERTIFICATES OF APPROPRIATENESS

- CERTIFICATE OF APPROPRIATENESS FOR BLOCK 7.04, LOT 16.09
3 SOUTH LAKEVIEW DRIVE

Applicant/Owner: Arjun Goyal for Super Jet
Proposed Work: Canopy
Representative: Patrick McAndrew, Esq.

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1. Review letter from Planner Brian Slaugh dated 5/5/15

Solicitor Ryan swore in owner Arjun Goyal, and sign engineer/designer George Kennedy to testify on behalf of the applicant. Mr. McAndrew provided background of the Super Jet project. He explained that the original design for the canopy was for a custom built and very expensive canopy. The applicant has a standard canopy in his possession that he asked Mr. Kennedy to adapt to fit into the Super Jet project. The canopy now proposed presents much better than the canopy across the street from the Super Jet site as well as most of the canopy's used at gas stations today. Mr. Kennedy presented his credentials and experience.

Chairman Miller stated that there should be compelling reasons, other than price, on why the applicant would need to change a previously approved proposal.

Mr. Kennedy presented the revised canopy design. Planner Slaugh clarified when needed.

Planner Slaugh discussed his 5/5/15 letter which review the two original schemes. The first design had a citrus rust design with a black iron look consistent with industrial buildings in the Gibbsboro era. The second design had more Victorian design. When these two designs were first presented, the first design was preferred. The Victorian elements presented in the current proposal are more residential nature such as in a gabled porch. In addition the gray and green now proposed are contrary to the citrus rust and black originally proposed which worked well with the salmon colored brick and black windows. In his opinion, these changes are being proposed due to economy and lacks substance.

Mr. Goyal spoke about obtaining the canopy and reasons for using it on this project.

Solicitor Ryan explained that the original canopy design scheme was recommended by the Historic Preservation Commission consisted of black vertical supports and mostly black in color to match the window framing of the building. The Zoning Board of Adjustment subsequently passed the same canopy schematic. The resolutions of both the HPC and Zoning Board are consistent with Planner Slaugh's testimony.

Engineer Fusco stated that he had received numerous calls from the Construction Office requesting that the canopy foundation be approved. Mr. Fusco stated that he believed the original sketches of the canopy to be a traditional rectangular type canopy of today's standards that was modified with treatments placed on it. Mr. Fusco made sure that the canopy dimensions that were submitted to the Construction Office were basically in compliance with the overall dimensions of the original schematic. He stated that he tried to stress that the Zoning Board sought a black canopy. He also repeatedly stressed to the applicant to refer back to the original sketch regarding the treatments that were to be expected on the canopy.

Mr. Kennedy stated that the colors can be adjusted and explained that depth and intricacy of the details in the canopy's new rendering. Planner Slaugh confirmed that the canopy is made of pieces and suggested that the modern columns could be replaced with steel columns. Mr. Kennedy confirmed that there could be changes made.

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Discussion was held for the asphalt in front of the building. Space for the street scape also needs to be considered. Mr. Schmid stated that he and his partner, Mr. Ross, have worked to improve the building for marketing purposes. Mayor Campbell stated that the borough appreciates the improvements.

Mayor Campbell recommended getting a Certificate of Appropriateness so that the façade could be completed which would increase marketability. Applicant also needs to meet with the County to see what they are going to allow. Chairman Miller advised that the applicant may need to return for another certificate of appropriateness due to parking issues depending on use. Planner Slaugh suggested considering a cross easement with adjoining property for any uses requiring shipments with large trucks.

NEW BUSINESS: None

APPLICATIONS SUBMITTED BUT NOT APPROVED: None

INFORMATIONAL:

1. Next regular Planning Board Meeting is June 9, 2015
2. The New Jersey Planner March/April 2015

MEETING OPEN TO THE PUBLIC:

No comment from the public

MEETING CLOSED TO THE PUBLIC:

Planner Slaugh discussed the latest updates with the State’s Affordable Housing issues. The Office of Administrative Court has sent communication to judges hearing Affordable Housing cases to hold off on the 3rd round Affordable Housing numbers until they have had their training. The Rutgers professor who put together COAH’s last numbers, the lower projection, has been given permission to testify at court regarding how his numbers were reached.

MEETING ADJOURNED AT 7:53 PM MR. HARTMANN SECOND CHAIRMAN MILLER

Voice Vote:	Chairman Miller	Aye	Mr. Hartmann	Aye
	Mayor Campbell	Aye	Councilman Bonsall	Absent
	Ms. Gellura	Absent	Ms. Watson	Aye
	Mrs. Croll	Aye	Mrs. Croghan	Aye

Anne D. Levy
Secretary

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