

**Upper Pittsgrove Township
Land Use Board Minutes
December 16, 2010**

TO: Township Committee
Land Use Board Members

Alan Newkirk, Twp. Clerk
L. Andrew Hoglen, Zoning Officer

A regular meeting of the Upper Pittsgrove Township Land Use Board was held in the Upper Pittsgrove Municipal Building on the above date. The meeting was called to order at 7:30 P.M. by Board Chairman John Coombs reading the public announcement stating that adequate notice had been given provided under the "Open Public Meetings Act" and a flag salute.

Members present were: John Coombs, Thomas Buzby, Robert Duus, Glenn Myers, Alan Gardner, Edward Meschi, Ralph Sickler, Dale Wilson, Eric Kern and Linda Buzby.

Also present was: George G. Rosenberger, Jr., Board Solicitor, Stephen J. Nardelli, Board Engineer, Sarah Walker, Recorder, Jeffrey Daniel, Esquire, John Renz, James Miller, Rick Clemson, Gary Winslow, Robert Fricke, Thomas and Bruce Bishop and Township visitors.

Business to come before the Board:

1. Minutes from November 18, 2010 Regular minutes
2. Delsea Energy, LLC
3. Resolutions

1. Minutes –

A motion to approve the minutes from December 16, 2010 meeting as received was made by Thomas Buzby. This motion was seconded by Ralph Sickler and adopted unanimously.

2. Delsea Energy – Block 55 Lot 12, 14, 14.01 & 30

The Board Chairman opened the public hearing for Delsea Energy, LLC. Delsea Energy was represented by Jeffrey Daniel for this application. They had been before the Board at the October 21, 2010 meeting and had received completeness at that time. All notices were done correctly and the Board had jurisdiction to hear this application. Jeffrey Daniel, the applicant's attorney handed out booklets, labeled A-1. Mr. Daniel continued

giving an overview of the application to the Board. Delsea Energy was seeking Use Variance approval for 6 wind turbines as well as a variance for the height of those turbines. Mr. Daniel reviewed the proofs needed for considering a Use Variance. He gave a brief background on the company and then submitted Exhibit A-2. This explained wind energy. The Board Chairman asked Mr. Daniel if Delsea Energy had any turbines operating in New Jersey at this time. He stated no, however they had received approvals for the placement of meteorological towers in Pennsville and Alloway locally. A few Board members had questions. At this time a meteorological tower was being installed at the David Hitchner property for those that would like to view it. All were familiar with this property. Glenn Myers asked for the overall height proposed for the turbines including the blades. Delsea responded that the hub height would be eighty meters with a rotor length of eighty meters. Alan Gardner questioned what would happen during high winds. The response was the rotor shuts down with winds over 50 miles an hour. Board Planner Sarah Birdsall question Delsea on their current project in Pennsville. John Renz, owner of Delsea responded, stating that they were leasing the ground and were proposing 7 turbines, with General Electric maintaining the equipment. The applicant's engineer, Rick Clemson continued. He gave an overview of the concept plan. Mr. Clemson stated that the turbines were spaced far enough apart to not affect another turbine downwind. Grids are created in relation to the hub height. Exhibit A-5, a model of a turbine, was shown to the Board and the construction of the unit described. Mr. Clemson went on to explain the land where each turbine was proposed and any structures existing on those lots. All the lots were located in the Agricultural zone. There were no turbines proposed for preserved ground at this time. However, Delsea Energy did have additional ground, preserved and non-preserved leased from the Bishops. He explained how the water flowed from the properties and into which watershed. Since this particular area was located on a ridge the northern half of the property drained to the Salem River and the southern portion from Muddy Run all the way through Maurice River to the Bay. The topographical map showed the ground sloped from 160 feet to 130 feet. Next item covered was in wind turbine infrastructure. The turbines would be connected together through underground cables to the existing poles along Newkirk Station Road then into a substation on Lot 30. Those turbines near Jefferson Road would run underground to substation. This substation would increase the voltage and set it out to the Shirley Substation or Orchard Substation depending on the PJM study, yet to be done. All the electric generated would be run in transmission lines, not distribution lines. The substation located on Lot 30 would be screened from view on Jefferson Road by landscaping and would also be inside a fence. There would be noise generated from this substation for cooling fans which would comply with noise regulations. At this time the applicant could not state whether this new development would require additional wooden poles along the roadways. Mr. Myers questioned Mr. Daniel as to why they were not proposing the met tower first. He responded that if they did not get the Use approval they would not need the met tower approval. Ms. Birdsall questioned the applicant as to how long the data collection normally takes. Mr. Renz responded that it took a minimum of one year to collect all the necessary data. Mr. Clemson continued to explain what determined the placement of the six turbines. The Board Chairman questioned the level of noise and was told that the higher the humidity the louder the whooshing noise. It was explained that the decibels at the property line would be 35-45 and maximum of 55 at the worst conditions. Ms. Birdsall suggested that the Board look at other noise standards since the ones utilized for this application were from a different geographical area. The noise would travel

differently. Board member Dale Wilson asked if the blades were fixed. They were not. Robert Frick from General Electric explained how the turbine worked. The turbine was stationary, and the blades would pitch. Mr. Clemson stated that noise at 60 decibels would be no different than two people conversing. He continued explaining Exhibit A-10 which shows three airports located in the general area and two in closer proximity to the turbines; South Jersey Hospital and Emmanuel Airport. Exhibits A-7 through A-9 were viewed. These showed the turbines superimposed on pictures from various locations around the lots to show the impact the turbines would have visually. Gary Winslow, a wind engineer, explained the software utilized for the depictions. Mr. Daniel stated that the turbines would be painted a color that would blend in with the background, mainly the sky. Mr. Winslow continued by explaining FAA regulations for lighting on structures above 200 feet. There would be a slow light located on the rotor housing which could be white, red or both colors. The turbines should not impact radio or microwaves. The Board Chairman questioned the flickering caused by the blades. The maximum distance blade flickering may be seen would be one mile. Mr. Daniel Martin, environmental engineer addressed the Environmental Impact Study with the Board. He explained that for a project like this, tidal areas were of a greater concern, there were no tidal areas near this location. No birds should be impacted since there was no migratory flight path near the turbines. Mr. Martin stated that there were no protected species located in the development area. He stated in a worst case scenario two to three birds per turbine per year could be killed. In the pictures the towers appear taller than the turbines however this is due to the turbines being further. The turbines are taller than the electric towers shown. James Miller, planner for Delsea Energy addressed the Board next. It was his belief that the amount of energy being generated by these turbines offsets any impact they may have on the area. Ms. Birdsall addressed the Board. She reminded the Board that it was hard to address concerns at the time of site plan that should have been considered during the use variance hearing. At this point it was her opinion that there was too much unknown to move forward. George Rosenberger, Board Solicitor reminded the Board that they did not have to rule tonight. Board member Thomas Buzby w asked at what point the true impact of the proposed turbines would be known. The Board Chairman opened the hearing to the public for comment. Elizabeth Myers commented on the application. Ms. Myers stated that she thought she was living in an agricultural community, not an electrical community. She thought these uses were industrial and not happy with the path the Township was taking. Another resident questioned the applicant as to whether there would be any ground vibrations. The whooshing noise would be louder than any ground vibrations which should be of little concern. There being no additional comments from the public, the Board Chairman closed the hearing to the public for comment. The Board Chairman stated to major concerns he had regarding this application; that this approval could set precedent for any future applications and the concerns the infrastructure needed for this use and its impact on the surrounding area. Mr. Myers asked if the turbines had been located so to not impact the irrigation pivots in place. Mr. Daniel stated that they would be improving the property because they were proposing to fill an existing gravel pit. After a brief discussion among the Board concerns were raised as to this being a public utility versus a commercial enterprise. Mr. Rosenberger stated was a legitimate concern. Mr. Wilson was still concerned about the noise these could produce. The Board discussed where turbines were currently located that they might view. The closest site is outside of Atlantic City that they could get close to. Robert Duus made a motion to table this application until the January 20, 2011

meeting at 7:30PM. Thomas Buzby seconded this motion which was adopted unanimously. The Board Chairman instructed the public that the hearing was tabled until January 20, 2011 at 7:30Pm and that no additional notice would be given

3. Resolutions -

Robert Duus made a motion to adopt the resolution for Christine's Dance Studio that had been previously mailed to all members. This motion was seconded by Dale Wilson. All those who voted in favor of this application voted in favor of the Resolution.

Robert Duus made a motion to adopt the resolution for Robyn Willis-Weston that had been previously mailed to all members. This motion was seconded by Dale Wilson. All those who voted in favor of this application voted in favor of the Resolution.

There being no further comment and business before the Board, Robert Duus made a motion to adjourn the meeting. This motion was seconded by Dale Wilson and adopted unanimously.

Respectfully submitted,

Linda Buzby, Secretary
Upper Pittsgrove Township
Land Use Board