

**Mannington Township Planning Board
Regular Meeting
September 12, 2024**

Present:

Richard Eber, John Sakewicz, Gaynel Schneeman, Dorey Emel, Robert Schmid, Michael Aimino, Michael Colletti, Nicholas Culver, Donald Richman, Jessica Lynne Winkers, Andrew Carpenter, David Cadwallader, Donna Miller (Planner) and Bob Mulford (Engineer with Frailinger Engineering)

Absent:

Donald Asay, Corey Gaskill

The meeting was called to order at 7:02 PM.

The Sunshine Law Statement was read.

The Pledge of Allegiance to the Flag of the United States of America was recited.

Roll Call was taken to justify that there was a quorum in attendance.

The secretary of the planning board has given adequate notice of the meeting.

Richard Eber made a motion to approve the July 11, 2024 minutes. Jessica Lynn Winkers seconded the motion.

All in Favor.

Mr. Eber stepped down from the board at this time.

**Block 3, Lot 18 and Block 3, Lot 20
92 Warner Road
Application for a Variance/Site Plan**

Mr. DiGregorio was sworn in. Mr. Aimino explained that this application is considered as a Zoning Board. Mr. DiGregorio Stated that he has not received additional information from Green Acres. When he bought this property he thought that the use would be allowed. He now has 6-8k tied up in this application. He would like to request a 3 month continuance. This is at the discretion of the board.

Jessica Lynn Winkers made a motion to agree to continue the matter until the December 12, 2024 meeting. Nicholas Culver seconded the motion.

Motion Carried 7-0

The applicant asked if he could have hunter guests stay at the house if he obtains a CO. This question should be directed to the Zoning Officer.

Mr. Eber returned to the board at this time.

**Block 57, Lots 5 and 7
Action Station Road
Completeness Hearing/Application for a Lot Line Adjustment**

Rodney Dare was sworn in at this time. The Engineers letter was reviewed. The applicant will provide proof that the taxes are paid prior to the next meeting. Mr. Dare stated that

he is the sole owner of the property. The Key to the map must be added to the plan. The plan will be revised as outlined in the Engineers Letter.

Mr. Cadwallader made a motion to deem the application complete, pending that the items in the Engineers Letter are addressed and submitted. Mr. Richman seconded the motion.

Motion Carried 9-0

YES: D.C, M.C., N.C., R.E., D.R., J.S., J.W., R.S. and G.S.

Informal Presentation – Fenwick Creek Solar, LLC

Block 39, Lot 33, Block 40, Lot 21, Block 45, Lot 15, Block 46, Lots 5 & 6, Block 47, Lots 10, 12 and 16.

Mr. Cadwallader stepped down from the board at this time.

Stephen Nehmad, Attorney for the potential application, presented the information. He stated that they intend to present the full application for Fenwick Creek LLC in the very near future. AES Clean Energy specializes in clean energy of all types. It was presented that New Jersey has one of the most aggressive, renewable energy programs no more than 5% of prime agricultural soil can be used in this application. This application will require a use variance, however, it was presented that this is considered an inherently beneficial use, and the applicant does not believe that they need to establish criteria for the beneficial use.

Ryan Irwin was sworn in an expert for AES Clean Energy. He stated that they have over 500 clean energy projects owned, and operated across the United States that focus on sustainability and conservation. This would be a 38 MW solar facility that would offer ever best to buffer with native plants and trees. They also tentatively plan to propose sheep grazing within the site. Outlined on the proposal is a trail system. 90 to 95% of the projects that the company works with are on agricultural land and for the most part that is where these projects go. Instead of vegetables, they harvest the sun.

This proposal received an award from the state and it has stringent requirements. This is a competitive solar program project that was submitted and awarded, and it is the only one in Salem County. The program protections include 2% of farmland can be used for this solar in the entire state and 5% in Salem County that is approximately 80,000 acres of agricultural land in Salem County. This creates a limit total of 1685 acres in Salem County.

The Mid Atlantic grid in Salem County only has so much capacity - only 1,500 acres approximately. State restrictions and grid limitations guide the project. The entire site will include pollinator plantings.

Laura Keller, the Development Manager and Project Team, stated that the pollinator plan is a new requirement. Pollinators and grasses along the array, under, and between are required. 80% must be covered with pollinators. DEP guidance indicates specific native species that must be used. Only 5% of the site is in previous cover and it can return back to agricultural farmland. This project is monitored by the DEP for the lifetime of the plan. there is a five-year period for the plants to be established and mowing during construction and the first five years mowing will take place on a biannual basis, then an annual basis

after that. If sheep are included in the project, the sheep would eat the plants and would rotate throughout the project area. They always look for local sheep first.

Michael Colletti asked how they will buffer neighboring properties. It will be a mix of evergreens, shrubs, meadow, and will be a great habitat for birds and animals. This helps pollinate the surrounding farms and community.

Mr. Eber asked why it is called a farm because you cannot grow anything under the array without sunlight.

There will be six different flowering plants and grasses in the spring and summer and four different varieties in the fall. There is a seed mix that is recommended that will grow under and in between the array. The term solar farm is used in the industry. This will be an application for an approval of a used variance for a term of 35 years. There would be a decommissioning performance bond and it will allow the property to return to agricultural farmland, if desired by the property owner. This project does have a term limit with the project lease. It will return to vacant land. The panels, fence and inverters would all be removed.

There is some discussion that the variance runs with the land. The attorney for the applicant said that they would agree to use variance for the land that includes a time limit.

There were some question as to where the substation will be located. It will be located underground in the public right of ways.

The Certified Planner, Tiffany Morrisy, was qualified as an expert. She stated that the ideas to try to meet the state requirements and balance the impacts to the community. This project will include a 6.8 mile trail that will allow walking and biking. This will create open space at the location. The location is also desirable because you are not fracturing an open farm. The restoration plan includes no concrete footings, and the topsoil cannot be compacted. There is program guidance to provide balance.

Also reviewed were the fiscal impact. The property owner will pay higher taxes and rollback taxes. The pollinator plants add to the agricultural community. This will be the biggest project that this company has put together in New Jersey, but it is not the largest that they have constructed.

Mr. Carpenter stated that they are calling this plan open space, but the solar array will be fenced in and natural wildlife will not be able to freely move throughout the property. Also, the site is currently open, so buffers will certainly not just blend in with the surrounding area.

There was a question as to who will maintain the trail and the parking lot. There will be trenches that will be 3 to 4 feet deep that will have low voltage running under the ground. The wires will carry a larger voltage as they connect throughout the field. The idea is to create a natural looking environment. The client will maintain the property. This is a benign use and is quite similar to a farming environment. the buffers the biodiversity and there will be educational plaques around the track for the community.

This concluded the informal presentation.

David Cadwallader left the meeting at this time. (8:29 pm)

Master Plan Reexamination Public Hearing

Donna Miller provided a brief overview of the Master Plan Updates. Salem City sold the water plant, which prompted the need for an update and utility element.

The meeting was opened to the public. (Eber/Culver)

Lori Kiger of 64 Warner Road, Woodstown spoke. She stated that Mannington doesn't need more houses or warehouses. It was explained that the regulations and policies in the Master Plan are for planning purposes that align with the townships goals and directives.

Susan Kiger of 172 Black Road asked if this is a plan for expansion. The planner explained that there are regulations to restrict development on the map. This is designed to govern regulations.

The meeting was closed to the public. (Eber/Culver)

Mr. Culver made a motion to adopt and recommend the Master Plan Reexamination Report Update. Mr. Colletti seconded the motion.

Motion Carried 9-0

Yes: M.C., N.C., R.E., D.R, J.S., J.W., R.S., G.S., and N.C.

Resolution 11-2024 Resolution of the Mannington Township Planning/Zoning Board Adopting the "2024 Master Plan Reexamination Report Mannington Township" and an Amendment to the Master Plan Pursuant to the Municipal Land Use Law N.J.S.A. 40:55D-89

Richard Eber made a motion to adopt Resolution 11-24. Nicholas Culver seconded the motion.

Motion Carried 9-0

Yes: M.C., N.C., R.E., D.R, J.S., J.W., R.S., G.S., and N.C.

(RESOLUTION TO FOLLOW)

RESOLUTION 11-2024
RESOLUTION OF THE MANNINGTON TOWNSHIP PLANNING/ZONING
BOARD ADOPTING THE “2024 MASTER PLAN REEXAMINATION REPORT
MANNINGTON TOWNSHIP” PURSUANT TO THE MUNICIPAL LAND USE
LAW N.J.S.A. 40:55D-89

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq. (“MLUL”) the planning board of a municipality is given the authority to prepare and conduct a reexamination of a master plan to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare; and

WHEREAS, N.J.S.A. 40:55D-89 of the MLUL requires the planning board of each municipality to provide for a general reexamination of the municipal master plan and development regulations at least every ten (10) years and prepare and adopt by resolution a report on the findings of such reexamination; and

WHEREAS, the Township of Mannington (the “Township”) last adopted a comprehensive reexamination of the municipal master plan pursuant to the 2023 Master Plan Reexamination Report, adopted on September 14, 2023, pursuant to Resolution 11-2023; and

WHEREAS, in accordance with the MLUL, the Planning/Zoning Board of the Township of Mannington (the “Board”) commissioned Michael F. Sullivan, ASLA, AICP and Donna Miller, AICP, PP, CFM of Clarke Caton Hintz, 100 Barrack Street, Trenton, New Jersey 08608, to prepare a reexamination report of the municipal master plan entitled “2024 Master Plan Reexamination Report Mannington Township”, (the “Master Plan Reexamination”); and

WHEREAS, the Board provided full statutory notice in accordance with and as required by the Municipal Land Use Law, N.J.S.A. 40:55D-13 and at the time of the hearing the matter was opened to the public for comment; and

WHEREAS, the Board reviewed and considered the Master Plan Reexamination at the public hearing on September 12, 2024, at which time and place the Board heard testimony from its professionals regarding the Master Plan Reexamination; and

WHEREAS, the Mannington Township Planning/Zoning Board, after considering the Master Plan Reexamination and based upon the information provided to the Board prior to and at the time of the hearings, and as set forth above and throughout this Resolution, as well as, the advice, testimony and reports of the Board’s professionals, and any public comment, the Board makes the following findings of fact and conclusions of law:

1. The last master plan reexamination for the Township was adopted in 2023.
2. The MLUL, specifically, N.J.S.A. 40:55D-89 requires a municipality to provide for a general reexamination of its municipal master plan and development regulations at least every ten (10) years.
3. The Master Plan Reexamination and all supporting reports, memorandums, elements, and all other documents submitted and on file with the Township are incorporated and made a part of this resolution by way of reference.

4. The Joint Land Use Board determines that the Master Plan Reexamination and all supporting reports, elements, and other documents, comply with all requirements of the MLUL, specifically N.J.S.A. 40:55D-89, including but not limited to, the Board's obligation to conduct a general reexamination of the municipal master plan and development regulations.
5. The Joint Land Use Board determines that all procedural requirements and regulations were fully satisfied with the regard to the preparation of the various reports and plans submitted for consideration and passage by the Board regarding the public meeting held on September 12, 2024, at which time the Board adopted the Master Plan Reexamination.
6. The Board determines that the adoption and implementation of the Master Plan Reexamination is in the public interest and will protect the public health and safety and promote the general welfare of the Township.

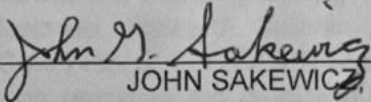
NOW, THEREFORE, BE IT RESOLVED, by the Mannington Township Planning/Zoning Board, that:

1. The above-mentioned recitals are incorporated as though set forth herein.
2. The master plan reexamination report entitled "2024 Master Plan Reexamination Report Mannington Township", and all supporting reports, memorandums, elements, and other documents, including all of the recommendations set forth herein and in said documents are hereby adopted in accordance with the requirements of N.J.S.A. 40:55D-89.
3. The Planning/Zoning Board of the Township of Mannington determines that the Master Plan Reexamination satisfies the requirements of the MLUL, and this Resolution, as well as the testimony of the members and the experts of the Board, shall constitute the report on the findings of the Master Plan Reexamination.
4. A copy of the Master Plan Reexamination and all supporting reports, elements, and other documents, if any, and this Resolution shall be sent to the Office of

Planning Advocacy and the Salem County Planning Board in accordance with N.J.S.A. 40:55D-89.

5. A notice advising that the Master Plan Reexamination and this Resolution have been prepared shall be sent to any military commander who has registered with the municipality and the municipal clerk of each municipality adjoining the Township in accordance with N.J.S.A. 40:55D-89, any of whom may request a copy of the Master Plan Reexamination and this Resolution.
6. A copy of the final Master Plan Reexamination and all supporting reports, elements, and other documents, if any, shall be provided to the Planning/Zoning Board Secretary and the Township Clerk.
7. The Board recommends to the Township Committee that it take all necessary and appropriate action to enact the proposed updates and changes set forth in the Master Plan Reexamination and all supporting reports, elements, and other documents, if any, which were adopted by the Board.
8. This Resolution shall take effect immediately.

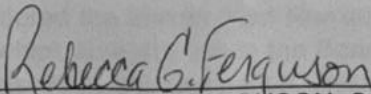
THE PLANNING/ZONING BOARD OF THE
TOWNSHIP OF MANNINGTON



JOHN SAKEWICZ, Chairman

ATTEST:

The foregoing Resolution was a memorialization of action taken at a regular meeting of the Planning/Zoning Board of the Township of Mannington held on the 12th day of September 2024; and such resolution was adopted by the Planning/Zoning Board of the Township of Mannington at a regular meeting held on September 12, 2024, by a vote 9 to approve, 0 to oppose and 0 to abstain.



REBECCA FERGUSON, Secretary

In favor of the resolution: M.C., N.C., R.E., DR, J.S., J.W., R.S., G.S., D.E.

Opposed to the resolution: 0

Abstained: 0

There was no Miscellaneous Business.

The meeting was opened to the public.

The meeting was closed to the public.

The meeting was adjourned at 8:43 PM.

Respectfully Submitted,

Rebecca Gower Ferguson
Planning Board Secretary