Township of Holland
IN
HUNTERDON COUNTY

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www.hollandtownshipnj.gov

Draft Agenda-Business to the extent known

HOLLAND TOWNSHIP COMMITTEE
REGULAR MEETING AGENDA
March 1, 2022

MEETING CALLED TO ORDER

If you haven't already done so, please turn off or silence all electronic equipment

Roll Call: when your name is called, please respond with "present"
Committeeman Duane Young
Committeewomen Lisa Mickey
Deputy Mayor Scott Wilhelm
Committeeman Robert Thurgarland
Mayor Dan Bush
Attorney Matthew Lyons
Municipal Clerk Cathy Miller
Municipal Clerk Cathy Miller

FLAG SALUTE

"At this time, I would like to invite the audience to join the Committee in reciting the Pledge of Allegiance"

CLERK READS OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was given pursuant to the open public meeting act, by the Municipal Clerk on **December 9, 2021** by:
1) posting such notice on the bulletin board at the municipal building and on the Holland Twp website
2) mailing the same to the Hunterdon County Democrat and the Express-Times.

PUBLIC NOTICE
TOWNSHIP OF HOLLAND

NOTICE OF CHANGE OF FORMAT OF REGULAR TOWNSHIP COMMITTEE MEETING AND PUBLIC PARTICIPATION FOR THE MEETING SCHEDULED FOR 7:00 PM TUESDAY March 1, 2022

PLEASE TAKE NOTICE.
THE MEETING FORMAT HAS BEEN CHANGED FROM IN-PERSON ATTENDANCE AT THE MUNICIPAL BUILDING, 61 CHURCH ROAD ONLY, TO IN-PERSON AND TELECONFERENCE DUE TO THE UPSERGE OF COVID-19 CASES IN NEW JERSEY

THE PUBLIC MAY ATTEND THIS MEETING IN-PERSON OR VIA TELECONFERENCING AND MAY COMMENT DURING THE DESIGNATED PUBLIC COMMENT PORTION IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT.

Official action to be taken.

The Township Committee members, Attorney and Municipal Clerk will be seated at the dais in the Municipal Building masked and socially distanced

Members of the public may
Attend the meeting in person. However, due to social distancing, seating is limited
Attend the meeting via Zoom-see below for meeting login details

All Zoom attendees will enter a waiting room when they first sign in. Once admitted to the meeting, they will be muted. To make a comment during the Public Comment portion of the meeting please use the "raise your hand" function and the host will unmute you for your comment.

Join Zoom Meeting online
https://us06web.zoom.us/j/85987818027?pwd=UFF1U2VJQWdVMlk4NVIwTDlVeGE3UT09

Meeting ID: 859 8781 8027
Passcode: 330812

Join meeting by phone
(646) 558 8656

The agenda will be posted on the Holland Township website by 4:00 pm Monday February 28, 2022.
hollandtownshipnj,gov

OLD BUSINESS FROM TOWNSHIP COMMITTEE

Holland Township Planner Darlene Green s present via Zoom to answer any questions during the Public Hearing

-ORDINANCE 2022-03- Public Hearing/Final Adoption -Task 2 Terminology-IND Limited Industrial Park District
In a memo dated February 15, 2022 Land Use Administrator, Kozak advised that the Land Use Board had reviewed Ordinance 2022-03 and determined that it is consistent with the Holland Township Master Plan.

ORDINANCE 2021-03

AN ORDINANCE OF THE TOWNSHIP OF HOLLAND AMENDING AND SUPPLEMENTING CHAPTER 100 ENTITLED "LAND USE", ARTICLE III ENTITLED "TERMINOLOGY"AND ARTICLE V ENTITLED "IND LIMITED INDUSTRIAL PARK DISTRICT" TO AMEND THE LIST OF CONDITIONALLY-PERMITTED AND ACCESSORY USES, AMEND IMPERVIOUS COVERAGE, AND REVISE SIGNAGE STANDARDS

WHEREAS, the Township Planning Board adopted a 2020 Master Plan & Development Regulations Reexamination ("Reexamination") on July 13, 2020; and

WHEREAS, the Reexamination makes several recommendations to amend the permitted uses, refine the permitted accessory uses, clarify lot coverage, and amend and enhance signage regulations for the Limited Industrial Park District; and

WHEREAS, the Township Committee has reviewed the Reexamination report and agree that the Limited Industrial Park District should be amended to provide clarification for officials, businesses, and potential applicants.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Holland, as follows:

SECTION 1. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article III entitled "Terminology", Section 6 entitled "Definitions" is hereby amended and supplemented by adding the following underlined text in alphabetical order:

SIGN, DIRECTIONAL

A sign that provides information and/or directions necessary for vehicles and/or pedestrians to navigate a site, including signs identifying entrances and exits, parking areas, circulation direction, and the like. Directional signs shall not contain any advertising.

SECTION 2. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article V entitled "IND Limited Industrial Park District", Section 21 entitled "Permitted uses" is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

In the IND Limited Industrial District, no lot or structure shall have as a principal use, and no structure shall be located, relocated, erected, constructed, reconstructed, enlarged or structurally altered for the purpose of any principal use, except the following:

~~H. Warehousing.~~

H. ~~I.~~ The headquarters and operation centers of well drillers and construction contractors.

I. ~~J.~~ The manufacturing, compounding, processing, packaging or treatment of beverages, food, candy, cosmetics, dairy products, drugs, perfumes, ice, plastics, pharmaceuticals, toilet supplies and similar products.

J. ~~K.~~ Farm uses permitted in the R-5 Residential District, subject to the requirements for that district.

K. ~~L.~~ Single-family residence, subject to the requirements for the R-5 Residential District.

~~M. Solar energy facility (major/commercial) as a permitted principal use, subject to meeting all of the following requirements:~~

~~(1) Site plan required. A site plan shall be submitted for review and approval showing all elements of the proposed facility as required herein and complying with all of the checklist requirements for submission of a site plan in the IND Zoning District.~~

~~(2) Locational/site qualification regulations for a solar energy facility (major/commercial).~~

~~(a) The site proposed for a solar energy facility (major/commercial) shall have a minimum lot area of at least 20 contiguous acres that are owned by the same person or entity and shall otherwise comply with the lot width, lot depth and other dimensional requirements of the zoning district.~~

~~(b) Except pursuant to a permit issued by NJDEP, no portion of such facility shall occupy any area of land designated and regulated by NJDEP as floodplain, flood hazard area, wetlands, wetlands transition area or riparian corridor. An applicability determination from the NJDEP shall be provided as a condition of approval to document the presence and/or absence of these regulated areas at the time a site plan is submitted. The applicant shall also maintain the minimum required riparian buffer along any C-1 waterway in accordance with the Surface Water Quality Standards rules at N.J.A.C. 7:9B-1.4, even if the riparian buffer area was previously disturbed for agricultural purposes.~~

~~(c) Such facilities shall not occupy areas of land designated by the NJDEP as critical habitat for state threatened and/or endangered species of flora and fauna. Moreover, no land having slopes over 30% shall be occupied by such facilities.~~

~~(d) Woodlands shall not be clear cut to accommodate such facilities. Any removal of more than 10 trees having a diameter in excess of 12 inches dbh (diameter at breast height) shall require replacement onsite of all but the first 10 trees.~~

(e) An applicant seeking approval of a solar energy facility (major/commercial) shall provide documentation and evidence of a firm commitment from the electric utility that the alternative electrical energy to be generated by the solar and photovoltaic energy facilities and structures shall be purchased or utilized by an improvement onsite and/or purchased or utilized by the electricity utility provider.

(3) Bulk/buffering regulations.

(a) Such facility shall not occupy any area outside the required principal building setback lines for the zoning district in which the facility is to be located except that utility poles for outside connections to the electrical power grid may be placed outside the required principal building setback lines. A security fence is required around the entire perimeter of the facility. The security fencing shall be located within or at the required principal building setback lines; however landscaping, buffering and berms may be located outside the required principal building setback lines.

(b) The maximum building coverage limits for principal and accessory structures in this zoning district shall not apply to such facilities; provided, however, that all setback and buffering requirements of this section and for this zoning district shall be met and further provided that no development shall be permitted to occur in any area of the lot in which development is prohibited by regulation of either this Township or the State of New Jersey.

(c) The maximum permitted vertical height above ground for the highest point of any ground-mounted solar and photovoltaic energy panels shall be 10 feet, or 14 feet at the lower part of a grade if located on a slope.

(d) The minimum vegetated visual buffer width for such facility shall be the greater of 50 feet or the minimum requirement for other uses in the same zone.

(e) Such facility shall be screened by topography and/or natural vegetation, supplemented by additional plantings as needed, or by berms and landscaping, from public traveled ways (public roads, navigable waterways, and publicly available trails on land owned by or held by easement of a public entity), residential buildings on an adjoining lot, open space owned by or subject to easement of a public entity, and historic sites and buildings listed in the State and/or National Registers of Historic Places. To accomplish this:

[1] To the extent feasible, installations shall be sited behind existing vegetation, supplemented with landscaping, using berms and landscaping only where existing vegetation is nonexistent or sparse.

[2] To the extent feasible, installations shall be sited where natural topography can provide or at least add screening.

[3] Berms shall be constructed with a width at base of at least 25 feet to allow for proper growth of root structure and to lend a more natural appearance.

[4] Landscaping shall include an even blend mix of coniferous and deciduous trees and shrubs that are indigenous to the area avoiding invasive species. Such plantings shall be depicted on a plan, presented in and approved as part of the site plan, prepared by a licensed landscape architect. At the time of planting, deciduous trees shall be not less than two inches to 2 1/2 inches dbh and coniferous trees shall be a minimum of eight feet to 10 feet in height or at least five feet higher than the height of the highest solar or photovoltaic panel.

[5] All ground areas of the lot occupied by the facility that are not utilized for access to operate and maintain the installation, for berms and landscaping, for existing additional principal uses on the lot, or for agricultural uses, or that will remain forested, shall be planted and maintained with shade tolerant grasses for the purpose of soil stabilization. A seed mixture of native, noninvasive shade-tolerant grasses shall be utilized and specified in the landscaping plan. If it can be demonstrated by the applicant that an alternative vegetative ground cover consisting of a seed mix of native, noninvasive plant species and nonnative, noninvasive shade tolerant species is acceptable for soil erosion control and soil stabilization and can be better sustained over the life of the facility, the approving authority may approve such an alternative to the requirement for native, noninvasive shade-tolerant grass mix. The use of stone, gravel, wood chips or shavings or any artificial material shall not be permitted for soil erosion control and soil stabilization. If land having a slope of greater than 20% is proposed to be disturbed, additional soil erosion and sediment control measures may need to be implemented, and shall be subject to approval, based upon the recommendations of the Township Engineer.

[6] A maintenance plan shall be submitted for approval as part of the site plan that provides for the continuing

maintenance of all required plantings, including a schedule of specific maintenance activities to be conducted. Maintenance of the required berms and landscaping shall be a continuing condition of any approval that may be granted. The use of herbicides shall not be permitted as an acceptable maintenance practice.

(4) Installation and site development requirements.

(a) Only nonglare glass shall be used to minimize the potential for reflective glare.

(b) No portion of the facility or its component parts shall be used for displaying any advertising. Signage shall be limited to the identification and safety signage permitted elsewhere in this section.

(c) All new distribution or transmission power lines on site shall be placed underground except as necessary to connect to already existing aboveground power towers, poles and lines. Feeder lines and collection lines may be placed overhead near substations or points of interconnection to the electric grid.

(d) No soil shall be removed from any site upon which such a facility is constructed. Necessary grading shall be accomplished so that no offsite soil removal or offsite fill is required.

(e) Land disturbance, grading and the construction of site improvements associated with the installation of such a facility, on any lot that has been and will continue to be used for agricultural purposes, shall be directed, insofar as is feasible, to portions of the lot that contain neither prime agricultural soils or soils of statewide significance. Where land disturbance, grading or the construction of site improvements on such soils is unavoidable, it shall be limited to the minimum intrusion necessary to construct required access roads, inverter and switching equipment pads and other facilities required for connection to the grid.

(f) A barrier or fence having a height of at least eight feet (unless a greater height is required by law) shall be installed around the entire perimeter of the installation and entirely within the required building setback lines, which barrier shall secure the facility at all times; restrict access to all electrical wiring, transformers and high voltage equipment; and comply with applicable Uniform Construction Code requirements. One or more locked access gates (not less than 20 feet in width) to the facility shall be provided. Each locked access gate shall include a sign identifying the responsible parties for operation of the major solar and photovoltaic energy facilities and structures; for maintenance of the facility; and for maintenance of the berm, landscaping and security fence; and for ownership of the land upon which the facility is located.

(g) The site plan shall provide for adequate and appropriate drainage facilities, which shall be designed such that site grading and construction shall not alter the natural drainage patterns of stormwater originating both within and beyond the property boundaries, which is not inconsistent with Article XXIV of this chapter 100, Stormwater Management Regulations.

(h) The site plan shall include a construction/staging plan identifying the location, size and configuration of the areas to be used on a temporary basis during construction for the delivery and storage of materials and equipment and for the off-street parking of construction workers' vehicles. The construction/staging plan shall include a plan and timetable for the restoration of these areas upon completion of construction.

(5) Performance standards.

(a) Wind velocities. All components of solar energy facilities (major/commercial) shall be designed to withstand a ground-level wind velocity of at least 90 miles per hour, unless a higher standard for wind-loading is specified in the New Jersey Uniform Construction Code.

(b) Hazardous materials. The use of lead acid batteries shall not be permitted in major solar energy systems (minor) and facilities, except for such batteries as are needed to store electricity to power emergency lights in the event of a power outage.

(c) Noise. The total daytime operational mechanical or aerodynamic noise, including turbine, inverter or transmission line noise from the solar energy facility shall not exceed 50 dBA, measured from the nearest property line.

(d) Lighting. Any facility lighting shall be kept to a minimum and shall be shielded to eliminate light spillage off the property. Light spillage shall be defined as an illumination of 0.3 foot candle (fc) or greater onto any residential property or residential zone district and 1.0 fc or greater onto any nonresidential, business or industrial property or zoning district.

(e) Facility standards and certification. The facility shall meet the minimum applicable standards established by the International Electrotechnical Commission (IEC), the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE), the International Organization for Standardization (ISO), Underwriters Laboratories (UL), the Solar Rating and Certification Corporation (SRCC), and any other applicable industry standards. The facility shall also meet the minimum standards outlined in the National Electrical Code (NEC), the National Electrical Safety Code (NESC) and all other applicable rules governing such facilities. The facility shall be certified by Underwriters Laboratories, Inc., the National Renewable Energy Laboratory, the Solar Rating and Certification Corporation and/or any other regulatory authority with jurisdiction over the installation and operation of the facility.

(6) Safety regulations. All solar energy facilities (major/commercial) and all other solar energy systems (minor) installed on commercial, institutional or multifamily residential property in Holland Township shall comply with the following design safety and emergency response provisions:

(a) Individual roof mounted solar or photovoltaic panel arrays shall not exceed 150 feet by 150 feet in area. Where more than one array of panels is being installed, eight feet of clearance shall be provided between arrays in all directions. The roof supporting such arrays shall be reinforced so as not to cause damage to the roof while maintenance is performed and to ensure the safety of firefighter/EMT access in the event of an emergency. If skylights or roof hatches are also installed in the roof, each skylight or roof hatch shall have a minimum of four feet of clearance in all directions from an array.

(b) Nonresidential roof installations shall provide ventilation access points in the roof, which shall measure not less than eight feet by four feet, placed at intervals on the roof not more than 20 feet distant from one another, and access to the building shall be provided by means of a reinforced access drive located no further than 50 feet from each exterior door to the building, unless it can be demonstrated to the satisfaction of Holland Township Emergency Management that a greater distance is sufficient to allow emergency vehicle access by fire and rescue personnel and also meet applicable fire safety code requirements.

(c) Ground-mounted facilities shall provide emergency vehicle access to all components and Solar energy facilities (major/commercial) shall provide access roads throughout the installation. Each access road shall be not less than 20 feet in width and shall be reinforced or suitably improved to support the weight of typical emergency service apparatus. Turning areas shall be provided and each curve or turn in the access road shall provide an adequate turning radius for maneuvering emergency service apparatus (in accordance with the Holland Township Volunteer Fire Company official driveway plan).

(d) An exterior electrical disconnect/emergency shutoff that will isolate the system shall be provided, which shall be plainly marked with a reflective identification placard. The location of the disconnect/emergency shutoff shall be as recommended by Holland Township Emergency Management and the Holland Township Volunteer Fire Company.

(e) Each site containing such a facility shall conspicuously post a sign at the driveway entrance to the site indicating that the facility exists on the site and indicating whether the system is a roof- or ground-mounted system.

(f) Required security fencing and locked gates (with at least a twenty foot opening) shall be fully erected and operational prior to the installation of solar or photovoltaic energy facility. Ground mounted facilities shall include at least two means of ingress and egress to the facility for emergency response.

(g) Knox Boxes shall be provided at all locked locations on site (i.e., gates, doors to buildings, etc.). All inverter sheds or other electrical equipment buildings shall be fitted with at least two exterior doors with one twenty-pound CO2 fire extinguisher located immediately inside the door.

(h) Material safety data sheets (MSDS) shall be submitted to emergency response providers for all component materials comprising the solar modules, panels, arrays and any other equipment which contains hazardous or flammable substances.

(i) An emergency response plan shall be prepared, filed and maintained with the Holland Township Emergency Management, Holland Township Volunteer Fire Company and the Milford Holland Rescue Squad. The emergency response plan shall include:

[1] Emergency response procedures to be followed in the event of an emergency, which may include Fire Company and First Aid and Rescue Squad training, including training prior to commencing operation of the facility.

[2] Evacuation procedures (from on site and from neighboring properties off site).

[3] Site specific information concerning the locations of panels, grid identification diagrams, the emergency shutoff/isolation switch(es), contact names and numbers for 24/7 availability of responsible personnel.

[4] A system of information placards, which shall be conspicuously mounted at eye level along the security fence and at locked gates as well as at the entrances to all buildings, and which shall be updated within two weeks of any changes to the information contained thereon, including contact information, and which shall include information identifying all possible hazards existing within and exit routes from the facility.

(j) A two tag identification (accountability) system for anyone entering the energy facility site shall be in effect, which system shall provide for the following procedures:

[1] One tag shall be kept in the service vehicle indicating the name of the individual and his/her employer.

[2] One tag shall be placed at the point of entry to any building or, in the case of a service involving site-roaming, the tag shall be clipped to the point of entry into the site, which shall be the gate nearest to the location where the service is being performed.

(k) All sites shall secure a street address from the Township's 911 Coordinator, which shall be posted at the main entrance gate to the facility, and shall be of sufficient size and reflectivity, so as to be easily visible from either direction on the roadway.

[1] Prior to the issuance of a certificate of occupancy, Holland Township emergency personnel shall be provided access to the facility to generate familiarity with the site conditions and emergency access locations.

(7) Decommissioning and disassembly.

(a) All Applications for a solar energy facility (major/commercial) shall be accompanied by a decommissioning plan to be implemented upon abandonment of the use.

[1] "Abandonment" is defined as the facility being out of service for a continuous twelve month period.

[2] Decommissioning process description.

[a] The decommissioning and restoration process comprises removal of aboveground structures; grading, to the extent necessary; restoration of topsoil (if needed) and seeding. The process of removing structures involves evaluating and categorizing all components and materials into categories of recondition and reuse, salvage, recycling and disposal. The project consists of numerous materials that can be recycled, including steel, aluminum, glass, copper and plastics. In the interest of increased efficiency and minimal transportation impacts, components and material may be stored on site until the bulk of similar components or materials are ready for transport. The components and material will be transported to the appropriate facilities for reconditioning, salvage, recycling, or disposal. Aboveground structures include the panels, racks, inverters, pads and any interconnection facilities located on the property. The aboveground structures and below ground structures are collectively referred to herein as the "project components."

[b] Temporary erosion and sedimentation control best management practices will be used during the decommissioning phase of the project. Control features will be regularly inspected during the decommissioning phase and removed at the end of the process.

[3] Project component removal. Control cabinets, electronic components, and internal cables will be removed. The panels, racks and inverters will be lowered to the ground where they may be transported whole for reconditioning and reuse or disassembled/cut into more easily transportable sections for salvageable, recyclable, or disposable components.

[4] PV module removal. Solar photovoltaic modules used in the project are manufactured within regulatory requirements for toxicity based on toxicity characteristic leaching procedure (TCLP). The solar panels are not considered hazardous waste. The panels used in the project will contain silicon, glass, and aluminum which have value for recycling. Modules will be dismantled and packaged per manufacturer or approved recycler's specifications and shipped to an approved off site recycler.

[5] Component pad removal. Pads will be excavated to a depth sufficient to remove all anchor bolts, rebar, conduits, cable, and concrete to a depth of 24 inches below grade. The remaining excavation will be filled with clear subgrade material of quality comparable to the immediate surrounding area. The subgrade material will be compacted to a density similar to surrounding subgrade material. All unexcavated areas compacted by equipment used in decommissioning shall be decompacted in a manner to adequately restore the topsoil and subgrade material to the proper density consistent and compatible with the surrounding area.

[6] Electric wire removal. DC wiring can be removed manually from the panels to the inverter. Underground wire in the array will be pulled and removed from the ground. Overhead cabling for the interconnection will be removed from poles. All wire will be sent to an approved recycling facility.

[7] Racking and fencing removal. All racking and fencing material will be broken down into manageable units and removed from the facility and sent to an approved recycler. All racking posts driven into the ground will be pulled and removed.

[8] Concrete slab removal. Concrete slabs used as equipment pads will be broken and removed to a depth of two feet below grade. Clean concrete will be crushed and disposed of off site.

[9] Access road. During decommissioning, the processed stone access roads will be stripped, exposing the geotextile beneath. The geotextile will then be removed and disposed revealing the original soil surface. The compacted soil beneath the road fill may require ripping with a subsoiler plow to loosen it before it can be returned to crop production.

[10] Site restoration process description. Following decommissioning activities, the subgrade material and topsoil from affected areas will be decompacted and restored to a density and depth consistent with the surrounding areas. If the subsequent use for the project site will involve agriculture, a deep till of the project site will be undertaken. The affected areas will be inspected, thoroughly cleaned, and all construction-related debris removed. Disturbed areas will be reseeded to promote revegetation of the area, unless the area is to be immediately redeveloped. In all areas restoration shall include, as reasonably required, leveling, terracing, mulching, and other necessary steps to prevent soil erosion, to ensure establishment of suitable grasses and forbs, and to control noxious weeds and pests.

[11] Decommissioning terms. The project shall be decommissioned within 180 days of the end of the project's operational life. Areas disturbed during the decommissioning phase will be seeded with a drought tolerant grass seed mix appropriate for the area, unless such areas are being immediately redeveloped for other uses.

(b) The decommissioning plan shall contain the following provisions:

[1] Provisions for the removal of all components of the facility/system from the site and the full restoration of the site to its predevelopment condition insofar as is feasible; and the safe disposal of all components of the facility/system, including the recycling of all recoverable materials, consistent with prevailing best practices relating to the disposal and recycling of photovoltaic waste.

[2] Provisions that the Township shall notify the land owner and owner/operator of the facility of the pending determination of abandonment and order proof of the resumption of energy generation to at least 80% of the facility's capacity or removal of the facilities in accordance with the approved decommissioning plan, subject to the issuance of a demolition permit.

[3] A provision that within 60 days of service of the notice of abandonment, the land owner or facility operator shall apply for and obtain a demolition permit for the decommissioning in accordance with the decommissioning plan.

[4] Provisions that, as a condition of site plan approval and prior to the issuance of any building permits, the land owner or operator of the facility shall obtain and submit to the Township a performance bond or other agreed-upon secured funding in a form approved by the Township Attorney to ensure that the decommissioning plan provides financial assurance that there will be sufficient funds available for decommissioning and site restoration. Such bond shall be in an amount, as determined in detail by the Township Engineer, which shall be adequate to cover the estimated cost of such removal. The form of such bond shall be approved by the Township Attorney. The bond shall not be subject to revocation or reduction prior to the completion of the work covered by the demolition permit and decommissioning plan and the full restoration of the site as required by the decommissioning plan. The decommissioning bond

~~shall be reevaluated to reflect inflation every five years from the start of operations which shall be defined as the date of issuance of the certificate of occupancy for the generation of power. Such reevaluation shall be submitted no fewer than 30 days prior to the end of the five year period by the owner/operator and/or landowner to the Township Attorney and Township Engineer for review and approval. If the anticipated cost of decommissioning increases by 10% or more, the property owner or operator of the facility shall deposit additional funds into an escrow account or revise the bond or other surety to reflect the increased amount.~~

~~[5] Measures to provide for the protection of public health and safety and for protection of the environment and natural resources during both the removal and site restoration stages, as well as the schedule for the completion of all site restoration work in accordance with the decommissioning plan.~~

~~[6] Provisions that, if the performance bond described above, plus any supplemental funding that may have been provided by the owner/operator, is insufficient to fully implement the decommissioning plan or if the owner/operator fails to fully satisfy the obligations described herein, then the landowner shall be held responsible for any and all costs associated with the decommissioning to the extent that such costs are not covered by the performance bond and any supplementary funds provided by the owner/operator, if applicable.~~

~~[7] Provisions detailing the anticipated life of the project.~~

~~[8] The estimated cost of decommissioning in current dollars, and an explanation of how the cost was determined, which shall be prepared by a professional engineer or contractor who has expertise in the removal of solar facilities. Salvage value shall not be considered when determining the estimated decommissioning cost.~~

~~(c) If said decommissioning has not been completed within the requisite 180 day period following issuance of the demolition permit, then the Township's Zoning Officer shall provide written notice by certified mail to the landowner requiring that decommissioning be completed within 30 calendar days of the receipt of said notice. If the decommissioning has not been completed within 30 calendar days of the receipt of said notice, the Township may collect the bond or other surety and undertake the decommissioning. The Township may charge the landowner and/or facility owner and operator for all of the costs and expenses thereof, including reasonable attorney's fees. Nothing herein shall prevent the Township from taking appropriate legal action to compel the decommissioning. All costs incurred by the Township shall be billed to the landowner and if not paid within 60 calendar days of billing, shall become a lien against the property.~~

SECTION 3. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article V entitled "IND Limited Industrial Park District", Section 22 entitled "Accessory uses" is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

Accessory uses and structures to any of the above permitted uses are permitted, including:

C. Storage, including equipment and materials storage, provided, with respect to lots whose principal use is permitted by §100-21A through K~~J~~ of this Part 1, that the area devoted to such use is enclosed within a building or is screened by a wall, planting or other barrier approved by the Planning Board. However, outdoor storage areas shall be limited to 50% of the existing building's footprint.

SECTION 4. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article V entitled "IND Limited Industrial Park District", Section 22.1 entitled "Conditional uses" is hereby amended and supplemented by adding the following underlined text:

A. Warehousing as a conditional use, subject to meeting the following conditions:

(1) Warehouse buildings shall not exceed 70,000 gross square feet.

(2) The building shall be limited to a maximum of 14 loading docks.

(3) Loading doors shall be located on the side and/or rear of the building.

(4) All goods, merchandise, materials, and/or commodities shall be stored indoors. No outdoor storage is permitted.

(5) A traffic impact analysis detailing trips, routes, and necessary off-site improvements shall be provided.

(6) The Applicant/Owner shall provide detailed truck routes traveling to and from the site as part of any Application submission. Any amendment to an approved route shall require review and approval by the Board.

(7) Any necessary off-site traffic improvements directly related to the proposed use, such as intersection improvements and road widening, shall be paid for by the Applicant.

B. Solar energy facility (major/commercial) as a conditional use, subject to meeting the following conditions:

(1) Site plan required. A site plan shall be submitted for review and approval showing all elements of the proposed facility as required herein and complying with all of the checklist requirements for submission of a site plan in the IND Zoning District.

(2) Locational/site qualification regulations for a solar energy facility (major/commercial).

(a) The site proposed for a solar energy facility (major/commercial) shall have a minimum lot area of at least 20 contiguous acres that are owned by the same person or entity and shall otherwise comply with the lot width, lot depth and other dimensional requirements of the zoning district.

(b) Except pursuant to a permit issued by NJDEP, no portion of such facility shall occupy any area of land designated and regulated by NJDEP as floodplain, flood hazard area, wetlands, wetlands transition area or riparian corridor. An applicability determination from the NJDEP shall be provided as a condition of approval to document the presence and/or absence of these regulated areas at the time a site plan is submitted. The applicant shall also maintain the minimum required riparian buffer along any C-1 waterway in accordance with the Surface Water Quality Standards rules at N.J.A.C. 7:9B-1.4, even if the riparian buffer area was previously disturbed for agricultural purposes.

(c) Such facilities shall not occupy areas of land designated by the NJDEP as critical habitat for state threatened and/or endangered species of flora and fauna. Moreover, no land having slopes over 30% shall be occupied by such facilities.

(d) Woodlands shall not be clear cut to accommodate such facilities. Any removal of more than 10 trees having a diameter in excess of 12 inches dbh (diameter at breast height) shall require replacement onsite of all but the first 10 trees.

(e) An applicant seeking approval of a solar energy facility (major/commercial) shall provide documentation and evidence of a firm commitment from the electric utility that the alternative electrical energy to be generated by the solar and photovoltaic energy facilities and structures shall be purchased or utilized by an improvement onsite and/or purchased or utilized by the electricity utility provider.

(3) Bulk/buffering regulations.

(a) Such facility shall not occupy any area outside the required principal building setback lines for the zoning district in which the facility is to be located except that utility poles for outside connections to the electrical power grid may be placed outside the required principal building setback lines. A security fence is required around the entire perimeter of the facility. The security fencing shall be located within or at the required principal building setback lines; however landscaping, buffering and berms may be located outside the required principal building setback lines.

(b) The maximum building coverage limits for principal and accessory structures in this zoning district shall not apply to such facilities; provided, however, that all setback and buffering requirements of this section and for this zoning district shall be met and further provided that no development shall be permitted to occur in any area of the lot in which development is prohibited by regulation of either this Township or the State of New Jersey.

(c) The maximum permitted vertical height above ground for the highest point of any ground-mounted solar and photovoltaic energy panels shall be 10 feet, or 14 feet at the lower part of a grade if located on a slope.

(d) The minimum vegetated visual buffer width for such facility shall be the greater of 50 feet or the minimum requirement for other uses in the same zone.

(e) Such facility shall be screened by topography and/or natural vegetation, supplemented by additional plantings

as needed, or by berms and landscaping, from public traveled ways (public roads, navigable waterways, and publicly available trails on land owned by or held by easement of a public entity), residential buildings on an adjoining lot, open space owned by or subject to easement of a public entity, and historic sites and buildings listed in the State and/or National Registers of Historic Places. To accomplish this:

[1] To the extent feasible, installations shall be sited behind existing vegetation, supplemented with landscaping, using berms and landscaping only where existing vegetation is nonexistent or sparse.

[2] To the extent feasible, installations shall be sited where natural topography can provide or at least add screening.

[3] Berms shall be constructed with a width at base of at least 25 feet to allow for proper growth of root structure and to lend a more natural appearance.

[4] Landscaping shall include an even blend mix of coniferous and deciduous trees and shrubs that are indigenous to the area avoiding invasive species. Such plantings shall be depicted on a plan, presented in and approved as part of the site plan, prepared by a licensed landscape architect. At the time of planting, deciduous trees shall be not less than two inches to 2 1/2 inches dbh and coniferous trees shall be a minimum of eight feet to 10 feet in height or at least five feet higher than the height of the highest solar or photovoltaic panel.

[5] All ground areas of the lot occupied by the facility that are not utilized for access to operate and maintain the installation, for berms and landscaping, for existing additional principal uses on the lot, or for agricultural uses, or that will remain forested, shall be planted and maintained with shade tolerant grasses for the purpose of soil stabilization. A seed mixture of native, noninvasive shade-tolerant grasses shall be utilized and specified in the landscaping plan. If it can be demonstrated by the applicant that an alternative vegetative ground cover consisting of a seed mix of native, noninvasive plant species and nonnative, noninvasive shade-tolerant species is acceptable for soil erosion control and soil stabilization and can be better sustained over the life of the facility, the approving authority may approve such an alternative to the requirement for native, noninvasive shade-tolerant grass mix. The use of stone, gravel, wood chips or shavings or any artificial material shall not be permitted for soil erosion control and soil stabilization. If land having a slope of greater than 20% is proposed to be disturbed, additional soil erosion and sediment control measures may need to be implemented, and shall be subject to approval, based upon the recommendations of the Township Engineer.

[6] A maintenance plan shall be submitted for approval as part of the site plan that provides for the continuing maintenance of all required plantings, including a schedule of specific maintenance activities to be conducted. Maintenance of the required berms and landscaping shall be a continuing condition of any approval that may be granted. The use of herbicides shall not be permitted as an acceptable maintenance practice.

(4) Installation and site development requirements.

(a) Only nonglare glass shall be used to minimize the potential for reflective glare.

(b) No portion of the facility or its component parts shall be used for displaying any advertising. Signage shall be limited to the identification and safety signage permitted elsewhere in this section.

(c) All new distribution or transmission power lines on site shall be placed underground except as necessary to connect to already existing aboveground power towers, poles and lines. Feeder lines and collection lines may be placed overhead near substations or points of interconnection to the electric grid.

(d) No soil shall be removed from any site upon which such a facility is constructed. Necessary grading shall be accomplished so that no offsite soil removal or offsite fill is required.

(e) Land disturbance, grading and the construction of site improvements associated with the installation of such a facility, on any lot that has been and will continue to be used for agricultural purposes, shall be directed, insofar as is feasible, to portions of the lot that contain neither prime agricultural soils or soils of statewide significance. Where land disturbance, grading or the construction of site improvements on such soils is unavoidable, it shall be limited to the minimum intrusion necessary to construct required access roads, inverter and switching equipment pads and other facilities required for connection to the grid.

(f) A barrier or fence having a height of at least eight feet (unless a greater height is required by law) shall be

installed around the entire perimeter of the installation and entirely within the required building setback lines, which barrier shall secure the facility at all times; restrict access to all electrical wiring, transformers and high voltage equipment; and comply with applicable Uniform Construction Code requirements. One or more locked access gates (not less than 20 feet in width) to the facility shall be provided. Each locked access gate shall include a sign identifying the responsible parties for operation of the major solar and photovoltaic energy facilities and structures; for maintenance of the facility; and for maintenance of the berm, landscaping and security fence; and for ownership of the land upon which the facility is located.

(g) The site plan shall provide for adequate and appropriate drainage facilities, which shall be designed such that site grading and construction shall not alter the natural drainage patterns of stormwater originating both within and beyond the property boundaries, which is not inconsistent with Article XXIV of this chapter 100, Stormwater Management Regulations.

(h) The site plan shall include a construction/staging plan identifying the location, size and configuration of the areas to be used on a temporary basis during construction for the delivery and storage of materials and equipment and for the off-street parking of construction workers' vehicles. The construction/staging plan shall include a plan and timetable for the restoration of these areas upon completion of construction.

(5) Performance standards.

(a) Wind velocities. All components of solar energy facilities (major/commercial) shall be designed to withstand a ground-level wind velocity of at least 90 miles per hour, unless a higher standard for wind-loading is specified in the New Jersey Uniform Construction Code.

(b) Hazardous materials. The use of lead-acid batteries shall not be permitted in major solar energy systems (minor) and facilities, except for such batteries as are needed to store electricity to power emergency lights in the event of a power outage.

(c) Noise. The total daytime operational mechanical or aerodynamic noise, including turbine, inverter or transmission line noise from the solar energy facility shall not exceed 50 dBA, measured from the nearest property line.

(d) Lighting. Any facility lighting shall be kept to a minimum and shall be shielded to eliminate light spillage off the property. Light spillage shall be defined as an illumination of 0.3 foot-candle (fc) or greater onto any residential property or residential zone district and 1.0 fc or greater onto any nonresidential, business or industrial property or zoning district.

(e) Facility standards and certification. The facility shall meet the minimum applicable standards established by the International Electrotechnical Commission (IEC), the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE), the International Organization for Standardization (ISO), Underwriters Laboratories (UL), the Solar Rating and Certification Corporation (SRCC), and any other applicable industry standards. The facility shall also meet the minimum standards outlined in the National Electrical Code (NEC), the National Electrical Safety Code (NESC) and all other applicable rules governing such facilities. The facility shall be certified by Underwriters Laboratories, Inc., the National Renewable Energy Laboratory, the Solar Rating and Certification Corporation and/or any other regulatory authority with jurisdiction over the installation and operation of the facility.

(6) Safety regulations. All solar energy facilities (major/commercial) and all other solar energy systems (minor) installed on commercial, institutional or multifamily residential property in Holland Township shall comply with the following design safety and emergency response provisions:

(a) Individual roof-mounted solar or photovoltaic panel arrays shall not exceed 150 feet by 150 feet in area. Where more than one array of panels is being installed, eight feet of clearance shall be provided between arrays in all directions. The roof supporting such arrays shall be reinforced so as not to cause damage to the roof while maintenance is performed and to ensure the safety of firefighter/EMT access in the event of an emergency. If skylights or roof hatches are also installed in the roof, each skylight or roof hatch shall have a minimum of four feet of clearance in all directions from an array.

(b) Nonresidential roof installations shall provide ventilation access points in the roof, which shall measure not less than eight feet by four feet, placed at intervals on the roof not more than 20 feet distant from one another, and access to the building shall be provided by means of a reinforced access drive located no further than 50 feet from each exterior door to the building, unless it can be demonstrated to the satisfaction of Holland Township Emergency Management that a greater distance is sufficient to allow emergency vehicle access by

fire and rescue personnel and also meet applicable fire safety code requirements.

(c) Ground-mounted facilities shall provide emergency vehicle access to all components and Solar energy facilities (major/commercial) shall provide access roads throughout the installation. Each access road shall be not less than 20 feet in width and shall be reinforced or suitably improved to support the weight of typical emergency service apparatus. Turning areas shall be provided and each curve or turn in the access road shall provide an adequate turning radius for maneuvering emergency service apparatus (in accordance with the Holland Township Volunteer Fire Company official driveway plan).

(d) An exterior electrical disconnect/emergency shutoff that will isolate the system shall be provided, which shall be plainly marked with a reflective identification placard. The location of the disconnect/emergency shutoff shall be as recommended by Holland Township Emergency Management and the Holland Township Volunteer Fire Company.

(e) Each site containing such a facility shall conspicuously post a sign at the driveway entrance to the site indicating that the facility exists on the site and indicating whether the system is a roof- or ground-mounted system.

(f) Required security fencing and locked gates (with at least a twenty-foot opening) shall be fully erected and operational prior to the installation of solar or photovoltaic energy facility. Ground mounted facilities shall include at least two means of ingress and egress to the facility for emergency response.

(g) Knox Boxes shall be provided at all locked locations on site (i.e., gates, doors to buildings, etc.). All inverter sheds or other electrical equipment buildings shall be fitted with at least two exterior doors with one twenty-pound CO2 fire extinguisher located immediately inside the door.

(h) Material safety data sheets (MSDS) shall be submitted to emergency response providers for all component materials comprising the solar modules, panels, arrays and any other equipment which contains hazardous or flammable substances.

(i) An emergency response plan shall be prepared, filed and maintained with the Holland Township Emergency Management, Holland Township Volunteer Fire Company and the Milford Holland Rescue Squad. The emergency response plan shall include:

[1] Emergency response procedures to be followed in the event of an emergency, which may include Fire Company and First Aid and Rescue Squad training, including training prior to commencing operation of the facility.

[2] Evacuation procedures (from on site and from neighboring properties off site).

[3] Site specific information concerning the locations of panels, grid identification diagrams, the emergency shutoff/isolation switch(es), contact names and numbers for 24/7 availability of responsible personnel.

[4] A system of information placards, which shall be conspicuously mounted at eye level along the security fence and at locked gates as well as at the entrances to all buildings, and which shall be updated within two weeks of any changes to the information contained thereon, including contact information, and which shall include information identifying all possible hazards existing within and exit routes from the facility.

(j) A two-tag identification (accountability) system for anyone entering the energy facility site shall be in effect, which system shall provide for the following procedures:

[1] One tag shall be kept in the service vehicle indicating the name of the individual and his/her employer.

[2] One tag shall be placed at the point of entry to any building or, in the case of a service involving site-roaming, the tag shall be clipped to the point of entry into the site, which shall be the gate nearest to the location where the service is being performed.

(k) All sites shall secure a street address from the Township's 911 Coordinator, which shall be posted at the main entrance gate to the facility, and shall be of sufficient size and reflectivity, so as to be easily visible from either direction on the roadway.

[1] Prior to the issuance of a certificate of occupancy, Holland Township emergency personnel shall be provided access to the facility to generate familiarity with the site conditions and emergency access

locations.

(7) Decommissioning and disassembly.

(a) All Applications for a solar energy facility (major/commercial) shall be accompanied by a decommissioning plan to be implemented upon abandonment of the use.

[1] "Abandonment" is defined as the facility being out of service for a continuous twelve-month period.

[2] Decommissioning process description.

[a] The decommissioning and restoration process comprises removal of aboveground structures; grading, to the extent necessary; restoration of topsoil (if needed) and seeding. The process of removing structures involves evaluating and categorizing all components and materials into categories of recondition and reuse, salvage, recycling and disposal. The project consists of numerous materials that can be recycled, including steel, aluminum, glass, copper and plastics. In the interest of increased efficiency and minimal transportation impacts, components and material may be stored on site until the bulk of similar components or materials are ready for transport. The components and material will be transported to the appropriate facilities for reconditioning, salvage, recycling, or disposal. Aboveground structures include the panels, racks, inverters, pads and any interconnection facilities located on the property. The aboveground structures and below-ground structures are collectively referred to herein as the "project components."

[b] Temporary erosion and sedimentation control best management practices will be used during the decommissioning phase of the project. Control features will be regularly inspected during the decommissioning phase and removed at the end of the process.

[3] Project component removal. Control cabinets, electronic components, and internal cables will be removed. The panels, racks and inverters will be lowered to the ground where they may be transported whole for reconditioning and reuse or disassembled/cut into more easily transportable sections for salvageable, recyclable, or disposable components.

[4] PV module removal. Solar photovoltaic modules used in the project are manufactured within regulatory requirements for toxicity based on toxicity characteristic leaching procedure (TCLP). The solar panels are not considered hazardous waste. The panels used in the project will contain silicon, glass, and aluminum which have value for recycling. Modules will be dismantled and packaged per manufacturer or approved recycler's specifications and shipped to an approved off-site recycler.

[5] Component pad removal. Pads will be excavated to a depth sufficient to remove all anchor bolts, rebar, conduits, cable, and concrete to a depth of 24 inches below grade. The remaining excavation will be filled with clear subgrade material of quality comparable to the immediate surrounding area. The subgrade material will be compacted to a density similar to surrounding subgrade material. All unexcavated areas compacted by equipment used in decommissioning shall be decompacted in a manner to adequately restore the topsoil and subgrade material to the proper density consistent and compatible with the surrounding area.

[6] Electric wire removal. DC wiring can be removed manually from the panels to the inverter. Underground wire in the array will be pulled and removed from the ground. Overhead cabling for the interconnection will be removed from poles. All wire will be sent to an approved recycling facility.

[7] Racking and fencing removal. All racking and fencing material will be broken down into manageable units and removed from the facility and sent to an approved recycler. All racking posts driven into the ground will be pulled and removed.

[8] Concrete slab removal. Concrete slabs used as equipment pads will be broken and removed to a depth of two feet below grade. Clean concrete will be crushed and disposed of off site.

[9] Access road. During decommissioning, the processed stone access roads will be stripped, exposing the geotextile beneath. The geotextile will then be removed and disposed revealing the original soil surface. The compacted soil beneath the road fill may require ripping with a subsoiler plow to loosen it before it can be returned to crop production.

[10] Site restoration process description. Following decommissioning activities, the subgrade material and topsoil from affected areas will be decompacted and restored to a density and depth consistent with the surrounding areas. If the subsequent use for the project site will involve agriculture, a deep till of the project site will be undertaken. The affected areas will be inspected, thoroughly cleaned, and all construction-related debris removed. Disturbed areas will be reseeded to promote revegetation of the area, unless the area is to be immediately redeveloped. In all areas restoration shall include, as reasonably required, leveling, terracing, mulching, and other necessary steps to prevent soil erosion, to ensure establishment of suitable grasses and forbs, and to control noxious weeds and pests.

[11] Decommissioning terms. The project shall be decommissioned within 180 days of the end of the project's operational life. Areas disturbed during the decommissioning phase will be seeded with a drought-tolerant grass seed mix appropriate for the area, unless such areas are being immediately redeveloped for other uses.

(b) The decommissioning plan shall contain the following provisions:

[1] Provisions for the removal of all components of the facility/system from the site and the full restoration of the site to its predevelopment condition insofar as is feasible; and the safe disposal of all components of the facility/system, including the recycling of all recoverable materials, consistent with prevailing best practices relating to the disposal and recycling of photovoltaic waste.

[2] Provisions that the Township shall notify the land owner and owner/operator of the facility of the pending determination of abandonment and order proof of the resumption of energy generation to at least 80% of the facility's capacity or removal of the facilities in accordance with the approved decommissioning plan, subject to the issuance of a demolition permit.

[3] A provision that within 60 days of service of the notice of abandonment, the land owner or facility operator shall apply for and obtain a demolition permit for the decommissioning in accordance with the decommissioning plan.

[4] Provisions that, as a condition of site plan approval and prior to the issuance of any building permits, the land owner or operator of the facility shall obtain and submit to the Township a performance bond or other agreed-upon secured funding in a form approved by the Township Attorney to ensure that the decommissioning plan provides financial assurance that there will be sufficient funds available for decommissioning and site restoration. Such bond shall be in an amount, as determined in detail by the Township Engineer, which shall be adequate to cover the estimated cost of such removal. The form of such bond shall be approved by the Township Attorney. The bond shall not be subject to revocation or reduction prior to the completion of the work covered by the demolition permit and decommissioning plan and the full restoration of the site as required by the decommissioning plan. The decommissioning bond shall be reevaluated to reflect inflation every five years from the start of operations which shall be defined as the date of issuance of the certificate of occupancy for the generation of power. Such reevaluation shall be submitted no fewer than 30 days prior to the end of the five year period by the owner/operator and/or landowner to the Township Attorney and Township Engineer for review and approval. If the anticipated cost of decommissioning increases by 10% or more, the property owner or operator of the facility shall deposit additional funds into an escrow account or revise the bond or other surety to reflect the increased amount.

[5] Measures to provide for the protection of public health and safety and for protection of the environment and natural resources during both the removal and site restoration stages, as well as the schedule for the completion of all site restoration work in accordance with the decommissioning plan.

[6] Provisions that, if the performance bond described above, plus any supplemental funding that may have been provided by the owner/operator, is insufficient to fully implement the decommissioning plan or if the owner/operator fails to fully satisfy the obligations described herein, then the landowner shall be held responsible for any and all costs associated with the decommissioning to the extent that such costs are not covered by the performance bond and any supplementary funds provided by the owner/operator, if applicable.

[7] Provisions detailing the anticipated life of the project.

[8] The estimated cost of decommissioning in current dollars and an explanation of how the cost was

determined, which shall be prepared by a professional engineer or contractor who has expertise in the removal of solar facilities. Salvage value shall not be considered when determining the estimated decommissioning cost.

(c) If said decommissioning has not been completed within the requisite 180-day period following issuance of the demolition permit, then the Township's Zoning Officer shall provide written notice by certified mail to the landowner requiring that decommissioning be completed within 30 calendar days of the receipt of said notice. If the decommissioning has not been completed within 30 calendar days of the receipt of said notice, the Township may collect the bond or other surety and undertake the decommissioning. The Township may charge the landowner and/or facility owner and operator for all of the costs and expenses thereof, including reasonable attorney's fees. Nothing herein shall prevent the Township from taking appropriate legal action to compel the decommissioning. All costs incurred by the Township shall be billed to the landowner and if not paid within 60 calendar days of billing, shall become a lien against the property.

SECTION 5. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article V entitled "IND Limited Industrial Park District", Section 27 entitled "Height, coverage and floor area ratio" is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

B. Coverage. Not more than 25% of the lot area shall be covered by structures. Not more than 55% of the lot area shall be covered by structures and impervious ~~paved~~ surfaces.

SECTION 6. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article V entitled "IND Limited Industrial Park District", Section 31 entitled "Signs" is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

B. Not more than one freestanding sign shall be permitted ~~advertising the name, products and trademark, design or seal of an industry on the same parcel will be allowed~~, provided that they meet the following specifications:

C. Not more than two attached signs shall be permitted per establishment ~~advertising the name, products and trademark, design or seal of an industry on the same lot will be allowed~~, provided that they meet the following specifications:

(5) The total advertising space of ~~such~~ each permitted sign shall not exceed 100 square feet. However, when an attached sign is appended to a building façade that exceeds 100 linear feet the advertising space may be increased to a maximum of 200 square feet. ~~or 5% of the gross area of the façade to which it is attached, whichever is greater.~~

G. Directional signs shall be permitted for traffic control and safety purposes. Directional signs may be illuminated and shall be limited to five square feet in area and six feet in height. The permitted number of directional signs is at the discretion of the Board.

SECTION 7. All other sections of this Ordinance shall remain in full force and effect.

SECTION 8. All Ordinances and parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

SECTION 9. This Ordinance shall take effect immediately upon passage and publication as required by law.

Public Hearing

-ORDINANCE 2022-02 Public Hearing/Final Adoption -Task 3 Terminology
In a memo dated February 15, 2022 Land Use Administrator, Kozak advised that the Land Use Board had reviewed Ordinance 2022-03 and determined that it is consistent with the Holland Township Master Plan.

ORDINANCE 2022-02

AN ORDINANCE OF THE TOWNSHIP OF HOLLAND AMENDING AND SUPPLEMENTING CHAPTER 100 ENTITLED "LAND USE", ARTICLE III ENTITLED "TERMINOLOGY" AND ARTICLE XI ENTITLED "COM COMMERCIAL DISTRICT" TO AMEND THE LIST OF PERMITTED USES, MINIMUM NUMBER OF PARKING SPACES, AND SIGNAGE STANDARDS

WHEREAS, the Township Planning Board adopted a 2020 Master Plan & Development Regulations Reexamination ("Reexamination") on July 13, 2020; and

WHEREAS, the Reexamination makes several recommendations to amend and enhance the permitted uses, revise and clarify the required number of parking spaces for certain uses, and modify the signage regulations within the Commercial District; and

WHEREAS, the Township Committee has reviewed the Reexamination report and agree that the Commercial District should be modified to permit additional uses and provide greater flexibility for business owners.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Holland, as follows:

SECTION 1. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article III entitled "Terminology", Section 6 entitled "Definitions" is hereby amended and supplemented by adding the following underlined terms in alphabetical order:

FITNESS STUDIO

An establishment that provides physical fitness programs and activities, including, but not limited to, the use of weight-lifting equipment, running and aerobic exercise equipment, and/or fitness classes, such as Pilates, yoga, kickboxing, etc.

INSTRUCTIONAL USE

An establishment that teaches or practices dance, drama, art, language, martial arts, music, photography, and the like. Such activities may be conducted either partially or entirely within the confines of a building or partially outdoors. These uses may, from time to time, hold group events such as birthday parties.

SIGN AREA

The area of a sign face shall be computed by drawing a square or rectangle that encompasses the extreme limits of the sign's message, which includes the writing, representation, emblem, decorations, or other display, together with any color forming an integral part of the sign. The base and/or supports of a freestanding monument sign shall not be included in the sign area.

SIGN, FREESTANDING MONUMENT

A sign in which the entire bottom is in contact with the ground and is independent of any other structure.

SECTION 2. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article XI entitled "COM COMMERCIAL DISTRICT", Section 74 entitled "Permitted uses" is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

In the COM Commercial District, no lot or structure shall have as a principal use and no structure shall be located, relocated, erected, constructed, reconstructed, enlarged or structurally altered for the purpose of any principal use, except the following:

I. Personal services.

J. Fitness studios and instructional uses.

K. ~~I.~~ The following conditional uses:

SECTION 3. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article IX entitled "COM COMMERCIAL DISTRICT", Section 85 entitled "Parking regulations" is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

C. The minimum number of required off-street parking spaces per establishment (except for gasoline service stations and drive-in food stands, whose requirements are set forth in §100-74I) shall be as follows:

~~(1) One such space for each full- and part-time employee at maximum shift of all establishments, in addition to the spaces required by the following requirements.~~

~~(2)~~ (1) Retail sales establishments and banks shall provide one ~~additional~~ space for each 250~~200~~ square feet of floor area of such establishment.

~~(3)~~ (2) Business and professional offices shall provide one ~~additional~~ space for each 300 ~~200~~ square feet of such establishment.

~~(4)~~ (3) Restaurants, bars and taverns shall provide one ~~additional such~~ space ~~for each 50 square feet of floor area or fraction thereof such establishment, or one additional such space~~ for each three ~~two~~ seats/stools~~, whichever is greater~~ and one space for each two employees at maximum shift.

~~(5)~~ (4) Theaters and indoor or outdoor commercial recreation areas and facilities shall provide~~:~~

~~(6)~~ ~~O~~one ~~additional such~~ space for every three seats, or 300 square feet of gross floor area or faction thereof, whichever is greater, in the largest area of assembly, of all churches, community centers, businesses used exclusively by the government for public purposes, clubs, lodges and meeting rooms of nonprofit organizations.

5) Personal services shall provide one space for each 200 square feet of such establishment.

~~(7)~~ (6) Instructional uses shall provide one space for each 120 square feet of such establishment.

~~(8)~~ (7) Fitness studios shall provide one space for each 150 square feet of such establishment.

SECTION 4. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article IX entitled "COM COMMERCIAL DISTRICT", Section 87 entitled "Signage" is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

C. Signs for permitted commercial establishments [meaning those with uses permitted by §100-74A through J~~F, H~~ and ~~H~~K(1) and (2)], provided that such signs conform to the following regulations:

(1) Signs shall only advertise the use, activity, establishment, product, and/or services which are sold, produced, manufactured, available or furnished ~~name of the establishment or products involved~~ on the lot on which such signs are located.

(4) Instead of an attached sign, a business may have one freestanding monument sign per street frontage, subject to the following requirements:

(a) The maximum height of a freestanding monument sign shall be six feet.

(b) A freestanding monument sign shall not be greater than 45 square feet.

(c) Freestanding monument signs shall not be located within or encroach upon sight triangles and shall be set back at least five feet from all property lines.

(d) Freestanding monument signs may be illuminated. All illumination shall be shielded. Illuminated signs shall not interfere with motorist vision. Sign illumination shall not exceed five footcandles at the property line.

(5) ~~(4)~~ The following additional signs shall be permitted at gasoline service stations.

SECTION 5. All other sections of this Ordinance shall remain in full force and effect.

SECTION 6. All Ordinances and parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

SECTION 7. This Ordinance shall take effect immediately upon passage and publication as required by law.

Public Hearing

-JCP & L Regional External Affairs: Amy Overman

APPROVAL OF MINUTES OF THE: February 15, 2022 Regular Meeting /and Executive Session

APPROVAL OF BILLS AS SUBMITTED

Check#	Vendor	Description	Payment	Check Total
31628	Amazon.com RRCC	Heavy duty safety pins	$ 12.99	
		Shower Head, Power Strips	$ 40.96	
		Notebooks	$ 9.69	
		Lightbulbs - 10 Pack	$ 44.85	
		Power Cord for Municipal Building (order	$ 19.48	
		Vacuum Bags	$ 16.95	
		Mop & Bucket, Rubbing Alcohol, Muscle Ro	$ 74.95	$ 219.87
31629	AMAZON.COM, LLC Police	Office Supplies	$ 97.46	$ 97.46
31630	Amerigas-Clinton 7510	Propane for Municipal Building	$ 1,586.06	$ 1,586.06
31631	AQUA NEW JERSEY	001037094 0748928 1/29/22-2/28/22	$ 321.32	$ 321.32
31632	AT&T MOBILITY	OEM New Cell Phones January & February	$ 274.88	$ 274.88
31633	Bob Johnson's Computer	Patrol Car Toughbook	$ 1,260.75	$ 1,260.75
31634	City Connections LLC	Domain Registration	$ 467.81	$ 467.81
31635	CLEMENS UNIFORM	Mats for Municipal Building	$ 39.90	$ 39.90
31636	CODY COMPUTER SERVICES	CODY Connect Conference 2022	$ 460.00	$ 460.00
31637	Colliers Engineering &	HLT0057/HLT001/HLT065/HLT082	$ 2,804.56	
		HLT075/HLT084	$ 456.58	
		HTL082 Library Roof	$ 1,815.06	
		BOA Osuch B1 L3 services thru 021322 Var	$ 598.75	
		Highlands Grant Task 8 H20 Use & Conser	$ 160.00	
		PB HK B24 L 3 13 review thru 123121 Plan	$ 37.50	$ 5,872.45
31638	COOPER ELECTRICAL SUPP	RRCC OEM	$ 1,337.17	$ 1,337.17
31639	DEER CARCASS REMOVAL S	Deer removal service	$ 171.00	
		Deer Carcass Removal	$ 57.00	$ 228.00
31640	Direct Energy	Propane	$ 828.94	$ 828.94
31641	Direct Energy Business	Account 1294536	$ 1,078.29	
		129 Spring Mills Rd Account 1294415	$ 6.06	
		Account 1294535	$ 76.54	
		Electric Service 129 Spring Mills Road	$ 70.28	$ 1,231.17
31642	ELIZABETHTOWN GAS	Meter 01061655 Account 93404665351 RRCC	$ 770.28	
		Meter 14Y735578 Account 9890459292 910	$ 304.67	$ 1,074.95
31643	FEDERAL EXPRESS	I.A. Package	$ 49.67	$ 49.67
31644	Gall's	Police Equipment	$ 423.40	
		OEM Equipment	$ 461.70	$ 885.10
31645	GEBHARDT & KIEFER, P.C	Dec-21	$ 2,904.00	$ 2,904.00
31646	GEBHARDT & KIEFER, P.C	Jan-22	$ 3,381.50	$ 3,381.50
31647	GEBHARDT & KIEFER, P.C	PB Mill Rd Solar B4 L1 TC Attorney	$ 181.50	$ 181.50
31648	GEBHARDT & KIEFER, P.C	PB Huntington Knolls B24 L 3 &13 010122-	$ 16.50	$ 16.50
31649	GOOD IMPRESSIONS, INC.	2022 Directory Cards	$ 112.49	$ 112.49
31650	GRAINGER	Disposable Gloves	$ 323.14	$ 323.14
31651	Griffith-Allied Trucking	DULSD - Diesel DPW/Gasoline-Police	$ 2,017.23	$ 2,017.23
31652	HUNTERDON COUNTY ASSES	2022 dues	$ 200.00	$ 200.00
31653	HUNTERDON CTY POLICE C	2022 Membership Dues	$ 400.00	$ 400.00
31654	Jake Langreder	Clothing Allowance per Union Contract	$ 277.84	$ 277.84

31655	JERSEY CENTRAL POWER &	Account 100 077 061 016 1/21/22-2/17/22	$ 135.39	$	135.39
31656	JERSEY CENTRAL POWER &	100 070 503 212 Pool Storage Garage 1/21	$ 4.09	$	4.09
31657	JERSEY CENTRAL POWER &	100 029 305 644	$ 933.78	$	933.78
31658	JERSEY CENTRAL POWER &	Account 100 105 886 640 914 Milford Warr	$ 297.89	$	297.89
31659	JERSEY CENTRAL POWER &	Account 100 004 555 932 Case Field 1/21/	$ 109.89	$	109.89
31660	JERSEY CENTRAL POWER &	Account 100 003 579 271 Library 1/20/22-	$ 77.61	$	77.61
31661	John & Sue Sherman	mailbox damage	$ 50.00	$	50.00
31662	John P Gallina, Esq	PB Misc general Matters 021522	$ 438.75	$	438.75
31663	Kleen & Fresh Company	February 14, 17 & 19	$ 380.00		
		February 21, 24 & 26	$ 380.00	$	760.00
31664	Law Enforcement Seminar	Training	$ 385.00	$	385.00
31665	Lindabury, McCormick,	BOA Misc general Matters thru 013122	$ 67.09	$	67.09
31666	Little Big Horn LLC	Wild West City Field Trip	$ 100.00	$	100.00
31667	LMR Disposal LLC	Dumpster Pickup Service	$ 570.00	$	570.00
31668	MGL PRINTING SOLUTIONS	Marriage Envelopes	$ 81.00	$	81.00
31669	MILFORD SEWER UTILITY	Bond USDA Sewer Semi Annual	$ 51,720.50	$	51,720.50
31670	MILFORD/FRENCHTOWN AUT	Truck Parts / Tools / Equipment Fittings	$ 16.42		
		Truck Parts / Tools / Equipment Fittings	$ 47.83		
		Truck Parts / Tools / Equipment Fittings	$ 16.17		
		Truck Parts / Tools / Equipment Fittings	$ 59.20	$	139.62
31671	MILFORD/FRENCHTOWN AUT	WD 40, Cleaner	$ 20.16	$	20.16
31672	MILFORD/FRENCHTOWN AUT	15-10 Maintenance	$ 51.17	$	51.17
31673	MONINGHOFF APPLIANCE &	Misc. Items for Building and Maintenance	$ 84.28	$	84.28
31674	MUNICIPAL SOFTWARE, IN	2022 Annual Support	$ 9,174.50		
		2022 Annual Support	$ 1,207.50		
		2022 Annual Support	$ 408.00	$	10,790.00
31675	Nick Faust	Repaired Case Backhoe / Repaired Aluminum	$ 350.00	$	350.00
31676	NJ Advance Media	10243548/10243172/10243171/10243164	$ 163.81	$	163.81
31677	NJ Event Service LLC	DPW	$ 110.00	$	110.00
31678	OFFICE DEPOT, INC.	Office Supplies	$ 113.78		
		Office Supplies	$ 132.67		
		Office Supplies	$ 13.93	$	260.38
31679	ONE CALL CONCEPTS, INC	One Call Locate Service	$ 10.01	$	10.01
31680	P3 Generators LLC	Generator Service	$ 784.54	$	784.54
31681	Pat's Window Cleaning	Window Cleaning RRCC	$ 275.00	$	275.00
31682	PenTeleData	2/24-3/24/22	$ 196.85	$	196.85
31683	Police Records & Infor	Training	$ 259.00	$	259.00
31684	Prestige Dry Cleaner L	Police Dept. Dry Cleaning-December 2021	$ 262.00		
		Police Dept. Dry Cleaning-January 2022	$ 232.50	$	494.50
31685	Princeton Computer Sup	New laptop and set up for Clerk	$ 2,537.75		
		Feb-22	$ 945.00	$	3,482.75
31686	Promed Office Cleaners	EOC cleaning 01/26/2022	$ 80.00	$	80.00
31687	Quadient Inc	ink stamp for postage machine	$ 129.05	$	129.05
31688	Rutgers The State Univ	Alternate Recycling Certification Series	$ 395.00	$	395.00
31689	SANICO, INC.	February 2022 Account 101037	$ 89.78		
		4 YD Cont 1 pu/wk Milford Warren Glen J	$ 164.16		
		2 YD FL Cont 1 pu/wk February 2022 acct	$ 98.56		
		Holland Twp Pool 201746 January , 2022	$ 21.00	$	373.50
31690	SERVICE ELECTRIC CABLE	Internet Service	$ 93.95	$	93.95
31691	SERVICE ELECTRIC CABLE	RRCC Phone/Internet/Cable	$ 208.52	$	208.52

31692	SHI International Corp	GPS Intellishift	$	1,517.34		
		GPS Intellishift	$	1,517.34	$	3,034.68
31693	SMITH MOTOR COMPANY, I	15-13 service	$	593.65	$	593.65
31694	STAPLES BUSINESS ADVAN	calculator ribbon	$	386.97	$	386.97
31695	STEM BROTHERS, INC.	Propane for Recycling Building	$	248.06		
		Burner Nozzle	$	11.00	$	259.06
31696	Supreme Heating & Air	Service Call on 1/28/2022 for heat being	$	238.00	$	238.00
31697	THERESA VERDI	Cleaning RRCC 2/1-2/14	$	600.00	$	600.00
31698	Township of East Amwel	1st Qtr 2022 CFO Shared Services	$	12,430.50	$	12,430.50
31699	U.S. MUNICIPAL SUPPLY,	Plow Parts/ Spreader Parts/ Chains / Equip	$	407.00	$	407.00
31700	VERIZON	2/18/22 billing	$	239.19	$	239.19
31701	WB Mason Co INc	Lysol Spray	$	88.99		
		Paper Towels	$	279.90	$	368.89
		Totals	$	119,090.72	$	119,090.72
2242022	NJ State Health Benefits	March Retiree	$	2,604.48	$	2,604.48
2252022	NJ State Health Benefits	March Health	$	30,078.81	$	30,078.81
3012022	Guardian	March Dental	$	2,928.24	$	2,928.24
31618	Aqua New Jersey	Pool	$	261.04	$	261.04
31619	Aqua New Jersey	RRCC Pool	$	41.25	$	41.25
31620	Aqua New Jersey	Lawn Irrigation	$	17.79	$	17.79
31621	Aqua New Jersey	910 Milford Warren Glen Rd	$	16.50	$	16.50
31622	Big Wave Events Inc	Deposit for Movie Night	$	2,250.00	$	2,250.00
31623	Direct Energy Business	1294539	$	6,463.17	$	6,463.17
31624	Jersey Central Power & Light	100 029 305 644	$	3,462.27	$	3,462.27
31625	Jersey Central Power & Light	100 060 952 585	$	60.60	$	60.60
31626	Jersey Central Power & Light	100 004 272 595	$	23.02	$	23.02
31627	Jersey Central Power & Light	100 004 272 652	$	1,358.25	$	1,358.25
		Total Manuals	$	49,565.42	$	49,565.42
		Total	$	168,656.14	$	168,656.14

CURRENT FUND	BUDGET AND APPROPRIATION RESERVES	$	63,043.14
GRANT FUND	BUDGET AND APPROPRIATION RESERVES	$	160.00
GENERAL CAPITAL FUNDS	BUDGET AND APPROPRIATION RESERVES	$	1,717.33
SEWER FUND	BUDGET AND APPROPRIATION RESERVES	$	52,928.00
ANIMAL CONTROL	BUDGET AND APPROPRIATION RESERVES	$	408.00
ESCROW	ESCROW FUNDS	$	834.25

Checks issued 3/1/22		119,090.72
	Manual Totals	49,565.42
Total		168,656.14

REMINDER/ANNOUNCEMENT

LIAISON REPORTS

NEW BUSINESS FROM TOWNSHIP COMMITTEE

-RESOLUTION-waiving the fee for Food Tuck for Movie Night

RESOLUTION
Authorizing the Municipal Clerk to Waive the Food License fee for
Community Movie Night Food Trucks

WHEREAS, Holland Township Parks and recreation will be hosting a Movie Night on July 9, 2022 with a rain date on July 10, 2022, and

WHEREAS, food trucks have been contracted to provide food for the event, and

WHEREAS, the normal licensing fee is $100, which has been determined to be excessive for a 2-3 hour event.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Holland, County of Hunterdon in the state of New Jersey that the Municipal Clerk is authorized to waive the $100 food license fee for the food trucks that attend the July 9th Move Night.

-Updated RESOLUTION-Reimbursement of the cost for replacement of mailboxes damaged by snowplows

RESOLUTION
Township's Policy
Claims for Mailboxes Damaged by Snowplows

WHEREAS, the Department of Public Works is responsible for plowing snow on Township roads; and

WHEREAS, mailboxes may sustain damage from snowplows as they are often placed in the Township right-of-way; and

WHEREAS, it is beneficial to the Township to establish a policy to efficiently respond to and address those instances where mailboxes are damaged; and

WHEREAS, the Township has determined that this policy may need to be updated and amended to allow for changes in circumstances.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Holland, County of Hunterdon, in the state of New Jersey, that the following policy is established for instances where mailboxes are damaged on Township owned roads, by Holland Township snowplows as a result of snowplowing:

- If a mailbox is hit by a Township snowplow or damaged due to snow thrown by a snowplow, the owner shall contact the Township within thirty (30) days to report the incident. Any claim submitted after 30 days will not be processed.

- The resident will replace the mailbox and submit an original receipt for the replacement. The township will reimburse the resident up to, but no more than a total of $50.00, for replacement of only the following items:
    - Mailbox
    - Numbering
    - Post

BE IT FURTHER RESOLVED, that the Superintendent of Public Works is authorized to submit these claims and the Chief Finance Officer is authorized to process and pay these claims.

BE IT FUTHER RESOLVED, that this policy does not apply to mailboxes located on County owned Roads that are plowed by Hunterdon County.

BE IT FINALLY RESOLVED that this Resolution replaces all previously adopted Resolutions and is effective upon adoption.

BUSINESS FROM TOWNSHIP ATTORNEY

MEETING OPEN TO PUBLIC-(speakers will be limited to 3 minutes)

ADJOURN at_____