

October 29, 2009  
Keyport, New Jersey

Minutes of a Special Meeting of the Mayor and Council, held on the above date in the Council Chambers, Municipal Complex, 70 West Front Street, Keyport, N.J. pursuant to being called by the Mayor and Borough Council, notice on file with the Borough Clerk, forwarded to the Asbury Park Press, Courier, Independent, the Newark Star Ledger and Two River Times, and posted on the Bulletin Board in accordance with the Open Public Meetings Act, P.L. 1975, Ch. 231

Mayor Robert Bergen called the meeting to order at 7:02 P.M. and Borough Clerk read the Sunshine Law Notice. The Pledge of Allegiance was said and there was a moment of silence.

### **ROLL CALL**

On Roll Call the following were present: Councilmembers Bolte, Sefcik, Hill (arrived 7:04PM), Sheridan, Walling, Kovacs (arrived 7:08PM), Mayor Bergen. Others present: Borough Administrator Ms. Wright.

### **PRESENTATION**

Mayor Bergen explained that what is being proposed for the Aeromarine site in this presentation is currently not a permitted use under the Borough's current Redevelopment Plan and Council must consider whether they wish to amend the Redevelopment Plan.

Paul Curran of Axio Power spoke about solar energy being placed on the landfill portion of the Aeromarine site. Axio Power's specialty is looking at Brownfield sites and industrial development for renewable energy. Axio has its headquarters in California. New Jersey has been one of the more progressive states as far as renewal energy. New Jersey state law says that, as of 2025, 20-25% of energy must come from some form of renewable energy. He talked about the solar panels which are no different from what one might see on someone's roof. The panels are mounted on the ground with minimum environmental impact, so that the cap is not penetrated. Once installed, very little maintenance is required. There wouldn't be any glare because the solar energy is directed towards the panel and not away from it. Panels will come up about seven feet off the ground.

Before beginning, approvals must be granted by Keyport and the DEP. Tonight, Axio is looking for permission from Keyport to move forward. Can't get a permit from the state or financing without DEP approval but the DEP has been contacted and is strongly supportive of renewable energy.

Mayor Bergen said there would be a recreational component between the residential housing area and the solar area.

Councilman Kovacs asked how many acres are planned to be used; about thirty acres of land.

Councilwoman Sefcik asked about the pervious and impervious foundations. Mr. Curran explained that the problem is the cap cannot be penetrated.

Councilman Sheridan asked about how this would hold up in the event of a hurricane. Mr. Curran said that it is built with tempered glass. There would be no trees at the site because they would not want any shade. The panels are designed to withstand hail.

Councilman Sheridan asked about the proximity to the existing residential homes.

Mr. Curran was asked whether Mr. Zeligson (the property owner) had given them the blessing to go ahead with it; Yes, Axio will lease the property from him.

There is a large capital cost that would need to be paid off over time. Perhaps a Payment In Lieu of Taxes (PILOT) would be offered.

A subdivision of the site into two parcels of land with two redevelopment plans may be considered. Nothing will be blacktopped. All roads will be gravel for drainage purposes. Another consideration is that the existing line may not be able to take five megawatts. The power line may need to be beefed up but it will not go any larger than five megawatts.

Aeromarie was built in 1917 and Mr. Zeligson has owned the property since 1958.

### **PUBLIC HEARING**

Motion was made by Councilman Sheridan and carried by Councilwoman Bolte to open the hearing to the public at 7:56PM with ayes by all present.

Andy Wilner, Osborn Street – thinks it's a great project and will be good for the town. Also great for sustainability.

Mike Lane, 51 First Street – said Mr. Curran had talked about access to the grid on a 12,000 volt line. Mr. Lane asked where the line runs. Mr. Curran explained. Mr. Lane further asked about leaching into the bay from the dumpsite and about weed control. Mr. Curran said chemicals would be used for weed control. Mr. Lane also asked about security arrangements. Would there be barbed wire? Mr. Curran said he is not sure but there would be a fence.

At 8:02PM Councilman Sheridan moved, carried by Councilman Hill that the public participation portion of this meeting be closed.

Mayor Bergen stated that he would like this referred to the Planning Board.

### **RESOLUTION 240-09 REQUESTING THE KEYPORT PLANNING BOARD TO PREPARE AN AMENDMENT TO THE AEROMARINE REDEVELOPMENT PLAN**

**WHEREAS**, an area in the Borough of Keyport known as the Aeromarine Redevelopment Area, comprised of Block 141, Lots 14 and 15, has been designed by the Mayor and Council of the Borough of Keyport, as in area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. ("Redevelopment Law"); and

**WHEREAS**, the Mayor and Council of the Borough of Keyport have duly adopted the "Aeromarine Area Redevelopment Plan" ("the Aeromarine Redevelopment Plan") pursuant to the provisions of the Redevelopment Law; and

**WHEREAS**, the Mayor and Council of the Borough of Keyport ("the Governing Body") have, with the consent and participation of the property owner, been presented with a plan by the Axio Power for the redevelopment of the site that includes a solar panel field, and

**WHEREAS**, the Governing Body has reached a generally favorable opinion with regard to the proposed solar panel field use for a portion of this site; and

**WHEREAS**, the Aeromarine Redevelopment Plan presently does not include a solar panel field as a permitted use within the Aeromarine Redevelopment Area; and

**WHEREAS**, the Governing Body desires to forward the Axio Power presentation to the Keyport Planning Board ("the Planning Board") for its review and evaluation and to prepare an amendment to the Aeromarine Redevelopment Plan to allow a ground based solar panel field as a permitted use within the Aeromarine Redevelopment Area, if the Planning Board deems such use to be appropriate; and

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Keyport as follows:

1. The Keyport Planning Board is requested to review the presentation by Axio Power, and pursuant to N.J.S.A. 40A:12A-7(f), to prepare an amendment to the Aeromarine Redevelopment Plan to allow a solar panel field as a permitted use within the Aeromarine Redevelopment Area, if the Planning Board deems such use to be appropriate; and

2. The Borough Clerk is authorized and directed to take such actions as may be necessary to implement the provisions of this resolution including transmittal of a copy of same forthwith to the Secretary of the Planning Board.

Offered for adoption by Mr. Sheridan, second by Mr. Walling

Roll Call Vote: Ayes: Councilmembers Bolte, Sefcik, Hill, Sheridan, Walling, Kovacs  
Nays:  
Abstain:  
Absent:

At 8:03 motion to adjourn was made by Councilman Sheridan and carried by Councilwoman Bolte with ayes by all present.

Adjourned at 8:03PM.