

TOWNSHIP OF LOWER

2600 Bayshore Road
Villas, New Jersey 08251



Incorporated 1798

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THESE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE SUBJECT TO CHANGE OR MODIFICATION BY THE PUBLIC BODY AT ITS NEXT MEETING. THIS BOARD WILL NOT BE RESPONSIBLE FOR ANY MIS-STATEMENTS, ERRORS OR OMISSIONS OF THESE MINUTES, AND CAUTIONS ANYONE REVIEWING THESE MINUTES TO RELY UPON THEM ONLY AT THEIR OWN RISK.

LOWER TOWNSHIP PLANNING BOARD

A regularly scheduled Work Session meeting of the Lower Township Planning Board was held on May 14, 2009 at the Lower Township Municipal Building. The meeting was called to order at 7:02 P.M. by Chairman Jay Dilworth. The Recording Secretary stated that adequate notice of said meeting was given in compliance with the Open Public Meetings Act of 1975.

MEMBERS PRESENT: Chairman Jay Dilworth
Charles Hewitt
Johnnie Walker (Mayor's Designee)
Brian Sullivan
Chris McDuell
Robert Crompton

MEMBERS EXCUSED: Michael Beck
Kevin Lare
Gary Playford
Robert C. Imler
Daniel J. Senico
Edward Butler

STAFF PRESENT: Avery S. Teitler, Board Solicitor
Thomas Thornton, Board Engineer
William J. Galestok, Board Secretary
Lisa A. Schubert, Recording Secretary

CORRESPONDENCE:

Handouts:

Ordinance No. DRAFT VERSION #2.

“WINDMILL” OVERVIEW, LOWER TOWNSHIP, NJ.

Skystream 3.7

Pacwind

Chairman Dilworth read the agenda for the benefit of the public.

1. Discussion of DRAFT Windmill Ordinance.

Mr. Galestok explained that he would like to hear from the public first.

Ms. Linda Johnston explained that a windmill was installed across the street from her in November. She explained that since it’s been installed, it has had a catastrophic effect to her. She explained that sometimes it sounds like a helicopter landing. Other times it sounds like a siren. She explained that she likes to listen to the sounds of nature, but cannot now because of the windmill. She explained that she has lost sleep from the noise of the windmill. She explained that she has an anxious feeling whenever she hears the siren sound from the windmill. She explained that on moderate windy days, it is even more noisy.

She explained that she purchased a decibel meter. She explained that she has measured the decibel level to be between 60 to 90 decibels. She explained that in 14 MPH winds, the decibel meter registered 65.

She explained that she fears if the windmill falls, it will end up across the street and into her driveway.

She explained that the owner can turn off the windmill if it bothers him, but she doesn’t have the luxury.

Mr. Bob Seeds explained that he lives behind Linda. He explained that he can hear the windmill, but doesn’t find it objectionable.

Mr. Richard Barber explained that in high winds, you could barely hear the windmill. He

explained that he has State approval to install a windmill. He explained that he has visited the site of two windmills and doesn't find the noise objectionable.

Mr. Bob Olivio explained that he has a windmill on his property. He explained that the decibel's never went over 50. He explained that there is 30 decibels in total silence. He explained that he went to St. John of God Church. He explained that no one was in the church and there were four ceiling fans working. He explained that the meter read 60 decibels. He explained that he went to the windmill on Beechwood Avenue on a very windy day. He explained with the windmill in operation the decibels were 58. He explained they turned the windmill off and there were still 58 decibels. He explained that the meter cannot decipher between the noise from the windmill, wind, waves or leaves rustling.

Mr. Olivio explained that in the west wind generation has increased the value of properties. The Board asked if the adjacent property values were effected? Mr. Olivio explained that there aren't any stats on adjacent property values.

Mr. Olivio explained as far as a failure of the tower, there has never been one yet. He explained that the way they are constructed and the foundation, it would be next too impossible for the tower to fail.

Mr. Olivio explained that he feels the proposed setbacks are inappropriate. He explained that he looked at the tax maps for the Township and there were nine lots in the Townbank area that would be able to comply with the setbacks. He explained that if the proposed setbacks remain, it would end wind energy for most of the Township. He explained that there is also the issue with getting a crane that would be able to install the tower. He explained that he urges that the setbacks be changed back to the previous setbacks.

Mr. Olivio explained that all foundations are designed the same way because of the sandy soil in the Township. He explained that if an Engineer signed and sealed a set of plans, the plans should be on file and there shouldn't be the extra expense to the property owner.

Mr. Olivio explained that the State Clean Energy Program conducts four inspections during and after construction.

Mr. Olivio explained that he feels coming to the Planning Board for every windmill is also an added expense to people.

There was a discussion about blade failure. Mr. Olivio explained that there is no documentation about a blade falling off.

Ms. Johnston explained that the police came to Mr. Kaeser's property for a decibel reading. She explained that they did not come on a windy day. She explained that Mr. Kaeser also has solar panels and feels he is selling energy back to the electric company.

Mr. Barber explained that there is talk about the tower falling or a blade falling off. What about a neighbor's tree falling? He explained that depending on which way the tree falls, it could

fall on neighboring property.

Mr. Dawe explained to the Board that he lives across the street from Mr. Kaeser. He explained that he is in his hot tub every morning. He explained that he cannot hear the windmill. He explained that on the warm weekend we had, he had his windows and doors open and couldn't hear the windmill. He explained that the only thing he could hear is the bay and leaves rustling.

Mr. Galestok handed the Board a Wind Resource map of New Jersey. He explained that this area has a 11-15 MPH sustained wind. He explained that offshore there is more wind. He explained that Lower Township is the right spot to do wind energy.

There was a discussion that where there is acreage, there wouldn't be a problem with setbacks. The problem would be in more congested areas. Most of the lots in Villas and North Cape May would need variances.

Mr. Galestok explained that there are two types of windmills, horizontal and vertical. He explained that the town of Bellmawr passed an Ordinance that only allows vertical windmills.

Mr. Galestok explained that the Township is trying to obtain an energy audit grant for \$100,000.00.

Mr. Galestok explained that there is a wind power assessment program and trying to partner with Rowan. He explained that he would like to have four windmills installed. He explained that he would like different types and heights installed. He explained that if Rowan accepts, they would monitor. He explained that if the windmills are installed, there would be public participation with any noise generated.

Mr. Galestok handed the Board a noise measurement report from the police. He reviewed the report with the Board. He explained that the background measurement with the decibel meter registered 56 to 59 from wind and water. He explained that the final result was that there was no violation of the noise ordinance.

There was a discussion that the windy it is, your not going to be able to hear the windmill.

Mr. Galestok handed the Board a decibel comparison chart for some everyday noises and reviewed with the Board.

There was a discussion about eliminating the conditional use application, but a minor site plan application would still be required.

Mr. Galestok explained that the Coast Guard Base is going to erect two 450 foot windmills. He explained that he attended a seminar that they conducted. He explained that a gentleman from the Nature Center spoke. He had explained that there have been only two bird kills per year from windmills. The windows at the casino's kill more birds.

Mr. Galestok also explained that another thing they have done to the blades is paint them black. He explained that in winter, if the blade ices up, the windmill automatically stops. And once the sun comes out, the ice melts from the blades quicker.

There was a discussion regarding fees. It was explained that an application fee would be \$100.00 and the proper escrow would have to be submitted.

There was a discussion about setbacks. It was explained that there is a fear of the tower failing and falling on adjacent property. It was said that the tower is Engineer designed and the tower shouldn't fail. It was also explained that the foundations are constructed in such way that it would be impossible for failure. There was a discussion about the foundations having Engineer's certification. Mr. Olivio explained that he doesn't feel the Engineer's certification is needed. He explained that the soil around her is the same, sandy.

There was a review of the draft ordinance. Changes will be made to the draft and presented to the Board at the regular meeting for a vote.

Mr. Hewitt made a motion to adjourn at 9:07 P.M. The motion was seconded by Mr. Crompton. Motion carried.

Respectfully submitted,

Lisa A. Schubert,
Recording Secretary

A verbatim recording of said meeting is on file in Township Hall.

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