

RESOLUTION

PLAINSBORO TOWNSHIP PLANNING BOARD
Middlesex County, New Jersey

P20-08A Mobius Solar 1, LLC
Block 303, Lot 2
150 College Road West

PMUD Planned Unit Development Zone

**~ MINOR SITE PLAN APPROVAL WITH SUBMISSION WAIVERS ~
(Solar Canopy)**

WHEREAS, Mobius Solar 1, LLC (“applicant”) is the lessee of a ±7.64-acre parcel located at 150 College Road West in the PMUD Planned Unit Development Zone and designated on the Plainsboro Township tax maps as Block 303, Lot 2 (“site” or “subject property”); and

WHEREAS, the property is owned by ND XXXVII LLC, which has consented to the filing of the within application; and

WHEREAS, the property fronts on College Road West and Route One, and contains a mixed-tenant office building; and

WHEREAS, the applicant seeks minor site plan approval with submission waivers to install solar canopy mounted solar arrays on the subject property; and

WHEREAS, the details regarding the applicant’s proposal are set forth in the Planning Board Review Memo dated October 4, 2021, attached hereto as Schedule “C” and made a part hereof, as well as in the following materials submitted by the applicant:

- Signed application form, checklists, and submission waiver requests
- Narrative entitled “Rider to Application, Mobius Solar 1, LLC Solar Installation, Township of Plainsboro Planning Board Block 303 Lot 2 (revised August 11, 2021)”

- Plan set entitled “Minor Site Plan for 150 College Road West Canopy Photovoltaic Solar System, Block 303, Lot 2, Plainsboro Township Middlesex County, New Jersey,” prepared by Maser Consulting P.A.¹ (Derek M. Jordan, NJPE), dated May 5, 2020, last revised September 24, 2021 (eight sheets total)
- Memorandum dated August 24, 2020 prepared by Maser Consulting P.A.² regarding stormwater management

and

WHEREAS, the Board reviewed the application at a virtual public hearing held via Accession Meeting on October 18, 2021, during which the applicant was represented by Richard S. Schkolnick (Millburn, NJ); and

WHEREAS, no public notice of the application was required under the Municipal Land Use Law or the Township’s land use regulations; and

WHEREAS, instructions for how to access the meeting and all associated meeting materials were printed on the Planning Board’s meeting agenda and posted on the Township’s website, including instructions to the public for how to ask questions and make comments on the application, both in advance and during the public hearing; and

WHEREAS, during the hearing, the Board reviewed the exhibits set forth in Schedule “A” attached hereto and made a part hereof; and

WHEREAS, during the hearing, the Board heard testimony from the witnesses set forth in Schedule “B” attached hereto and made a part hereof; and

WHEREAS, the Board also considered the Planning Board Review Memo dated October 4, 2021 attached hereto as Schedule C; and

¹ Maser Consulting, P.A. has since become Colliers Engineering & Design.

² See footnote 1.

WHEREAS, all of the materials related to the application and referenced herein were posted online and made available for public review and download more than forty-eight hours prior to the public hearing, and remained available to the public during and after the hearing; and

WHEREAS, members of the public and interested parties were provided with the opportunity to ask questions, cross-examine witnesses, and offer comments during the hearing, and were also provided the opportunity to submit written comments and questions in advance of the public hearing; and

WHEREAS, the Board based its review of the application on the plans, reports, and exhibits identified herein and the testimony provided during the hearing, as well as on its own knowledge of and expertise in the subject matter; and

WHEREAS, after due deliberation, the Board makes the following findings:

Preamble

1. The findings set forth in the preamble to this resolution are incorporated herein as if restated at length.

Subject property

2. The subject property is a ±7.64-acre property located at 150 College Road West and designated as Block 303, Lot 2 on the Township tax maps. The property is improved with a three-story mixed-tenant building and related site improvements.

Applicant's proposal

3. *Overview:* The applicant seeks minor site plan approval to construct a photovoltaic canopy system over an existing parking lot on the subject property.
 - a. The solar canopy arrays or carport array structures, of which five are proposed, will be located within the parking lot area of the property and contain a total of 1,728 solar panels. The design of these structures will be similar to those that were installed at Siemens approved by the Planning Board in May 2018.

- b. The applicant also has a roof-mounted solar installation on the office building, which received administrative approval from the Township and Princeton University when it was determined that no portion of that system could be seen from ground level. In total, the solar energy system proposed by the applicant, which includes the roof-mounted panels as well as the proposed canopy array, will generate 0.86 megawatts of electric power, which is comparable to the Siemens installation at 0.83 megawatts.
 - c. The canopy structures will have a minimum clearance of approximately 14½ feet and a maximum height of approximately 20½ feet, and will be supported by columns to be located so as to avoid interference with the parking spaces below. The vertical support structures will utilize a box beam detail, whereby the box beam vertical supports and the horizontal support structures above will all be painted a light color utilizing a powder-coat paint finish.
 - d. The solar canopies will be connected via underground conduit to an inverter at the southerly end of the easterly canopy structure, and brought to the main switchboard in the electrical room of the building located on the easterly side of the building.
4. *Lighting*: Some of the existing light poles that are within the area of the proposed canopy structures will be removed; others will be adjusted and/or relocated. Between existing light poles that will remain and, in some cases, readjusted, and the relocated light poles, along with the proposed LED lighting on the underside of the proposed canopy structures, the applicant believes adequate lighting will be maintained throughout the parking area and pedestrian walkways.
 5. *Landscaping*: The applicant's plan includes a tree removal and relocation schedule (Sheet 3) and a landscape plant list (Sheet 4). The applicant proposes to remove the existing Leyland Cypress trees used to screen existing utility equipment (e.g., generators, electric transformers) and replace them with dark bronze/brown colored decorative fencing that will be used to better screen such equipment, including any new equipment needed to support the proposed solar energy installation (e.g. AC/DC inverter). In addition to the Leyland Cypress, the applicant proposes to replace a large dead deciduous tree and four, four to six inch caliper, Honey Locust Trees with eight Autumn Glory Maple trees and three Norway Spruce trees. The applicant proposes to relocate/replant fourteen two to three inch caliper Honey Locust Trees displaced by the project to the existing landscape area along portions of the Route One and College Road West frontage of the property.
 6. *Parking*: Sheet 5 of the applicant's plans (Post and Foundation Layout Plan) identifies the location of each of the support columns to carry the load of the solar canopy structures in the parking lot. The plan detail at the bottom left corner of the sheet shows that each of the columns will be located in a manner that will not functionally diminish the use of any of the parking spaces. The existing 70,850 square foot building on the

property requires a minimum of 178 parking spaces based on the PMUD Zone office parking requirement of one space per 400 square feet (§101-143). Since the subject property contains 286 parking spaces, there is a surplus of 108 parking spaces.

7. *Drainage and stormwater:* Similar to the way the Siemens solar canopies were designed and built, the proposed solar canopies will be constructed so that the solar panels mounted on the top of the structure will have a narrow gap between them, which will allow rain and melting snow to pass through the canopy structures to the ground below and then flow to the nearby storm sewer inlets, consistent with the current pattern of on-site drainage. A letter report was submitted by Maser Consulting, dated August 24, 2020, that indicates an aggregate increase of 35 square feet of impervious area. Accordingly, no additional stormwater management facilities are required as a result of this increase.
8. *Other:* Sheet 3 of the applicant's plans identify drainage, electric, and telephone easements on the property that will be encroached upon by portions of the two western most solar canopy structures. The applicant refers to these two structures as Phase 2 of the project. The applicant understands that in order for them to proceed with Phase 2 of the project, they must obtain written permission from the effected easement holders in order to allow the proposed encroachments. Documentation regarding such permission shall be to the satisfaction of the Planning Board Attorney.

Conformance to zoning regulations and site plan requirements.

9. The property is located in the PMUD Planned Unit Development Zone. The current use of the property for office is consistent with the zoning of the property, as well as the property's land use designation (Office/Research) on the PMUD Use Location Map.
10. The proposed installation conforms to all applicable bulk and site plan requirements; no variances or exceptions are needed.
11. In March 2021, the Township adopted an ordinance requiring new solar and wind energy installations to meet certain design standards. The ordinance requires all parking lot canopy mounted installations be designed in a manner that is compatible and complementary to the building and site improvements of the property involved and the surrounding area. Parking lot canopy installations shall utilize high quality components, materials, and finishes (*e.g.*, powder coat painted box beams and/or tubular steel with matching edge treatments) that result in an installation that is integrally designed to be compatible and complementary to the building and site improvements on the property and the surrounding area. The plans submitted by the applicant appear to meet these design requirements.

Submission waivers.

12. The applicant has identified thirty-three items for which site plan checklist submission waivers are being requested. The applicant has also submitted a list of the requested waivers with an explanation/justification for each. Based on the recommendation of staff and the DRC, as well as for the reasons identified by the applicant in its submissions, the Board finds that all of the requested submission waivers can appropriately be granted.

NOW, THEREFORE, BE IT RESOLVED by the Plainsboro Township Planning Board on this 18th day of October, 2021, that the application by Mobius Solar 1, LLC for minor site plan approval with submission waivers to construct a photovoltaic canopy system on property located at 150 College Road West (Block 303, Lot 2) be and is hereby **GRANTED**, subject to the following conditions:

1. The proposed site modifications shall be subject to the review and approval of the Princeton University/Princeton Forrestal Center Real Estate Office and Township Department of Code Enforcement.
2. The final details of the proposed installation shall meet such standards of visual quality to the satisfaction of Planning Board staff.
3. The height of the fence shall be decided based on the ability to fully screen all such equipment to the satisfaction of Planning Board staff.
4. The buffer landscape treatment proposed by the applicant shall be secured by a performance bond to ensure the replacement of any trees that fail to thrive.
5. Sheet 3 of the applicant's plans identify drainage, electric, and telephone easements on the property that will be encroached upon by portions of the two western most solar canopy structures. The applicant refers to these two structures as Phase 2 of the project. The applicant understands that in order for them to proceed with Phase 2 of the project, they must obtain written permission from the effected easement holders in order to allow the proposed encroachments. Documentation regarding such permission shall be to the satisfaction of the PB Attorney.
6. Unless expressly modified herein, the applicant will comply with all unfulfilled conditions and requirements, if any, set forth in the Planning Board Review Memo attached hereto as Schedule C, even if omitted from this resolution.

7. The applicant shall comply with all representations made and conditions agreed to on the record, even if omitted from this resolution.
8. The applicant will obtain the approval of and/or waivers, exemptions, or letters of no interest from the following outside agencies as applicable:
 - a. Freehold Soil Conservation District
 - b. Middlesex County Planning Board
 - c. Delaware and Raritan Canal Commission
 - d. Princeton University/Princeton Forrestal Center Real Estate Office
 - e. All other agencies having jurisdiction
9. The applicant shall submit revised plans as and if called for in the foregoing conditions.
10. All outstanding real estate taxes, if any, shall be paid within thirty days of the date of this approval.
11. The applicant shall post such engineering inspection fees, performance guarantees, temporary certificate of occupancy guarantees, maintenance guarantees, and other guarantees as may be required, consistent with the provisions of S-3233 (P.L. 2017, c. 312), and shall provide cost estimates to the Planning Board Engineer from which to calculate all such guarantees and inspections fees.
12. Unless otherwise specifically set forth herein and subject to the modification in the note below, all conditions of approval must be satisfied prior to the signing of the final plans and issuance of any construction or other permits.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ROLL CALL ON THE APPLICATION AND RESOLUTION, October 18, 2021

Yes: No: Absent: Abstain/Not Voting:

S. Agarwal		R. Keevey	
P. Cantu		A. Lehrhaupt	
J. Doshi		E. Yates	
J. Greer		D. Westbrook (Alt. 1)	
		S. Raturi (Alt. 2)	

I hereby certify that the foregoing is a true copy of a resolution adopted by the Plainsboro Township Planning Board on the 18th day of October, 2021.

Josi Easter, Planning Board Secretary

SCHEDULE A

APPLICANT'S EXHIBITS

Exhibit 1	Tubular Steel Column Photo
Exhibit 2	Same (different view)
Exhibit 3	Same (different view)

DRAFT

SCHEDULE B

WITNESSES

Applicant's Witnesses:

- [Derek Jordan, PE, Colliers Engineering & Design (*fka* Maser Consulting)]
- [Colin McGuckin, Nessel Development]
- _____
- _____

Planning Board Staff and Consultants:

- Lester Varga, AICP/PP, Director of Planning and Zoning
- Ronald Yake, AICP/PP, Township Planner and Zoning Officer
- Lou Ploskonka, PE, CME Associates (Board Engineer)
- Trishka Waterbury Cecil, *Esq.*, Mason, Griffin & Pierson (Board Attorney)