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SUNBURNED: Developer fights PPA to install solar array on former Stafford dump.

By NICHOLAS HUBA • Staff Writer • September 9, 2010

STAFFORD — Despite concerns for environmental groups, the developer responsible for Stafford Business Park is prepared to move forward with a plan to seek an amendment of a deed restriction for the top of the capped landfill in order to install solar panels.

Walters Group proposes building a 30-acre solar farm on top of the capped portion of the former Stafford Township Landfill. Environmental groups including the Pinelands Preservation Alliance have shot back at the plan, stating that land should be left as is because of a deed restriction that was granted in 2006, when a memorandum of agreement was developed for the project.

"This is a positive environmental use of the landfill, which will benefit the county and its residents," said Joseph Del Duca, partner and general counsel for Walters Group.

If the deed restriction is released, construction of the 1,026 solar arrays is expected to get under way this fall, according to Walters, who plans to build and install the panels on the surface of a closed/capped landfill.

The project, which is expected to cost approximately \$30 million, will sit on approximately 30 acres.

The energy that will be produced by the solar farm at Stafford Park will be enough to power about 1,500 homes and eliminate some 6,700 tons of CO2 emissions, the equivalent of removing more than 1,200 cars from the roads for one year, Del Duca said.

A report prepared by Herpetological Associates, Inc., a Toms River based environmental consultant group, said the proposal solar panel project would not have any adverse impacts to the environment in the area. The group was used by Walters after it was

recommended by the Pinelands Commission. Walters paid for the study.

"After a careful review, its HA (Herpetological Associates) professional opinion that the construction, installation and ongoing operation of 1,026 solar panels on the licensed landfill is compatible with the wildlife on the site," the 13-page report concludes.

The Walters Group is in charge of developing the 370-acre business park site. As part of the agreement between the developers and the township, Walters was responsible for the closure of the landfill and was then allowed to develop the area. When completed, the commercial aspect of the property will incorporate 650,000 square feet of retail space. The project also includes a residential element.

The Pinelands Preservation Alliance has expressed its displeasure for the plan, saying the state should not grant the waiver and continue to have to keep the space the way that it is.

"We have no objection in general to the construction of solar facilities on landfills in Pinelands Regional Growth Areas, but in this case, the deed restriction, and the promises that restriction carries out, preclude this particular landfill cover from being converted to that use, because it has been dedicated to open space in a natural condition in perpetuity," wrote Carlton Montgomery, executive director of the Alliance, in a letter to Nancy Wittenberg, assistant

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Commissioner for Environmental Regulation of the Department of Environmental Protection dated Aug. 12.

Written comments will be accepted until Oct. 11.

Theresa Lettman, director of monitoring program for the alliance, said the issue is not about the solar panels but rather about the Walters Group continuing to make changes to the agreement that was made four years ago.

Earlier this year, the Township Council approved to change the residential aspect to non-age-restricted housing. The original plan called for age-restricted housing, but a lack of bank funding forced the change.

"We went through a fight for that land (during the original discussions five years ago)," Lettman said. "Now you come back and want our half."

Since the start of construction on the project, Walters has tried to be as environmentally-friendly as possible. Currently, Stafford Park is the only known project of its kind pursuing LEED certification through the U.S. Green Building Council.

To date, the retail portion of Stafford Park has attained a minimum of LEED Silver certification. And the 112-unit affordable housing component, Stafford Park Apartments, represents the first LEED-Gold certified affordable housing project in the state.

"The advent of LEED has created a trend in the construction industry toward building smarter, sustainable living spaces," added Ed Walters Jr., president and founder of the Walters Group.

The township will hold a public hearing on the issue at 6 p.m. Sept. 27 at the municipal building, 260 E. Bay Ave.

Written comments on the lifting of the deed restrictions can be sent to:

James Moran, administrator, Stafford Township Municipal Building, 260 E. Bay Avenue, Stafford Township, NJ 08050, with a copy to the Department of Environmental Protection, Green Acres Program, Bureau of Legal Services and Stewardship Mail Code 501-01, P.O. Box 420, Trenton, NJ 08625-0420.

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