

**PLANNING BOARD OF THE CITY OF HACKENSACK**

**RESOLUTION**

IN RE THE APPLICATION OF  
SUNWEALTH, LLC  
SITE PLAN REVIEW FOR INSTALLATION OF ROOF-MOUNTED SOLAR ENERGY  
SYSTEM  
30 JERSEY PLACE, BLOCK 87, LOTS 6-8, 14, 20-23  
SP # 2-22

---

WHEREAS, SUNWEALTH, LLC (hereinafter referred to as the “Applicant”) has applied to the Planning Board of the City of Hackensack (hereinafter referred to as the “Board”) for permission to install roof mounted solar panels on the existing commercial/warehouse building at the premises identified as Block 87, Lots 6-8, 14, 20-23 on the official tax map of the City of Hackensack, County of Bergen, New Jersey, and commonly known as 30 Jersey Place, (hereinafter referred to as the “subject property”). The Applicant proposes four-hundred and twenty-six (426) panels consisting of one (1) array, inverter, and conductors. No other site improvements or building modifications are proposed at this time. No variances are required for the proposed installation.

WHEREAS, the subject property is located in the M-1 Zoning District as set forth in the Zoning Code of the City of Hackensack; and

WHEREAS, pursuant to Hackensack Zoning Code section 175-7.18, installation of solar energy systems are permitted on the roofs of nonresidential structures with minor site plan approval;

WHEREAS, the aforesaid application was duly made to the Planning Board of the City of Hackensack, notice of the application was duly published and made pursuant to the requirements of N.J.S.A. 40:55D-12, and the requirements of the City of Hackensack Code; and

WHEREAS, the Board held a public hearing on March 9, 2022, at which time it heard

French & Parrello Associates, dated December 14, 2021;

- Architectural rendering photos of the proposed site improvements;
- Submittal Letter prepared by Jennifer Mazawey, Esq. of Genova Burns Attorneys-at-Law;
- City of Hackensack Fire Department Checklist Plan Review dated January 21, 2022;
- Acceptance Letter prepared by John Baker of General A & E MFG. Co. Inc. dated January 8, 2021;
- Interconnection Approval from PSE&G via e-mail, dated October 6, 2021; and
- Submittal Letter prepared by Jennifer Mazawey, Esq. of Genova Burns Attorneys-at-Law, dated February 14, 2022.

WHEREAS, the Board makes the following findings of fact and conclusions with respect to the within application:

1. The subject property consists of eight (8) rectangular-shaped tax parcels, with frontage on Jersey Place to the south and South Street to the east. The properties surrounding the subject property consist of a truck and auto repair shop to the northeast, a landscaping garage to the west, and a restaurant beverage supply store to the north. Additionally, a scrap metal dealer is located to the south of the property, across Jersey Place. The property is located within the M-1 Manufacturing District. The subject property is located within Block 87, Lots 6-8, 14, and 20-23 and is commonly known as 30 Jersey Place. The property consists of an approximate total lot area of 43,000 square feet (0.99 acres).
2. The Applicant proposes to install roof mounted solar panels on the existing

what the highest solar panels will be. To the south and the north sides, the parapets are about 2 feet 10 inches and are also higher than what the highest panels will be. The panels will be black in color so that they can absorb as much light as possible. The frames and the racking system will be gray in color so that they are not going to produce glare. No other site improvements are associated with the application. There is no additional lighting as part of the project. There is no change in the stormwater management at the site since everything still would drain from the roof as it did before, because the panels are raised above the roof. There is no noise, glare or odor associated with the project; and no impact upon traffic or parking.

3. The Board incorporates herein as part of its findings of fact the sworn testimony of the Applicant's witness, as set forth in the verbatim transcript of the proceedings conducted at the public meeting of the Board on March 9, 2022.
4. The Board finds that the use of alternative energy, such as from roof-mounted solar panels, advances the intent and purpose of the Hackensack Master Plan and the Zoning Code by promoting the safety, health and general welfare of the public.
5. The Applicant's submission to the Board demonstrates that the installation of the proposed solar panels and related equipment can be constructed without any significant adverse or detrimental impact upon the subject property or the surrounding area or the adjacent roadway system; and that the proposed development will not exacerbate the existing conditions of the roadway and/or intersections.
6. The Applicant has demonstrated that the purposes of the Municipal Land Use Law

B. All fees, costs, bonds and escrows shall be paid when due or becoming due. Any monies are to be paid within twenty (20) days of the said request by the Hackensack Land Use Administrator, or his designee.

C. All representations made by the Applicant or its agents shall be deemed conditions of this approval and any misrepresentations by Applicant contrary to the representations made before the Board shall be deemed a violation of this approval.

D. The action of the Planning Board in approving this application shall not relieve the Applicant of responsibility for any damages caused by this project, nor does the Planning Board of the City of Hackensack, or its reviewing professionals and agencies, accept any responsibility for design of the proposed improvements or for any damages that may be caused by this project.

E. Applicant shall comply with all applicable federal, state, regional, county and local rules, regulations and requirements. In the event compliance with the requirements of any such governmental entity necessitates modifications to the site plan, Applicant shall submit revised plans to the Zoning Officer and Construction Official for their review and approval. If deemed by either of them to be so substantial or different as to warrant further review by the Planning Board, such modifications shall be referred to the Planning Board for its formal review, and Applicant shall be required to present same in compliance with the notice provisions of the Municipal Land Use Law.

F. This approval is conditioned upon the truthfulness of the testimony of the Applicant and the Applicant's witnesses. In the event that said testimony is found to be willfully false, this approval may be voidable and may be nullified by the Planning Board.

G. Subject to such performance and maintenance bonds as may be required by the Board Engineer and as may be further required by the Hackensack Code.

H. All outstanding property taxes for the Property shall be made current.

I. A copy of the signed resolution shall be forwarded to the Applicant, the Board Engineer and the Building Department of the City of Hackensack; and the secretary shall publish the required notice.

**Motion to Approve**

Offered by:

A. Dib

Second by:

J. Martucci

In Favor:

A. Dib

J. Martucci

J. Labrosse

J. Chiusolo

K. Canestrino

R. Contini.

K. Solomon

M. Allegretta

F. Garip

Opposed:

None

Abstain:

None

I certify that the foregoing is a true copy of a resolution adopted by the Planning Board of the City of Hackensack at the meeting of April 13, 2022.

  
\_\_\_\_\_  
Mimi Allegretta

, Planning Board Secretary