



Section B: Community Solar Energy Project Description

Project Name: _____

*This name will be used to reference the project in correspondence with the Applicant.

I. Applicant Contact Information

Applicant Company/Entity Name: _____

First Name: _____ Last Name: _____

Daytime Phone: _____ Email: _____

Applicant Mailing Address: _____

Municipality: _____ County: _____ Zip Code: _____

- Applicant is: Community Solar Project Owner Community Solar Developer/Facility Installer
 Property/Site Owner Subscriber Organization
 Agent (if agent, what role is represented) _____

II. Community Solar Project Owner

Project Owner Company/Entity Name (complete if known): _____

First Name: _____ Last Name: _____

Daytime Phone: _____ Email: _____

Mailing Address: _____

Municipality: _____ County: _____ Zip Code: _____

III. Community Solar Developer

This section, "Community Solar Developer," is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a RFP, RFQ, or other bidding process. In all other cases, this section is required.

Developer Company Name (optional, complete if applicable): _____

First Name: _____ Last Name: _____

Daytime Phone: _____ Email: _____

Mailing Address: _____

Municipality: _____ County: _____ Zip Code: _____

- The proposed community solar project will be primarily built by:
 the Developer a contracted engineering, procurement and construction ("EPC") company



If the proposed community solar project will be primarily built by a contracted EPC company, complete the following *(optional, complete if known)*:

If the EPC company information is left blank and the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program, the Applicant must inform the Board of the information below once the EPC company becomes known.

EPC Company Name *(optional, complete if applicable)*: _____
 First Name: _____ Last Name: _____
 Daytime Phone: _____ Email: _____
 Mailing Address: _____
 Municipality: _____ County: _____ Zip Code: _____

IV. Property/Site Owner Information

Property Owner Company/Entity Name: _____
 First Name: _____ Last Name: _____
 Daytime Phone: _____ Email: _____
 Applicant Mailing Address: _____
 Municipality: _____ County: _____ Zip Code: _____

V. Community Solar Subscriber Organization *(optional, complete if known)*

If this section, "Community Solar Subscriber Organization," is left blank and the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program, the Applicant must inform the Board of the information below once the Subscriber Organization becomes known.

Subscriber Organization Company/Entity Name *(optional, complete if applicable)*: _____
 First Name: _____ Last Name: _____
 Daytime Phone: _____ Email: _____
 Mailing Address: _____
 Municipality: _____ County: _____ Zip Code: _____

VI. Proposed Community Solar Facility Characteristics

Community Solar Facility Size (as denominated on the PV panels): _____ MWdc
 *Any application for a system larger than 5 MWdc will be automatically eliminated. If awarded, projects will be held to the MWdc size indicated in this Application.

Community Solar Facility Location (Address): _____
 Municipality: _____ County: _____ Zip Code: _____
 Name of Property *(optional, complete if applicable)*: _____

Property Block and Lot Number(s): _____

Community Solar Site Coordinates: _____ Longitude _____ Latitude

Total Acreage of Property Block and Lots: _____ acres

Total Acreage of Community Solar Facility: _____ acres

Attach a delineated map of the portion of the property on which the community solar facility will be located in PDF format. The map must be provided in color. Note: Applications may be required upon request to submit a copy of the delineated map as a design plan in drawing file format (.dwg) or as a shapefile (.shp), in order to facilitate integration with Geographic Information System (GIS) software.

EDC electric service territory in which the proposed community solar facility is located: *(select one)*

- Atlantic City Electric Jersey Central Power & Light
 Public Service Electric & Gas Rockland Electric Co.

Estimated time from Application selection to project completion* *(The Applicant should provide a good faith estimate of the date of project completion; however, this data is being collected for informational purposes only.)*: _____ (month) _____ (year)

*Project completion is defined pursuant to the definition at N.J.A.C. 14:8-9.3 as being fully operational, up to and including having subscribers receive bill credits for their subscription to the project. Projects must be fully operational within 12 months of receiving conditional approval by the Board (subject to change according to the proposed rule amendment described in the Terms and Conditions).

The proposed community solar facility is an existing project* Yes No

If "Yes," the Application will not be considered by the Board. See section B. XIII. for special provisions for projects having received a subsection (t) conditional certification from the Board prior to February 19, 2019.

*An existing project is defined in N.J.A.C. 14:8-9.2 as a solar project having begun operation and/or been approved by the Board for connection to the distribution system prior to February 19, 2019.

VII. Community Solar Facility Siting

1. The proposed community solar project has site control* Yes No

If "Yes," attach proof of site control.

If "No," the Application will be deemed incomplete.

*Site control is defined as property ownership or option to purchase, signed lease or option to lease, or signed contract for use as a community solar site or option to contract for use as a community solar site. The site control must be specific to the project in this Application, and may not be contingent on the approval of another Application submitted in PY2.



2. The proposed community solar facility is located, in part or in whole, on preserved farmland* Yes No

If “Yes,” the Application will not be considered by the Board.

*Preserved farmland is defined in N.J.A.C. 14:8-9.2 as land from which a permanent development easement was conveyed and a deed of easement was recorded with the county clerk’s office pursuant to N.J.S.A. 4:1C-11 et seq.; land subject to a farmland preservation program agreement recorded with the county clerk’s office pursuant to N.J.S.A. 4:1C-24; land from which development potential has been transferred pursuant to N.J.S.A. 40:55D-113 et seq. or N.J.S.A. 40:55D-137 et seq.; or land conveyed or dedicated by agricultural restriction pursuant to N.J.S.A. 40:55D-39.1.

3. The proposed community solar facility is located, in part or in whole, on Green Acres preserved open space* or on land owned by the New Jersey Department of Environmental Protection (NJDEP) Yes No

If “Yes,” the Applicant must attach special authorization from NJDEP for the site to host a community solar facility. The Board will not consider Applications for projects located, in part or in whole, on Green Acres preserved open space or on land owned by NJDEP, unless the Applicant has received special authorization from NJDEP and includes proof of such special authorization in the Application package.

*Green Acres preserved open space is defined in N.J.A.C. 14:8-9.2 as land classified as either “funded parkland” or “unfunded parkland” under N.J.A.C. 7:36, or land purchased by the State with “Green Acres funding” (as defined at N.J.A.C. 7:36).

4. The proposed community solar facility is located, in part or in whole, on (check all that apply):

- a landfill (see question 7 below)
- a brownfield (see question 8 below)
- an area of historic fill (see question 9 below)
- a rooftop (see question 10 below)
- a canopy over a parking lot or parking deck
- a canopy over another type of impervious surface (e.g. walkway)
- a water reservoir or other water body (“floating solar”) (see question 11 below)
- a former sand or gravel pit or former mine
- farmland* (see definition below)
- other (see question 5 below): _____

*Farmland is defined as land that has been actively devoted to agricultural or horticultural use and that is/has been valued, assessed, and taxed pursuant to the “Farmland Assessment Act of 1964,” P.L. 1964, c.48 (C. 54:4-23.1 et seq.) at any time within the ten year period prior to the date of submission of the Application.

5. If you answered “other” to question 4 above, describe the proposed site and explain why it is appropriate for siting a community solar facility:



6. The proposed community solar facility is located, in part or in whole, on land located in:

- the New Jersey Highlands Planning Area or Preservation Area
- the New Jersey Pinelands

If the project is a ground mounted project (i.e. not rooftop or canopy), and answered “Yes” to either of the options above, include a letter or other determination from the New Jersey Highlands Council or the New Jersey Pinelands Commission, as relevant, stating that the proposed project is consistent with land use priorities in the area.

7. If the proposed community solar facility is located, in part or in whole, on a landfill, provide the name of the landfill, as identified in NJDEP’s database of New Jersey landfills, available at www.nj.gov/dep/dshw/lrm/landfill.htm: _____

8. If the proposed community solar facility is located, in part or in whole, on a brownfield, has a final remediation document been issued for the property? Yes No
 If “Yes,” attach a copy of the Response Action Outcome (“RAO”) issued by a Licensed Site Remediation Professional (“LSRP”) or the No Further Action (“NFA”) letter issued by NJDEP.

9. If the proposed community solar facility is located, in part or in whole, on an area of historic fill, have the remedial investigation requirements pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-4.7 been implemented? Yes No
 Has the remediation of the historic fill been completed pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E-5.4? Yes No
 If the remediation of the historic fill has been completed, attach a copy of the Response Action Outcome (“RAO”) issued by a Licensed Site Remediation Professional (“LSRP”) or the No Further Action (“NFA”) letter issued by NJDEP.

10. If the proposed community solar facility is located, in part or in whole, on a rooftop, has the Applicant verified that the roof is structurally able to support a solar system? Yes No
 If “Yes,” attach substantiating evidence.
 If “No,” the application will not be considered by the Board.

11. If the proposed community solar facility is located, in part or in whole, on a water reservoir or other water body (“floating solar”), is the facility located at a water treatment plant or sand and gravel pit that has little to no established floral and faunal resources?
 Yes No



If “Yes,” provide supporting details and attach substantiating evidence if needed.

*All proposed floating solar projects are required to meet with NJDEP’s OPPN prior to submitting an Application. Applicants are responsible for contacting NJDEP with sufficient advance notice to ensure that a meeting will occur prior to the deadline to submit an Application. Please see section VIII Permits, Question 2 for more information.

12. The proposed community solar facility is located on the property of an affordable housing building or complex Yes No

13. The proposed community solar facility is located on an area designated in need of redevelopment Yes No

If “Yes,” attach proof of the designation of the area as being in need of redevelopment from a municipal, county, or state entity.

14. The proposed community solar facility is located in an Economic Opportunity Zone, as defined by the New Jersey Department of Community Affairs (“DCA”) Yes No

If “Yes,” attach proof that the facility is located in an Economic Opportunity Zone.

*More information about Economic Opportunity Zones are available at the following link:
https://www.state.nj.us/dca/divisions/lps/opp_zones.html.

15. The proposed community solar facility is located on land or a building that is preserved by a municipal, county, state, or federal entity Yes No

If “Yes,” attach proof of the designation of the site as “preserved” from a municipal, county, or state entity, and evidence that such designation would not conflict with the proposed solar facility.

16. The proposed community solar facility is located, in part or in whole, on land that includes trees Yes No

Construction of the proposed community solar facility will require cutting down one or more trees Yes No

If “Yes,” estimated number of trees required to be cut for construction: _____

If “Yes,” estimated number of acres of trees that required to be cut for construction:

17. Are there any use restrictions at the site? Yes No

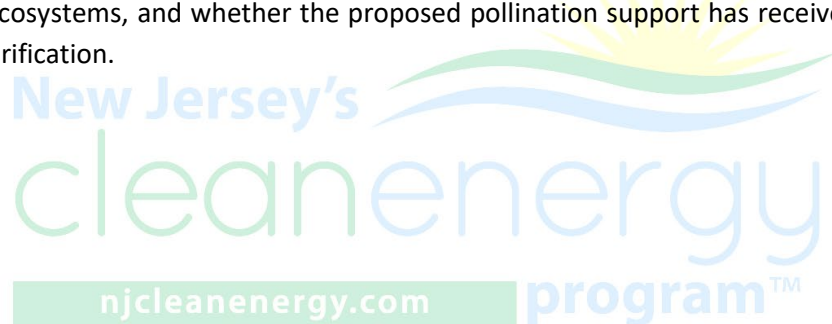
If “Yes,” explain the use restriction below and provide documentation that the proposed community solar project is not prohibited.



Will the use restriction(s) be required to be modified by variance or other means?
 Yes No

If “Yes,” explain the modification below.

18. The proposed community solar facility has been specifically designed or planned to preserve or enhance the site (e.g. landscaping, site and enhancements, pollination support, etc.) This represents site improvements beyond required basic site improvements Yes No
 If “Yes,” explain below, and provide any substantiating documentation in an attachment. Explain how the proposed site enhancements will be made and maintained for the life of the project. If implementing pollination support, explain what type of pollination support, how this support is expected to help local ecosystems, and whether the proposed pollination support has received certifications or other verification.



19. This question is for informational purposes only, and will not impact the Application’s score. The Board is interested in learning more about ways in which “dual use” projects may be implemented in the Pilot Program:

The proposed community solar facility is a “dual use” project: i.e. the project site will remain in active agricultural production throughout the life of the project (e.g. crop production under or between the panels, livestock grazing)..... Yes No

*Wildflower planting or other pollination support is not considered dual use for purposes of this question (pollination support is question 18).

If “Yes,” explain what agricultural production will be maintained on the site and will be consistent with the presence of a solar system. Provide any substantiating documentation in an attachment.



VIII. Permits

1. The Applicant has completed the NJDEP Permit Readiness Checklist, and will submit it as an attachment to this Application..... Yes No
 If “No,” the Application will be deemed incomplete. This requirement only applies to ground mounted and floating solar projects. Community solar projects located on a rooftop, parking lot, or parking structure are exempt from this requirement.

*Applicants are not required to submit the Permit Readiness Checklist to NJDEP prior to submitting an Application to the Board, except in the case of floating solar projects.

2. The Applicant has met with NJDEP’s OPPN Yes No
 If “Yes,” attach meeting notes or relevant correspondence with NJDEP’s OPPN.

* If the Applicant met with OPPN or received comments from OPPN (formerly PCER) for this project as part of the Program Year 1 Application process, and if the details of the project and the site characteristics have remained the same, those comments remain valid. Please include those comments or meeting notes as an attachment to the Application.

*A meeting with NJDEP’s OPPN is not required prior to submitting an Application. Exception: all floating solar projects are required to meet with NJDEP’s OPPN prior to submitting an Application. Applicants with a floating solar project are responsible for contacting NJDEP with sufficient advance notice to ensure that a meeting will occur prior to the deadline to submit an Application.

3. The Applicant has received all non-ministerial permits* for this project (optional) Yes No

*Receiving all non-ministerial permits is not required prior to submitting an Application.

*A non-ministerial permit is one in which one or more officials consider various factors and exercise some discretion in deciding whether to issue or deny a permit. This is in contrast to a ministerial permit, for which approval is contingent upon the project meeting pre-determined and established standards. Examples of non-ministerial permits include: local planning board authorization, use variances, Pinelands or Highlands Commission approvals, etc. Examples of ministerial permits include building permits and electrical permits.

4. Please list all permits, approvals, or other authorizations that will be needed for the construction and operation of the proposed community solar facility pursuant to local, state and federal laws and regulations. Include permits that have already been received, have been applied for, and that will need to be applied for. These include:
 - a. Permits, approvals, or other authorizations from NJDEP (i.e. Land Use, Air Quality, New Jersey Pollutant Discharge Elimination System “NJPDES”, etc.) for the property.
 - b. Permits, approvals, or other authorizations from NJDEP (i.e. Land Use, Air Quality, NJPDES, etc.) directly related to the installation and operation of a solar facility on this property.



6. The Applicant has conducted an interconnection study for the proposed system *(optional)* Yes No
 If “Yes,” include the interconnection study received from the EDC.

IX. Community Solar Subscriptions and Subscribers

1. Estimated or Anticipated Number of Subscribers *(please provide a good faith estimate or range)*:

2. Estimated or Anticipated Breakdown of Subscribers *(please provide a good faith estimate or range of the kWh of project allocated to each category)*:
 Residential: _____ Commercial: _____
 Industrial: _____ Other: _____
 (define “other”: _____)

3. The proposed community solar project is an LMI project* Yes No
 *An LMI project is defined pursuant to N.J.A.C. 14:8-9 as a community solar project in which a minimum 51 percent of project capacity is subscribed by LMI subscribers.

4. The proposed community solar project has a clear plan for effective and respectful customer engagement process. Yes No
 If “Yes,” attach evidence of experience on projects serving LMI communities or partnerships with organizations that have experience serving LMI communities.

5. The proposed community solar project will allocate at least 51% of project capacity to residential customers Yes No

6. An affordable housing provider is seeking to qualify as an LMI subscriber for the purposes of the community solar project Yes No
 If “Yes,” estimated or anticipated percentage of the project capacity for the affordable housing provider’s subscription *(provide an estimate or range)*: _____

If “Yes,” what specific, substantial, identifiable, and quantifiable long-term benefits from the community solar subscription are being passed through to their residents/tenants?



Additionally, the affordable housing provider must attach a signed affidavit that the specific, substantial, identifiable, and quantifiable long-term benefits from the community solar subscription will be passed through to their residents/tenants.

If “No,” please be aware that, if, at any time during the operating life of the community solar project an affordable housing provider wishes to subscribe to the community solar project as an LMI subscriber, it must submit a signed affidavit that the specific, substantial, identifiable, and quantifiable benefits from the community solar subscription will be passed through to its residents/tenants.

7. This project uses an anchor subscriber (*optional*) Yes No
 If “Yes,” name of the anchor subscriber (*optional*): _____
 Estimated or anticipated percentage or range of the project capacity for the anchor subscriber’s subscription: _____

8. Is there any expectation that the account holder of a master meter will subscribe to the community solar project on behalf of its tenants? Yes No
 If “Yes,” what specific, identifiable, sufficient, and quantifiable benefits from the community solar subscription are being passed through to the tenants?



Additionally, the account holder of the master meter must attach a signed affidavit that the specific, identifiable, sufficient, and quantifiable benefits from the community solar subscription will be passed through to the tenants.

If “No,” please be aware that, if, at any time during the operating life of the community solar project the account holder of a master meter wishes to subscribe to the community solar project on behalf of its tenants, it must submit to the Board a signed affidavit that the specific, identifiable, sufficient, and quantifiable benefits from the community solar subscription will be passed through to its tenants.

9. The geographic restriction for distance between project site and subscribers is: (*select one*)
 No geographic restriction: whole EDC service territory
 Same county OR same county and adjacent counties
 Same municipality OR same municipality and adjacent municipalities

Note: The geographic restriction selected here will apply for the lifetime of the project, barring special dispensation from the Board, pursuant to N.J.A.C. 14:8-9.5(a).



10. Product Offering for LMI subscribers: *(The Applicant must also complete and attach one or more product offering form(s) found in Appendix A. See Appendix A for exemptions.)*

The subscription proposed offers guaranteed or fixed savings to subscribers Yes No

If "Yes," the guaranteed or fixed savings are offered as:

- A percentage saving on the customer's annual electric utility bill
- A percentage saving on the customer's community solar bill credit
- Other: _____

If "Yes," the proposed savings represent:

- 0% - 5% of the customer's annual electric utility bill or bill credit
- 5% - 10% of the customer's annual electric utility bill or bill credit
- 10% - 20% of the customer's annual electric utility bill or bill credit
- over 20% of the customer's annual electric utility bill or bill credit

The subscription proposed offers subscribers ownership or a pathway to ownership of a share of the community solar facility Yes No

If "Yes," include proof of a pathway to ownership of a share of the community solar facility offered to the subscribers in Appendix A.

11. Product Offering for non-LMI subscribers: *(The Applicant must also complete and attach one or more product offering form(s) found in Appendix A. See Appendix A for exemptions.)*

The subscription proposed offers guaranteed or fixed savings to subscribers Yes No

If "Yes," the guaranteed or fixed savings are offered as:

- A percentage saving on the customer's annual electric utility bill
- A percentage saving on the customer's community solar bill credit
- Other: _____

If "Yes," the proposed savings represent:

- 0% - 5% of the customer's annual electric utility bill or bill credit
- 5% - 10% of the customer's annual electric utility bill or bill credit
- 10% - 20% of the customer's annual electric utility bill or bill credit
- over 20% of the customer's annual electric utility bill or bill credit

The subscription proposed offers subscribers ownership or a pathway to ownership of a share of the community solar facility Yes No

If "Yes," include proof of a pathway to ownership of a share of the community solar facility offered to the subscribers in Appendix A.



12. The list of approved community solar projects will be published on the Board’s website. Additionally, subscriber organizations have the option of indicating, on this list, that the project is currently seeking subscribers.

If this project is approved, the Board should indicate on its website that the project is currently seeking subscribers Yes No

If “Yes,” the contact information indicated on the Board’s website should read:

Company/Entity Name: _____ Contact Name: _____

Daytime Phone: _____ Email: _____

*It is the responsibility of the project’s subscriber organization to notify the Board if/when the project is no longer seeking subscribers, and request that the Board remove the above information on its website.

X. Community Engagement

1. The proposed community solar facility is located on land or a building owned or controlled by a government entity, including, but not limited to, a municipal, county, state, or federal entity Yes No

2. The proposed community solar project is being developed by or in partnership or collaboration* with the municipality in which the project is located Yes No
 If “Yes,” explain how and attach evidence of the project being developed by or in partnership or collaboration with the municipality in which the project is located.

*Partnership or collaboration with the municipality is defined as clear and ongoing municipal involvement in the approval of the design, development, or operation of the proposed community solar project (e.g. project is located on a municipal site, municipality facilitating subscriber acquisition, municipal involvement in defining the subscription terms, etc.). Examples of evidence may include a formal partnership, a municipal request for proposals or other public bidding process, letter describing the municipality’s involvement in the project or meeting minutes. Documentation must be specific to the project described in this Application; “generic” documentation of support that applies to multiple projects submitted by the same Applicant will not be accepted.

3. The proposed community solar project is being developed by or in partnership or collaboration* with one or more local community organization(s) and/or affordable housing providers in the area in which the project is located Yes No



If “Yes,” explain how and attach evidence of the project being developed by or in partnership or collaboration with the local community organization(s) and/or affordable housing providers.

*Partnership or collaboration is defined as clear and ongoing involvement by the local community organization(s) and/or affordable housing providers in the approval of the design, development, or operation of the proposed community solar project (e.g. community organization owns the proposed site, community organization is facilitating subscriber acquisition or was involved in the design of the community solar product offering, etc.). Documentation must be specific to the project described in this Application; “generic” documentation of support that applies to multiple projects submitted by the same Applicant will not be accepted.

4. The proposed community solar project was developed, at least in part, with support and in consultation with the community in which the project is located* Yes No
 If “Yes,” please describe the consultative process below.

*A community consultative process may include any of the following: letter of support from municipality and/or community organizations and/or local affordable housing provider demonstrating their awareness and support of the project; one or more opportunities for public intervention; and/or outreach to the municipality and/or local community organizations and/or affordable housing provider.

XI. Project Cost

This section, “Project Cost,” is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a RFP, RFQ, or other bidding process. In all other cases, this section is required.

1. Provide the following cost estimates and attach substantiating evidence in the form of an unlocked Excel spreadsheet model:

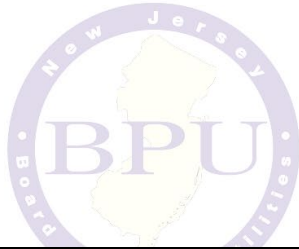
Applicants are expected to provide a good faith estimate of costs associated with the proposed community solar project, as they are known at the time the Application is filed with the Board. This information will not be used in the evaluation of the proposed community solar project.



| | |
|--|--|
| Net Installed Cost (in \$) | |
| Net Installed Cost (in \$/Watt) | |
| Initial Customer Acquisition Cost (in \$/Watt) | |
| Annual Customer Churn Rate (in %) | |
| Annual Operating Expenses (in c/kWh) | |
| Levelized Cost of Energy (“LCOE”) (in c/kWh) | |

- Pursuant to N.J.A.C. 14:8-9.7(q), “community solar projects shall be eligible to apply, via a one-time election prior to the delivery of any energy from the facility, for SRECs or Class I RECs, as applicable, or to any subsequent compensations as determined by the Board pursuant to the Clean Energy Act.” Consistent with the Clean Energy Act of 2018, the Board is no longer accepting applications for the SREC Registration Program (“SRP”). Projects granted conditional approval to participate in PY2 will be eligible to apply for the TI Program.

For indicative purposes only, please indicate all local, state and federal tax incentives which will be applied to if the proposed community solar project is approved for participation in the Community Solar Energy Pilot Program:



XII. Other Benefits

- The proposed community solar facility will be paired with storage Yes No
 If “Yes,” please describe the proposed storage facility:
 - Storage system size: _____ MW _____ MWh
 - The storage offtaker is also a subscriber to the proposed community solar facility Yes No

*Community solar credits will only be provided to community solar generation; credits will not be provided to energy discharged to the grid from a storage facility (i.e. no “double counting”).

- The proposed community solar facility will be paired with one or more EV charging stations Yes No
 If “Yes,” how many EV charging stations: _____
 Will these charging stations be public and/or private? _____
 Please provide additional details:



3. The proposed community solar facility will provide energy audits and/or energy efficiency improvements to subscribers..... Yes No

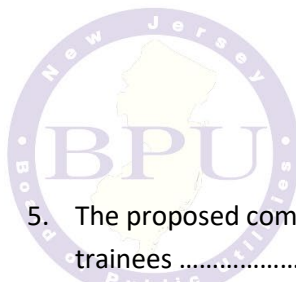
If "Yes," please provide additional details:

4. The proposed community solar project will create temporary or permanent jobs in New Jersey Yes No

If "Yes," estimated number of temporary jobs created in New Jersey: _____

If "Yes," estimated number of permanent jobs created in New Jersey: _____

If "Yes," explain what these jobs are:



5. The proposed community solar project will provide job training opportunities for local solar trainees Yes No

If "Yes," will the job training be provided through a registered apprenticeship? Yes No

If "Yes," identify the entity or entities through which job training is or will be organized (e.g. New Jersey GAINS program, partnership with local school):

XIII. Special Authorizations and Exemptions

1. Is the proposed community solar project co-located with another community solar facility (as defined at N.J.A.C. 14:8-9.2)? Yes No

If "Yes," please explain why the co-location can be approved by the Board, consistent with the provisions at N.J.A.C. 14:8-9



2. Does this project seek an exemption from the 10-subscriber minimum? Yes No
 If “Yes,” please demonstrate below (and attach supporting documents as relevant):
- a. That the project is sited on the property of a multi-family building.
 - b. That the project will provide specific, identifiable, and quantifiable benefits to the households residing in said multi-family building.

3. Specific sections throughout the Application Form are identified as optional only if: 1) the Applicant is a government entity (municipal, county, or state), and 2) the community solar developer will be selected by the Applicant via a RFP, RFQ, or other bidding process. Is the Applicant a government entity that plans to select the developer via such bidding process? Yes No
 If “Yes,” attach a letter describing the proposed bidding process and a copy of the request for bids (RFP, RFQ, or other bidding document) that is ready to be issued if the project is granted conditional approval by the Board. The Applicant must further commit to issuing said RFP, RFQ, or other bidding process within 90 days of the proposed project being approved by the Board for participation in the Community Solar Energy Pilot Program. The Applicant will be required to provide the information contained in those optional sections to the Board once it becomes known.

4. Has the proposed community solar project received, in part or in whole, a subsection (t) conditional certification from the Board prior to February 19, 2019? Yes No
 If “Yes,” the project may apply to participate in the Community Solar Energy Pilot Program if it commits to withdrawing the applicable subsection (t) conditional certification immediately if it is approved by the Board for participation in the Community Solar Energy Pilot Program. Attach a signed affidavit that the Applicant will immediately withdraw the applicable subsection (t) conditional certification if the proposed project is approved by the Board for participation in the Community Solar Energy Pilot Program.

5. The Board has proposed an amendment to the Pilot Program rules, which, if approved, would allow municipally-owned community solar projects to submit an application for a project that requests an exemption from the provisions at N.J.A.C. 14:8-9.10(b)(1) mandating subscriber enrollment via affirmative consent (i.e. an opt-out community solar project). Projects that intend



to utilize opt-out subscriber enrollment if the proposed rule amendment is approved by the Board must indicate such intent below. If the Application is selected but the proposed rule amendment is not approved by the Board, the project will be required to proceed using affirmative consent (i.e. "opt-in") subscriber enrollment rules, as currently provided for in the Pilot Program rules at N.J.A.C. 14:8-9.10(b)(1).

A. This Application is for an opt-out community solar project..... Yes No

B. The proposed opt-out project will be owned and operated by the municipality for the duration of the project life (excluding a possible period of temporary third-party, tax-credit investor ownership to maximize the financeability of the opt-out project, subject to appropriate contractual provisions that maintain the municipality's ultimate control of the proposed opt-out project)..... Yes No

If "Yes," the municipality name is: _____

If "No," the project will not be considered for eligibility as an opt-out community solar project.

C. The proposed opt-out project has been authorized by municipal ordinance or resolution Yes No

If "Yes," attach a copy of the municipal ordinance or resolution allowing the development, ownership, and operation an opt-out community solar project, contingent on the proposed rules being approved by the Board.

If "No," the project will not be considered for eligibility as an opt-out community solar project.

D. The proposed opt-out project will allocate all project capacity to LMI subscribers Yes No

If "No," the project will not be considered for eligibility as an opt-out community solar project.

E. Describe the process by which the municipality will identify the customers that will be automatically enrolled in the proposed opt-out project: _____

F. The municipal applicant has reviewed the proposed rule amendment allowing for opt-out projects, and agrees to adhere to the proposed rules and any subsequent modification if they are approved by the Board. The applicant understands that any approval for the project to operate as an opt-out community solar project is contingent on the proposed rule amendment being approved by the Board. The applicant understands that, if the proposed rule amendment is not approved by the Board, the project, if approved, will be required to



adhere to the existing “opt-in” rules for subscriber enrollment (N.J.A.C. 14:8-9.10(b)(1)).
 Yes No

Attach an affidavit that the municipal project owner will comply with all applicable rules and regulations, particularly those relating to consumer privacy and consumer protection.



Community Solar Application

Attachments ([Application Page reference](#))

- ESKY Solar 1 – E – 100 – 103 General Site Overview – Feb 1 2021. Pdf ([Delineated Map pg 10](#))
- Esky Solar Site Control and Deeds.pdf ([Proof of Site Control pg 10](#))
- OPPN Meeting Sign-in (Sign in for meeting above 4/26/2019) ([Pg 14](#))
- Letter_NJDEP_PCER_Minutes.pdf (Email with minutes from 4/26/2019) ([Pg 14](#))
- Permit Readiness Checklist_Esky_Solar 1_02032021.pdf ([Pg 14](#))
- Redevelopment_Designation.pdf ([Pg 13](#))
- 8-21-19 NJDEP_OBR_Solar Concept OK Letter.pdf ([Pg 12](#))
- NJDEP Compliance_Esky_01062021.pdf (Recent Solid Waste Compliance Inspection) ([Pg 12](#))
- NJ_State_Closure Plan Modification Approval.pdf ([Pg 12](#))
- ACE_HostingCapacityMap_EskySolar.pdf ([Pg 16](#))

- Appendices – 8C Community Solar Application

- Esky Solar_Cost_Community Solar.pdf ([Pg 20](#))
- Esky_PoliticalSupportLetters.pdf (Mayor Manzo & Senator Sweeney) ([Pg 20](#))
- NJRCEV_Esky Solar 1 CommSolar_Letter – (Cover Letter)



John McCauley
Sr. Manager, Business Development
(732) 476-4218
jmcauley@njresources.com

February 4, 2021

New Jersey Board of Public Utilities
44 South Clinton Avenue, 7th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350

Dear Members of the Board of Public Utilities,

NJR Clean Energy Ventures III Corporation (NJR) is pleased to submit the Esky Solar Community Solar application for Program Year 2 in conjunction with Esky Solar, LLC. Esky Solar, owned by Mr. Brian Horne, proposes to construct a 5 megawatt solar PV system to be located on property at 279 Bridgeton Pike, Mullica Hill to service Atlantic City Electric. The community solar facility will encompass 24 acres of the 79 acre property.

Located in Harrison Township on the formerly abandoned Henry Harris Landfill, this proposed shovel ready community solar project is the last step in a 16-year redevelopment process. After the landfill was abandoned in the early 1980's, the New Jersey Department of Environmental Protection (DEP) decided that the landfill was not a state priority and it was consequently left untouched for 25 years. After touring the property and recognizing the landfill's threat to the environment and human health, Harrison Township passed a resolution in 2005 to deem the property as an Area in Need of Redevelopment. This resolution marked the beginning of a 16-year partnership between the Township and Mr. Horne's company, Stags Leap Ranch Development, to repurpose and redevelop the landfill property. Mr. Horne spent over \$15 million to properly close the landfill at no cost to the Township.

This application is one of three community solar applications that are being submitted concurrently covering four lots on the Henry Harris Landfill property. The sad history is that over time the abandoned landfill encroached on four neighboring properties. Mr Horne took the initiative to acquire all the impacted properties and made the necessary investments to ensure compliance with all environmental requirements. By approving more than one community solar project on this site, the BPU will be acknowledging the benefits of economies of scale, shared infrastructure investment in shovel ready projects. The Esky financial model assumes interconnect cost of \$3 million to construct an express feeder. By approving more than one project on this site, these interconnection costs will be shared among the projects reducing costs to consumers and lowering risk.

Esky Solar meets and/or exceeds the evaluation criteria outlined in the community solar application with an estimated score of 87 points. Not only is the proposed project on a former landfill, but the property is also designated as an Area in Need of Redevelopment by Harrison Township and maintains

 855-478-6548  www.njcleanenergyventures.com 1415 Wyckoff Road, P.O. Box 1468, Wall, NJ 07719

NJR Clean Energy Ventures ("NJRCEV") is not the same company as New Jersey Natural Gas ("NJNG"); NJRCEV is not regulated by the New Jersey Board of Public Utilities; and you do not have to buy products or services from NJRCEV in order to continue to receive quality regulated services from NJNG. NJHIC# 13VH09413000



John McCauley
Sr. Manager, Business Development
(732) 476-4218
jmcauley@njresources.com

an approval for solar redevelopment from the DEP Office of Brownfield Reuse. To sustainably redevelop the capped landfill, it will have stormwater control measures, comply with a Woodland Management and Stewardship Plan developed by the NJ Forest Service, and features a meadow that supports native pollinators. Further, both State Senate President Stephen M. Sweeney and Harrison Township's Mayor Lou Manzo met with Mr. Horne and expressed support for Esky Solar's application.

Sweeney and Manzo's support is due in part due to Esky Solar's commitment to Low- and Moderate-Income (LMI) subscriber inclusion, a 15 to 20% cost discount on electricity, and educational opportunities and local job creation. As an active participant in the New Jersey solar market for the past decade, NJR is the largest solar asset owner in New Jersey with a world class solar operations team, making NJR the perfect partner to ensure that this project is completed delivering an undeniable win-win for the local community and the state.

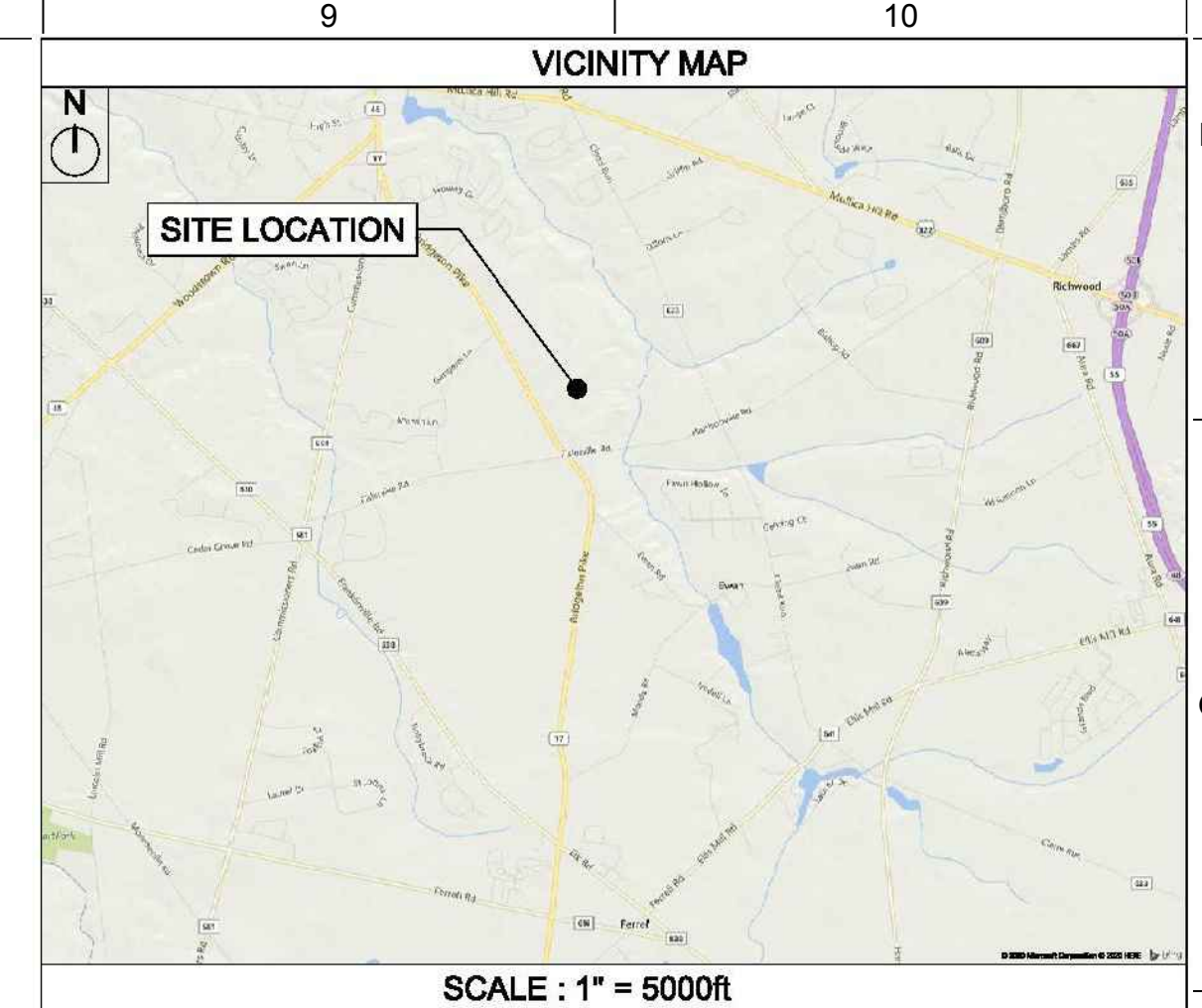
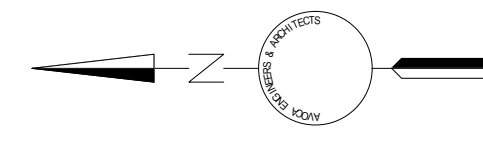
If you have any questions, please contact me at (732) 476-4218.

Sincerely,

John McCauley
Sr. Manager, Business Development
NJR Clean Energy Ventures III Corporation

CC/BCC Block:

Enclosure:



CLIENT

Clean Energy Ventures

NJR Clean Energy Ventures

1415 Wyckoff Road
Wall, NJ 07719

APPROXIMATE LIMITS OF LANDFILL CAP

TOTAL LOT AREA
79.0 AC. ±

SYSTEM A -ARRAY
11,102 MODULES
AT 20° TILT
AREA: 12.1 AC.
SEE E-101

SYSTEM B -ARRAY
11,102 MODULES
AT 20° TILT
AREA: 10.7 AC.
SEE E-102

SYSTEM C -ARRAY
11,102 MODULES
AT 20° TILT
AREA: 11.5 AC.
SEE E-103

ESKY SOLAR

ESKY 3

ESKY COLD STORAGE

POINT OF INTERCONNECTION

SITE ACCESS ROAD

INVERTER #1

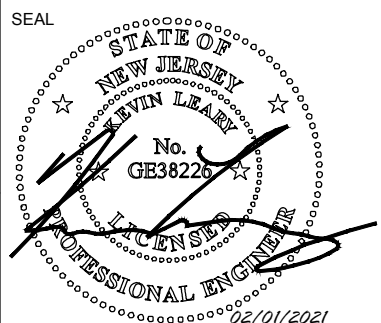
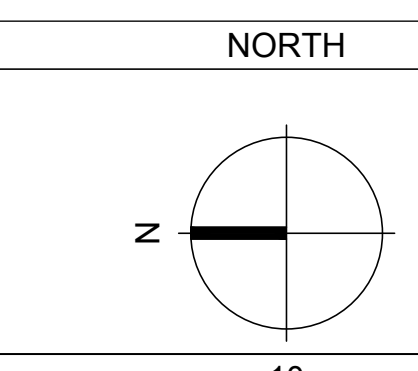
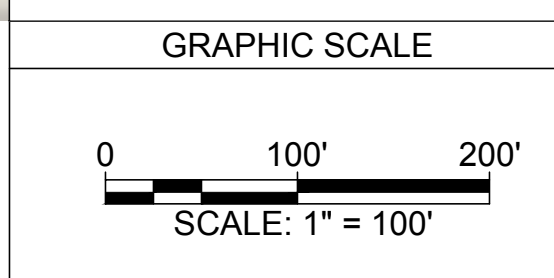
INVERTER #3

INVERTER #2

EXISTING 8' HIGH PERIMETER FENCE TO REMAIN

1 GENERAL SITE OVERVIEW
E-100
SCALE: 1" = 100'

NOTE:
1. LIMITS OF LANDFILL CAP SHOWN IS APPROXIMATE.
LOCATION TAKEN FROM "SITE SURVEY....."



PRELIMINARY - NOT RELEASED FOR CONSTRUCTION

CONSULTANT

AVOCA
ARCHITECTURE, LLC

242 OLD NEW BRUNSWICK ROAD PRISCATOWN NJ 08854
PHONE (732) 465-1002 FAX (732) 465-1005
NJ ENGINEERING C.O. # 242429747800

| NO. | DATE | DESCRIPTION |
|-----|------------|--|
| 0 | 09/16/2020 | ISSUED FOR REVIEW |
| 1 | 09/28/2020 | UPDATED MODULE COUNT AND INVERTER |
| 2 | 09/28/2020 | ISSUED FOR UTILITY REVIEW |
| 3 | 12/21/2020 | REVISED INTERCONNECTION VOLTAGE TO 12.47KV |
| 4 | 01/22/2021 | SPLIT SITE INTO THREE PV SYSTEMS |
| 5 | 02/01/2021 | REVISE SYSTEM AREA LIMITS |

ESKY LANDFILL SOLAR

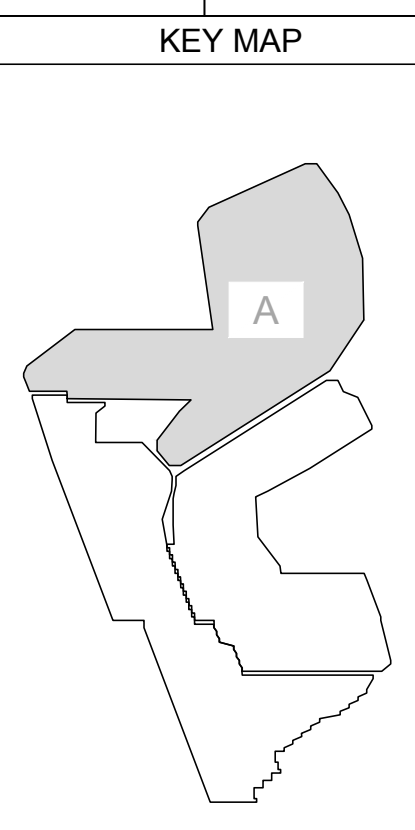
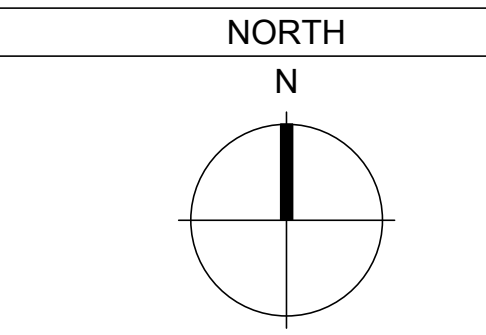
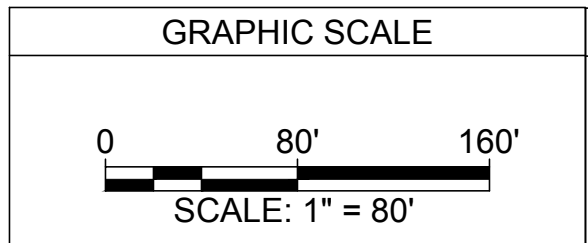
BRIDGETON PIKE
MULLICA HILL, NJ 08062

DATE: 09/11/20
DRAWN BY: NC
CHECKED BY: KL

GENERAL SITE OVERVIEW
E-100



1 DC ARRAY LAYOUT - SYSTEM A
 E-101
 SCALE: 1" = 80'



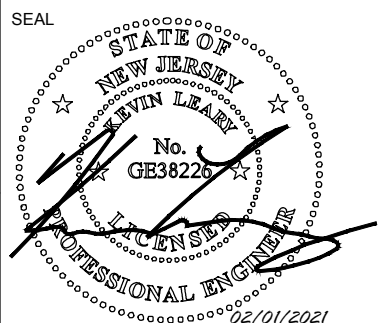
SCALE : N/A

PROJECT SPECIFICATIONS DESIGN SUMMARY TABLE (SYSTEM A)

| | |
|-------------------------|-----------------------------|
| SYSTEM SIZE (DC) | 4,995.90 KW |
| SYSTEM SIZE (AC) | 4000 KW |
| DC/AC RATIO | 1.25 |
| MV TRANSFORMER | (1) 4000KVA |
| INVERTER(S) | SMA SC4000UP-US with MVPS |
| INVERTER QTY | 1 |
| MODULE MAKE | BOVIET BVM6612M 450 |
| MODULE QUANTITY | 11,102 |
| MODULE STC RATING | 450W |
| STRING SIZE AND VOLTAGE | 26 MODS PER STRING, 1500VDC |
| STRING COUNT | 427 |
| RACKING SYSTEM | RBI - POST AND SCREW ANCHOR |
| RACK CONFIGURATION | 2 HIGH IN PORTRAIT |
| TILT | 20° |
| AZIMUTH | 180° |
| GCR (%) OR SLA | VARIES |
| CLEAR ROW SPACING | 8'-0" Min. |
| LATITUDE | 39.712951 |
| LONGITUDE | -75.204714 |
| UTILITY | ATLANTIC CITY ELECTRIC |
| CODE CYCLE | NEC 2017 |



NJR Clean Energy Ventures
 1415 Wyckoff Road
 Wall, NJ 07719



PRELIMINARY - NOT RELEASED FOR CONSTRUCTION

AVOCA
 ARCHITECTURE, LLC
 242 OLD NEW BRUNSWICK ROAD PRISCATOWN NJ 08854
 PHONE (732) 465-1002 FAX (732) 465-1005
 NJ ENGINEERING C.O. # 24242979780

| NO. | DATE | DESCRIPTION |
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| 0 | 09/16/2020 | ISSUED FOR REVIEW |
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| 3 | 12/21/2020 | REVISED INTERCONNECTION VOLTAGE TO 1547KV |
| 4 | 01/22/2021 | SPLIT SITE INTO THREE PV SYSTEMS |
| 5 | 02/01/2021 | REVISE SYSTEM AREA LIMITS |

ESKY LANDFILL SOLAR
ESKY SOLAR
 BRIDGETON PIKE
 MULLICA HILL, NJ 08062

DATE: 09/11/20
 DRAWN BY: NC
 CHECKED BY: KL

DC ARRAY LAYOUT
 SYSTEM A
E-101

OPTION AGREEMENT

THIS OPTION AGREEMENT (this “Agreement”) dated as of September 30, 2020 (the “Effective Date”) is entered into by and among Esky Solar, LLC of Mullica Hill, New Jersey (“Esky Solar”), Esky Cold-Storage Services, LLC of Mullica Hill, New Jersey (“Esky Cold-Storage”), SLRD Company – Mullica Hill, LLC, owner of certain real property located in the Township of Harrison, County of Gloucester, and State of New Jersey, known as Block 57, Lots 12, 12.01 and 13 (“SLRD” or “Landowner,” Brian Horne, individually, owner of certain real property located in the Township of Harrison, County of Gloucester, and State of New Jersey, known as Block 57, Lot 9 (“Horne” or “Landowner,” and collectively with SLRD the “Landowners,” Stags Leap Ranch Development, LLC of Mullica Hill, New Jersey (“STAGS”) and NJR Clean Energy Ventures III Corporation of Wall, New Jersey (“Buyer”) (each, a “Party”, and together, the “Parties”).

PREAMBLE

WHEREAS, Landowners are owners of approximately 78 acres of certain real property in the Township of Harrison, County of Gloucester, and State of New Jersey, known as Block 57, Lots 9, 12, 12.01 and 13, located to the north of the intersection of Harrisonville Road and Bridgeton Pike, and adjoining the shared boundary with Elk Township to the south, and commonly known as the formerly abandoned Henry Harris Landfill (the “Property”); and

WHEREAS, Landowners and Esky Solar are parties to that certain Option to Lease, dated August 17, 2019 (“Option to Lease 1”), a copy of which is attached as Exhibit A, pursuant to which Landowners granted Esky Solar an exclusive option to lease up to 24 acres of the Property for purposes of developing a solar facility for a period of up to 20 years upon terms to be agreed upon by the parties, such option to be exercised by Esky Solar on or before August 31, 2021; and

WHEREAS, Landowners and Esky Cold-Storage are parties to that certain Option to Lease, dated August 15, 2019 (“Option to Lease 2”), a copy of which is attached as Exhibit B, pursuant to which Landowners granted Esky Cold-Storage an exclusive option to lease all of the Property with the exception of the 24 acres covered under Option to Lease 1, for purposes of developing a solar facility for a period of up to 20 years upon terms to be agreed upon by the parties, such option to be exercised by Esky Cold-Storage on or before August 31, 2021; and

WHEREAS, Horne, STAGS, and Buyer, are parties to that certain Indication of Interest, with effective date of September 9, 2020 (“IOI”), wherein, for the purpose of the development of a solar generating facility on the Property, Buyer is desirous of purchasing and Horne is desirous of selling, 100% of the membership interest of both Esky Solar and Esky Cold-Storage, thereby conveying to Buyer, among other things, all of Esky Solar’s and Esky Cold-Storage’s rights to exercise the lease options contained in Option to Lease 1 and Option to Lease 2. Said IOI also provides for certain legally binding and enforceable agreements of the parties to jointly pursue development of a solar facility on the Property; and

WHEREAS, Landowners and Esky Solar and Esky Cold-Storage, desire to extend the period to exercise the option under Option to Lease 1 and Option to Lease 2 until March 31, 2023; and

WHEREAS, in accordance with the IOI Buyer desires to immediately obtain and Horne desires to immediately provide, an exclusive option and right to purchase 100% of the membership interest of Esky Solar and Esky Cold-Storage so as to immediately establish exclusive site control for Buyer in the making of necessary solar generation and/or interconnect applications; and

WHEREAS, the parties are desirous of memorializing their agreements herein.

NOW THEREFORE, in consideration of the above recitals and the mutual agreements, representations, warranties and covenants contained in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound, hereby covenant and agree as follows:

1. **Amendment to Option to Lease 1:** Landowners and Esky Solar hereby agree to amend Option to Lease 1 effective on and from the Effective Date of this Agreement, by deleting numbered paragraph 1 of Option to Lease 1 in its entirety and replacing it with the following:

“ESKY SOLAR, LLC shall have a period commencing from the execution of this agreement and ending on March 31, 2023, to lease the above described real property upon terms and conditions to be agreed upon by the parties.”

2. **Amendment to Option to Lease 2:** Landowners and Esky Cold-Storage hereby agree to amend Option to Lease 2 effective on and from the Effective Date of this Agreement, by deleting numbered paragraph 1 of Option to Lease 2 in its entirety and replacing it with the following:

“ESKY COLD-STORAGE SERVICES, LLC shall have a period commencing from the execution of this agreement and ending on March 31, 2023, to lease the above described real property upon terms and conditions to be agreed upon by the parties.”

3. **Exclusive Option to Purchase Membership Interest:** Horne hereby grants and conveys to Buyer an exclusive option and right to purchase 100% of the membership interest of Esky Solar and Esky Cold-Storage through March 31, 2023 subject to the transactions contemplated by the IOI and such other terms and conditions as may be agreed upon by Horne and Buyer. As the exclusive holder of the within option to purchase the membership interest of Esky Solar and Esky Cold-Storage, Landowners, Esky Solar, Esky Cold-Storage and Buyer expressly agree that from and after the date of this Agreement, Buyer shall have the absolute right and authority to make any and all necessary solar generation and/or solar interconnect applications, or similar applications, in either Buyer’s name or in the name of Esky Solar and Esky Cold-Storage. Buyer

agrees to use its best efforts in the timely making of any and all necessary solar generation and/or solar interconnect or similar applications and diligently pursue said applications and to provide Horne with copies of any and all correspondence and documentation between, filed with or received from PJM and/or ACE or other similar agencies relating to the proposed development of a solar generating facility on the Property.

4. **Representations and Warranties.**

a. On the Effective Date of this Agreement:

- i. Landowners represent: (a) they are the titled owners to the Property; (b) they have full power and authority to execute this Agreement and perform their obligations under this Agreement; (c) Option to Lease 1 and Option to Lease 2 are valid and binding agreements in full and force and effect; (d) all representations set forth in Option to Lease 1 and Option to Lease 2 are true and correct as of the Effective Date of this Agreement and there are no uncured defaults by either party under Option to Lease 1 and/or Option to Lease 2 as of the Effective Date of this Agreement; and (e) they hereby consent, if such consent is necessary, to the option granted herein to Buyer.
- ii. Horne represents and warrants: (a) he is Managing Member of Esky Solar and Esky Cold-Storage, with full power and authority to enter into this Agreement and perform the obligations required hereunder; (b) this Agreement is a legal, valid, and binding obligation enforceable in accordance with its terms; and (c) he has full power and authority to enter into this Agreement and perform the obligations required hereunder.
- iii. Esky Solar and Esky Cold-Storage represent: (a) Option to Lease 1 and Option to Lease 2 are valid and binding agreements in full and force and effect; (b) all representations set forth in Option to Lease 1 and Option to Lease 2 are true and correct as of the Effective Date of this Agreement and there are no uncured defaults by either party under Option to Lease 1 and/or Option to Lease 2 as of the Effective Date of this Agreement; (c) this Agreement is a legal, valid, and binding obligation enforceable in accordance with its terms; and (d) each has full power and authority to enter into this Agreement and perform the obligations required hereunder.
- iv. Buyer represents and warrants that Buyer has the full power and authority to enter into this Agreement and perform the obligations required hereunder.
- v. Each party represents for itself to the other parties as of the Effective Date: (a) it is acting for its own account, and it has made its own independent decisions to enter into this Agreement; (b) this Agreement does not and will not violate or conflict with its charter or by-laws (or comparable

constituent documents), any law, regulation or order of any court or other agency of government applicable to it or any agreement to which it is a party or by which it or any of its property is bound; and (c) the person signing this Agreement for such party is either an individual party or an officer, director, member, lawful agent and/or partner of such Party and is authorized and duly empowered to do so.

5. **Costs and Expenses.** The Parties will each pay their own costs and expenses (including legal fees) incurred in connection with this Agreement and as a result of the negotiation, preparation and execution of this Agreement.
6. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey, excluding, however, any conflicts of laws principles or rules that might require the application of the laws of another jurisdiction.
7. **Amendments.** No amendment, modification or waiver in respect of this Agreement will be effective unless in writing (including a writing evidenced by a facsimile or other electronic transmission) and executed by each of the Parties.
8. **Counterpart Execution; Electronic Signature.** This Agreement may be executed electronically and in multiple counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same instrument binding on the Parties hereto and shall have the same force and effect as an original instrument.
9. **Effective Date.** This Agreement shall be effective as of the date first written above.

SIGNATURES ON NEXT PAGE

REMAINDER OF THIS PAGE INTENTIONALLY BLANK

IN WITNESS WHEREOF, the Parties hereto have executed and delivered this Option Agreement, intending to be legally bound and effective as of the Effective Date.

SLRD COMPANY – MULLICA HILL, LLC

By: 

BRIAN HORNE, Managing Member

STAGS LEAP RANCH DEVELOPMENT, LLC

By: 

BRIAN HORNE, Managing Member

ESKY COLD-STORAGE SERVICES, LLC


By: 

BRIAN HORNE, Managing Member

ESKY SOLAR, LLC

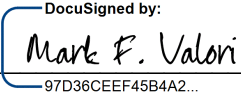
By: 

BRIAN HORNE, Managing Member



BRIAN HORNE, Individually

NJR CLEAN ENERGY VENTURES III CORPORATION

By: 

Mark F. Valori, Vice President

EXHIBIT A

OPTION TO LEASE FOR ESKY SOLAR, LLC OF MULLICA HILL, NEW JERSEY

WHEREAS, SLRD COMPANY - MULLICA HILL, LLC, is the owner of certain real property located in the Township of Harrison, County of Gloucester, and State of New Jersey, known as Block 57, Lots 12, 12.01 and 13; and

WHEREAS, BRIAN HORNE, INDIVIDUALLY, is the owner of certain real property located in the Township of Harrison, County of Gloucester, and State of New Jersey, known as Block 57, Lot 9; and

WHEREAS, both owners collectively are ready, willing, able and desirous of leasing the above described real property; and

WHEREAS, ESKY SOLAR, LLC of Mullica Hill, New Jersey is interested in obtaining the rights to lease said property and desires currently to obtain an Option to Lease up to twenty-four (24) acres of land for a period of up to twenty (20) years upon terms to be agreed upon by the parties; and

WHEREAS, the parties are desirous of creating an option for the exclusive benefit of ESKY SOLAR, LLC of Mullica Hill, New Jersey and grant unto ESKY SOLAR, LLC a period of up to two (2) years to exercise such option.

IT IS AGREED AS FOLLOWS:

1. ESKY SOLAR, LLC shall have a period of up to two (2) years commencing from the execution of this agreement and ending on or about August 31, 2021 to lease the above described real property upon terms and conditions to be agreed upon by the parties.

2. Parties acknowledge that ESKY SOLAR, LLC is desirous of the rental of such properties following its approval in obtaining all approvals, permits, variances, waivers, etc. for the installation of solar generation plant on the properties held by the above owners.

3. Parties acknowledge that the exercise of this option is contingent upon ESKY SOLAR, LLC obtaining all state, federal, and other approvals including the Board of Public Utilities' approval.

4. The consideration for this option is the sum of TEN (\$10.00) DOLLARS paid by ESKY SOLAR, LLC to the within owners. The receipt of which consideration is hereby acknowledged.

5. It is agreed that ESKY SOLAR, LLC shall at sole cost and expense install and maintain the solar generation facility upon the above described property and that ESKY SOLAR, LLC shall remain the owner of all such installed equipment at all times.

6. It is further agreed that under the terms of the lease the system will be owned, operated and maintained by ESKY SOLAR, LLC without the involvement of the owners.

7. All energy including capacity generated by the system shall remain the sole and exclusive property of ESKY SOLAR, LLC.

8 ESKY SOLAR, LLC shall at sole cost and expense periodically inspect, clean, maintain, repair and replace the system at intervals determined by ESKY SOLAR, LLC to be necessary or desirable.

9. Prior to the execution of such a lease, the parties shall enter into an as built survey description of the property delineating the area to be used by ESKY SOLAR, LLC.

10. The lease shall further indicate that ESKY SOLAR, LLC shall have sole and absolute use of the property to the exclusive benefit of ESKY SOLAR, LLC.

11. This lease option is not intended to create a joint tenancy partnership or other business arrangement between the parties. It being the specific intention of the parties that this option shall be solely for the purpose of leasing the above described real property.

12. Parties acknowledge that such lease term is initially contemplated to be for a period of up to twenty (20) years but may include extensions or revocations as subsequently determined by the parties. Any premature termination of the lease agreement will be specifically set forth within in the agreement.

13. Parties acknowledge that guaranties of payment and performance may be required within the lease term as determined by further negotiation.

14. This agreement shall be construed consistent with the laws of the State of New Jersey. The Superior Court of New Jersey shall have sole jurisdiction over any dispute.

Parties acknowledging that such lease option shall take effect immediately and intending to be bound thereto have hereunto set their hands and seals this _____¹⁷th of August 2019.



SLRD COMPANY – MULLICA HILL, LLC
(OWNER)



BRIAN HORNE
(OWNER)



ESKY SOLAR, LLC OF MULLICA HILL, NJ
(TENANT – OPTION HOLDER)

EXHIBIT B

OPTION TO LEASE FOR ESKY COLD STORAGE, LLC OF MULLICA HILL, NEW JERSEY

WHEREAS, SLRD COMPANY - MULLICA HILL, LLC, is the owner of certain real property located in the Township of Harrison, County of Gloucester, and State of New Jersey, known as Block 57, Lots 12, 12.01 and 13; and

WHEREAS, BRIAN HORNE, INDIVIDUALLY, is the owner of certain real property located in the Township of Harrison, County of Gloucester, and State of New Jersey, known as Block 57, Lot 9; and

WHEREAS, both owners collectively are ready, willing, able and desirous of leasing the above described real property; and

WHEREAS, ESKY COLD-STORAGE SERVICES, LLC of Mullica Hill, New Jersey is interested in obtaining the rights to lease said property and desires currently to obtain an Option to Lease up to twenty-four (24) acres of land for a period of up to twenty (20) years upon terms to be agreed upon by the parties; and

WHEREAS, the parties are desirous of creating an option for the exclusive benefit of ESKY COLD-STORAGE SERVICES, LLC of Mullica Hill, New Jersey and grant unto ESKY COLD-STORAGE SERVICES, LLC a period of up to two (2) years to exercise such option.

IT IS AGREED AS FOLLOWS:

1. ESKY COLD-STORAGE SERVICES, LLC shall have a period of up to two (2) years commencing from the execution of this agreement and ending on or about August 31, 2021

to lease the above described real property upon terms and conditions to be agreed upon by the parties.

2. Parties acknowledge that ESKY COLD-STORAGE SERVICES, LLC is desirous of the rental of such properties following its approval in obtaining all approvals, permits, variances, waivers, etc. for the installation of solar generation plant on the properties held by the above owners.

3. Parties acknowledge that the exercise of this option is contingent upon ESKY COLD-STORAGE SERVICES, LLC obtaining all state, federal, and other approvals including the Board of Public Utilities' approval.

4. The consideration for this option is the sum of TEN (\$10.00) DOLLARS paid by ESKY COLD-STORAGE SERVICES, LLC to the within owners. The receipt of which consideration is hereby acknowledged.

5. It is agreed that ESKY COLD-STORAGE SERVICES, LLC shall at sole cost and expense install and maintain the solar generation facility upon the above described property and that ESKY COLD-STORAGE SERVICES, LLC shall remain the owner of all such installed equipment at all times.

6. It is further agreed that under the terms of the lease the system will be owned, operated and maintained by ESKY COLD-STORAGE SERVICES, LLC without the involvement of the owners.

7. All energy including capacity generated by the system shall remain the sole and exclusive property of ESKY COLD-STORAGE SERVICES, LLC.

8 ESKY COLD-STORAGE SERVICES, LLC shall at sole cost and expense periodically inspect, clean, maintain, repair and replace the system at intervals determined by ESKY COLD-STORAGE SERVICES, LLC to be necessary or desirable.

9. Prior to the execution of such a lease, the parties shall enter into an as built survey description of the property delineating the area to be used by ESKY COLD-STORAGE SERVICES, LLC. It is expressly understood that the former Henry Harris Landfill footprint is excluded from the property lease as is ownership rights of ingress and egress (which shall be afforded ESKY COLD-STORAGE SERVICES, LLC).

10. The lease shall further indicate that ESKY COLD-STORAGE SERVICES, LLC shall have sole and absolute use of the property to the exclusive benefit of owning and operating a ground mounted solar array production facility.

11. This lease option is not intended to create a joint tenancy partnership or other business arrangement between the parties. It being the specific intention of the parties that this option shall be solely for the purpose of leasing the above described real property.

12. Parties acknowledge that such lease term is initially contemplated to be for a period of up to twenty (20) years but may include extensions or revocations as subsequently determined by the parties. Any premature termination of the lease agreement will be specifically set forth within in the agreement.

13. Parties acknowledge that guaranties of payment and performance may be required within the lease term as determined by further negotiation.

14. This agreement shall be construed consistent with the laws of the State of New Jersey. The Superior Court of New Jersey shall have sole jurisdiction over any dispute.

Parties acknowledging that such lease option shall take effect immediately and intending to be bound thereto have hereunto set their hands and seals this 15th, of August 2019.



SLRD COMPANY – MULLICA HILL, LLC
(OWNER)



BRIAN HORNE
(OWNER)



ESKY COLD-STORAGE SERVICES, LLC

(TENANT – OPTION HOLDER)

Prepared by: William M. Gilson
WILLIAM M. GILSON, ESQUIRE

DEED



This Deed is made on November 29th 2006

Docket# 82709 Type: DEE Pages: 6
James N. Hogan, Gloucester County Clerk
Receipt#: 68914 10:59:30 A.M. 12/11/2006
Recording Fee: \$90.00 DB 4317 190

BETWEEN HENRY L. HARRIS and ALICE L. HARRIS, his wife

whose post office address is P.O. Box 45, 8 Mt. Calvary Lane, Mullica Hill, New Jersey 08062

referred to as the Grantor,

AND S.L.R.D. COMPANY- MULLICA HILL L.L.C., a New Jersey Limited Liability Company

whose post office address is 283 Mullica Hill Road, Mullica Hill, N.J. 08062

Consideration: \$10.00 Exempt Code: E
Cnty: \$0.00 St: \$0.00
N.P.H.R.F.: \$0.00 P.H.P.F.A.: \$0.00
E.A.A.: \$0.00 Gen Purp: \$0.00
C) \$1M: \$0.00 REALTY TOTAL: \$0.00

referred to as the Grantee,

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum \$10.00 (Ten Dollars). The Grantor acknowledges receipt of this money.

2. **Tax Map Reference.** (N.J.S.A. 46:15-2.1) Municipality of Harrison Township, County of Gloucester, together with a certain fifteen (15) foot wide access easement providing access to lots 12 and 12.01 to Bridgeton Pike, also known as New Jersey State High Way, Route 77.
Block No. 57 Lot No. 12 and 12.01 Qualifier No. Account No.

3. **Property.** The Property consists of the land and all the buildings and structures on the land in the Township of Harrison, County of Gloucester and State of New Jersey. The legal description is:

ALL that certain land and premises situate and lying in the Township of Harrison, County of Gloucester and State of New Jersey, bounded and described as follows:

TRACT #1 (Lot 12, Block 57)

BEGINNING at a stone corner to lands formerly Ira Gibson, thence along late Gibson line

(1) South 56 degrees and 45 minutes West, 10 chains and 31 links to a stump corner to said formerly Gibson land; thence along said formerly Gibson line;

(2) South 16 degrees and 30 minutes East 5 chains and 30 links to a stake in said formerly Gibson line and corner to a lot formerly of John Dougherty; thence along said formerly Dougherty line

(3) North 61 degrees and 30 minutes East, 25 chains and 46 links to a stake corner to the aforesaid formerly John Dougherty land and in line of lands of formerly Batten's; thence along their line

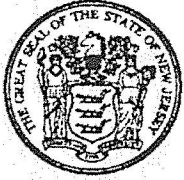
(4) North 19 degrees and 40 minutes West, 8 chains and 14 links to a stone in said formerly Batten's line and corner to lands of formerly William Shea; thence along formerly Shea line

(5) South 69 degrees and 15 minutes West, 14 chains and 82 links to a stone corner to formerly said Shea and in said formerly Gibson line; thence along said formerly Gibson line

(6) South 22 degrees and 20 minutes East, 4 chains and 10 links to the place of beginning.

EXCEPTING THEREOUT AND THEREFROM the following described premises as conveyed to Allen D. Harris and Helen B. Harris, his wife, by Deed dated May 8, 1948 and recorded October 29, 1948 in Deed Book 610, Page 164:

BEGINNING at an iron pipe, corner to lands formerly of Ira Gibson, being the same beginning point referred to in the deed from the Township of Harrison to Henry L. Harris, dated August 6, 1942; thence



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
(C.55, P.L. 2004)

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page 2)

Name(s)

HENRY HARRIS and ALICE L. HARRIS, his wife

Current Resident Address:

Street: P.O. Box 45, 8 Mt. Calvary Lane

City, Town, Post Office

State

Zip Code

Mullica Hill

NJ

08062

PROPERTY INFORMATION (Brief Property Description)

Block(s)

Lot(s)

Qualifier

57

12 and 12.01

Street Address:

279-283 Bridgeton Pike

City, Town, Post Office

State

Zip Code

Mullica Hill

NJ

08062

Seller's Percentage of Ownership

Consideration

Closing Date

100%

\$10.00

SELLER ASSURANCES (Check the Appropriate Box)

- I am a resident taxpayer of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
- The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
- I am a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
- Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
- Seller is not individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A.54A:1-1 et seq.
- The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.
- The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale.

SELLER(S) DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete.

Nov. 29th, 2006

Date

Henry L. Harris

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

Nov. 29th, 2006

Date

Alice L. Harris

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

- (1) along lands formerly of Ira Gibson, South 60 degrees 30 minutes West, 693.19 feet to an iron pipe corner to Gibson; thence
- (2) still along lands formerly of Gibson, South 14 degrees 16 minutes East, 160.28 feet to an iron pipe; thence
- (3) along lands as retained by the said Henry L. Harris, parallel to and 185.90 feet Northwardly, measured at right angles, from the Southerly line of land conveyed by the Township of Harrison to Henry L. Harris, North 65 degrees 31 minutes East, 690.52 feet to an iron pipe; thence
- (4) by lands hereby retained and (along the extended division line between Ira Gibson and Henry L. Harris), North 17 degrees 04 minutes 15 seconds West, 116.54 feet to an iron pipe; thence
- (5) parallel to and 301.41 feet Northerly (measured at right angles) from the Southerly line of said lands as conveyed by the Township of Harrison to Henry L. Harris; along lands hereby retained by said Henry L. Harris, North 65 degrees 31 minutes East, 993.72 feet to an iron pipe in line of lands formerly of Batten; thence
- (6) along lands formerly of Batten, North 15 degrees 44 minutes West, 236.16 feet to an iron pipe, corner to lands formerly of William Shea; thence
- (7) along said lands of formerly William Shea, South 73 degrees 11 minutes West, 991.00 feet to an iron pipe for a corner; thence
- (8) along lands formerly of Ira Gibson, South 17 degrees 04 minutes 15 seconds East, 265.11 feet to the place of beginning.

TOGETHER WITH a right-of-way, 15.00 feet in width, in and over lands hereby retained by the said Henry L. Harris (the center line thereof described as follows):

BEGINNING at an iron pipe set in the third course of the above description, 395.37 feet Northeasterly from the iron pipe at the end of the second course in said description; thence

- (1) from said beginning, South 18 degrees 07 minutes East, 56.79 feet to an iron pipe at an angle; thence
- (2) South 27 degrees 36 minutes 25 seconds West, 198.43 feet to a point at an angle; thence
- (3) South 65 degrees 31 minutes West, 264.67 feet to the line of lands formerly of Ira Gibson. The first two courses of the above right-of-way leading through and over lands hereby retained by the said Henry L. Harris; the third course being the center line of a 15.00 feet right-of-way, also over lands hereby retained and lying Northward and adjacent to lands formerly of John Dougherty.

TRACT #2 (Lot 12.01, Block 57)

BEGINNING at a hickory tree corner to lands of the late Charles Batten by which it runs

- (1) South 08 degrees 48 minutes West, 9 chains and 8 links to a stake corner to lands late Isiah G. Ewan, by which it runs; thence
- (2) South 59 degrees 40 minutes West, 21 chains, 48 links to stake corner to Ewan's land and in line of lands late Ira Gibson's deceased, by which it runs; thence
- (3) North 16 degrees 30 minutes West, 8 chains 44 links to stake in said late Gibson's line and corner to lot conveyed to McSherry; thence
- (4) North 61 degrees 30 minutes East, 25 chains 46 links to a stake in line of said Batten's land and corner to said McSherry's land; thence
- (5) along Batten's line South 19 degrees 40 minutes East, 24 links to the place of beginning.

Being the same lands conveyed by deed to Henry L. Harris dated August 6, 1942 and recorded in the Office of the Clerk of Gloucester County on August 31, 1942 in Deed Book 489, page 459 & C as to Lot 12, Block 57.

Being the same lands conveyed by deed to Henry L. Harris and Alice L. Harris, his wife, dated October 18, 1955 and recorded in the Office of the Clerk of Gloucester County on October 21, 1955 in Deed Book 820, Page 417 & C, as to Lot 12.01 Block 57.

Together with a fifteen (15) foot access easement providing access for both lots to Bridgeton Pike also known as New Jersey State Highway Route 77, referenced in the above description.

For Recorder's Use Only

The street address of the Property is 279-283 Bridgeton Pike, Mullica Hill, N.J. (Harrison Township)

4. **Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

5. **Signatures.** The Grantor signs this Deed as of the date at the top of the first page. (Print name below each signature.)

WITNESSED BY:

William H. Gilson
WITNESS

Alice L. Harris
WITNESS

Henry L. Harris (Seal)
HENRY L. HARRIS

Alice L. Harris (Seal)
ALICE L. HARRIS

STATE OF NEW JERSEY, COUNTY OF CUMBERLAND

SS:

I CERTIFY that on October 29th, 2006, HENRY L. HARRIS and ALICE L. HARRIS, his wife personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of this Deed;
- (b) executed this Deed as his or her own act; and
- (c) made this Deed for \$10.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

William H. Gilson
(Print name and title below signature)
WILLIAM H. GILSON
AN ATTORNEY AT LAW
IN THE STATE OF NEW JERSEY

RECORD AND RETURN TO:
Lipman, Antonelli, Batt, Dunlap,
Wodlinger & Gilson
110 N. Sixth Street
P.O. Box 729
Vineland, New Jersey 08362-0729

RECORD & RETURN TO:
LANDIS TITLE CORPORATION
1117 E. LANDIS AVENUE
VINELAND, NJ 08360 LT 15976-S

MUST SUBMIT IN DUPLICATE
RTF-1 (Rev. 8/11/06)

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L.1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

| FOR RECORDER'S USE ONLY | |
|-------------------------|----------|
| Consideration | \$ _____ |
| RTF paid by seller | \$ _____ |
| Date | By _____ |

COUNTY Gloucester } SS. County Municipal Code 0808

*Use symbol "C" to indicate that fee is exclusively for county use.

MUNICIPALITY OF PROPERTY LOCATION Harrison Township

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions # 3 and #4 on reverse side)

Deponent, Henry Harris, being duly sworn according to law upon his/her oath, deposes and says that he/she is the Grantor in a deed dated 2006 transferring (Grantor, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.) real property identified as Block number 57 Lot number 12 and 12.01 located at 279-283 Bridgeton Pike, Mullica Hill, New Jersey and annexed thereto. (Street Address, Town)

(2) CONSIDERATION \$ 10.00 (See Instructions #1 and #5 on reverse side)

(3) Property transferred is Class 4A 4B 4C. (circle one) If Class 4A, calculation in Section 3A is required.

(3A) REQUIRED CALCULATION OF EQUALIZED ASSESSED VALUATION FOR ALL CLASS 4A COMMERCIAL PROPERTY TRANSACTIONS: (See Instructions #5A and 7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Valuation

\$ _____ + _____ % = \$ _____

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized value.

(4) FULL EXEMPTION FROM FEE (See Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail. Transfer fees less than \$100.00 dollars

(5) PARTIAL EXEMPTION FROM FEE (See Instruction #9 on reverse side)

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic Fee, Supplemental Fee, and General Purpose Fee, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 2004 and C. 66, P.L. 2004 for the following reason(s):

- A. SENIOR CITIZEN Grantor(s) 62 years of age or over. * (See Instruction #9 on reverse side for A or B)
- B. BLIND PERSON Grantor(s) legally blind or;
- DISABLED PERSON Grantor(s) permanently and totally disabled Receiving disability payments Not gainfully employed*

Senior citizens, blind or disabled persons must also meet all of the following criteria.

- Owned and occupied by grantor(s) at time of sale.
- Resident of the State of New Jersey.
- One or two-family residential premises.
- Owners as joint tenants must all qualify.

*IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR NEEDS TO QUALIFY IF OWNED AS TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (See Instruction #9 on reverse side)

- Affordable according to H.U.D. standards.
- Reserved for occupancy.
- Meets income requirements of region.
- Subject to resale controls.

(6) NEW CONSTRUCTION (See Instructions #2, #10 and #12 on reverse side)

- Entirely new improvement.
- Not previously occupied.
- Not previously used for any purpose.
- "NEW CONSTRUCTION" printed clearly at the top of the first page of the deed.

(7) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 29th day of November, 2006

William M. Gilson
WILLIAM M. GILSON
AN ATTORNEY AT LAW
IN THE STATE OF
NEW JERSEY

Henry Harris
Signature of Deponent

PO Box 45 8 Mt. Calvary Lane
Deponent Address

Henry Harris
Grantor Name

8 Mt. Calvary Lane Mullica Hill NJ
Grantor Address at Time of Sale

Name/Company of Settlement Officer

| FOR OFFICIAL USE ONLY | | | |
|-----------------------|-------|---------------|------------------|
| Instrument Number | _____ | County | _____ |
| Deed Number | _____ | Book | _____ Page _____ |
| Deed Dated | _____ | Date Recorded | _____ |

County Recording Officers shall forward one copy of each Affidavit of Consideration for Use by Seller when Section 3A is completed.

STATE OF NEW JERSEY - DIVISION OF TAXATION
PO BOX 251
TRENTON, NJ 08695-0251
ATTENTION: REALTY TRANSFER FEE UNIT

The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division of Taxation website at: www.state.nj.us/treasury/taxation/lpt/localtax.htm.

Deed

90561
American Title Abstract Corp.
137 Greentree Rd.
Turnersville, NJ 08012

This Deed is made on January 21, 2014

BETWEEN Fred Smith Orchards, Inc., a New Jersey Corporation

whose post office address is: 212 Fish Pond Road, Sewell, NJ 08080

referred to as the Grantor,

AND BRIAN HORNE

whose post office address is:

1463 Tuckahoe Rd North Willingboro NJ

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of One Dollar (\$1.00) The Grantor acknowledges receipt of this money.

2. Tax Map Reference. (N.J.S.A. 46:15-1.1) Township of Harrison: Block 57, Lot 9
Township of Elk: Block 1, Lot 1

3. Property. The property consists of the land and all the buildings and structures on the land in the Township of Harrison and Township of Elk, County of Gloucester, and State of New Jersey. The legal description is:

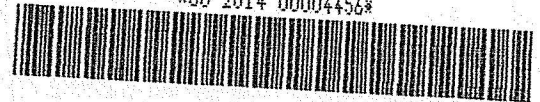
Please see attached Legal Description annexed hereto and made a part hereof.
(Check if applicable.)

Prepared by (print signer's name below signature)

(For Recorder's Use Only)

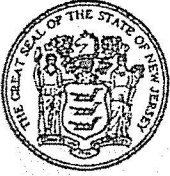
[Signature]
WILLIAM F. ZIEGLER, ESQUIRE
Deed - Bargain and Sale
Cov. to Grantor's Act - Ind. or Corp.
Plain Language rev. 1/0

60 2014 00004456



Docket: 00004456
Type: DEE Pages: 5
James N. Hogan, Gloucester County Clerk
Receipt #: 315813 11:28:34A Feb 07, 2014
Recording Fee: 80.00 DB 5162 196

Consideration: 1.00 Tax/Code: E
County: .00 State: .00
NJAHF: .00 PHPFA: .00
EAA: .00
GenPur: .00
C)1M: .00 REALTY TOTAL: .00



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
(C.55, P.L. 2004)

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page 2)

Names(s)

Fred Smith Orchards, Inc., a New Jersey Corporation

Current Resident Address:

Street: 212 Fish Pond Road

City, Town, Post Office

Sewell

State

NJ

Zip Code

08080

PROPERTY INFORMATION (Brief Property Description)

Block(s)

Lot(s)

Qualifier

Block 57, Lot 9, Harrison Twp./Block 1, Lot 1, Elk Twp.

Street Address:

City, Town, Post Office

State

Zip Code

Seller's Percentage of Ownership

100%

Consideration

\$1.00

Closing Date

1-21-14

SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 10 apply to Residents and Non-residents)

1. I am a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. I am a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A.54A:1-1 et seq.
6. The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.
7. The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale (see instructions).
 No non-like kind property received.
8. Transfer by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this state.
9. The property being sold is subject to a short sale instituted by the mortgagee, whereby the seller has agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. The deed being recorded is a deed dated prior to the effective date of P.L. 2004, c. 55 (August 1, 2004), and was previously unrecorded.

SELLER(S) DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

1/21/14
Date

[Signature]
Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

Date

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

TITLE INSURANCE COMMITMENT

Chicago Title Insurance Company
Title Number: 90561

SCHEDULE A
NUMBER 4
DESCRIPTION

ALL that certain land and premises situate in the Township of Harrison and the Township of Elk, County of Gloucester and State of New Jersey, being more particularly described as follows:

BEGINNING at a railroad spike set in the center line of the Richwood-Harrisonville Road (33.00 feet in width); corner to lands now or formerly Mary Patane; said beginning point being North 82 degrees 07 minutes 29 seconds East, 633.60 feet from the center line of Bridgeton Pike as measured along the center line of the Richwood-Harrisonville Road (said beginning point being defined as N319,108.95 and E1,848,679.49 based on the New Jersey Plane Coordinate System); and extending from aforesaid beginning point; thence

- (1) along line of lands now or formerly Mary Patane, North 20 degrees 42 minutes 44 seconds West, 1023.00 feet to a concrete monument, corner to lands now or formerly Charles C. Daugherty, thence extending along his line in part on the same course, a further distance of 208.10 feet to a concrete monument corner to lands now or formerly Harry L. Harris, making a total distance on this course of 1231.10 feet; thence
- (2) along line of lands now or formerly Henry L. Harris, North 55 degrees 01 minute 31 seconds East, 1442.42 feet to P.K. nail set in the base of a large tulip poplar, having passed over a concrete witness monument set 15.00 feet from the end of this course, in line of lands now or formerly Howard C. Pennell, Jr.; thence
- (3) along the Pennell line, South 05 degrees 44 minutes 15 seconds West, 816.64 feet to an iron pipe; thence
- (4) still along Pennell, South 43 degrees 45 minutes 54 seconds East, 297.00 feet to an iron pipe; thence
- (5) still along same, South 78 degrees 45 minutes 54 seconds East, 348.00 feet to the middle of Raccoon Creek, having passed over an iron pipe set 332.49 feet from the beginning of this course; thence
- (6) extending upstream along the middle of Raccoon Creek, the various courses and distances thereof to a railroad spike set in the middle of the bridge which carries the Richwood-Harrisonville Road over said Creek (the closing course being South 23 degrees 17 minutes 45 seconds West, 832.89 feet) the middle of said Creek being a boundary line in common with lands now or formerly Daisy Z. Kier; thence
- (7) along the center line of aforesaid road, South 82 degrees 19 minutes 06 seconds West, 890.34 feet to the point of beginning.

SHOWN FOR INFORMATION ONLY: Being Lot 9, Block 57 on the tax map of the Township of Harrison, being 37.85 acres, more or less, and Being Lot 1, Block 1 on the tax map of the Township of Elk, being 2.04 acres, more or less.

RTF-1 (Rev. 7/14/10)
MUST SUBMIT IN DUPLICATE

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER
(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)
BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

| FOR RECORDER'S USE ONLY | |
|-------------------------|----------|
| Consideration | \$ _____ |
| RTF paid by seller | \$ _____ |
| Date | By _____ |

COUNTY Gloucester } SS. County Municipal Code 0808 & 0804

MUNICIPALITY OF PROPERTY LOCATION Harrison & Elk *Use symbol "C" to indicate that fee is exclusively for county use

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3 and #4 on reverse side)
Deponent, Steven Smith, being duly sworn according to law upon his/her oath,
(Name)
deposes and says that he/she is the Grantor in a deed dated 1-21-14 transferring
(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)
Block 57, Lot 9, Harrison Township
real property identified as Block number Block 1, Lot 1, Elk Township located at
(Street Address, Town) and annexed thereto.

(2) CONSIDERATION \$ 1.00 (Instructions #1 and #5 on reverse side) No prior mortgage to which property is subject.

(3) Property transferred is Class 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS:
(See Instructions #5A and #7 on reverse side)
Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation
\$ _____ + _____ % = \$ _____

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE (See Instruction #8 on reverse side)
Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.
For consideration less than \$100.00

(5) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)
NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental, and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 2004, and C. 66, P.L. 2004 for the following reason(s):

- A. SENIOR CITIZEN Grantor(s) 62 years of age or over. * (Instruction #9 on reverse side for A or B)
- B. BLIND PERSON Grantor(s) legally blind or *
- DISABLED PERSON Grantor(s) permanently and totally disabled receiving disability payments not gainfully employed*

Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:
 Owned and occupied by grantor(s) at time of sale. Resident of State of New Jersey.
 One or two-family residential premises. Owners as joint tenants must all qualify.

*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

- C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)
 - Affordable according to H.U.D. standards. Reserved for occupancy.
 - Meets income requirements of region. Subject to resale controls.

- (6) NEW CONSTRUCTION (Instructions #2, #10 and #12 on reverse side)
 - Entirely new improvement. Not previously occupied.
 - Not previously used for any purpose. "NEW CONSTRUCTION" printed clearly at top of first page of the deed.

- (7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, #14 on reverse side)
 - No prior mortgage assumed or to which property is subject at time of sale.
 - No contributions to capital by either grantor or grantee legal entity.
 - No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 21 day of Jan, 2014
[Signature]
Signature of Deponent
212 Fish Pond Rd
Deponent Address
Small NJ 08080
Last three digits in Grantor's Social Security Number
Fred Smith Orchards, Inc
Grantor Name
212 Fish Pond Rd
Grantor Address at Time of Sale
Small NJ 08080
Name/Company of Settlement Officer
American Title

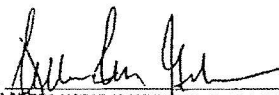
SCOTT P. NEWMAN
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires May 27, 2016

| FOR OFFICIAL USE ONLY | | |
|-----------------------|---------------|------|
| Instrument Number | County | |
| Deed Number | Book | Page |
| Deed Dated | Date Recorded | |

RECORD AND RETURN TO:
LANDIS TITLE CORPORATION
10 E. Main Street, Suite F
Millville, New Jersey 08332

LT16118

DEED

Prepared by: 



Docket#: 53596 Type: DEE Pages: 3
James N. Hogan, Gloucester County Clerk
Receipt#: 50394 03:17:46 P.M. 09/05/2007
Recording Fee: \$60.00 DE 4435 12

This Deed is made on January ^{11th}, 2007

BETWEEN JOSEPH HARRIS and BARBARA HARRIS, his wife, whose post office address is PO Box 73, Mullica Hill, NJ 08062, referred to as the Grantor,

AND S.L.R.D. COMPANY - MULLICA HILL, LLC, whose post office address is 283 Mullica Hill Road, Mullica Hill, NJ 08062 referred to as the Grantee,

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

- 1. Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum \$50,000.00. The Grantor acknowledges receipt of this money.
- 2. Tax Map Reference.** (N.J.S.A. 46:15-2.1) Municipality of the Township of Harrison
Block No. 57 Lot No. 13 Qualifier No. Account No.
- 3. Property.** The Property consists of the land and all the buildings and structures on the land in the Township of Harrison, County of Gloucester and State of New Jersey. The legal description is:

BEGINNING at an iron pipe, corner to lands formerly of Ira Gibson, being the same beginning point referred to in the deed from the Township of Harrison to Henry L. Harris, dated August 6, 1942; thence

- (1) along lands formerly of Ira Gibson South 60 degrees 30 minutes West, 693.19 feet to an iron pipe corner to Gibson; thence
- (2) still along land formerly of Gibson, South 14 degrees 16 minutes East, 160.28 feet to an iron pipe; thence
- (3) along lands as retained by the said Henry L. Harris, parallel to and 185.90 feet Northwardly, measured at right angles, from the Southerly line of land conveyed by the Township of Harrison to Henry L. Harris, North 65 degrees 31 minutes East, 690.52 feet to an iron pipe; thence
- (4) by lands hereby retained and (along the extended division line between Ira Gibson and Henry L. Harris), North 17 degrees 04 minutes 15 seconds West, 116.54 feet to an iron pipe; thence
- (5) parallel to and 301.41 feet Northerly (measured at right angles) from the Southerly line of said lands as conveyed by the Township of Harrison to Henry L. Harris; along lands hereby retained by said Henry L. Harris, North 65 degrees 31 minutes East, 993.72 feet to an iron pipe in line of lands formerly of Batten; thence
- (6) along lands formerly of Batten, North 15 degrees 44 minutes West, 236.16 feet to an iron pipe, corner to lands formerly of William Shea; thence
- (7) along said lands of formerly William Shea, South 73 degrees 11 minutes West, 991.00 feet to an iron pipe for a corner; thence
- (8) along lands formerly of Ira Gibson, South 17 degrees 04 minutes 15 seconds East, 265.11 feet to the place of beginning.

TOGETHER with a right-of-way, 15 feet in width, in and over lands hereby retained by the said Henry L. Harris (the corner line thereof described as follows):

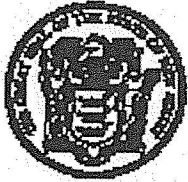
BEGINNING at an iron pipe set in the third course of the above description, 395.37 feet Northeasterly from the iron pipe at the end of the second course in said description; thence

- (1) from said beginning South 18 degrees 07 minutes East, 56.79 feet to an iron pipe at an angle; thence
- (2) South 27 degrees 36 minutes 25 seconds West, 198.43 feet to a point at an angle; thence
- (3) South 65 degrees 31 minutes West, 264.67 feet to the line of lands formerly of Ira Gibson. The first two courses of the above right-of-way leading through and over lands hereby retained by the said Henry L. Harris; the third course being the center line of a 15 feet right-of-way, also over lands hereby retained and lying Northward and adjacent to lands formerly of John Dougherty.

BEING Lot 13, Block 57, as shown on the Township of Harrison Tax Map.
COMMONLY known as 277 Bridgeton Pike.

For Recorder's Use Only

Consideration: \$50,000.00 Exempt Code: S
Cnty: \$50.05 St: \$124.95
H.P.N.R.F.: \$1.00 P.H.P.F.A.: \$25.00
E.A.A.: \$1.00 Gen Purp: \$1.00
C)111: \$1.00 REALTY TOTAL: \$200.00



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
(C.55, P.L. 2004)

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page 2)

Name(s)

Joseph Harris and Barbara Harris, his wife

Current Resident Address:

Street: PO Box 73

City, Town, Post Office

State

Zip Code

Mullica Hill

NJ

08062

PROPERTY INFORMATION (Brief Property Description)

Block(s)

Lot(s)

Qualifier

57

13

Street Address:

277 Bridgeton Pike

City, Town, Post Office

State

Zip Code

Mullica Hill

NJ

08062

Seller's Percentage of Ownership

Consideration

Closing Date

100%

50,000.00

SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 8 apply to NON-residents)

1. I am a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. I am a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A.54A:1-1 et seq.
6. The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.
7. The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale.
8. Transfer by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this state.

SELLER(S) DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete.

January 11, 2007
Date

January 11, 2007
Date

Joseph R Harris
Signature
(Seller) Please indicate if Power of Attorney or Attorney in Fact

Barbara J. Harris
Signature
(Seller) Please indicate if Power of Attorney or Attorney in Fact

(Seller) Please indicate if Power of Attorney or Attorney in Fact

R. JPH

BEING the same land and premises conveyed to JOSEPH A. HARRIS and BARBARA J. HARRIS, his wife by Deed from Helen B. Harris, a widow, dated June 17, 1986 and recorded in the Gloucester County Clerk's on June 30, 1986 in Deed Book 1548, Page 974.

The street address of the Property is 277 Bridgeton Pike, Mullica Hill, NJ

4. Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

5. Signatures. The Grantor signs this Deed as of the date at the top of the first page. (Print name below each signature.)

WITNESSED BY:
William M. Gilson
WITNESS
William M. Gilson
WITNESS

Joseph A. Harris (Seal)
JOSEPH HARRIS
Barbara Harris (Seal)
BARBARA HARRIS

STATE OF NEW JERSEY, COUNTY OF Gloucester SS:

I CERTIFY that on January 11th, 2007, Joseph Harris and Barbara Harris personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of this Deed;
- (b) executed this Deed as his or her own act; and
- (c) made this Deed for \$50,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

William M. Gilson
(Print name and title below signature)
WILLIAM M. GILSON
AN ATTORNEY AT LAW
IN THE STATE OF
NEW JERSEY

RECORD AND RETURN TO:
Lipman, Antonelli, Batt, Dunlap,
Wodlinger & Gilson
110 N. Sixth Street
P.O. Box 729
Vineland, New Jersey 08362-0729

Law Offices
Lipman, Antonelli, Batt,
Gilson, Rothman & Capasso
A Professional Corporation
Founded 1931

*William M. Gilson +**
Steven L. Rothman #

Gerald J. Batt
Of Counsel

** LL.M. IN TAXATION*
** ALSO MEMBER OF PA BAR*
ALSO MEMBER OF NY BAR

110 North Sixth Street
P.O. Box 729
Vineland, NJ 08362-0729
(856) 692-8000
Fax (856) 690-0542

REPLY TO:
P.O. Box 729
Vineland, NJ 08362-0729

Philip L. Lipman
(1909-2002)

Americo Antonelli
(1930-1998)

Robert F. Dunlap
(1935-1995)

MOORESTOWN OFFICE
400 N. Church Street
Suite 250
Moorestown, NJ 08057

e-mail: WGilson@lipmanlaw.org

August 15, 2019

Mr. Brian K. Horne

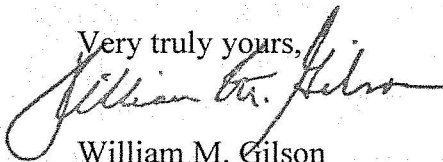
Via email: BHorne01@aol.com

RE: ESKY COLD-STORAGE SERVICES, LLC
Our File No. 48,066-18

Dear Brian:

I am enclosing herewith Option to Lease for Esky Solar, LLC of Mullica Hill, New Jersey for your review. Please advise if there is any additional language you want put into the lease.

Very truly yours,



William M. Gilson

WMG/lrm
Enclosure

**OPTION TO LEASE FOR ESKY SOLAR, LLC
OF MULLICA HILL, NEW JERSEY**

WHEREAS, SLRD COMPANY - MULLICA HILL, LLC, is the owner of certain real property located in the Township of Harrison, County of Gloucester, and State of New Jersey, known as Block 57, Lots 12, 12.01 and 13; and

WHEREAS, BRIAN HORNE, INDIVIDUALLY, is the owner of certain real property located in the Township of Harrison, County of Gloucester, and State of New Jersey, known as Block 57, Lot 9; and

WHEREAS, both owners collectively are ready, willing, able and desirous of leasing the above described real property; and

WHEREAS, ESKY SOLAR, LLC of Mullica Hill, New Jersey is interested in obtaining the rights to lease said property and desires currently to obtain an Option to Lease up to twenty-four (24) acres of land for a period of up to twenty (20) years upon terms to be agreed upon by the parties; and

WHEREAS, the parties are desirous of creating an option for the exclusive benefit of ESKY SOLAR, LLC of Mullica Hill, New Jersey and grant unto ESKY SOLAR, LLC a period of up to two (2) years to exercise such option.

IT IS AGREED AS FOLLOWS:

1. ESKY SOLAR, LLC shall have a period of up to two (2) years commencing from the execution of this agreement and ending on or about August 31, 2021 to lease the above described real property upon terms and conditions to be agreed upon by the parties.

2. Parties acknowledge that ESKY SOLAR, LLC is desirous of the rental of such properties following its approval in obtaining all approvals, permits, variances, waivers, etc. for the installation of solar generation plant on the properties held by the above owners.

3. Parties acknowledge that the exercise of this option is contingent upon ESKY SOLAR, LLC obtaining all state, federal, and other approvals including the Board of Public Utilities' approval.

4. The consideration for this option is the sum of TEN (\$10.00) DOLLARS paid by ESKY SOLAR, LLC to the within owners. The receipt of which consideration is hereby acknowledged.

5. It is agreed that ESKY SOLAR, LLC shall at sole cost and expense install and maintain the solar generation facility upon the above described property and that ESKY SOLAR, LLC shall remain the owner of all such installed equipment at all times.

6. It is further agreed that under the terms of the lease the system will be owned, operated and maintained by ESKY SOLAR, LLC without the involvement of the owners.

7. All energy including capacity generated by the system shall remain the sole and exclusive property of ESKY SOLAR, LLC.

8. ESKY SOLAR, LLC shall at sole cost and expense periodically inspect, clean, maintain, repair and replace the system at intervals determined by ESKY SOLAR, LLC to be necessary or desirable.

9. Prior to the execution of such a lease, the parties shall enter into an as built survey description of the property delineating the area to be used by ESKY SOLAR, LLC.

10. The lease shall further indicate that ESKY SOLAR, LLC shall have sole and absolute use of the property to the exclusive benefit of ESKY SOLAR, LLC.



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Site Remediation and Waste Management Program

401 E. State Street
PO Box 420, Mail Code 401-05K
Trenton, New Jersey 08625
Tel: (609) 292-1250
Fax: (609) 777-1914

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. McCABE
Commissioner

August 21, 2019

Brian Horne
Stags Leap Ranch Development, LLC
283 Mullica Hill Rd
Mullica Hill, NJ 08062

Re: Conceptual Solar Redevelopment Plan
Henry Harris Landfill
SW Landfill (Class C) Closure
Harrison Township, Gloucester County
Facility ID No.: 132181
Permit No.: LCC160001

Dear Mr. Horne:

On August 16, 2019, the Office of Brownfield Reuse (OBR) received a Conceptual Solar Redevelopment Plan, prepared by Golder Associates on behalf of Stags Leap Ranch Development, LLC (SLRD). This submission describes SLRD's current plans to redevelop the Henry Harris Landfill with a community solar array, following proper closure.

OBR finds the proposal acceptable. Please note the following:

1. SLRD shall submit for approval a closure plan modification application to formally incorporate its proposed solar redevelopment plan concept into the existing Closure Plan. The application shall include, but not be limited to, a description of the modification request, detailed engineering drawings signed and sealed by a New Jersey-licensed professional engineer, and a schedule of implementation.
2. The planned solar array shall not cause differential settlement.
3. The proposed solar array shall not cause slope instability.

4. SLRD shall revised the Soil Erosion and Sediment Control Plan and demonstrate that the existing stormwater management basins are able to handle the additional stormwater run-off generated by the proposed solar array.
5. The installation of the proposed solar array shall not adversely impact the integrity of the installed cover system.
6. The solar array installation shall not cause any adverse impacts to the landfill's maintenance activities.

If you have any questions do not hesitate to contact me via email at ronald.wienckoski@dep.nj.gov, or by phone at (609) 984-4617.

Sincerely,



Ronald J. Wienckoski, Jr.
Office of Brownfield Reuse

c: Mark McNeilly, P.E., Golder Associates (via email)



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM
OFFICE OF BROWNFIELD REUSE
MAIL CODE 401-05K
P.O. BOX 420 401 E. STATE STREET
TRENTON, NEW JERSEY 08625-0420
[HTTP://WWW.STATE.NJ.US/DEP/SRP](http://www.state.nj.us/dep/srp)

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

May 3, 2017

Brian Horne
Stags Leap Ranch Development, LLC
283 Mullica Hill Rd
Mullica Hill, NJ 08062

Re: Closure Plan Modification Approval
Henry Harris Landfill
SW Landfill (Class C) Closure
Harrison Township, Gloucester County
Facility ID No.: 132181
Permit No.: LCC160001

Dear Mr. Horne:

On November 21, 2016, the Office of Brownfield Reuse (OBR) received a Closure Plan Minor Modification Request, prepared by Golder Associates on behalf of Stags Leap Ranch Development, LLC (SLRD). This request is for a change in overall design, a change in the cover system, the removal of the passive gas system, as well as changes to numerous conditions. These changes are explained in the "Scope of Approval" section of the enclosed approval. This Approval supersedes the April 5, 2016 Closure Plan Modification Approval.

Enclosed please find a Landfill Closure Plan Approval for the above referenced landfill. This Approval modifies and supersedes the Closure Plan Approval dated April 5, 2016. Conditions have been incorporated within this Approval that must be complied with in order for the Approval to remain valid. The Department will consider amendment or modification of the specific terms of this Approval if a written request is submitted by certified mail within twenty (20) calendar days of the date of this Approval. Said written request must clearly state the proposed amendment or modification and the factual basis for the request.

In the event you have any questions concerning this matter, please contact Ron Wienckoski of my staff by telephone at (609) 984-4617, or by email at ronald.wienckoski@dep.nj.gov.

Sincerely,



William J. Lindner
Brownfields Manager
Office of Brownfield Reuse

Enclosure

c: Ron Wienckoski, OBR
Bill Everett, Supervisor Solid Waste Enforcement-Southern Region

Donald Benedik, CEHA Health Officer, Gloucester Co. Health Dept.
204 East Holly Avenue, Sewell, NJ 08080

Lou Manzo, Mayor, Township of Harrison
114 Bridgeton Pike, Mullica Hill, NJ 08062

Brian Duffield, Solicitor, Harrison Township
95 North Main Street, Mullica Hill, NJ 0806

Mark McNeilly, P.E., Golder Associates, Inc.
744 Broad Street, 25th Floor, Suite 2500, Newark, NJ 07102



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
SITE REMEDIATION PROGRAM
OFFICE OF BROWNFIELD REUSE
MAIL CODE 401-06A
P.O. BOX 420 401 E. STATE STREET
TRENTON, NEW JERSEY 08625-0420
HTTP://WWW.STATE.NJ.US/DEP/SRP

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

LANDFILL CLOSURE PLAN APPROVAL

Under the provisions of N.J.S.A. 13:1E-1 et seq. known as the Solid Waste Management Act, this Landfill Closure Plan Approval is hereby issued to:

STAGS LEAP RANCH DEVELOPMENT, LLC

FACILITY TYPE: Sanitary Landfill
FACILITY ID NO.: 132181
PERMIT NO.: LCC160001
LOT & BLOCK NOS.: Block 57, Lots 7, 9, 12, 12.01 and 13
MUNICIPALITY: Harrison Twp
COUNTY: Gloucester
CLOSURE YEAR: 2013

This Approval is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection.

This Approval shall not prejudice any claim the State may have to riparian land, nor does it permit the registrant to fill or alter or allow to be filled or altered, in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas or flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the discharge of pollutants to waters of this state without prior acquisition of the necessary grants, permits or approvals from the Department of Environmental Protection.

February 7, 2006
Issuance Date

August 11, 2006
Modification Date

May 5, 2011
Modification Date

July 6, 2011
Modification Date

December 20, 2013
Modification Date

April 5, 2016
Modification Date

May 3, 2017
Modification Date

Signature of William J. Lindner
William J. Lindner
Brownfields Manager
Office of Brownfield Reuse

SLRD CO

132181 LCC160001 SW Landfill (Class C) Closure –Closure Plan Major Modification

Scope of Approval

This Closure Plan Modification makes the following changes:

1. Condition 3 of the April 5, 2016 Modification Approval was amended as requested to incorporate the grading changes, the final cover changes and the respective drawings.
2. Condition 10 of the April 5, 2016 Modification Approval was amended as requested to clarify the language.
3. Condition 13 of the April 5, 2016 Modification Approval was not removed as requested; however, it was amended to require perimeter methane venting on a semi-annual basis once the closure is complete.
4. Condition 14 of the April 5, 2016 Modification Approval was amended as requested to clarify the language.
5. Condition 17 (now 18) of the April 5, 2016 Modification Approval was amended to include the Legacy Landfill Law PE certification requirements.
6. Condition 18 (now 25) of the April 5, 2016 Modification Approval was updated to include dredge and amended dredge as materials that can be blended with C&D screenings.
7. Condition 19 (now 22) of the April 5, 2016 Modification Approval was amended to require a perimeter gas survey upon closure, but prior to the installation of the final cover to determine if a methane venting system is required.
8. Condition 21 of the April 5, 2016 Modification Approval was removed as requested.
9. Condition 22 (now 17) of the April 5, 2016 Modification Approval was amended and is considered a post-closure requirement.
10. Condition 25 of the April 5, 2016 Modification Approval was removed as requested.
11. Condition 26 (now 24) of the April 5, 2016 Modification Approval was amended to incorporate Legacy Landfill Law Financial Plan requirements and to reflect the fact that the required amount of \$1,000,000 for the Responsible Party Account has been reached.
12. Condition 28 (now 21) of the April 5, 2016 Modification Approval was amended as requested to include the reference to the final grading drawing.
13. Condition 30 (now 27) of the April 5, 2016 Modification Approval was amended as requested and reflects the most recent tonnage numbers.
14. Condition 32 (now 20) of the April 5, 2016 Modification Approval has been amended as requested for on-site Quality Control requirements.

SLRD CO

132181 LCC160001 SW Landfill (Class C) Closure –Closure Plan Major Modification

Furthermore, this Closure Plan Approval, along with the referenced application documents herein specified, shall constitute the sole approval of Henry Harris Landfill closure operations by SLRD Company Mullica Hill, LLC located in the Township of Harrison, Gloucester County, New Jersey. Any registration, approval or permit previously issued by the Solid and Hazardous Waste Program, its predecessor agencies or the Office of Brownfield Reuse, for the specific activities as described below and as conditioned herein, are hereby superseded.

Conditions 1 through 30 of this Closure Plan Approval shall be complied with in their entirety during the Closure and Post-Closure periods of the landfill as applicable.

Extent of Approval

This Closure Plan Approval is being issued for the proper closure of the landfill and to prepare the site for possible, future commercial redevelopment atop the closed landfill. Landfill closure activities will continue to involve the placement of off-site fill materials in support or the requisite final cover construction activities across the entire landfill.

Submission Schedule

The following information, referenced by permit condition item number in the Permit Requirements Report, shall be submitted to the Department on a timely basis:

Item 10 – As-Built Certification (within 6 months of landfill closure).

Item 12 – Copy of Recorded Deed (after closure).

Item 13 – Methane Gas Survey and monitoring report (semi-annual basis after closure is complete).

Item 18 – Facility Inspection Report and Legacy Landfill PE Certification (quarterly).

Item 24 – Closure and Post-Closure Financial Plan (within 3 months of date of this Approval)

Approved Closure Plan and Associated Documents

The following documents were submitted for the original approved Closure Plan dated February 7, 2006 and the subsequent modification dated August 11, 2006:

- a. Letter of Transmittal and Landfill Closure and Post-Closure and Financial Plan dated September 26, 2005 prepared by Pennoni Associates, Inc.
- b. Appendix A – Site Plan dated August 29, 2005; Concept Plan – Proposed Finished Grade Drawings No. C-4 and C-4A dated April 5, 2005; Soil Erosion & Sediment Control Plan – Proposed Surcharge Fill and Soil Erosion Control Details on Drawings No. C8001 & C8501 revised July 20, 2005; Figure 1 entitled Typical Slurry Wall Construction dated August 29, 2005; Figure 14 entitled Perimeter Profile dated August 29, 2005; and Figure 15 entitled Transect Profiles dated August 29, 2005.

SLRD CO

132181 LCC160001 SW Landfill (Class C) Closure –Closure Plan Major Modification

- c. Appendix B – Report from Casie Protank dated February 15, 2005 on results of test pit investigations.
- d. Appendix C – Sanitary Landfill Minor Disruption Permit Amendment/Modification Request dated April 12, 2005.
- e. Appendix D – Pennoni Associates, Inc. Proposal dated April 29, 2005.
- f. Appendix E – Soil Erosion and Sediment Control Plan Application for Certification dated May 23, 2005.
- g. Appendix F – Limited Power of Attorney for Sale of Real Estate dated April 14, 15, 25, 2005.
- h. Appendix G – County and Local Government Correspondence dated April 23, 2005, May 11, 13, 2005.
- i. “Protocol for Review, Certification and Acceptance of Off-Site Recyclable Fill Materials” dated March 8, 2006 (Revised July 17, 2006) prepared by SLRD Company – Mullica Hill LLC

The following documents were submitted for the May 11, 2011 and July 6, 2011 Closure Plan modifications:

- a. Solid Waste Facility Permit Application signed by Brian Horne, Stags Leap Ranch Development, LLC on November 5, 2010;
- b. Letter of Transmittal and Landfill Closure Plan Modification for the cover design dated November 12, 2010, prepared by Pennoni Associates, Inc.
- c. Closure and Post-Closure and Financial Plan dated December 23, 2010, prepared by Pennoni Associates, Inc.;
- d. Quality Assurance/Quality Control Plan for Final Cover System, dated January 21, 2011, prepared by Pennoni Associates, Inc.;
- e. Response to the Technical Notice of Deficiency dated March 10, 2011, prepared by Pennoni Associates, Inc., with drawing Truck Wash Plan, Sheet CS-8004, dated March 10, 2011, signed by Douglas J. Szabo, P.E., NJ License Number GE 43208 of Pennoni Associates, Inc.;
- f. The Soil Erosion and Sediment Control Plan, revised March 15, 2010 for Phase II operations and the associated drawings signed by Douglas J. Szabo, P.E., NJ License Number GE 43208 of Pennoni Associates, Inc., and;
- g. Overall Final Cover Plan, Sheet CS-2001 and Engineering details, Sheet CS-2002, dated December 17, 2010, signed by Douglas J. Szabo, P.E., NJ License Number GE 43208 of

SLRD CO

132181 LCC160001 SW Landfill (Class C) Closure –Closure Plan Major Modification

Pennoni Associates, Inc.

- h. Closure Plan Modification Approval Amendment Request dated May 25, 2011, submitted by Pennoni Associates, Inc.

The following documents were submitted for the December 20, 2013 Closure Plan modification:

- a. Solid Waste Facility Permit Application signed by Brian Horne, Stags Leap Ranch Development, LLC on October 24, 2013;
- b. Closure and Post-Closure and Financial Plan dated October 23, 2013, prepared by Pennoni Associates, Inc.;
- c. The Soil Erosion and Sediment Control Plan, revised June 26, 2013 for Phase II operations and wall system change and the associated drawings signed by Douglas J. Szabo, P.E., NJ License Number GE 43208 of Pennoni Associates, Inc., and;
- d. Revised Sheet CS-2002, dated October 28, 2013, signed by Douglas J. Szabo, P.E., NJ License Number GE 43208 of Pennoni Associates, Inc.

The following documents were submitted for the April 5, 2016 Closure Plan modification:

- a. Solid Waste Facility Permit Application signed by Brian Horne, Stags Leap Ranch Development, LLC on November 19, 2015;
- b. Original Closure Plan Minor Modification Request dated November 19, 2015, prepared by Golder Associates; and,
- c. An updated Closure Plan Minor Modification Request dated November 19, 2015, prepared by Golder Associates.

The owner shall close and maintain the landfill in accordance with N.J.A.C. 7:26-2A.9, the conditions of this Approval, and the following documents submitted for this Closure Plan modification:

- a. Closure Plan – Minor Modification Request, dated November 18, 2016, prepared by Golder Associates.
- b. Drawing No. FC-1, entitled, “Final Cover Grading Plan”, dated November 16, 2016, signed by Mark F. McNeilly, P.E., Golder Associates, License No. 24GE04084600.
- c. Drawing No. FC-2, entitled, “Final Cover Cross Sections”, dated November 16, 2016, signed by Mark F. McNeilly, P.E., Golder Associates, License No. 24GE04084600.
- d. Drawing No. FC-3, entitled, “Final Cover Details”, dated November 16, 2016, signed by Mark F. McNeilly, P.E., Golder Associates, License No. 24GE04084600.

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In case of conflict, the provisions of N.J.A.C. 7:26-1 *et seq.* shall have precedence over the conditions of this Approval, and the conditions of this Approval shall have precedence over plans and specifications listed above.

Attachment

The conditions of the Approval are found in the attached document entitled “SLRD CO 132181 LCC160001 SW Landfill (Class C) Closure – Closure Plan Minor Modification Requirements Report.”

SLRD CO

132181 LCC160001 SW Landfill (Class C) Closure -Closure Plan Minor Modification Requirements Report

Subject Item: SWLG812936 - Alhern, Inc.

1. The owner shall close and maintain the landfill in accordance with N.J.A.C. 7:26-2A.9, the conditions of this Approval, and the approved Closure and Post-Closure Care Plan as referenced herein. [N.J.A.C. 7:26-2A.9(d)8]
2. In case of conflict, the provisions of N.J.A.C. 7:26-1 et seq. shall have precedence over the conditions of this Approval, and the conditions of this Approval shall have precedence over plans and specifications listed above. [N.J.A.C. 7:26-2A.9(d)8]
3. The final cover shall completely isolate the landfilled solid waste from the surrounding environment. The landfill shall be graded to the finished grades and contours presented within Drawing FC-1, entitled, "Final Cover and Grading Plan", as prepared by Golder Associates, Inc. The final cover shall be done in accordance with the details depicted on Drawing FC-3 entitled, "Final Cover Details", as prepared by Golder Associates, Inc. After completion of closure activities there shall not be any future use of the landfill that may result in the alteration of the constructed final cover without review and approval from the Department. [N.J.A.C. 7:26- 2A.9(e)2ii]
4. The disruption of solid waste during closure operations shall be conducted in accordance with N.J.A.C.- 2A.8(j). [N.J.A.C. 7:26-2A.8(j)]
5. During filling activities, a minimum of 6 inches of clean soil, surcharge soil, or off-site fill material shall be placed over any disrupted and exposed solid waste that existed at the landfill originally within 24 hours, especially if odors or vectors are a problem. Thereafter, a minimum of 2 feet of final cover shall be applied and maintained over the waste material. [N.J.A.C. 7:26- 2A.8(b)7]
6. The disruption activities and filling activities shall not cause any air contaminant to be emitted in violation of N.J.A.C. 7:27-5.2(a). Malodorous emissions shall be controlled by the use of daily cover. In the event that this is not satisfactory, a suitable deodorant shall be used. Malodorous solid waste and imported fill materials shall be covered immediately after excavation, unloading, emplacement or redeposition with a minimum of six inches of cover material or approved alternative material. [N.J.A.C. 7:26- 2A.8(j)4]
7. In the event that chemical or hazardous waste materials are encountered during the disruption, operations shall cease immediately and the area shall be secured. The contractor shall notify the Department by calling the Environmental Action Hot Line at 1-877-WARNDEP and take all necessary precautions for the safe removal and disposal of the waste to an approved facility under the direction of the Department. [N.J.A.C. 7:26-2A.8(b)4]
8. The contractor shall follow the Occupational Safety and Health Administration (OSHA) standards and the Health and Safety Plan to be submitted as part of the application during all on-site activities for the safety of employees and for others entering the site. A copy of the operating procedures shall be posted on site. On-site air monitoring (OVA, HNU, etc.) shall be provided to ensure worker safety during all disruption activities. No disruption activities shall start until after the Health and Safety Plan is submitted the Department. [N.J.A.C. 7:26-2A.9]
9. Soil erosion and sediment control shall be achieved in accordance with the most recent Soil Erosion and Sediment Control Plan (SESC) certified by the Gloucester County Soil Conservation District as referenced in this Approval. [N.J.A.C. 7:26-2A.9(e)]

SLRD CO

132181 LCC160001 SW Landfill (Class C) Closure -Closure Plan Minor Modification
Requirements Report

Subject Item: SWLG812936 - Alhern, Inc.

10. Within six (6) months following completion of closure activities, the owner and/or operator of the landfill shall obtain and submit to the Department an as-built certification by a professional engineer, licensed and registered in the State of New Jersey, certifying that the provisions of this Approval and the Closure and Post-Closure Plan were implemented as designed and approved, with exceptions noted. [N.J.A.C. 7:26- 2A.9(d)10]
11. No work performed under this Approval shall be considered complete until such engineer's certification has been submitted to and accepted by the Office of Brownfield Reuse. In the event that said certification is not received or is not accepted, the work shall be considered incomplete. [N.J.A.C. 7:26-2A.9(d)]
12. Upon closure of the sanitary landfill, and the completion of the Remedial Action Report by a Licensed Site Remediation Professional, a detailed description of the landfill shall be recorded, along with the deed, with the appropriate recording office. The deed notice shall be done in accordance with N.J.A.C. 7:26C-7.2. [N.J.A.C. 7:26- 2A.9(c)]
13. Once closure is completed and the as-built certification submitted and approved by the Department, a methane gas survey shall be performed around the perimeter of the landfill on a semi-annual basis. The survey shall be performed with a hand-held portable explosimeter or equivalent and the minimum sampling depth shall be three feet below the ground surface or above the water table, whichever is higher. The maximum interval between sampling points shall be 300 feet. Many of the methane monitoring points have been destroyed during filling operations; therefore, other means (e.g. slam bar) shall be used to get perimeter methane readings until the permanent monitoring points can be reinstalled. Survey results shall be submitted to the Office of Brownfield Reuse with the the 2nd and 4th Quarterly Inspection Reports as a condition of this Approval. [N.J.A.C. 7:26- 2A.8(h)9ii]
14. Once closure is complete, the final cover shall be periodically inspected, maintained and repaired, as required and necessary, to: (i) ensure it performs as intended (i.e. mitigate direct dermal contact to underlying landfilled materials and contaminated fill brought on site for closure); (ii) minimize infiltration through the final cover; (iii) minimize the ponding of water atop the final cover; and (iv) promote positive drainage. Any damaged conditions (e.g., cracks, erosion and settled areas) found in the constructed final cover shall be repaired as appropriate. [N.J.A.C. 7:26- 2A.9(e)]
15. The issuance of this Approval does not exempt the applicant from obtaining all other permits or approvals required by law or regulations. All remedial activities shall be done in accordance with the Technical Requirements for Site Remediation (N.J.A.C. 7:26E) and the Administrative Consent Order executed on May 18, 2010. [N.J.A.C. 7:26-2.8(h)]
16. Department inspectors shall have the right to enter and inspect the facility at any time. The right to inspect includes, but is not limited to: (a) Sampling materials on site; (b) Photographing any portion of the facility; (c) Investigating an actual or suspected source of pollution of the environment; (d) Ascertaining compliance or non-compliance with the statutes, rules or regulations of the Department, including conditions or any permit or approval issued by the Department; (e) Reviewing and copying all applicable records, which shall be furnished upon request and made available at all reasonable times for inspection. [N.J.A.C. 7:26-2.11(d)]

SLRD CO

132181 LCC160001 SW Landfill (Class C) Closure -Closure Plan Minor Modification Requirements Report

Subject Item: SWLG812936 - Alhern, Inc.

17. The owner shall monitor and maintain the landfill in accordance with the Post Closure Care Plan through implementation of the following maintenance programs: (a) A program for the maintenance of the final cover and final cover vegetation; (b) A program for the maintenance of the side slopes and retaining structures (i.e., MSE Walls); (c) A program for the maintenance of the installed stormwater management measures, including drainage channels, retention basins and inlets; (d) A program for the maintenance of on-site monitoring wells; (e) A program for the maintenance of the methane venting system (if necessary); (f) A program for the maintenance of the facility access control system; and (g) A program for the maintenance of measures to conform the site to the surrounding area. These inspections shall be performed on a quarterly basis once the as-built certification is approved by the Department. After one year the owner can petition the Department to reduce the frequency to semi-annually. Detailed records shall be maintained of all inspection and maintenance activities listing the date of the work, name of persons conducting the work, and the details of the inspection findings or work performed. [N.J.A.C. 7:26- 2A]
18. Pursuant to the Legacy Landfill Law, 13:1E-125 et seq., a NJ licensed Professional Engineer (PE) shall oversee all closure activities at the landfill including the placement of any fill material. The PE shall submit quarterly reports of the closure activities and will have to certify that all materials accepted at the site are properly weighed, sampled and tested pursuant to the approved material acceptance protocol. The certifications will have to bear the raised seal of the PE. These Quarterly Reports shall also include the following items to be verified: the final cover vegetation remains intact; the final cover remains intact and there is no exposure of landfill materials; there are no depressions in the final cover; the groundwater monitoring wells are secure and intact; the site is secure and fencing is intact; the site has been cleared of all loose or blowing debris; the side slopes remain stable; the site vegetation has been adequately maintained; deficiencies noted and any additional maintenance that is required. [N.J.A.C. 7:26- 2A]
19. Access to the property during closure activities shall be restricted and controlled. After closure activities are completed, access to the property shall be allowed in accordance with the plans for redevelopment of the property. If the property is not developed for an end use, then access to the property shall be restricted and controlled, and a qualified contractor shall maintain the property. [N.J.A.C. 7:26-2A]
20. Quality control (QC) inspections of landfill closure activities shall be periodically performed during all phases of construction, to document that the conditions of this Approval and the approved design are implemented. The frequency of QC inspections shall be established by the certifying Engineer to ensure that the as-built conditions can be certified, as required by this Approval, with exceptions noted. [N.J.A.C. 7:26- 2A]
21. The landfill site shall be graded to the finished grades and contours presented within drawing FC-1, entitled, "Final Cover Grading Plan", as prepared by Golder Associates Inc., dated November 16, 2016. The highest elevation of the completed, closed landfill shall not exceed elevation El. +208 feet at any point on the landfill site. [N.J.A.C. 7:26- 2A]

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Requirements Report

Subject Item: SWLG812936 - Alhern, Inc.

22. Once filling is completed, but prior to the installation of the final cover system, the owner/operator shall conduct a perimeter gas survey to determine whether or not a passive methane venting system will be necessary. If the results of the perimeter methane survey indicate that a passive methane venting system is required, the owner/operator shall submit the design to the Office of Brownfield Reuse for review and approval. All gas venting systems require air pollution control permits in accordance with the regulations of the Air Quality Regulation Program, N.J.A.C. 7:27 prior to installation. Upon installation, and after closure is complete, a perimeter methane survey shall be conducted as set forth in condition 13. If 25% of the lower explosive limit for methane (1.25%) is detected on a consistent and repeatable basis around the perimeter, the installed passive venting system shall be upgraded to an active venting system to further reduce methane emissions from the landfill. Any structures built on the landfill shall have an active venting system. [N.J.A.C. 7:26- 2A]
23. All construction equipment and material shall be maintained within the specified areas as shown on the referenced drawings in the landfill closure plan. Site traffic shall utilize the existing easement access entrance for material transfers. [N.J.A.C. 7:26-2A]
24. In accordance with the Responsible Party Account (RPA) Agreement executed on May 17, 2010, funds amounting to \$1.00 for every ton of material accepted at the landfill on a monthly basis had to be submitted to the Department. This had to continue until the RPA reached \$1,000,000 or an amount as adjusted pursuant to section (5) of the RPA Agreement. SLRD has reached the required amount of \$1,000,000.

Pursuant to Legacy Landfill Law, 13:1E-125 et seq., the owner of a Legacy Landfill that accepts recyclable material, contaminated soil, etc., shall submit a closure and post-closure financial plan certified by a PE. The financial plan shall include detailed estimates of all costs and expenses associated with full implementation of the measures required by the Department for closure and post-closure maintenance and monitoring of the landfill. The financial plan shall include documentation that the owner has established financial assurance for the closure in an amount equal to or greater than the cost estimate for closure activities. Financial assurance shall be established by a surety bond, letter of credit, or line of credit. The financial plan shall demonstrate that sufficient funds will be available to pay for estimated costs of post-closure activities. An escrow account shall be identified with the most recent balance along with a proposed dollar amount per ton based on the quantity of material to be accepted which will be sufficient to cover post-closure costs. The financial plan shall include one or more Certificate(s) of Insurance demonstrating that the owner maintains general liability and pollution liability insurance policies to pay for damages and claims resulting from closure work of the landfill.

The money from the RPA can be used for the above financial requirements. The Financial Plan shall be submitted within three (3) months of the date of this Approval. [N.J.A.C. 7:26- 2A]

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Requirements Report

Subject Item: SWLG812936 - Alhern, Inc.

25. The receipt of materials at the landfill, the frequency of testing and the certification procedures shall be done in accordance with the Protocol for Review, Certification and Acceptance of Off-Site Recyclable Fill Materials (Protocol), revised July 17, 2006. The owner shall accept soil and soil-like materials, and other inorganic materials intended for beneficial use for backfilling, grading and surcharging the landfill site. The following specific materials, as described in the Protocol are approved for acceptance at the landfill: clean fill; recycled asphalt; recycled masonry; construction fill; fill from recycling facilities; dredge material; amended dredge material; coal combustion by-products and coker by-products; water treatment plant residuals; and construction and demolition (C&D) screenings. Other types of fill material not meeting the Protocol's definitions are subject to prior Departmental approval. Since C&D screenings may contain de minimus amounts of organic material, the receipt of C&D screenings will be limited to 300,000 tons. All C&D screenings received must be blended at a minimum 1:1 ratio with coal fly ash and/or amended/processed dredge material (or any other equivalent materials approved by the Department) before emplacement. The receipt of C&D screenings shall be metered to the site on a monthly basis, and the combined amount of coal fly ash and/or amended/processed dredge materials (or any other equivalent materials approved by the Department), during the same periods shall be equal to or greater than the amount of C&D screenings received on-site. C&D screenings shall not be accepted during any periods that the facility is not receiving coal fly ash, amended/processed dredge materials (or other equivalent materials approved by the Department) that can be used for blending C&D screenings on-site. SLRD shall submit copies of all imported fill material approvals to the Department. [N.J.A.C. 7:26- 2A]
26. Groundwater remediation shall be conducted pursuant to the Technical Requirements for Site Remediation, N.J.A.C. 7:26E and pursuant to the Administrative Consent Order executed by the Department on May 18, 2010. [N.J.A.C. 7:26-2A]
27. The total volume of off-site imported fill materials to be beneficially used at the site is limited to 2,000,000 cubic yards or approximately 2,970,000 tons by weight (based on an estimated density of 110 pounds per cubic foot). As of November 30, 2016 2,203,810 tons (1,484,047 cubic yards) of imported fill materials were received at the landfill, which leaves 766,190 tons (515,953 cubic yards) of capacity remaining from the original estimate. Should this amount of material be insufficient to complete the landfill closure consistent with the approved design, the owner/operator of the landfill shall prepare a new updated topographic map of the landfill with an assessment of the amount of additional imported fill required to complete landfill closure, which shall be submitted to the Department for review and approval. It is further understood that final cover subgrade surface contours (i.e., top of grading fill) shall be two (2) feet beneath the final cover ground surface contours (i.e., top of final cover), as presented in drawing FC-1, entitled "Final Cover Grading Plan", as prepared by Golder Associates Inc., dated November 16, 2016. [N.J.A.C. 7:26- 2A]
28. The document titled "Protocol For Review, Certification and Acceptance of Off-Site Recyclable Fill Materials" dated March 8, 2006 (Revised July 17, 2006) shall continue to be used as the standard for review, certification and acceptance of off-site recyclable materials that are imported and utilized during closure at the site. Section E. Management of Fill Material on-Site; Stockpiling, paragraph (d) shall be changed as follows: Material may be shipped by transportation contractors and received at the site and placed on the landfill between the hours of 7:00 am and dusk, Monday through Friday and 7:00 am to 12:00 pm on Saturdays or other hours as may be specifically approved by Harrison Township. [N.J.A.C. 7:26- 2A]



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION COMPLIANCE AND ENFORCEMENT

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PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. McCABE
Commissioner

SLRD CO
283 Mullica Hill Rd,
Mullica Hill, NJ 08062-0000

January 6, 2021

Reference: SLRD CO
PROGRAM INTEREST ID # 132181
PROGRAM: Solid Waste
INSPECTION DATE: December 22, 2020
Compliance Inspection # BCI 200001

Dear Sir or Madame:

On December 22, 2020, an inspection was conducted at your facility/site by Irv Gandy, of the Solid Waste program. The inspector determined that your facility was in compliance with applicable Department regulations and/or Permit conditions. Therefore, the Department now considers this inspection closed.

Please note this letter pertains only to the observations of the equipment/area/conditions that were part of the inspection that occurred on December 22, 2020.

You may review the inspection report online at www.nj.gov/dep/inspections. Once you have accessed DEP's web site, please follow the instructions on the reverse side of page 2 of the enclosure. This web site also gives you the opportunity to provide us feedback about our operations. We would appreciate your input and will share all results with you upon your completion of a survey.

The Department appreciates the continued operation of your facility/site in an environmentally responsible manner.

If you have any questions regarding this inspection or correspondence, please contact Irv Gandy, of the Solid Waste program, at (609) 292-6305.

Very truly yours,

Elizabeth Dragon
Assistant Commissioner

Enclosure

Feb 02, 2021 04:04

Inspection Summary Report for SLRD CO - Activity Number BCI 200001

NOTE: The information contained in this report will be limited to the date each program began using the Department's integrated database, NJEMS. The programs began using the system for this information as follows: Air - 10/1998; Hazardous Waste - 1/2000; Water - 7/2000; TCPA - 12/2001; Land Use 12/2001; DPCC - 1/2002; Solid Waste - 1/2002; Right To Know - 3/2002 and Pesticides - 4/2002; Site Remediation - 3/2003 and Radiation (limited information) - 7/2006. For complete information prior to these dates, please submit an official OPRA request form to the Department. If printing this report, select landscape orientation.

Disclaimer: Only final inspection reports are listed in this report. Inspections for which a report has not been finalized by the Department will not appear in this report. Also, inspections which yield violations but where the inspected entity has not yet been notified of the violation are not listed in this report. For inspections indicating Out of Compliance, this means that violations were observed during the inspection, based on facts and information known to the Department at the time of the inspection. Errors or omissions in the factual basis for any violation may result in a future change in classification as a violation when such information becomes known.

Activity Number: BCI 200001 **Inspection Type:** *Brief Compliance Inspection **Program Interest ID:** 132181

Inspection Start Date: 12/22/20 **End Date:** 12/22/20 **Lead Investigator:** Gandy, Irving

Program Interest Name: SLRD CO

Address: BRIDGETON PIK Harrison Twp NJ 08062 **County:** Gloucester - Harrison Twp

Block(s) and Lot(s): Block 57 Lot 9, Block 57 Lot 12, Block 57 Lot 13, Block 57 Lot 12A, Block 57 Lot 7, Block 57 Lot 12.01

Comments:

This inspection was slated to determine compliance of Stags Leap Ranch Development LF (SLRD LF) with the Landfill Closure Plan that was originally issued on 2/7/06 with the latest Closure Plan Minor Modification Permit # 132181/LCC160001 issued on 5/3/17. This Closure Plan Approval was issued for the continued proper closure of the landfill by preparing the site for possible, future commercial redevelopment atop the closed landfill. Landfill closure activities will continue to involve the placement of off-site beneficially used/reused fill materials in support of the requisite final cover construction activities across the entire landfill. The locations of these operations are illustrated on the current approved site plan drawing #s FC-1, FC-2, and FC-3. These plans can be found in the attachment list of NJEMS Graybar LCC160001.

When SLRD LF is operational, triaxle and transfer trailer transport vehicles deliver the fill material to the landfill. Since the LF is in the final step of the closure process, the only type of fill material being delivered to the landfill is residential quality fill. The transport vehicles enter the facility through the approved ingress/egress access road off Route 77 (Bridgeton Pike). The transport vehicles no longer proceed to the scale for an inbound gross vehicle weight since final landfill grades required the removal of the scale. Volume is now used to determine the approximate weight. The transport vehicles then exit the landfill at the same access road to Route 77. Since the last inspection, SLRD has continued to install the requisite 2-foot cover system. Some side slope areas have even been seeded and vegetative growth has been nicely established.

On 12/22/20 Wienckoski and I performed an announced inspection of the SLRD LF. Upon entrance to the facility, we met with Horne on-site. Next, Horne drove Wienckoski and I drove around the entire top and bottom perimeters of the landfill. There we observed the current operational progress of the landfill. We also viewed top and slope grading contours, survey markers showing the current grades and the geogrid wall areas. Since our last inspection, SLRD has reached most of the final grades throughout the top plateau and side slopes utilizing residential quality processed dredged material from the Newark bay that has been amended with 8-10 % Portland cement. Finally, we inspected storm water basin # 5 that is located on the adjacent parcel that is on the southeast portion of the site, as well as the storm water basin that is located on the northwestern portion of the site near the 4H property.

Since Horne informed us of a severe financial loss, due to the largest stock market crash in over 100 years around the initial outbreak of the COVID-19 Pandemic, the landfill no longer contracts with an outside excavation company to manage the mobilization and placement of the delivered cover material. Horne himself spreads and moves the cover material using a variety of construction equipment including bulldozers, heavy loaders, excavators, off-road dump trucks and compactors to achieve final grading contours and compaction densities in support of the landfill closure or redevelopment activities.

At the end of the inspection, we conducted a close-out interview with Horne and He provided us with a historical pictorial and video presentation of the SLRD LF. See the photos from this inspection in the attachment list of this inspection Graybar. Also view the checklist for the compliance status of this facility and for other observations that were made during this inspection.

This concluded our inspection.

Subject Item: SW84 0 - CLOSURE PLAN INSPECTION FLAG

| Requirement Description | Compliance Status | Compliance Comments | Grace Days | Non Minor Reason | Requirement Source |
|------------------------------|-------------------|---------------------|------------|------------------|--------------------|
| CLOSURE PLAN INSPECTION FLAG | Heading | | | | Rules |

Subject Item: SWLG 812936 - Henry Harris Landfill

| Requirement Description | Compliance Status | Compliance Comments | Grace Days | Non Minor Reason | Requirement Source |
|---|-------------------|---|------------|------------------|--------------------|
| Access to the property during closure activities shall be restricted and controlled. After closure activities are completed, access to the property shall be allowed in accordance with the plans for redevelopment of the property. If the property is not developed for an end use, then access to the property shall be restricted and controlled, and a qualified contractor shall maintain the property. [N.J.A.C. 7:26-2A] | In Compliance | Landfill is fenced with a lockable gate. | | | LCC 160001 |
| Closure activities shall not extend into existing wetlands, which are present at certain locations around the landfill, without applying for and receiving approval of Wetlands General Permits from the Department. [N.J.A.C. 7:26-2A] | In Compliance | | | | LCC 160001 |
| Pursuant to the Legacy Landfill Law, 13:1E-125 et seq., a NJ licensed Professional Engineer (PE) shall oversee all closure activities at the landfill including the placement of any fill material. The PE shall submit quarterly reports of the closure activities and will have to certify that all materials accepted at the site are properly weighed, sampled and tested pursuant to the approved material acceptance protocol. The certifications will have to bear the raised seal of the PE. These Quarterly Reports shall also include the following items to be verified: the final cover vegetation remains intact; the final cover remains intact and there is no exposure of landfill materials; there are no depressions in the final cover; the groundwater monitoring wells are secure and intact; the site is secure and fencing is intact; the site has been cleared of all loose or blowing debris; the side slopes remain stable; the site vegetation has been adequately maintained; deficiencies noted and any additional maintenance that is required. [N.J.A.C. 7:26- 2A] | In Compliance | As per SRP-OBCR, due to COVID-19 pandemic, update e-mails from SLRD staff have been submitted instead of quarterly reports. | | | LCC 160001 |

| | | | | | |
|--|----------------------|---|--|--|-------------------|
| <p>Department inspectors shall have the right to enter and inspect the facility at any time. The right to inspect includes, but is not limited to: (a) Sampling materials on site; (b) Photographing any portion of the facility; (c) Investigating an actual or suspected source of pollution of the environment; (d) Ascertaining compliance or non-compliance with the statutes, rules or regulations of the Department, including conditions or any permit or approval issued by the Department; (e) Reviewing and copying all applicable records, which shall be furnished upon request and made available at all reasonable times for inspection. [N.J.A.C. 7:26-2.11(d)]</p> | <p>In Compliance</p> | <p>This was an ANNOUNCED inspection during normal operating hours.</p> | | | <p>LCC 160001</p> |
| <p>Groundwater remediation shall be conducted pursuant to the Technical Requirments for Site Remediation, N.J.A.C. 7:26E and pursuant to the Administrative Consent Order executed by the Department on May 18, 2010. [N.J.A.C. 7:26-2A]</p> | <p>In Compliance</p> | <p>The RIR for the entire site was submitted on 4/29/19 and can be found under NJEMS PI # G000004413/ LSD190001. The status of the RIR remains "pending".</p> | | | <p>LCC 160001</p> |
| <p>The document titled "Protocol For Review, Certification and Acceptance of Off-Site Recyclable Fill Materials" dated March 8, 2006 (Revised July 17, 2006) shall continue to be used as the standard for review, certification and acceptance of off-site recyclable materials that are imported and utilized during closure at the site. Section E. Management of Fill Material on-Site; Stockpiling, paragraph (d) shall be changed as follows: Material may be shipped by transportation contractors and received at the site and placed on the landfill between the hours of 7:00 am and dusk, Monday through Friday and 7:00 am to 12:00 pm on Saturdays or other hours as may be specifically approved by Harrison Township. [N.J.A.C. 7:26- 2A]</p> | <p>In Compliance</p> | <p>This was an ANNOUNCED inspection during normal operating hours.</p> | | | <p>LCC 160001</p> |
| <p>All haulage vehicles utilized in off-site transportation of fill material shall be equipped to prevent any spillage or leakage during transport to the site. No potentially contaminated haulage vehicle and/or equipment shall leave the site except through the designated decontamination area as depicted on drawing CS-8004 (Truck Wash Plan), dated March 10, 2011, and shall do so only after proper decontamination. [N.J.A.C. 7:26- 2A]</p> | <p>In Compliance</p> | <p>No truck traffic during this inspection.</p> | | | <p>LCC 160001</p> |

| | | | | | |
|--|----------------------|---|--|--|-------------------|
| <p>Quality control (QC) inspections of landfill closure activities shall be periodically performed during all phases of construction, to document that the conditions of this Approval and the approved design are implemented. The frequency of QC inspections shall be established by the certifying Engineer to ensure that the as-built conditions can be certified, as required by this Approval, with exceptions noted. [N.J.A.C. 7:26- 2A]</p> | <p>In Compliance</p> | | | | <p>LCC 160001</p> |
| <p>The total volume of off-site imported fill materials to be beneficially used at the site is limited to 2,000,000 cubic yards or approximately 2,970,000 tons by weight (based on an estimated density of 110 pounds per cubic foot). As of November 30, 2016 2,203,810 tons (1,484,047 cubic yards) of imported fill materials were received at the landfill, which leaves 766,190 tons (515,953 cubic yards) of capacity remaining from the original estimate. Should this amount of material be insufficient to complete the landfill closure consistent with the approved design, the owner/ operator of the landfill shall prepare a new updated topographic map of the landfill with an assessment of the amount of additional imported fill required to complete landfill closure, which shall be submitted to the Department for review and approval. It is further understood that final cover subgrade surface contours (i.e., top of grading fill) shall be two (2) feet beneath the final cover ground surface contours (i.e., top of final cover), as presented in drawing FC-1, entitled "Final Cover Grading Plan", as prepared by Golder Associates Inc., dated November 16, 2016. [N.J.A.C. 7:26- 2A]</p> | <p>In Compliance</p> | <p>There is no more off-site contaminated fill material delivered to the LF, only residential quality cover material.</p> | | | <p>LCC 160001</p> |
| <p>The disruption activities and filling activities shall not cause any air contaminant to be emitted in violation of N.J.A.C. 7:27-5.2 (a). Malodorous emissions shall be controlled by the use of daily cover. In the event that this is not satisfactory, a suitable deodorant shall be used. Malodorous solid waste and imported fill materials shall be covered immediately after excavation, unloading, emplacement or redeposition with a minimum of six inches of cover material or approved alternative material. [N.J.A.C. 7:26- 2A.8(j)4]</p> | <p>In Compliance</p> | <p>No off-site odors detected during this inspection.</p> | | | <p>LCC 160001</p> |
| <p>During filling activities, a minimum of 6 inches of clean soil, surcharge soil, or off-site fill material shall be placed over any disrupted and exposed solid waste that existed at the landfill originally within 24 hours, especially if odors or vectors are a problem. Thereafter, a minimum of 2 feet of final cover shall be applied and maintained over the waste material. [N.J.A.C. 7:26- 2A.8(b)7]</p> | <p>In Compliance</p> | <p>SLRD is currently installing the final cover system.</p> | | | <p>LCC 160001</p> |

Subject Item: SW73 0 - MAJOR LANDFILL FLAG

| Requirement Description | Compliance Status | Compliance Comments | Grace Days | Non Minor Reason | Requirement Source |
|--|-------------------|---|------------|------------------|--------------------|
| Were all fees paid in a timely fashion?. [N.J.A.C. 7:26- 5.8(a)] | In Compliance | NJEMS Assessments was ran on 12/22/20. All fees had a status of "Closed (Paid in Full)" | | | Rules |
| MAJOR LANDFILL FLAG | Heading | | | | Rules |

ment (Henry Harris Landfill)



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 800
TRENTON, NJ 08625-0800

RICHARD J. CODEY
Acting Governor

CHARLES A. RICHMAN
Acting Commissioner

November 14, 2005

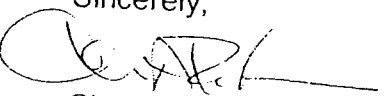
Ms. Jenai Johnson, Township Clerk
Harrison Township
114 Bridgeton Pike
Mullica Hill, NJ 08062

Dear Ms. Johnson:

We are in receipt of Resolution 147-2005, dated October 3, 2005, designating Block 57, Lots 9, 13, 12 and 12.01 as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-6. The Office of Smart Growth has determined that the designated area is located in the Fringe Planning Area (PA3), an area in which development and redevelopment is generally not encouraged, except in new or existing centers. However, under certain circumstances, the State Plan anticipates limited growth throughout the State in all Planning Areas, including the Fringe Planning Area. The character, location and magnitude of this growth will vary according to the specific characteristics of an area.

Upon review of the resolution and supplemental planning documents, the Department hereby approves the Township's designation finding that the area is appropriate for redevelopment. The redevelopment area consists of the Harris Landfill site, which is generally considered a brownfield. The Township desire is to redevelop the site to improve the conditions of the surrounding community. Declaring the area in need of redevelopment will enable Harrison Township to attract a private developer to clean up the site and make it safe for the public's benefit.

As you take the next steps in the redevelopment process, I encourage you to contact the Office of Smart Growth for technical assistance to assist your community in advancing these efforts. Please feel free to contact Khara Ford, the Office of Smart Growth's Area Planner for Gloucester County at (609) 633-8573 if you need further assistance in planning and brownfields redevelopment.

Sincerely,

Charles A. Richman
Acting Commissioner

RECEIVED
NOV 29 2005
TWP. OF HARRIS

RESOLUTION NO. 147-2005

of the Township of Harrison
In the County of Gloucester

RESOLUTION

**RESOLUTION OF HARRISON TOWNSHIP COMMITTEE ESTABLISHING
REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A-1 ET SEQ.**

WHEREAS, the Township Committee of the Township of Harrison in the County of Gloucester and State of New Jersey pursuant to N.J.S.A. 40A:12A-4 has caused preliminary investigation to be made as to whether there exists in the Township an area or areas in need of redevelopment; and

WHEREAS, the Harrison Township Planning Board, pursuant to N.J.S.A. 40A:12A-6 has conducted a preliminary investigation concerning the need for a redevelopment area or areas within the Township and by resolution adopted at a regular meeting of the Harrison Township Planning Board on August 18, 2005 recommended to the Harrison Township Committee that lands identified as Block 57, Lots 9, 13, 12 and 12.01 be considered an area in need of redevelopment and requested that the Harrison Township Committee take such action as may be necessary to make said determination according to law; and

WHEREAS, N.J.S.A. 40A:12A-6(5) provides that after receiving the recommendation of the Planning Board the municipal governing body may adopt a resolution determining that the delineated area or any parts thereof is a redevelopment area; and

WHEREAS, no objections were received by the Planning Board to designating the said parcels as in need of redevelopment either at the public hearing conducted by the Planning Board or in writing; and

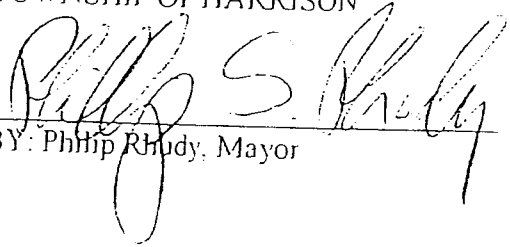
WHEREAS, the Harrison Township Committee has given the recommendation of the Harrison Township Planning Board thorough consideration and in doing so has considered the Township development regulations and zone classifications in the Township together with the criteria set forth in N.J.S.A. 40A:12A-5(c)(e); and

WHEREAS, the Harrison Township Committee deems is appropriate to designate the Harrison Township Planning Board as the redevelopment entity empowered to prepare a redevelopment plan for consideration by the Harrison Township Committee which will set forth the goals and objectives for redevelopment of the said lands and outline the actions to be taken to accomplish the goals and objectives of the redevelopment plan;

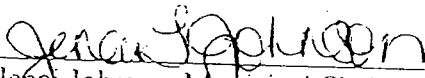
NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Harrison in the County of Gloucester and State of New Jersey that those areas identified as redevelopment areas on a map prepared by Remington and Vernick entitled, "Harrison Township Harris Landfill Redevelopment Study Area" dated June 2005 identified on the Harrison Township tax map as Block 57, Lots 9, 12, 12.01 and 13 are hereby determined to be need of redevelopment pursuant to N.J.S.A. 40A:12A-5(c)(d) and are hereby designated as a redevelopment area in need of redevelopment pursuant to the provisions of N.J.S.A. 40A:12A-1 et seq.

BE IT FURTHER RESOLVED that the Harrison Township Planning Board be and it is hereby appointed as the redevelopment entity empowered to prepare a redevelopment plan for consideration by the Harrison Township Committee. The said plan shall set forth the goals and objectives for redevelopment of the property deemed to be in need of redevelopment and outline all actions to be taken to accomplish the goals and objectives of the redevelopment plan.

TOWNSHIP OF HARRISON


BY: Philip Rudy, Mayor

ATTEST:

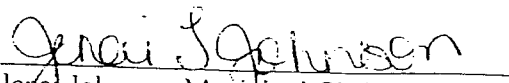

Jenai Johnson, Municipal Clerk

SEAL:

CERTIFICATION

I the undersigned, being the duly appointed Clerk of the Township of Harrison, in the County of Gloucester and State of New Jersey, do hereby certify the above resolution to be a true copy of a resolution lawfully adopted by the governing body of said municipality on the date therein set forth.

Dated: 10/3/05


Jenai Johnson, Municipal Clerk

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF PERMITTING & PROJECT NAVIGATION

PERMIT READINESS CHECKLIST

Completion of this form will assist the Department in determining what permits might be needed to authorize a project and to ensure that all appropriate programs attend a pre-application meeting. Please fill out the below form as completely as possible, noting any areas you are not sure of and including any information about the project and the site that might help the Department determine the permitting needs of the project.¹

1. Please complete the following questions if applicable and return to the Department with a **1 to 2-page narrative description of project, its function, and its benefits; as well as a site plan, maps, aerial photos, GIS shape files, etc.**

A. GENERAL INFORMATION

1. Name of Proposed Project Esky Solar
2. Consultant/Contact Information (if any) John McCauley
3. Name/Address of Prospective Applicant Brian Horne
Address/tel./fax 283 Mullica Hill Rd Mullica Hill, NJ 08062 (609) 820-3246
Company Name - Esky Solar
Address/tel./fax

Does the applicant own the property? Yes

If the applicant is not the property owner, please provide contact information for the property owner and evidence of having property owner permission to use the property for the proposed project.

4. Does the project have any existing NJDEP ID#s assigned? (i.e., Case number, Program Interest (PI)#, Program ID#) If yes, please provide Facility ID No.: 132181 & Permit No.: LCC160001

B. PROPOSED PROJECT LOCATION

Street Address/munic. 279 Bridgeton Pike Mullica Hill
County Gloucester Zip Code 08062
Block No. 57 Lot No. 9, 12, 12.01, 13
X Coordinate in State Plane (project centroid) 321000 N
Y Coordinate in State Plane (project centroid) 1849000 E

¹ Please be advised that this form is not a permit application. To receive authorization, approval, or a permit to conduct regulated activities, a formal application must be filed, and a formal permit or authorization issued by the appropriate Bureau within the Department prior to the conduct of regulated activity. This form is used solely for the Department's preliminary review and discussion of this project to determine what permits or authorizations may be needed to conduct the proposed activity. Any guidance offered to the applicant during this process is not binding on the Department or the applicant and a final response can only be rendered through the actual issuance of permits, approvals, or authorizations.

C. PROPOSED ACTIVITY DESCRIPTION AND SCHEDULE

1. Project Type: New Construction Brownfield Redevelop.
Alternative Energy Other (Please describe)
 - a) Estimated Schedule: Date permits needed or desired by, beginning construction date; construction completion, and operation of facility date: Construction goal is to start in 4th quarter 2021 and finish by 2nd quarter 2022
 - b) Funding Source: Is any Federal Funding being used for this project? No
State Funding over 1 million dollars? No
Is funding secured at this time? Yes Is funding conditional? Yes If so, on what? BPU approval and permits indicated in application
 - c) Is the project contingent on receiving the identified funding?
If yes, explain
What DEP permits do you think you need for this project? (The Department will confirm this through the PRC process). DEP Site remediation NJDEP Brownfield Reuse Closure permit modification for solar , GCSCD Stormwater Permit modification, Harrison Township Construction and Electric permits.

2. For additional guidance on Department permits, please refer to the New Jersey Department of Environmental Protection's website at <https://www.nj.gov/dep/>
 - a) Which Department(s), Bureau(s), and staff have you contacted regarding your proposed project? NJDEP Office of Brownfield Reuse
 - b) Are there any Department permits that will need to be modified as a result of this project? Please explain and identify the project reviewer of the permit to be modified. NJDEP Office of Land Use, as relates to PDM utilized on property
 - c) Please identify any pre-permit actions or modifications you have applied for or obtained from the Department or other state agencies for this project:
 - 1) Water Quality Management Plan consistency Done
 - 2) Highlands Consistency N/A
 - 3) Wetland Delineation (LOI) DONE
 - 4) Tidelands Conveyance N/A
 - 5) Flood Hazard Jurisdiction or determinations DONE
 - 6) Water Allocation N/A
 - 7) Site Remediation RAW, Remedial Action Permit – Soil and or Groundwater, NJPDES Discharge to Ground Water, NJPDES Discharge to Surface Water, No Further Action Response Action Outcome ACTIVE
 - 8) Landfill Disruption Approval DONE
 - 9) Landfill Closure Plan DONE
 - 10) Other

3. Please submit this Permit Readiness Checklist form, completed to the extent possible, electronically to Megan.Brunatti@dep.nj.gov and David.Pepe@dep.nj.gov and one (1) copy via mail² with the following items if available:

² Submit to New Jersey Department of Environmental Protection
Office of Permitting and Project Navigation
P.O. Box 420, Mail Code 07J

- (a) The completed Permit Readiness Checklist;
- (b) A description of the proposed project;
- (c) Any overarching regulatory or policy call(s) or guidance that the Department must make or make known prior to the receipt of the application to determine the project's feasibility, regulatory, or review process.
- (d) USGS map(s) with the site of the proposed project site boundaries clearly delineated (including the title of the USGS quadrangle sheet from which it was taken)³;
- (e) Aerial photos/GIS information regarding the site;
- (f) A site map including any known environmental features (wetlands, streams, buffers, etc⁴);
- (g) Site plans to the extent available;
- (h) Street map indicating the location of the proposed project;
- (i) Any other information that you think may be helpful to the Department in reviewing this project.
- (j) List of any local or regional governments or entities, their historical involvement in this project or site, identification of conflicts with DEP rules; with contact names and information whose attendance/input would be helpful in facilitating this project, ie Soil Conservation Districts, health departments, local zoning officials, etc.

D. The following are questions designed to guide the Department in its determination of what permits may be needed to authorize this project. If the questions do not apply to the proposed project, please indicate N/A. Please include any other information you think may be helpful for the Department to determine which permits are needed.

NATURAL AND HISTORIC RESOURCES (609) 292-3541

Is any portion of the project site on land owned or administered by the NJDEP? No

If yes, please visit

https://www.nj.gov/dep/greenacres/pdf/Request_to_Use_NJDEP_Property_2019.pdf for information on initiating a request to use NJDEP property. The submission of a request to use NJDEP property is a prerequisite to the scheduling of a pre-application meeting.

Green Acres Program (609) 984-0631

<http://www.nj.gov/dep/greenacres>

Is any part of the project site on land that is subject to a Green Acres restriction? No X If yes, please describe. _____

Does the project require the use of property funded with federal Land and Water Conservation Funding?
No If yes, please describe. _____

Trenton, New Jersey 08625
Street Location: 401 East State Street, 7th Floor
Telephone Number:(609) 292-3600

³ USGS maps may be purchased from NJDEP, Maps and Publications, P.O. Box 420, Trenton 08625-0420; (609) 777-1038

⁴ NJGIS information

Does the project include activities that are under the jurisdiction of the Watershed Property Review Board? NO If yes, please describe. _____

Has the Watershed Property Review Board made a jurisdictional determination for the project site? _____

Office of Leases & Concessions: 609-633-7860

Is the temporary use of DEP lands administered by the Divisions of Parks & Forestry and/or Fish & Wildlife required for pre-construction, construction and/or post construction activities? NO

If yes, please describe. _____

Division of Parks and Forestry: State Forestry Services (609) 292-2520 N/A

<http://www.nj.gov/dep/parksandforests/forest>

Forest clearing activities/No Net Loss Reforestation Act

Will construction of the project result in the clearing of ½ acres or more of forested lands owned or maintained by a State entity? No

If so, how many acres? _____

State Historic Preservation Office – SHPO (609) 984-0176 N/A

<https://www.nj.gov/dep/hpo/>

Is the site a Historic Site or district on or eligible for the State or National registry? No

Will there be impacts to buildings over 50 years old? No

Are there known or mapped archeological resources on the site? No

Division of Fish and Wildlife (609) 292-2965 N/A

<http://www.nj.gov/dep/fgw>

Will there be any shut off or drawdown of a pond or a stream? No

Threatened and Endangered Species Program

Are there records of any Threatened and Endangered species, plant, or animal in this project area? No

Will the proposed development affect any areas identified as habitat for Threatened or Endangered Species? No

DIVISION OF LAND RESOURCE PROTECTION (609) 777-0454

<http://www.nj.gov/dep/landuse>

Does the project involve development at or near, or impacts to the following; describe the type and extent of development in regard to location and impacts to regulated features:

Water courses (streams) **Stormwater to Raccoon Creek receiving body of water**

State Open Waters? No

Freshwater Wetlands and/or freshwater wetland transition areas? _____

Flood Hazard areas and/or riparian buffers _____

Waterfront development areas No

Tidally Flowed Areas _____

Bureau of Tidelands Management: _____
http://www.nj.gov/dep/landuse/tl_main.html

The CAFRA Planning Area? _____
<https://www.nj.gov/dep/gis/geoweb splash.htm>

SITE REMEDIATION & WASTE MANAGEMENT PROGRAM (609) 292-1250
<http://www.nj.gov/dep/srp/>

Site Remediation (609) 292-1251

Is the project located on or adjacent to a known or suspected contaminated site? Yes
<http://www.nj.gov/dep/srp/kcsnj/>

Is the project within a designated Brownfield Development Area? Yes
<http://www.nj.gov/dep/srp/brownfields/bda/index.html>

Has a No Further Action Letter or Response Action Outcome been issued for the entire project area? Yes,
letter from Ron W

Were any engineering or institutional controls implemented as part of a remedial action for discharges at the site? What is the status as to compliance with the biennial certification requirements and a remedial action permit, if applicable? _____

What is the current status of the remediation for other areas of concern for which a No Further Action Letter or a Response Action Outcome has not been issued? (Please include remedial phase, media affected, contaminant(s) of concern and whether the contamination is on or offsite.) _____

Name of current SRP Case Manager or Licensed Site Remediation Professional and Preferred Identification (PI) Number **Ron Wienckoski, NJDEP & Chris Hemingway, Golder (LSRP)**

Is the applicant a responsible party for discharges at the site? No

Upon taking title to the site, would the applicant become either a responsible party for contamination at the site or a person responsible for conducting the remediation? No

Has the remedial status of this site triggered Direct Oversight pursuant to N.J.S.A. 58:10C-27 and N.J.A.C. 7:26C-14, and if so, has the applicant complied or how does the applicant intend to comply? No

Solid and Hazardous Waste Management (609) 633-1418 N/A
<http://www.nj.gov/dep/dshw/>

Does the project receive, utilize, or transport solid or hazardous wastes? _____

Will the project involve the disposing of hazardous Substances per 40 CFR part 261 and NJAC 7:26?

Will the project include operation of a solid waste facility according to N.J.A.C. 7:26-1-et seq.? _____

Is the project a solid waste facility or recycling center? _____

Is the project included in the appropriate county Solid Waste Management Plan? _____ Explain _____

Is the project located on a landfill that will be redeveloped for human occupancy? _____ If yes, is there an approved Landfill Closure Plan? _____

WATER RESOURCE MANAGEMENT (609) 292-4543

DIVISION OF WATER QUALITY (609) 292-4396

Surface Water Permitting (609) 292-4860 N/A
<http://www.nj.gov/dep/dwq/swp.htm>

Will this wastewater facility discharge to Surface Water? _____ Yes/No No
If yes, state the name of the proposed receiving stream _____

Describe the proposed discharge of wastewater to Surface Water _____

If no, how is the wastewater proposed to be discharged (e.g., to be conveyed to another STP, Publicly Owned Treatment Works, etc. _____

Non-Point Pollution Control (609) 633-7021
http://www.nj.gov/dep/dwq/bnpc_home.htm

The Bureau of Non-Point Pollution Control (BNPC) is responsible for protecting and preserving the state's groundwater resources through the issuance of NJPDES Discharge to Groundwater Permits and is responsible for permitting industrial facilities and municipalities under NJPDES for discharges of stormwater to waters of the State. This Program does not issue NJPDES-DGW permits for remediation operations.

Groundwater Discharge

1. Will the project/facility have a sanitary wastewater design flow which discharges to groundwater in excess of 2,000 gallons per day? No
2. Will the project/facility generate a discharge to groundwater of industrial wastewater in any quantity? **Yes, stormwater, condensate, wash down**
3. Will the project/facility involve the discharge to groundwater by any of the following activities or structures, or include as part of the design any of these activities or structures? _____

Please indicate which:

- Upland CDF (Dredge Spoils) Spray Irrigation X
Overland Flow Subsurface Disposal System (UIC) _____
Landfill Infiltration/Percolation Lagoon X
Surface Impoundment X

Please specify the source of wastewater for every structure identified above (e.g., sanitary wastewater to a subsurface disposal system or non-contact cooling water to a dry well): _____

Please specify lining materials for each lined structure identified as being used by the proposed project and give its permeability in cm/sec (e.g., 8-inch thick concrete lined evaporation pond at 10⁻⁷ cm/sec): _____

Does your project/facility include an individual subsurface sewage disposal system design for a facility with a design flow less than 2,000 gallons per day which does not strictly conform to the State's standards? No

Does your project involve 50 or more realty improvements? _____

Stormwater Program (609) 633-7021

<http://www.njstormwater.org/>

https://www.nj.gov/dep/dwq/ispp_home.html

Will your site activity disturb more than one acre? Yes

Will any industrial activity be conducted at the site where material is exposed to the rain or other elements? No

Does your facility have an existing NJPDES permit for discharge of stormwater to surface groundwater? Yes

Is your facility assigned one of the following Standard Industrial Classification (SIC) Codes? _____
(To determine your SIC Code, see the box "Industry Code" on your New Jersey Department of Labor Quarterly Contribution Report.)

Pretreatment and Residuals program (609) 984- N/A

<https://www.nj.gov/dep/dwq/bpr.htm>

Will the project involve the discharge of industrial/commercial wastewater to a publicly owned treatment works (POTW)? _____

If yes, name of POTW: _____

Volume of wastewater (gpd): _____

Will/does this project involve the generation, processing, storage, transfer and/or distribution of industrial or domestic residuals (including sewage sludge, potable water treatment residuals and food processing by-products) generated as a result of wastewater treatment. _____ If so, please explain. _____

DIVISION OF WATER SUPPLY & GEOSCIENCE (609) 292-7219

Safe Drinking Water Program (609) 292-2957

<http://www.nj.gov/dep/watersupply/>

Is the project located within an existing water purveyor service area? If yes, which one? _____

Does the purveyor have adequate firm capacity and allocation to support project demand? See <https://www.state.nj.us/dep/watersupply/pws.html> for details of the water system capacity. _____

Do water pipes currently extend to the project location? _____

If not, is it located within a franchise area? _____

Does the project have an approved Safe Drinking Water main extension permit? _____ If so, what is the permit number?

Does the water purveyor hold a Safe Drinking Water Main Master Permit?

Will the project affect any land or water controlled by a Water Supply Authority or water purveyor in New Jersey? If so, please identify and explain. _____

Water Allocation Program (609) 984-6831 N/A
<http://www.nj.gov/dep/watersupply>

Is the project seeking a new ground water allocation or modification? If yes, does the project have all necessary well location and safe drinking water permits? _____

Is the project located within an area of critical water supply concern? _____

Will this project have the capability to divert more than 100,000 gallons per day from a single source or a combination of surface or groundwater sources? _____

Will this project draw more than 100,000 gallons per day of ground or surface water for construction or operation? _____

New Jersey Geological and Water Survey (609) 984-6587
<https://www.nj.gov/dep/njgs/>

Will the project involve the following;

development of a new water supply source? _____

require aquifer testing? _____

involve an existing or abandoned mine? _____

involve geothermal or offshore energy? _____

involve subsurface sequestration in geological formations? _____

acid soils at the project site? _____

geologic hazards of concern at the project site? _____

within a karst area? _____

adversely affect groundwater recharge? _____

cross any steep slopes? _____

DIVISION OF WATER MONITORING AND STANDARDS (609) 292-1623 N/A

Bureau of Environmental Analysis, Restoration and Standards (609) 633-1441
Water Quality Management Planning Program

Based on the information provided under the Division of Water Quality section:

1. Does the project involve a new, expanded or relocated wastewater treatment facility not identified in the applicable Water Quality Management (WQM) Plan? No
2. For projects conveying wastewater to an on-site or off-site wastewater treatment facility or treatment works, is any portion of the project site located outside the sewer service area? _____

3. For projects located within an assigned sewer service area, will any wastewater flow generated from the project site be conveyed to a facility other than the assigned facility? _____

If the answer to any of the questions above is yes, the project is inconsistent with the applicable WQM Plan and a WQM Plan amendment may be required before any DEP permits can be issued.

AIR QUALITY, ENERGY & SUSTAINABILITY (609) 984-1484 N/A

DIVISION OF AIR QUALITY (609) 633-2829

<https://www.nj.gov/dep/daq/>

Will activity at the site release substances into the air? _____

Does the project require Air Preconstruction permits per N.J.A.C. 7:27-8.2(c)? _____

Will your project require Air Operating permits (N.J.A.C. 7:27--22.1)? _____

Will the project result in a significant increase in emissions of any air contaminant for which the area is nonattainment with the national ambient air quality standards (all of NJ for VOC and NOx; 13 counties for fine particulates), thereby triggering the Emission Offset Rule at NJAC7:27-18? _____

Will the project emit hazardous air pollutants and/or toxic substances above reporting thresholds listed in NJAC7:27-17?

Will the project result in stationary diesel engines (such as generators or pumps) or mobile diesel engines (such as bulldozers and forklifts) operating on the site? If so, which?

Will the project have potential for off-site odors and/or dust impact? _____

Air Quality Planning (609) 292-6722

<https://www.state.nj.us/dep/baqp/>

All counties in New Jersey are in nonattainment for the United States Environmental Protection Agency's (USEPA's) 2008 and 2015 ozone National Ambient Air Quality Standards (NAAQS). Thirteen counties (Bergen, Essex, Hudson, Mercer, Middlesex, Monmouth, Morris, Passaic, Somerset and Union) in New Jersey are in maintenance for the USEPA's 2006 fine particulate matter (PM2.5) NAAQS. The USEPA promulgated the federal General Conformity regulation (40 CFR 93, Subpart B), which was established under the Clean Air Act (Section 176 (c)(4)), to ensure that actions taken by federal agencies do not interfere with a state's plans to attainment/maintain the NAAQS. If you answer "yes" to any of the questions below, the project (or a portion of the project) may require a General Conformity Applicability Analysis and possibly a General Conformity Determination. For more information, please see the USEPA's General Conformity website at: <https://www.epa.gov/general-conformity>

Is there a "lead" federal agency for this project? _____

Does this project receive federal support or financial assistance? _____

Does this project require a federal approval, license or permit? _____

DIVISION OF CLIMATE, CLEAN ENERGY & RADIATION PROTECTION (609) 633-7964

Dam Safety Program (609) 984-0859

<http://www.nj.gov/dep/damsafety>

Will the project involve construction, repair, or removal of a dam? No
If so, please describe _____

COMPLIANCE AND ENFORCEMENT (609) 777-0122

<https://www.nj.gov/dep/enforcement/>

Does the applicant have outstanding DEP enforcement violations, and if so, what is the status? No
If yes, please identify the case, case manager, program, and phone number. See above

Does the proposed project facilitate compliance where there is a current violation or ACO? Yes

Discharge Prevention Program (DPCC) (609) 633-0610

<https://www.nj.gov/dep/enforcement/dpp.html>

Is this a facility as defined in N.J.A.C. 7:1E in which more than 20,000 gallons of Hazardous substances other than petroleum or greater than 200,000 gallons of petroleum are stored? No

Toxic Catastrophe Prevention Act (TCPA) (609) 633-0610 N/A

<https://www.nj.gov/dep/enforcement/tcpa.html>

Is this a facility that handles or stores greater than a threshold amount of extraordinarily hazardous substances as defined in N.J.A.C. 7:31? _____

COMMUNITY ENGAGEMENT (609)292-2908

The Department is committed to the principles of meaningful and early community engagement in the project's approval process. The Department has representatives available to discuss community engagement issues with you and we encourage this communication to take place at the earliest possible time.

- (a) What community groups and stakeholders have you identified that may be interested in or impacted by this project? Harrison Township
- (b) How have you or will you engage community and stakeholders in this project? Mayor Manzo and planning board
 - (a) What are the potential impacts of this project on the community? **Positive Redevelopment and employment**
- (c) What are the community concerns or potential concerns about this project?
- (d) How do you intend to address these concerns?
- (e) As part of this project, do you plan to perform any environmental improvements in this community? If yes, describe.

Please provide the Department with an additional narrative description function and its local/regional environmental, social, and economic benefits and impacts. Also, what sensitive receptors are present and how might they be affected by this project?

ADDITIONAL AGENCY REVIEW

Is the project subject to:

Highlands Regional Master Plan – Planning or Preservation Area? No
http://www.nj.gov/dep/highlands/highlands_map.pdf

Pinelands Comprehensive Management Plan? No
<http://www.state.nj.us/pinelands/cmp/>

D&R Canal Commission Standards No
<https://www.nj.gov/dep/drcc/regulatory-program/maps/>

Delaware River Basin Commission No
<http://www.state.nj.us/drbc/>

New Jersey Sports and Exposition Authority? No
<https://www.njsea.com/>

US Army Corp of Engineers review? No
<https://www.usace.army.mil/>

Other State or Federal Agencies? If so, please specify _____



Permit Readiness Checklist Submitted By:

SIGNATURE

DATE

PRINT NAME

Updated September 2020

McCauley John

From: Brian Horne <BHorne01@aol.com>
Sent: Friday, January 22, 2021 5:15 PM
To: McCauley John
Subject: Fwd: Esky Community Solar - ****Meeting Summary****
Attachments: Sign In Sheet.pdf

****CAUTION - THIS IS AN EXTERNAL E-MAIL. Do not open attachments or click links from unknown sources or unexpected e-mail.****

John,
You should convert the email into a PDF document and attach / reference under Page 15, Item 2 of the Application. This was a follow up to the meeting attended and referenced in Year 1 Application.
My Best,
Brian

Sent from my iPad

Begin forwarded message:

From: "Pepe, David" <David.Pepe@dep.nj.gov>
Date: April 26, 2019 at 9:21:24 AM EDT
To: "DeMeo, Peter" <Peter.DeMeo@dep.nj.gov>, "Todoroff, Katherine" <Katherine.Todoroff@dep.nj.gov>, "Wienckoski, Ronald" <Ronald.Wienckoski@dep.nj.gov>, "Bannister, Ron" <Ron.Bannister@dep.nj.gov>, "Kobesky, Dwayne" <Dwayne.Kobesky@dep.nj.gov>, "Hill, Erin" <Erin.Hill@dep.nj.gov>, "BHorne01@aol.com" <BHorne01@aol.com>
Cc: "Brunatti, Megan" <Megan.Brunatti@dep.nj.gov>, "Foster, Ruth" <Ruth.Foster@dep.nj.gov>, "Nolan, Katherine" <Katherine.Nolan@dep.nj.gov>, "Jones, Christopher" <Christopher.Jones@dep.nj.gov>
Subject: **Esky Community Solar - **Meeting Summary****

It was a pleasure to meet with you on April 24, 2019.

As per our discussion, please provide your meeting minutes within the next 2 weeks. Our office will distribute the draft meeting minutes to the DEP programs for review and comments, any changes/revisions will be sent your way so you may finalize. These minutes will memorialize your meeting with DEP and the topics discussed.

If you wish to have an additional technical follow-up meeting with multiple programs, please let our office know and we will coordinate and schedule the meeting accordingly. If you would like to work with the programs directly, we just ask that you keep us copied on any correspondence so we may update our records.

To close out this email, below is a courtesy conceptual summary of possible permits and action items this project may require (but not limited to): **** this is neither a comprehensive nor a technical summary ****

Land Use: Peter DeMeo, Katherine Todoroff

1. Apply for Applicability Determination to confirm Flood Hazard Area

2. Freshwater wetlands will contact you regarding 2005/2006 LOI data

F&W: Kelly Davis

1. Any disturbance in a waterway would require a timing restriction from March 1 to June 30 for anadromous species migration corridor
2. County Soil Conservation District BMP's for prevention of sediment movement should be used at all times and maintained for function.
3. DFW would recommend a seasonal restriction from 4/1 – 8/31 be considered for tree or shrub removal to prevent\avoid taking of active nests with eggs or unfledged chicks of non-game migratory birds to address concerns covered under the NJ Endangered & Non-game Species Conservation Act.

SRP/Brownfields: Ronald Wienckoski

4. Engineer must submit a Minor Modification to the current Land Fill Closure Plan to comply with Community Solar requirements

NJPDES – Surface Water Permitting: Dwayne Kobesky

1. Construction Dewatering:
 1. Provided that the discharge is not contaminated, the appropriate NJPDES discharge to surface water permit will be the B7 - Short Term De Minimis permit (see <http://www.nj.gov/dep/dwq/gp-b7.htm>). This is determined by running a pollutant scan as described in the application checklist where the data can be collected up to a year in advance of the discharge. However, if the discharge is contaminated and the analytical results demonstrate levels greater than the limitations specified in Attachment 1 of the B7 permit (see <http://www.state.nj.us/dep/dwq/pdf/b7-deminimis-final-permit-5-20-15.pdf>), the appropriate NJPDES discharge to surface water permit will be the BGR – General Remediation Cleanup permit (see http://www.nj.gov/dep/dwq/gp_bgr.htm). The BGR permit can generally be processed in less than 30 days although a treatment works approval may be needed for any treatment.

Energy and Sustainability: Erin Hill

1. Community Solar application deadline 9/29/19

NJPDES Stormwater: Ronald Bannister

1. Construction projects that disturb 1 acre or more of land, or less than 1 acre but are part of a larger common plan of development that is greater than 1 acre, are required to obtain coverage under the Stormwater Construction General Permit (5G3). Applicants must first obtain certification of their soil erosion and sediment control plan (251 plan) from their local soil conservation district office. Upon certification, the district office will provide the applicant with two codes process (SCD certification code and 251 identification code) for use in the DEPonline portal system application. Applicants must then become a registered user for the DEPonline system and complete the application for the Stormwater Construction General Authorization. Upon completion of the application the applicant will receive a temporary authorization which can be used to start construction immediately, if necessary. Within 3-5 business days the permittee contact identified in the application will receive an email including the application summary and final authorization.

Next Steps:

1. Submit Minor Mod to Site Remediation
2. Schedule follow-up PCER meeting(s)

Should circumstances or conditions be or become other than as set forth in the information that was recently provided to the NJDEP, the comments and regulatory requirements provided above are subject to change and may no longer hold true. Statements made within this email are not indicative that the NJDEP has made any decisions on whether the proposed project will be permitted. PCER looks forward to working with you on the proposed project.

Thank you for your participation and cooperation during this process. If you have any questions or concerns, please let me know as soon as possible.

Thank you,

David Pepe, P.G.

New Jersey Department of Environmental Protection
Office of Permit Coordination and Environmental Review

Office Phone (609) 292-3600

Direct Phone (609) 984-4515

Fax (609) 292-1921

Email: david.pepe@dep.nj.gov

Website: <http://www.nj.gov/dep/pcer/>

NOTE: This E-mail is protected by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521. This E-Mail and its contents may be Privileged & Confidential due to the Attorney -Client Privilege, Attorney Work Product, Deliberative Process or under the New Jersey Open Public Records Act.

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MEETING SIGN-IN SHEET

Office of Permit Coordination & Environmental Review

Telephone: (609) 292-3600

Fax: (609) 633-2102

Meeting: Esky Community Solar Project - PCER Readiness Checklist

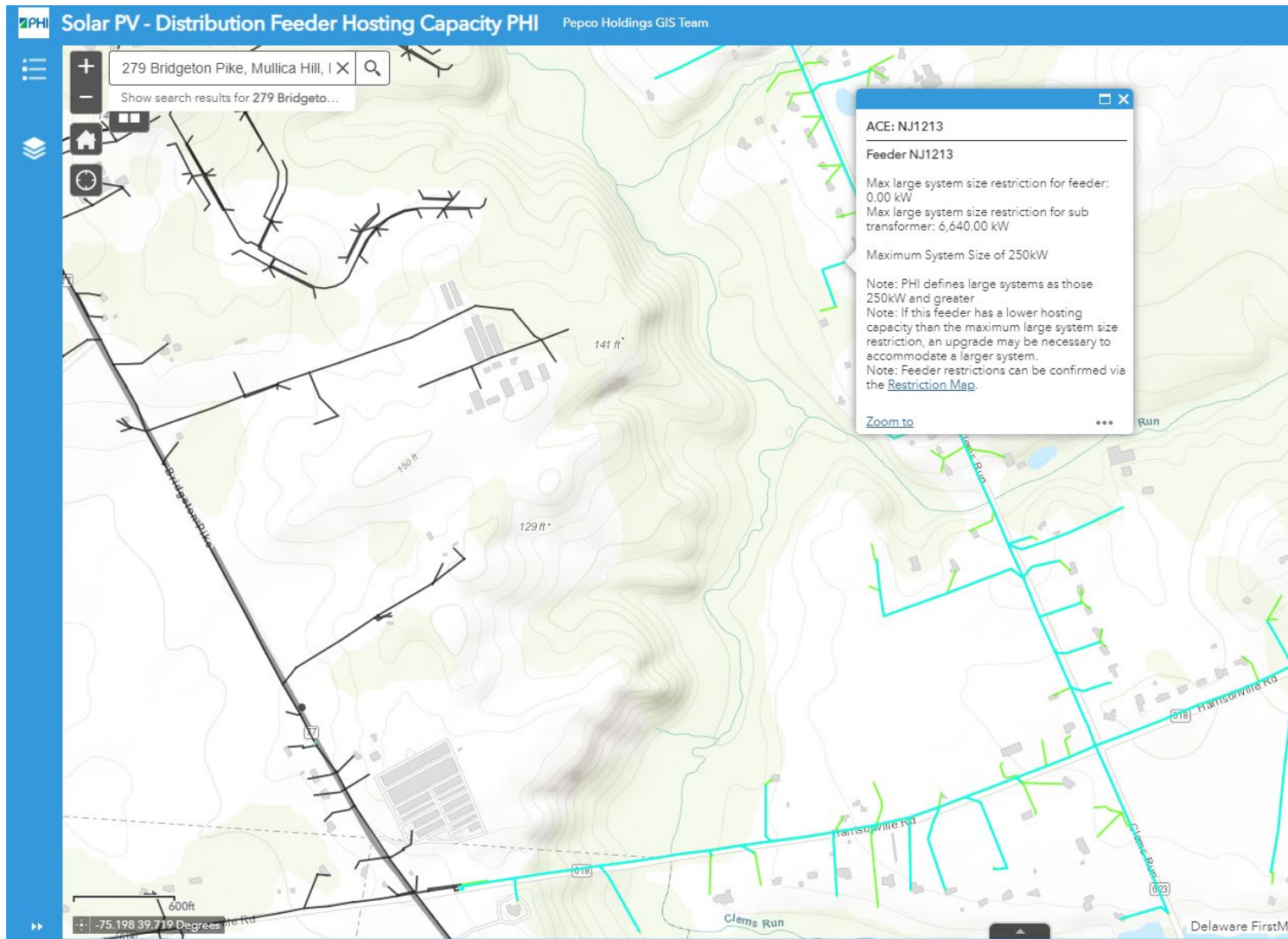
Date: April 24, 2019

Room: DEP 516 East State St. Conference Room

1:00pm to 3:00pm

- 1) NAME: DAVID PEPE AFFILIATION: NSDEP - PCER
PHONE: 609-984-4515 E-MAIL: david-pepe@dep.nj.gov
- 2) NAME: Ron Bannister AFFILIATION: NSDEP/DWQ/BNPL
PHONE: 609-292-0407 E-MAIL: ron.bannister@dep.nj.gov
- 3) NAME: Erin Hill AFFILIATION: NJDEP-BES
PHONE: 609-633-1120 E-MAIL: er.h.hill@dep.nj.gov
- 4) NAME: Ron Wiencki AFFILIATION: NJ DEP-SRP-DBR
PHONE: 609-984-4617 E-MAIL: ronald.wiencki@dep.nj.gov
- 5) NAME: Peter DeMeo AFFILIATION: DEP-Land Use
PHONE: 609-984-6216 E-MAIL: peter.demeo@dep.nj.gov
- 6) NAME: Katie Todoroff AFFILIATION: DEP-DLUR-ODST
PHONE: (609) 633-9261 E-MAIL: Katherine.todoroff@dep.nj.gov
- 7) NAME: Brian Home AFFILIATION: Eskey / SLRD
PHONE: 609-820-3246 E-MAIL: BHome81@aol.com
- 8) NAME: Danny Wong AFFILIATION: NSDEP - DAQ
PHONE: 609-984-2608 E-MAIL: danny.wong@dep.nj.gov
- 9) NAME: _____ AFFILIATION: _____
PHONE: _____ E-MAIL: _____

Esky Solar Capacity Hosting Map





Mark L. Gravinese, Administrator
Phone: 856-478-2164/Fax: 856-478-2968
mlgravinese@harrisontwp.us

Diane L. Malloy
Registered Municipal Clerk
Phone: 856-478-4111/Fax: 856-478-2498
dmalloy@harrisontwp.us

Township of Harrison
114 Bridgeton Pike
Mullica Hill, NJ 08062

Louis Manzo, Mayor
Don Heim., Deputy Mayor
John Williams., Committeeman
Julie DeLaurentis, Committeewoman
Jeffery D. Jacques, Committeeman

August 20, 2019

Mr. Brian Horne, Managing Member
SLRD Company, Mullica Hill, LLC
ESKY Solar, LLC
283 Mullica Hill Rd.
Mullica Hill, NJ. 08062

RE: Your letter dated June 19, 2019 and Community Solar Pilot Plan

Dear Mr. Horne,

Thank you for your above referenced letter. The Township has, historically, and continues to appreciate and support SLRD's efforts in closing the abandoned Henry Harris Landfill, under the jurisdiction of the NJ Department of Environmental Protection (NJDEP). As recently as one month ago, I have personally seen the great progress you have made in this endeavor, as have members of our township Environmental Commission and other members of our governing body. We also continue to monitor your progress with updates from the NJDEP.

Redevelopment of the Henry Harris Landfill has been our mutual goal, once the proper and certified closure project was complete. Your letter indicates, and you have personally expressed, that you are in the final stages of that closure project under the supervision of the NJDEP. By establishing ESKY Solar, LLC. you will be seeking to build a Community Solar Pilot project under the authority of NJ Assembly Bill 3723, which will provide benefits to our township and its residents and businesses. It is your intent to include this use in your Post Closure Plan.

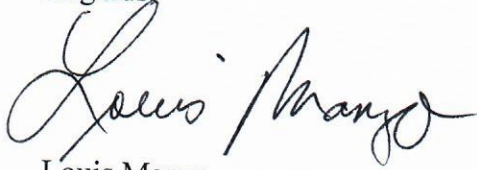
After reviewing your proposal and the Meeting Summary of your April 24, 2019 meeting with the NJDEP, the Township Committee would be supportive of a project of this kind once the requirements indicated in that Meeting Summary are met. At that point we would consider assisting by:

- Identifying potential LMI users
- Educating our residents and businesses of the savings guaranteed with participation
- Evaluating the Township's need and potential reduction in energy costs

Harrison Township has always strived to reduce operating costs and the tax burden on our local residents and businesses. Likewise, a substantial reduction in the individual electricity cost to our residents, via the generation of renewable energy, is an objective that the Township Committee strongly supports.

Feel free to contact me with any further questions.

Regards,

A handwritten signature in black ink that reads "Louis Manzo". The signature is written in a cursive, flowing style with a large initial "L".

Louis Manzo
Mayor



NEW JERSEY SENATE

STEPHEN M. SWEENEY

Senate President

Email: SenSweeney@njleg.org

Please reply to: Kingsway Commons, Suite 400
935 Kings Highway
West Deptford, NJ 08086
Tel: (856) 251-9801
Fax: (856) 251-9752

199 East Broadway, Suite G
Salem, NJ 08079
Tel: (856) 339-0808
Fax: (856) 339-9626

June 24, 2019

Brian Horne
Esky Solar, LLC
283 Mullica Hill Road
Mullica Hill, New Jersey 08062

Dear Mr. Horne:

Thank you for your recent correspondence regarding Esky Solar's future Community Solar Energy complex, and your comments concerning S2314, which establishes and modifies clean energy and energy efficiency programs, and also modifies the State's solar renewable energy portfolio standards.

The legislation, which was signed into law last year by Governor Murphy, helps to provide clean energy to residents who might not be able to put solar on their own roofs, and creates local jobs throughout the state. I am supportive of initiatives that look to implement these programs and provide clean and sustainable energy to the people of New Jersey through Community Solar projects.

Thank you again for contacting me. Please do not hesitate to reach out to me again, and I wish you the best in the future.

Sincerely,

Stephen M. Sweeney
Senate President
Third Legislative District

SMS/hp

| | | |
|--------------------------------------|----------------|-----------------------|
| Project Name: | Esky Solar 3 | |
| Project Size (Wdc) | 5,000,000 | |
| | | |
| Category | Price/W | Total |
| Modules | \$0.35 | \$1,750,000.00 |
| Inverters | \$0.03 | \$150,000.00 |
| Structural - Full Wrap | \$0.33 | \$1,650,000.00 |
| Electrical - Full Wrap | \$0.34 | \$1,700,000.00 |
| Civil Construction | \$0.10 | \$500,000.00 |
| Install Labor & Additional Equipment | \$0.28 | \$1,400,000.00 |
| Engineering (Designs) | \$0.09 | \$450,000.00 |
| | | |
| Total | \$1.52 | \$7,600,000.00 |

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| |
| |
| Comments |
| |
| Including racking materials and installation |
| |
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Section C: Certifications

Instructions: Original signatures on all certifications are required. All certifications in this section must be notarized; instructions on how to submit certifications will be provided as part of the online application process. Certifications must be dated after October 3, 2020: PY1 certifications may not be reused in PY2.

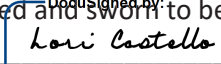
Applicant Certification

The undersigned warrants, certifies, and represents that:

- 1) I, John McCauley (name) am the Business Development Manager (title) of the Applicant NJ Resources Clean Energy Ventures (name) and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) The community solar facility proposed in the Application will be constructed, installed, and operated as described in the Application and in accordance with all Board rules and applicable laws; and
- 4) The system proposed in the Application will be constructed, installed, and operated in accordance with all Board policies and procedures for the Transition Incentive Program, if applicable; and
- 5) My organization understands that information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that any claimed sensitive and trade secret information should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3; and
- 6) I acknowledge that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, I am subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

DocuSigned by:
 Signature:  Date: 2/4/2021
52374395C357449...

Print Name: John McCauley
 Title: Sr Manager Business Development Company: NJ Resources - CEV

DocuSigned by:
 Signed and sworn to before me on this 4th day of February, 2021

0268D852CCAB460...
 Signature Lori Castella

Name



Project Developer Certification

This Certification "Project Developer / Installer" is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a Request for Proposals (RFP), Request for Quotations (RFQ), or other bidding process. In all other cases, this Certification is required.

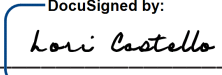
The undersigned warrants, certifies, and represents that:

- 1) I, Brian Horne (name) am the owner (title) of the Project Developer Esky Solar LLC (name) and have been authorized to file this Applicant Certification on behalf of my organization; and
- 2) The information provided in this Application package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
- 3) The community solar facility proposed in the Application will be constructed, installed, and operated as described in the Application and in accordance with all Board rules and applicable laws; and
- 4) The system proposed in the Application will be constructed, installed, and operated in accordance with all Board policies and procedures for the Transition Incentive Program, if applicable; and
- 5) My organization understands that information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that any claimed sensitive and trade secret information should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3; and
- 6) I acknowledge that **submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, I am subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.**

Signature:  Date: 2/4/2021
DocuSigned by: B3F243D6A1FA418...

Print Name: Brian Horne
 Title: Owner Company: Esky Solar LLC

Signed and sworn to before me on this 4th day of February, 2021


 Signature 0268D852CCAB460...
Lori Castello

Name



Project Owner Certification

The undersigned warrants, certifies, and represents that:

- 1) I, Brian Horne (name) am the Owner (title) of the Project Owner Esky SOLar LLC (name) and have been authorized to file this Applicant Certification on behalf of my organization; and
2) The information provided in this Application package has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
3) The community solar facility proposed in the Application will be constructed, installed, and operated as described in the Application and in accordance with all Board rules and applicable laws; and
4) The system proposed in the Application will be constructed, installed, and operated in accordance with all Board policies and procedures for the Transition Incentive Program, if applicable; and
5) My organization understands that information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that any claimed sensitive and trade secret information should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3; and
6) I acknowledge that submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, I am subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.

Signature: [Signature] Date: 2/4/2021

Print Name: Brian Horne
Title: Owner Company: Esky Solar LLC

Signed and sworn to before me on this 4th day of February, 2021

[Signature]
Signature: Lori Castello

Name



Property Owner Certification

The undersigned warrants, certifies, and represents that:

- 1) I, Brian Horne (name) am the Owner (title) of the Property Esky Solar LLC and Esky Cold Storage LLC (name) and have been authorized to file this Applicant Certification on behalf of my organization; and
2) The information provided in this Application package pertaining to siting and location of the proposed community solar project has been personally examined, is true, accurate, complete, and correct to the best of the undersigned's knowledge, based on personal knowledge or on inquiry of individuals with such knowledge; and
3) My organization or I understand that information in this Application is subject to disclosure under the Open Public Records Act, N.J.S.A. 47-1A-1 et seq., and that any claimed sensitive and trade secret information should be submitted in accordance with the confidentiality procedures set forth in N.J.A.C. 14:1-12.3; and
4) I acknowledge that submission of false information may be grounds for denial of this Application, and if any of the foregoing statements are willfully false, I am subject to punishment to the full extent of the law, including the possibility of fine and imprisonment.

Signature: [Signature] Date: 2/4/2021

Print Name: Brian Horne Title: Owner Company: Esky Solar LLC and Esky Cold Storage LLC

Signed and sworn to before me on this 4th day of February, 2021

Signature: [Signature] Lori Castello

Name

Certificate Of Completion

| | |
|---|--|
| Envelope Id: 6C974C9D590641EEACC18F7496BE7A9A | Status: Completed |
| Subject: Please DocuSign: Certifications - 8C Community Solar Energy Pilot Program Year 2 Application Fo... | |
| Source Envelope: | |
| Document Pages: 4 | Signatures: 8 |
| Certificate Pages: 5 | Initials: 0 |
| AutoNav: Enabled | Envelope Originator: |
| Envelopeld Stamping: Enabled | Lori Castello |
| Time Zone: (UTC-05:00) Eastern Time (US & Canada) | 1415 Wyckoff Road P.O. Box 1464 Wall, NJ 07719 lcastello@njresources.com IP Address: 165.225.38.194 |

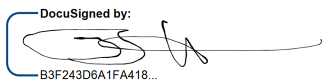
Record Tracking

| | | |
|---|--|--------------------|
| Status: Original 2/3/2021 3:32:04 PM | Holder: Lori Castello lcastello@njresources.com | Location: DocuSign |
|---|--|--------------------|

Signer Events

Brian Horne
BHorne01@aol.com
Security Level: Email, Account Authentication
(None)

Signature

DocuSigned by:

B3F243D6A1FA418...

Signature Adoption: Drawn on Device
Using IP Address: 73.10.70.58

Timestamp

Sent: 2/3/2021 3:36:36 PM
Viewed: 2/3/2021 4:04:18 PM
Signed: 2/4/2021 2:51:28 PM

Electronic Record and Signature Disclosure:

Accepted: 2/3/2021 4:04:18 PM
ID: 98c8c76d-d819-44f5-b536-96bfdc142ef4

John McCauley
JMcCauley@NJResources.com
Security Level: Email, Account Authentication
(None)

DocuSigned by:

52374395C357449...

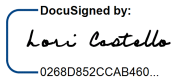
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Viewed: 2/4/2021 3:13:08 PM
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Electronic Record and Signature Disclosure:

Accepted: 2/4/2021 3:13:08 PM
ID: 61ed44ed-da51-43c9-b415-0761f80e0267

Lori Castello
lcastello@njresources.com
NJR Clean Energy Ventures
Security Level: Email, Account Authentication
(None)

DocuSigned by:

0268D852CCAB460...

Signature Adoption: Pre-selected Style
Using IP Address: 165.225.38.194

Sent: 2/4/2021 3:13:20 PM
Viewed: 2/4/2021 3:41:59 PM
Signed: 2/4/2021 3:42:09 PM

Electronic Record and Signature Disclosure:

Not Offered via DocuSign

| In Person Signer Events | Signature | Timestamp |
|------------------------------|-----------|-----------|
| Editor Delivery Events | Status | Timestamp |
| Agent Delivery Events | Status | Timestamp |
| Intermediary Delivery Events | Status | Timestamp |
| Certified Delivery Events | Status | Timestamp |



Section D: Appendix

Appendix A: Product Offering Questionnaire

Complete the following Product Offering Questionnaire. If there are multiple different product offerings for the proposed community solar project, please complete and attach one Product Offering Questionnaire per product offering. Variations in any product offering require a separate Product Offering Questionnaire. Applicants are expected to provide a good faith description of the product offerings developed for the proposed community solar project, as they are known at the time the Application is filed with the Board. If the proposed project is approved by the Board, the Applicant must notify the Board and receive approval from the Board for any modification or addition to a Product Offering Questionnaire.

Exception: This "Product Offering Questionnaire" is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a Request for Proposals (RFP), Request for Quotations (RFQ), or other bidding process.

This Questionnaire is Product Offering number _____ of _____ (total number of product offerings).

This Product Offering applies to:

- LMI subscribers
- non-LMI subscribers
- both LMI and non-LMI subscribers

1. Community Solar Subscription Type (examples: kilowatt hours per year, kilowatt size, percentage of community solar facility's nameplate capacity, percentage of subscriber's historical usage, percentage of subscriber's actual usage): _____
2. Community Solar Subscription Price: (check all that apply)
 - Fixed price per month
 - Variable price per month, variation based on: _____
 - The subscription price has an escalator of _____ % every _____ (interval)
3. Contract term (length): _____ months, or _____ years OR month-to-month
4. Fees
 - Sign-up fee: _____
 - Early Termination or Cancellation fees: _____
 - Other fee(s) and frequency: _____
5. Does the subscription guarantee or offer fixed savings or specific, quantifiable economic benefits to the subscriber? Yes No



If "Yes," the savings are guaranteed or fixed:

- As a percentage of monthly utility bill
- As a fixed guaranteed savings compared to average historic bill
- As a fixed percentage of bill credits
- Other: _____

6. Special conditions or considerations:





Section D: Appendix

Appendix A: Product Offering Questionnaire

Complete the following Product Offering Questionnaire. If there are multiple different product offerings for the proposed community solar project, please complete and attach one Product Offering Questionnaire per product offering. Variations in any product offering require a separate Product Offering Questionnaire. Applicants are expected to provide a good faith description of the product offerings developed for the proposed community solar project, as they are known at the time the Application is filed with the Board. If the proposed project is approved by the Board, the Applicant must notify the Board and receive approval from the Board for any modification or addition to a Product Offering Questionnaire.

Exception: This "Product Offering Questionnaire" is optional if: 1) the Applicant is a government entity (municipal, county, or state), AND 2) the community solar developer will be selected by the Applicant via a Request for Proposals (RFP), Request for Quotations (RFQ), or other bidding process.

This Questionnaire is Product Offering number _____ of _____ (total number of product offerings).

This Product Offering applies to:

- LMI subscribers
- non-LMI subscribers
- both LMI and non-LMI subscribers

1. Community Solar Subscription Type (examples: kilowatt hours per year, kilowatt size, percentage of community solar facility's nameplate capacity, percentage of subscriber's historical usage, percentage of subscriber's actual usage): _____
2. Community Solar Subscription Price: (check all that apply)
 - Fixed price per month
 - Variable price per month, variation based on: _____
 - The subscription price has an escalator of _____ % every _____ (interval)
3. Contract term (length): _____ months, or _____ years OR month-to-month
4. Fees
 - Sign-up fee: _____
 - Early Termination or Cancellation fees: _____
 - Other fee(s) and frequency: _____
5. Does the subscription guarantee or offer fixed savings or specific, quantifiable economic benefits to the subscriber? Yes No



If "Yes," the savings are guaranteed or fixed:

- As a percentage of monthly utility bill
- As a fixed guaranteed savings compared to average historic bill
- As a fixed percentage of bill credits
- Other: _____

6. Special conditions or considerations:

