

FRANKLIN TOWNSHIP LAND USE BOARD
MINUTES
OCTOBER 7, 2009

FLAG SALUTE:

The Franklin Township (Warren County) Land Use Board met for their regular meeting on Wednesday, October 7, 2009 in the Municipal Building at 2093 Rt. 57 in Broadway, NJ. Chairman H. Meltzer called the meeting to order at 7:35 p.m. and declared all aspects of the Open Public Meeting Act had been met by posting notice of this meeting on the bulletin board in the Municipal Building and notifying the Municipal Clerk. Advertisement of notice was placed in the Star Gazette of Hackettstown, NJ and the Express Times of Easton Pa.

ROLL CALL:

Members Present: Mayor Butler, Mr. Blaszk, Mr. Corde, Mr. Hart (7:40), Mr. Jacobsen, Mr. Meltzer, Mr. Tietz, Mr. Santini, Mr. Onembo, Mr. Van Saders, Mr. Sigler, Mr. Schnorrbusch, Mr. Viscione

Also Present: Attorney R. Schneider, Engineer M. Finelli, Planner C. McGroarty

MINUTES: September 2009 regular meeting minutes.

A motion to approve the September 2009 regular meeting minutes was made by Mr. Tietz, seconded by Mayor Butler, all ayes motion carried.

CORRESPONDENCE: A correspondence list was provided to the land use board members.

RESOLUTION:

1. Docket #08-01-Rossini/Wojcik - Extension request to record deeds for a previously approved lot line adjustment for Block 2, Lots 11,12, 13 & 17.
A motion to grant an extension through November 7, 2009 was made by Mr. Corde, seconded by Mr. Meltzer, Vote: Corde, Meltzer, Sigler, Butler, Jacobsen, Santini, Viscione - Ayes, 0 - Nay, 0 - Abstain, motion carried.

PUBLIC COMMENT:

Attorney R. Schneider addressed the public about a potential application for the Heritage Farm. Attorney Schneider explained the requirements as a matter of law during a public hearing process. Attorney Schneider explained the board is in receipt of a concept plan only there is no pending application before the Land Use Board. Attorney Schneider explained it would be improper and unfair to all parties to hear comment without notice to the public and not appropriate to hear at this time. Attorney Schneider assured all members of the public they may participate when the application is proceeding. Comments may be made at the end of the evening after the application has been heard but can only be related to zoning not to the application.

COMPLETENESS ITEM:

1. Docket #09-05 - 55 Edison Road LLC - Second Completeness review for a Preliminary & Final Major Subdivision application for Block 26, Lot 18. Mayor Butler, Mr. Blaszk and Mr. Santini stepped down for the application. The applicant was represented by Attorney A. Lowcher and J. Chmielak, PE, PP. A motion to deem the application complete with waivers granted for items #32 and #33 of Engineer M. Finelli's report dated October 6, 2009 was made by Mr. Tietz, seconded by Mr. Meltzer, Vote: Tietz, Meltzer, Corde, Jacobsen, Onembo, Van Saders, Sigler, Schnorrbusch, Viscione - Ayes, 0 - Nay, 0 - Abstain, motion carried.

DISCUSSION AND PUBLIC HEARING ITEMS:

1. Docket #09-05 - 55 Edison Road LLC - Public Hearing for a Preliminary Major Subdivision application for Block 26, Lot 18. At the request of applicant Attorney A. Lowcher the public hearing for this application has been rescheduled to the November 4, 2009 meeting.
2. Docket #09-04 - Santini, Santino and Dominick - Continuation of a Public Hearing for a Preliminary Major Subdivision application for Block 43 Lot 10. This application was continued from the September 2, 2009 meeting.
Eligible to Vote: Butler, Blaszk, Corde, Hart, Jacobsen, Meltzer, Tietz, Onembo, Sigler. Mayor Butler and Mr. Blaszk returned to the board at this time. Attorney D. Santini and L. Brill, P.L.S. represented the applicants and were previously sworn. Attorney D. Santini stated a drainage report not supporting plans will be provided. Ms. Brill reviewed a concept plan exhibit A-3 including the remaining Land, Planner C. McGroarty disagreed with Ms. Brill's review, he explained. Attorney R. Schneider suggested the applicant submit a qualifying map acceptable to the Township Engineer and Planner. The board had a brief discussion regarding the remaining thirty eight acre lot the applicant agreed to restrict the remaining property to two lots. Attorney R. Schneider suggested the applicant provide the appropriate qualifying map and reviewed the easement for the board. The board had a brief discussion regarding the applicant providing a qualifying map. A motion to grant a waiver from further submission of a qualifying map was made by Mr. Meltzer, seconded by Mr. Sigler, Vote: Meltzer, Sigler, Corde, Hart, Tietz - Ayes, Blaszk, Jacobsen - Nay, Butler, Onembo - Abstained, motion carried.
PUBLIC COMMENT: No public comment was given.
This application has been carried to the November 4, 2009 meeting without further notice the applicant must resubmit no later then October 21, 2009. Mr. Santini returned to the board at this time.
3. Docket #09-02 - Chapel at Warren Valley - Amended Site Plan application for a Preliminary and Final Site Plan application for Block 39 Lot 6.03. Mayor Butler and Mr. Blaszk left the meeting at this time 9:10 p.m. Attorney R. Schneider reviewed the status of the application for the board. The applicant was represented by Attorney A. Lowcher and Engineer V. Perna who were previously sworn.

Engineer M. Finelli recommended the application be deemed complete. A motion to deem the application complete was made by Mr. Tietz, seconded by Mr. Corde, Vote: Tietz, Corde, Jacobsen, Meltzer, Santini, Onembo, Van Sadars, Sigler, Schnorrbusch - Ayes, 0 - Nay, 0 - Abstain, motion carried. Mr. Perna reviewed Exhibit A-1 overall site plan. Mr. Perna reviewed the new location for the detention basin. Mr. Perna reviewed the new septic location which was previously a gravity system and will be replaced by a pressure dosing system. Mr. Perna briefly discussed how the proposed septic operates and addressed board questions. Engineer M. Finelli stated the septic system would be under the jurisdiction of the Warren County Health Department. Mr. Perna further explained the changes that were made to the plans involving the moving of the detention basin out of the 300' stream buffer and moving the septic system away from the new detention basin location.

Mr. Perna presented exhibit A-1 overall landscaping plan, Mr. Perna reviewed the additional plantings per the Engineer's comments in the second technical review dated February 24, 2006.

PUBLIC COMMENT: No public comment was given.

Attorney A. Lowcher requested an extension for the project and the board had concerns with the time frame for the project. The board suggested a period of six months from the adoption date of November 4, 2009 for the resolution, the applicant agreed.

A motion to grant amended Site Plan approval was made by Mr. Corde, seconded by Mr. Onembo, Vote: Corde, Onembo, Jacobsen, Meltzer, Tietz, Santini, Van Sadars, Sigler, Schnorrbusch - Ayes, 0 - Nay, 0 - Abstain, motion carried.

Mr. Hart returned to the board at this time.

PUBLIC COMMENT:

Attorney R. Schneider briefly provided the guidelines for public comment.

Chairman H. Meltzer stated the comments should be about zoning but not the application.

Ms. Sudha Kantor of Halls Mill Road stated she would like to express her concerns and the public's concerns with the current zoning for Franklin Township.

Ms. Kantor briefly addressed the following, the maintaining of an agricultural community, Health, safety and ecology of the community, respect of the natural resources.

Ms. Kantor stated environmental planning areas are not zoned properly. The close proximity of the Musconetcong river the open space and preserved lands.

Ms. Kantor stated the proposed project would be a black eye on the map for Franklin Township and not in line for the future of the residents, Ms. Kantor further explained. Board member G. Corde asked Ms. Kantor what she would propose.

Ms. Adrienne Kaczynski of Asbury Bloomsbury Road.

Ms. Kaczynski expressed safety concerns with dump truck traffic especially during the weigh station construction.

Ms. Ann Ferrero of Main Street Bloomsbury.

Ms. Ferrero expressed concerns with the impact on neighboring communities.

Ms. Ferrero asked if there was a procedure for zoning changes, Planner C. McGroarty explained.

Mr. Onembo stated as a resident I am sure you have experienced tax bills which continue to increase rapidly. One of the concerns is the consideration because of the proximity of Rt. 78. North of Rt. 57 has been taken off the rolls from the Highlands.

Chairman H. Meltzer stated the current zoning would also permit an office park.

Board member and open space committee member F. Jacobsen explained the open space committee's point of view of the Rt. 78 properties.

Mr. John Schembari of Bloomsbury Road.

Mr. Schembari suggested an amendment to the current zoning instead of changing it.

BILL LIST: A motion to approve vouchers submitted for payment was made by Mr. Corde, seconded by Mr. Meltzer, all ayes motion carried.

ADJOURNMENT: 10:35 P.M.

With no further business before the board and no further public comment offered the meeting was adjourned.

Respectfully Submitted,

Margaret Housman, Secretary