

FRANKLIN TOWNSHIP LAND USE BOARD
MEETING MINUTES
July 10, 2019

FLAG SALUTE:

The Franklin Township (Warren County) Land Use Board met for their regular meeting on Wednesday, July 10, 2019 at the Franklin Township Municipal Building at 2093 Route 57, Broadway, NJ 08808. Chairman H. Meltzer called the meeting to order at 7:35 p.m. and declared all aspects of the Open Public Meetings 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 posted in the Star Gazette of Hackettstown, NJ and the Express Times of Easton, Pa.

ROLL CALL:

Members Present: Mr. Onembo, Mr. Santini, Mr. Ferri, Mr. Meltzer, Mr. Van Sadlers, Mr. Sigler, Mr. Corde

Members Absent: Mr. Banes, Mayor DeAngelis

Also Present: Engineer M. Finelli, Attorney R. Schneider, Planner J. Kyle

MINUTES: Minutes from the June 5, 2019 meeting.

Eligible to Vote: Onembo, Meltzer, Van Sadlers, Santini, Sigler, Corde, Banes

A motion to approve was made by Mr. Onembo, seconded by Mr. Santini,

Vote: Onembo, Santini, Meltzer, Van Sadlers, Sigler, Corde – Ayes,

0 – Nay, 0 – Abstain, all ayes motion carried.

COMPLETENESS ITEMS:

1. 2019-04 – Completeness review for a Minor Subdivision application for Block 57 Lot 30 located at 100 Butler Road. Mr. Sigler stepped down for the application. The applicant was represented by Engineer Laura Brill.

Engineer M. Finelli reviewed his completeness report dated July 9, 2019.

Engineer M. Finelli recommended the application be deemed complete with waivers granted for completeness purposes. A motion to deem the application complete with waivers granted was made by Mr. Corde, seconded by Mr. Meltzer, Vote: Corde, Meltzer, Onembo, Ferri, Van Sadlers, Santini – Ayes, 0 – Nay 0 – Abstain, all ayes motion carried. The application was scheduled for public hearing on August 14, 2019.

Mr. Sigler returned to the board at this time.

RESOLUTION:

1. 2019-01- Resolution for Route 57 Solar located at Block 16.01 Lot 10 & 10.08.
Eligible to Vote: Meltzer, Banes, Onembo, Van Sadlers, Santini, Sigler, Corde

A motion to approve was made by Mr. Meltzer seconded by Mr. Corde, Vote: Meltzer, Corde, Onembo, Van Sadars, Santini, Sigler – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

DISCUSSION ITEMS:

1. 2019-02- Amended Final Site Plan application for Pohatcong Creek Solar LLC located at Block 26 Lot 2. Mr. Santini and Mr. Ferri stepped down from the application. The applicant was represented by Attorney M. Bellin and Engineer I. Hill. Attorney M. Bellin briefly described the status of the application. Attorney Bellin stated the application had been reduced in size and there were no panels in the flood zone and the applicant is applying for amended final approval.

Attorney R. Schneider swore in applicant Engineer Ian Hill, Mr. Hill stated that they removed the panels near the tree rows due to shading concerns.

Engineer I. Hill reviewed Exhibit A-1 sheet 11 of 16 dated 7-9-2019. Engineer I. Hill stated the fence line has been shifted to allow for farm equipment.

Engineer I. Hill reviewed Exhibit A-2 sheet 4 of 16 dated 7-9-2019 landscaping. Engineer I. Hill reviewed the landscape buffer and stated any remaining space would be beefed up and the applicant would provide a supplemental landscape plan.

Engineer I. Hill stated the proposed plan had been approved by the Fire Chief. Engineer M. Finelli reviewed his report dated 7-8-2019.

Attorney M. Bellin stated the applicant would like to utilize the property not being used by the solar field to farm or develop. Also modify the conservation easement for commercial use. Have the option to eliminate it and provide a landscape plan. This change would of course have to meet the Planner and Engineer's approval because it would increase the development size.

Planner J. Kyle stated he reviewed the Effi-Solar application whose buffer includes trees. The issue should be deferred to a future site plan application before the board.

Attorney R. Schneider stated the concern is the ability to remove trees subject to the easement.

Attorney M. Bellin had a brief discussion regarding the easement.

Mr. Corde asked so you would like to cut back the easement. Applicant Mr. Satini suggested just buffering along the fence just like the other solar.

Planner J. Kyle suggested the buffer be cut down to 100ft., the board agreed. Trim the trees but you would have to maintain a 100ft. buffer.

Attorney R. Schneider stated modification to the conservation easement plan in a form acceptable to the Township Planner and Engineer. Maintain a 100ft. conservation easement, no removal of trees within a 100ft., they can still trim trees for agricultural purposes. If there is future development they could seek modification or eliminate if necessary. Attorney R. Schneider reviewed the rules of approval.

PUBLIC COMMENT:

Planner J. Kyle answered questions from the public regarding easements and buffers.

A motion to approve was made by Mr. Corde, seconded by Mr. Meltzer, Vote: Corde, Meltzer, Onembo, Van Sadars, Sigler – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

PUBLIC COMMENT:

1. Chapter 90 Article VIII zoning 90-59 signs.
Mr. Ferri and Mr. Santini returned to the board at this time.
Planner J. Kyle briefly reviewed an ordinance from Frankford Township.
Mr. Onembo reviewed possible scenarios for signage and bringing the current sign ordinance up to standards.
Planner J. Kyle stated he would prepare a draft for the Board's next meeting.

PUBLIC COMMENT:

The board addressed comments regarding sign enforcement.

VOUCHERS: A motion to pay vouchers submitted for payment was made by Mr. Meltzer, seconded by Mr. Ferri, all ayes motion carried.

EXECUTIVE SESSION: 9:08 – 9:35 p.m. "Pending Litigation"

A motion to go into Executive Session was made by Mr. Meltzer, seconded by Mr. Sigler, all ayes motion carried. Mr. Santini recused himself for the discussion.

A motion to return to regular session was made by Mr. Corde, seconded by Mr. Ferri, all ayes motion carried.

ADJOURNMENT: 9:35 p.m.

With no further business before the board and no further public comment offered the meeting was adjourned. A motion to adjourn was made by Mr. Meltzer, seconded by Mr. Ferri, all ayes motion carried.

Respectfully Submitted,

Margaret Housman, Secretary