

FRANKLIN TOWNSHIP LAND USE BOARD
MEETING MINUTES
February 3, 2021

FLAG SALUTE:

The Franklin Township (Warren County) Land Use Board met virtually for their regular meeting on Wednesday, February 3, 2021. Secretary M. Housman called the meeting to order at 7:30 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 at 2093 Route 57 Broadway, NJ and notifying the Municipal Clerk.

Advertisement of notice was posted in the Star Ledger of Newark NJ and the Express Times of Easton, Pa.

OATH OF OFFICE: Attorney R. Schneider swore in Land Use Board members Mayor Ferri, Class I, Mr. Onembo, Class II, Mr. Herzer, Class III, Mr. Sigler, Class IV, Mr. Santini, Class IV, Mr. Handel, Alternate #1.

ROLL CALL:

Members Present: Corde, Santini, Ferri, Onembo, Herzer, Sigler, Butler, Handel, Meltzer

Members Absent: Hamler

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

REORGANIZATION OF THE BOARD:

Secretary M. Housman called for the nomination of the Land Use Board Chair. A motion was made by Mr. Corde, seconded by Mr. Santini to nominate Mr. Meltzer as Land Use Board Chairman, no additional nominations were made Nominations were closed. Vote: Corde, Santini, Ferri, Onembo, Herzer, Sigler, Butler, Handel, Meltzer – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

Chairman H. Meltzer called for the nomination of the Land Use Board Vice Chairman. A motion was made by Mr. Onembo, seconded by Mr. Meltzer to nominate Mr. Corde as Land Use Board Vice Chairman, no additional nominations were made, Nominations were closed. Vote: Onembo, Meltzer, Ferri, Herzer, Sigler, Santini, Butler, Handel – Ayes, 0 – Nay, Corde – Abstained, the Ayes have the motion.

Appointments:

A motion to approve the resolution authorizing contracts with Richard Schneider, Esq. of Vogel, Chait, Collins & Schneider as Attorney; Michael Finelli, P.E. of Finelli Consulting Engineers as Engineer; James Kyle P.P. of Kyle & McManus Associates as Planner for Professional Services for 2021.

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

A motion to appoint Margaret Housman as Land Use Board Secretary was made by Mr. Meltzer, seconded by Mr. Butler, Vote: Meltzer, Butler, Ferri, Onembo, Herzer, Sigler, Santini, Corde, Handel – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

The Express Times and the Star Ledger were adopted as the Official Newspapers designated for sunshine law notices. A motion to approve was made by Mr. Meltzer, seconded by Mayor Ferri, Vote: Meltzer, Ferri, Onembo, Herzer, Sigler, Santini, Butler, Corde, Handel – Ayes, 0 – Nay, 0 – Abstain all ayes motion carried.

A motion to adopt the 2021 Land Use Board regular and workshop schedule was made by Mr. Meltzer, seconded by Mr. Onembo, Vote: Meltzer, Onembo, Ferri, Herzer, Sigler, Santini, Butler, Corde, Handel – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

MINUTES: Minutes from the December 2, 2020 meeting.

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

Minutes from the October 28, 2020 special meeting.

A motion to approve was made by Mr. Meltzer, seconded by Mayor Ferri, Vote: Meltzer, Ferri, Butler, Corde, Handel – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

Minutes from the November 11, 2020 special meeting.

A motion to approve was made by Mr. Meltzer, seconded by Mr. Butler, Vote: Meltzer, Butler, Corde, Handel – Ayes, 0 – Nay, 0 – Abstain, All ayes motion carried.

Minutes from the November 23, 2020 special meeting.

A motion to approve was made by Mr. Meltzer, seconded by Mr. Handel, Vote: Meltzer, Handel, Ferri, Butler, Corde – Ayes, 0 – Nay, 0 – Abstain, All ayes motion carried.

RESOLUTIONS:

1. Resolution for a Minor Subdivision application for Block 3 Lot 17 & 13 for applicant David Mizrahid. This application received approval on December 2, 2020.

A motion to approve Mr. Meltzer, seconded by Mr. Corde,
Vote: Meltzer, Corde, Onembo, Ferri, Butler, Handel – Ayes, 0 – Nay,
0 – Abstain, all ayes motion carried.

2. Resolution of the Land Use Board of the Township of Franklin adopting the updated Open Space and Recreation Plan as an element of the Masterplan of the Township of Franklin.

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

3. Resolution Establishing Standard Protocols for Remote Public meetings held by a local public body during a Governor – Declared Emergency and Land Use Board of the Township of Franklin remote public meeting protocol. A motion to approve was made by Mr. Meltzer, seconded by Mr. Handel, Vote: Meltzer, Handel, Ferri, Onembo, Herzer, Sigler, Santini, Butler, Corde – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

COMPLETENESS ITEMS:

1. 2020-02 – Common Sense for Animals/Dr. Blease – Third Completeness Review for a Site Plan application located at Block 7, Lots 14/1.01/1.02. Located at 2430 State Route 57 on the Franklin Township Tax Maps. Mayor Ferri and Mr. Santini recused themselves for the application.

A motion to deem the application complete with waivers granted for Completeness purposes was made by Mr. Onembo, seconded by Mr. Corde, Vote: Onembo, Corde, Meltzer, Sigler, Butler, Handel – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

DISCUSSION ITEMS:

1. 2020-02 Common Sense for Animals/Dr. Blease – Public hearing for a Site Plan application located at Block 7, Lots 14/1.01/1.02. Located at 2430 State Route 57 on the Franklin Township Tax Maps. Mayor Ferri and Mr. Santini recused themselves for the public hearing. The applicant Dr. Robert Blease was represented by Engineer T. Bayer and C. Blease assisted with the applicant advertising. Attorney R. Schneider swore in Township Planner B. McManus (for James Kyle), the applicant Dr. Robert Blease, Conrad Blease (applicant's son). Applicant Attorney Ralph Finelli who stated he is of no relation to Township Engineer Michael Finelli. Attorney R. Schneider stated he has reviewed the affidavit and the board has jurisdiction to proceed.

Dr. Blease described for the board the site and purpose of Common Sense for Animals. Dr. Blease explained they are a non- profit organization, an educational organization including writing for journals and publications. Dr. Blease explained they participate in nursing home visitations and lectures.

Dr. Blease stated the new facility has Highlands approval and all signage for the facility will be to the townships zoning regulations. The facility will also only have one entrance and exit.

Dr. Blease stated the new facility would service approximately 1200 to 1400 animals every year and would do good for the surrounding area and the community.

Applicant Engineer T. Bayer reviewed the site plan rendering lay out for the board. Mr. Bayer stated there would be a stormwater detention facility to process any runoff to the neighbors. The Landscaping and sidewalk detail was provided and the detached garage will remain.

Mr. Corde if there was a reason why the lots are not being combined.

Dr. Blease chose not to combine the lots there are multiple principal uses, existing conditions and the non-profit is run by the board of trustees.

Mr. Onembo stated keep lots independent for future sake and merge the two western lots together. The condition is not being aggravated correct, Dr. Blease said yes.

Engineer M. Finelli stated he would like to see a wider isle width.

Engineer T. Bayer stated he would also work out some of the items on Engineer M. Finelli's report dated February 2, 2021.

Engineer T. Bayer stated there was no ordinance requirement for shelters but the shelter would have way less then the thirty two required spaces.

Dr. Blease stated when there is overflow at the shelter we use both parking lots plus Butch Roy and Candys. When there are normal operations we never go over sometimes there are small travel buses but there are usually only there a couple of hours.

Planner B. McManus asked Dr. Blease if the lectures were held off site with alternative hours. Dr. Blease said the lectures are about animal responsibility and animal welfare.

Dr. Blease stated there were four full time employees and eight part time employees and the only deliveries at the site would be for dog and cat food as well as litter.

Engineer T. Bayer briefly discussed the trash enclosure, retaining wall and plantings as well as the water supply.

Engineer T. Bayer stated the applicant would like to request a waiver to use well water for the toilets and dog runs.

Mr. Corde suggested they use the well water then go on public water. Engineer M. Finelli suggested a night lighting test for site lighting and the Stormwater will be discussed between Engineers, Engineer T. Bayer reviewed Variances as discussed.

PUBLIC COMMENT:

Mr. Scott DeMasi stated he had concerns with the reference to water runoff. Mr. DeMasi stated Lot 14 has an elevation to it and there is a 25ft. drop in elevation my lot is to the west of Dr. Blease and water from the canal and run off from Second Street & Edison Road runs underneath Route 57 and impacts people on the south side of Route 57.

Mr. Corde asked Engineer T. Bayer if he felt the retention basin will do its job.

Engineer T. Bayer stated it should be significantly reduced at a controlled rate, there should be no small storm runoff what soever.

Engineer M. Finelli stated there should be a decrease to the property and should make the situation better.

Mr. DeMasi said I hope your right.

No further public comment was given.

Attorney R. Schneider stated the use serves the general welfare, serves to advance zoning.

A motion to grant Use Variance and "C" Variance approval with Preliminary and Final Site Plan approvals was made by Mr. Corde, seconded by Mr. Butler, Vote: Corde, Onembo, Butler, Sigler, Meltzer, Handel – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

PUBLIC COMMENT: No additional public comment was provided.

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

EXECUTIVE SESSION: 10:30 p.m. to 10:48 p.m.

Mr. Onembo and Mr. Santini recused themselves for the Executive Session at this time.

The Land Use Board went into Executive Session to discuss pending litigation:

Heisler/Viking Development Co. LLC vs. Franklin Township.

A motion to go into Executive Session was made by Mr. Corde, seconded by Mr. Meltzer, all ayes motion carried.

A motion to come out of Executive Session was made by Mr. Meltzer, seconded by Mayor Ferri all ayes motion carried.

ADJOURNMENT: 10:48 p.m.

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

Respectfully Submitted,


Margaret Housman, Secretary