

FRANKLIN TOWNSHIP LAND USE BOARD  
MEETING MINUTES  
July 7, 2021

FLAG SALUTE:

The Franklin Township (Warren County) Land Use Board met for their regular meeting on Wednesday, July 7, 2021. Chairman H. Meltzer called the meeting to order at 7:05 p.m. and declared all aspects of the Open Public Meeting 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, the Express Times of Easton, Pa. as well as the Franklin Township website.

ROLL CALL:

Members Present: Mayor Ferri, Mr. Meltzer, Mr. Corde, Mr. Butler, Mr. Handel, Mr. Santini, Mr. Herzer

Members Absent: Mr. Sigler, Mr. Onembo

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

MINUTES: Minutes from the May 5, 2021 meeting & Executive.

A motion to approve the May 5, 2021 minutes as written was made by Mr. Corde, seconded by Mayor Ferri, Vote: Corde, Ferri, Herzer, Meltzer, Handel – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

A motion to approve the May 5, 2021 Executive Session minutes was made by Mr. Meltzer, seconded by Mr. Corde, Vote: Meltzer, Corde, Ferri, Herzer, Handel – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

COMPLETENESS ITEMS:

1. 2021-01 Elizabethtown Gas-Stewartsville Solar Carport  
Second Completeness Review for a Preliminary & Final Site Plan Application for Block 41 Lot 11 located at 148 Edison Road. Board members Mr. Santini and Mr. Herzer stepped down for the application.  
Engineer M. Finelli reviewed his completeness review dated July 7, 2021 and May 4, 2021.  
Waivers were reviewed with no objections and a few outstanding items. A motion to grant completeness with waivers granted for Completeness purposes was made by Mr. Corde, seconded by Mr. Butler, Vote: Corde, Butler, Ferri, Meltzer, Handel – Ayes, 0 – Abstain, all ayes motion carried.  
Mr. Santini and Mr. Herzer returned to the board at this time.

#### DISCUSSION ITEMS & PUBLIC HEARING:

1. 2020-03 Public hearing for a Minor Subdivision Application for Block 56 Lot 34 the applicant being Sarah Pyskaty. Attorney A. Lowcher reviewed the proposed application stating there were no variances requested or required.

Engineer C. Nusser was qualified for the board.

Engineer C. Nusser reviewed the existing 63-acre lot as well as the 7- acre lot in the center of the property which conforms. The existing house as well as the pool are located on the 7- acre lot. The existing driveway serves the house and Ag. use we are working on a proposed driveway location with the County.

Engineer M. Finelli suggested a condition prohibiting sale without new driveway authority with the County it is a County road.

Mr. Santini suggested a driveway should go with the lot.

Engineer M. Finelli stated he was not sure what the owner's plans are if either of the lots were to be sold.

Planner J. Kyle suggested a condition upon the sale if the applicant would agree.

Attorney R. Schneider suggested a reasonable condition in the deeds of Minor Subdivision, the applicant prior to construction must obtain a driveway permit. Its clear the board is not endorsing a common driveway.

Engineer M. Finelli stated driveway feasibility as well as septic are a requirement for a building lot.

Planner J. Kyle stated it should be prior to any use.

Mr. Corde suggested condition of the sale, it's the use.

Attorney R. Schneider stated the conditions will be included in the deeds of Minor subdivision.

PUBLIC COMMENT: No public comment was offered.

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

2. 2021-01 Elizabethtown Gas – Stewartsville Solar Carport  
Public hearing for a Preliminary & Final Site Plan application for Block 41 Lot 11 located at 148 Edison Road. Board member Mr. Santini and Mr. Herzer stepped down at this time.  
The applicant was represented by Attorney E. Gibbons. Attorney E. Gibbons reviewed the proposed application of Marina Energy, LLC, (applicant) for Preliminary and Final Site Plan approval, Variance and waiver relief to permit the construction of structure mounted solar panels on an approximately 9.84 acre parcel identified as Lot 11, Block 41 on the Township Tax Map located at 148 Edison Road owned by ETG Acquisition Corporation. The property is located within the I Industrial Zoning District Attorney E. Gibbons stated renewable energy facilities are Permitted as an accessory use within the I-Zone pursuant to Chapter 90-54k(1)(a)(2) of the Township Code. The proposed solar panels are to be mounted on a Canopy to be constructed within the existing parking area on the main office building.  
The panels are proposed to supply power to the existing facility with no interconnection to the JCP&L power grid. The application also seeks a “c” variance from Chapter 90-54 To allow a 44’ side yard setback where 50’ is required as well as waivers and other variances or waivers deemed necessary by the Board or it’s Professionals.

Attorney R. Schneider swore in applicant Engineer M. Sousa, P.E. Engineer M. Sousa reviewed Exhibit A-1 set of colorized existing conditions showing a wooded area to the North and residential use to the South.

Engineer M. Sousa explained there are no changes to the drainage we will be using the existing. No stormwater improvements, 250 ft. from wetlands and 300ft. from a flood hazard area and there will be no tree removal.

Engineer M. Finelli’s report dated July 6, 2021 addressed on page 4 Under Technical Review under Zoning note 2 Erosion Control Plan.

Mr. Corde asked what the grade difference will be from the nearest House, Mr. Sousa explained.

Planner J. Kyle briefly explained slope.

Engineer M. Finelli stated a circulation plan has been provided but it was not clear whether truck circulation may be impacted by the location of parking spaces. It was recommended that the plan be revised to show parking spaces and circulation aisles and that the spaces be striped.

Engineer M. Sousa reviewed Exhibit A-2 Truck Circulation. Engineer M. Sousa stated the parking area is more of a staging area for their trucks.

Engineer M. Sousa stated the applicant will comply with the Signage and a plan will be submitted to the building department.

Engineer M. Sousa stated the applicant will provide the Fire Chief for review a set of plans.

Attorney E. Gibbons stated a decommissioning plan will be provided.

**PUBLIC COMMENT:**

Mr. Matt Pittore of 152 Edison Road.

Mr. Pittore has concerns with the existing lighting which currently shines 24hrs. a day.

Planner J. Kyle suggested lighting be removed and any proposed lighting we will make sure it's improved. Additional lighting will be reviewed.

Engineer M. Sousa stated the proposed lighting will be a half a foot candle from your property line and should not have a negative impact.

The public hearing was concluded at this time.

A motion to approve subject to conditions and comments was made by Mr. Meltzer, seconded by Mr. Corde, Vote: Meltzer, Corde, Ferri, Butler, Handel – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried. Mr. Santini and Mr. Herzer returned to the Board at this time.

Planner J. Kyle reviewed Ordinance 2021- 06 for consistency comments and no further recommendations from the Board are to be made. A motion to approve was made by Mr. Herzer, seconded by Mr. Corde, Vote: Herzer, Corde, Ferri, Meltzer, Santini, Butler, Handel – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

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

ADJOURNMENT: 9:15 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. Corde, seconded by Mayor Ferri, all ayes motion carried.

Respectfully Submitted,

Margaret Housman, Secretary