

FRANKLIN TOWNSHIP LAND USE BOARD  
REGULAR MEETING MINUTES  
December 7, 2011

FLAG SALUTE:

The Franklin Township (Warren County) Land Use Board met for their regular meeting on Wednesday, December 7, 2011 at the Franklin Township Municipal building at 2093 Rt. 57, Broadway, NJ 08808. Chairman H. Meltzer 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 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: Mr. Corde, Mr. Hart, Mr. Meltzer, Ms. Payne, Mr. Onembo, Mr. Santini, Mr. Sigler, Mr. Schnorrbusch, Ms. Kantor, Mr. Banes, Mr Van Sadars (7:45)  
Members Absent: Mr. Tietz, Mayor DeAngelis  
Also Present: Attorney R. Schneider, Engineer M. Finelli, Planner J. Kyle

MINUTES: Minutes from the November 2, 2011 meeting.

A motion to approve the November 2, 2011 minutes was made by Ms. Payne, seconded by Mr. Corde, Vote: Payne, Corde, Hart, Santini, Schnorrbusch, Kantor, Banes all ayes motion carried.

CORRESPONDENCE:

1. Letter dated November 29, 2011 from Warren County Planning Dept. regarding Alethea Cleantech Advisors LLC (Agenda item).

COMPLETENESS ITEM:

1. Docket 2011-08 - S. Santini - Completeness review for a Minor Subdivision application with Variance relief for Block 44 Lot 2 located at 193 Good Springs Road. Mr. Santini stepped down for the application. The applicant was represented by Attorney D. Santini and Surveyor L. Brill. Attorney R. Schneider swore in Ms. Brill and stated Ms. Brill has previously testified and been qualified and accepted by the Board. Engineer M. Finelli reviewed his report dated December 5, 2011 and recommended completeness with waivers granted for item #4, #26 and #28 of the checklist. A motion to deem the application complete with waivers granted was made by Mr. Meltzer, seconded by Mr. Onembo, Vote: Meltzer, Onembo, Corde, Hart, Payne, Sigler, Schnorrbusch, Kantor, Banes - Ayes, 0 - Nay, 0 - Abstain, motion carried.

## DISCUSSION & PUBLIC HEARING ITEMS:

1. Docket 2011-08 - S. Santini - Public hearing for a Minor Subdivision application with Variance relief for Block 44 Lot 2 located at 193 Good Springs Road. Ms. Brill reviewed the project as it is today Sheet #1, Sheet #2 Septic design and driveway profile. Ms. Brill stated the applicant agreed not to further subdivide the thirteen acre piece and would be recorded by deed. Engineer M. Finelli reviewed the project and stated the boundary abuts the transco easement and there would be no further subdivision to Lot 2 and no other relief would be necessary.

Engineer M. Finelli stated the pending DOT grant application that we submitted will require a minimum lane width of 11ft. from centerline, 22ft total width which could require some widening of existing roadway pavement and storm sewer improvements there by necessitating the need for an additional right of way dedication.

Attorney D. Santini agreed to revise the plan to show the porch and septic system not in the right of way. Attorney R. Schneider stated the porch and septic should be excluded from dedication of the Township right of way.

Public Comment: No public comment was offered the public hearing was closed at this time.

Attorney R. Schneider reviewed the existing non-conforming conditions.

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

Vote: Onembo, Sigler, Corde, Hart, Meltzer, Payne, Van Sadars, Schnorrbusch, Kantor, Banes - Ayes, 0 - Nay, 0 - Abstain, motion carried.

2. Docket 2011-05 - Alethea Cleantech Advisors LLC. Continuation of a public hearing for a Variance & Preliminary & Final Major Site Plan for a Solar Farm application for Block 39 Lot 5 and 5.13. This application was carried from the November 2, 2011 meeting. Eligible to vote: Corde, Meltzer, Onembo, Tietz, Van Sadars, Schnorrbusch, Kantor, Banes. Mr. Hart, Mr. Santini and Ms. Payne stepped down for the application. The applicant was represented by Attorney M. Peck and Engineer J. Schwenker of Innovative Engineering. Attorney R. Schneider gave a brief review from the October

5,

2011 meeting. Engineer J. Schwenker reviewed revised plans based on the site walk by the professionals. Ms. Schwenker addressed the system height shown on sheet #23 of the plans and stated the system would be lowered by three feet and will require smaller space between rows as shown on sheet #12 of #23. Ms. Schwenker stated additional landscaping would be moved closer to the roadway and a four foot high berm adding trees would be added along Stewartsville Road.

Ms. Schwenker presented exhibit A-2 photo simulations and A-3 aerial photos from google earth showing existing conditions on Stewartsville Road. Sheet #3 showing corn and existing home, sheet #4 showing proposed landscaping and the last photo with the temporary fence installed to show the fence location.

Ms. Schwenker stated they have addressed the Morris Canal's recommendations and will work with them.

Ms. Schwenker stated the granting of the conservation easement for the useful

life of the project will be done, Attorney Peck agreed.

Ms. Schwenker stated she will reach out to the Fire Official for his comments on the project.

**PUBLIC COMMENT:**

Ms. Jean Marie Murray of 80 Good Springs Road.

Ms. Murray asked what about reflection, Ms. Schwenker replied it would be minimal.

Ms. Murray asked what the frame was made of, Ms. Schwenker replied the framing would be galvanized.

Ms. Murray asked what the life expectancy of the panels was, Ms. Schwenker replied 25 years.

Mr. Charles Krutulis of 44 Stewartsville Road.

Mr. Krutulis questioned access for fire because each field had perimeter fencing and the width for the access road. Ms. Schwenker replied access roads would have a 20ft. width and 8.1 feet between each row.

Mr. Mark Burton of 100 Stewartsville Road.

Mr. Burton expressed concerns for water run off and his yard, Ms. Schwenker stated this project should reduce the run off from the site and stabilize it.

Mr. James McAleer of 110 Stewartsville Road.

Mr. McAleer asked what the life expectancy of the solar panels was Ms. Schwenker replied twenty five years. Mr. McAleer he would like to see any studies showing that they will last the life of twenty five years. Mr. McAleer asked if there were any run off calculations, Mr. Schwenker replied yes.

Mr. Steven Depaul of 80 Stewartsville Road.

Mr. Depaul stated there was a straight line to the field and no buffer.

Mr. Robert Fernandez of 53 Stewartsville Road.

Mr. Fernandez asked if the panels will be cleaned, Ms. Schwenker replied no.

Mr. Fernandez asked if there would be water contamination from the panels.

Ms. Schwenker also stated there would be no water contamination from the panels.

Mr. Daniel Gardner of 28 Stewartsville Road.

Mr. Gardner asked if they could review the landscaping for the project and if there were any property value studies done.

Attorney M. Peck stated the applicant would install additional landscaping.

Mr. Howard Schutzbank of 25 Stewartsville Road.

Mr. Schutzbank asked how the power left the site.

Ms. Schwenker explained power to the grid and underground to existing poles.

Mr. Robert Sempervive of 61 Stewartsville Road.

Mr. Sempervive asked what will it look like across from Milan's barn, what about lighting, Ms. Schwenker replied it would be designed in accordance with the electrical code.

Mr. Edmund Duchesne of 45 Stewartsville Road.

Mr. Duchesne stated he had concerns with night time lighting, Ms. Schwenker replied there would be a lamp post light one at each gate.

Mr. Vincent Chiu of 37 Stewartsville Road.

Mr. Chiu asked what will happen after 25 years, Ms. Schwenker replied there will be a decommission plan in place for the site.

Ms. Marsha Colaluca of 2385 Rt. 57.

Ms. Colaluca stated there was a zero foot setback on lot 5.13 and 5.00 and that the solar fence was on the property line.

Mr. Robert Fernandez of 53 Stewartsville Road.

Mr. Fernandez stated there were reports of abandoned solar fields.

Attorney R. Schneider swore in Mr. George Katzias, principle.

Mr. Katzias stated they do use panels from China and they are made from aluminum glass and sand, no cadmium. Mr. Katzias stated the panels would be deep dark bluish black in color and made from non-reflective glass.

Mr. Katzia also stated all mowing would be done during business hours.

Attorney R. Schneider stated they would get further into the testimony at the next meeting. The public hearing was concluded at this time and will be continued at the January 4, 2011 meeting without further notice being required.

Mr. Santini, Mr. Hart and Ms. Payne returned to the board at this time.

#### COMPLETENESS ITEM:

1. Docket 2011-09 - R. Donaldson & J. Donaldson - Completeness review for a Minor Subdivision application for Block 42 Lot 10 located at 44 Herleman Road.  
A motion to deem the application complete was made by Mr. Corde, seconded by Mr. Meltzer, Vote: Corde, Meltzer, Hart, Payne, Van Sadars, Schnorrbusch, Kantor, Banes - Ayes, Sigler - Nay, Onembo - Abstain, motion carried.

PUBLIC COMMENT: None

BILL LIST: A motion to approve vouchers submitted for payment was made by Mr. Van Sadars, seconded by Ms. Payne, all ayes motion carried.

ADJOURNMENT: 10:35 p.m.

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

Respectfully Submitted,

Margaret Housman, Secretary  
Franklin Township Land Use Board