

FRANKLIN TOWNSHIP LAND USE BOARD
REGULAR MEETING MINUTES
December 5, 2012

FLAG SALUTE:

The Franklin Township (Warren County) Land Use Board met for their regular meeting on Wednesday, December 5, 2012 at the Franklin Township Municipal building at 2093 Rt. 57, Broadway, NJ 08808. Chairman H. Meltzer called the meeting to order at 7:55 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. Van Sadlers, Mr. Meltzer, Mr. Tietz, Mr. Santini, Mr. Onembo, Mr. Sigler, Mr. Schnorrbusch, Ms. Kantor, Mr. Banes
Members Absent: Ms. Payne, Mr. Corde, Mr. Hart
Also Present: Attorney R. Schneider, Engineer G. Weber, Planner J. Kyle

CORRESPONDENCE: None

COMPLETENESS ITEMS:

1. Docket 2012-05 – Neal Hayde – Completeness review for a Minor Subdivision Application for Block 46 Lot 22 located at 211 Asbury Broadway Road. Engineer G. Weber reviewed his report dated 11/03/12 regarding completeness and recommended the application be deemed complete with waivers granted for completeness purposes. A motion to deem the application complete was made by Mr. Santini, seconded by Mayor Butler, Vote: Santini, Butler, Van Sadlers, Meltzer, Onembo, Sigler, Schnorrbusch, Kantor, Banes – Ayes, 0 – Nay, 0 – Abstain, motion carried. This application will be scheduled for public hearing on January 9, 2013.

PUBLIC HEARING & DISCUSSION ITEMS:

1. RLL Enterprises, LLC Block 51 Lot 4, Leyburn – Request for extension for Final Major Subdivision approval. The applicant was represented by Attorney D. Morrow. Mr. Morrow reviewed the status of the ten lot major subdivision and has requested a three year extension for the project. A motion to extend Final Major Subdivision approval from December 31, 1012 through December 31, 2014 was made by Mr. Onembo, seconded by Mr. Tietz, Vote: Onembo, Tietz, Butler, Van Sadlers, Meltzer, Santini, Sigler, Schnorrbusch, Kantor – Ayes, 0 – Nay, 0 – Abstain, motion carried. Mayor Butler, Mr. Santini, Mr. Sigler and Ms. Kantor stepped down from the board at this time.

2. Docket 2011-10- ISE Farms Solar Farm/Moncada NJ Solar 201, LLC Continuation of a public hearing for a Use Variance/Preliminary and Final Major Site Plan. The applicant was represented by Attorney D. O'Hern, Engineer J. Swankert.

Attorney R. Schneider swore in Engineer J. Swankert who reviewed her credentials for the board. Ms. Swankert reviewed the latest revisions to the plans for Rev. #6 dated 9/26/12 in detail. Ms. Swankert stated the Fire Chief's recommendations have been incorporated including the gates.

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

Attorney R. Schneider swore in Planner A. Janiw, P.P. Mr. Janiw reviewed his credentials for the board. Mr. Janiw discussed his visit to the site including aerial photography. Mr. Janiw reviewed the beneficial uses for the site including energy to the grid and the ISE Farm operation. Mr. Janiw stated the proposed site is located on Block 26 Lots 16 & 17 and access will be via an easement through ISE Farms. Mr. Janiw reviewed Exhibit A-13 Zoning Map, the areas in green are permitted and the "D" Variance is for the solar field. Mr. Janiw stated the visual impact has natural screening and buffering will be supplemented with additional buffering where needed. Mr. Janiw stated the solar farm will return to agriculture when the solar use is done and will not be lost to development. Mr. Janiw reviewed the variances required for the project. Mr. Shanley reviewed the commercial terms of the agreement and stated the system has a salvage value of three million dollars.

Attorney R. Schneider suggested a developer's agreement for the removal.

Public Comment:

Mr. Don Craig of Good Springs Road.

Mr. D. Craig asked why there aren't any solar farms in the masterplan, Mr. Shanley explained and addressed buffering. Mr. Banes stated the applicant should agree to pinpoint buffering options.

Mr. George Banghart of Good Springs Road.

Mr. Banghart had questions regarding cost of energy.

No further public comment was offered.

Attorney R. Schneider reviewed the application's requirement for five affirmative votes and that there were six people eligible to vote.

A motion to approve the use variance with conditions as stated was made by Mr. Tietz, seconded by Mr. Onembo, Vote: Tietz, Onembo, Van Sadlers, Meltzer, Schnorrbusch, Banes – Ayes, 0 – Nay, 0 – Abstain, motion carried.

A motion to approve the side yard variance and site plan was made by Mr. Onembo, seconded by Mr. Meltzer, Vote: Onembo, Meltzer, Van Sadlers, Tietz, Schnorrbusch, Banes – Ayes, 0 – Nay, 0 – Abstain, motion carried.

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

ADJOURNMENT: 9:50 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