

FRANKLIN TOWNSHIP LAND USE BOARD
MINUTES
DECEMBER 2, 2009

FLAG SALUTE:

The Franklin Township (Warren County) Land Use Board met for their regular meeting on Wednesday, December 2, 2009 in the Municipal Building at 2093 Rt. 57 in Broadway, NJ. Chairman H. Meltzer called the meeting to order at 7:35 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. Blaszk, Mr. Corde, Mr. Hart, Mr. Jacobsen, Mr. Meltzer, Mr. Tietz, Mr. Santini, Mr. Onembo, Mr. Van Sadars, Mr. Sigler, Mr. Viscione

Members Absent: Mr. Schnorrbusch

Also Present: Attorney S. Tombalakian, Engineer M. Finelli, Planner C. McGroarty

MINUTES: October and November 2009 meeting minutes.

A motion to approve the October 2009 regular meeting minutes was made by Mr. Tietz, seconded by Mr. Meltzer, Vote: Tietz, Meltzer, Butler, Blaszk, Corde, Hart, Jacobsen, Santini, Onembo - Ayes, 0 - Nay, 0 - Abstain, motion carried.

A motion to approve the November 2009 regular meeting minutes was made by Mayor Butler, seconded by Mr. Tietz, Vote: Butler, Tietz, Blaszk - Ayes, 0 - Nay, 0 - Abstain, motion carried.

CORRESPONDENCE LIST:

1. J. Schnetzer - Agricultural Subdivision Block 48 Lots 9 & 10 - Discussion for the release of jurisdiction to Washington Township Land Use Board. The applicant has requested this matter be rescheduled to the January 6, 2010 meeting.

RESOLUTION:

1. Docket #09-02 - Chapel at Warren Valley - Resolution granting amended Site Plan approval for a Preliminary and Final Site Plan application for Block 39 Lot 6.03.

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

COMPLETENESS ITEMS:

1. Docket #09-06 - F. Greek/Bloomsbury Industrial Park - Initial completeness review for a Preliminary Major Site Plan and Subdivision application for Block 61, Lots 5 & 6. The applicant was represented by Attorney S. Tripp of Wilentz, Goldman & Spitzer P.A. and Engineer R. Moschello of Gladstone Design. Attorney S. Tripp explained the purpose of tonight's completeness review. Engineer M. Finelli addressed

his report dated November 30, 2009 and addressed issue of group use in the IP zone vs. single use in the IP zone and how it would be proposed to the board. Engineer M. Finelli explained the proposed variance relief and requirements not fully complied with and outstanding items. Engineer M. Finelli recommended to the board to deem the application incomplete at this time. Attorney S. Tripp reviewed waivers requested for completeness purposes. The board suggested the applicant provide additional escrow to bring the initial deposit up to seventy five thousand. The applicant agreed to the board request for additional escrow monies and not to let the escrow account balance fall below twenty five thousand. Attorney S. Tombalakian explained the escrow process and stated the board should never go into deficit, the board agreed. Engineer M. Finelli explained the time frame for the reports and Attorney S. Tombalakian explained the application time frame. Engineer M. Finelli suggested the board hire additional consultants for the application which would include consultants for traffic, geotechnical and environmental the board agreed, Mr. Finelli will provide the board with contact information for the consultants at the January 6, 2010 meeting. Attorney S. Tripp, Engineer M. Finelli reviewed requested waivers from Mr. Finelli's report dated November 30, 2009.

Major Subdivision waivers:

A motion to grant waivers as discussed from Engineer M. Finelli's November 30, 2009 report was made by Mr. Corde, seconded by Mr. Onembo, Vote: Corde, Onembo, Butler, Blaszk, Hart, Jacobsen, Meltzer, Tietz, Santini - Ayes, 0 - Nay, 0 - Abstain, motion carried. Waivers were granted for Item #1, #2, #23, #26, #28, #32 on pg. 6 & 7 of the engineering report. Item #17 & #30 from Checklist F are considered not applicable Item #17 for residential cluster which does not apply, Item #30 designs for bridges and culverts also does not apply.

Major Site Plan waivers:

A motion to grant waivers as discussed was made by Mr. Onembo, seconded by Mr. Corde, Vote: Onembo, Corde, Butler, Blaszk, Hart, Jacobsen, Meltzer, Tietz, Santini - Ayes, 0 - Nay, 0 - Abstain, motion carried. Waivers granted are listed above with the exception of signage detail. Attorney S. Tripp explained signage detail could not be provided at this time until potential tenants are known. Planner C. McGroarty stated a generic sign face would be appropriate at this time.

A motion to deem the application incomplete as recommended in the Engineer's report dated November 30, 2009 was made by Mr. Tietz, seconded by Mr. Blaszk, Vote: Tietz, Blaszk, Butler, Corde, Hart, Jacobsen, Meltzer, Santini, Onembo - Ayes, 0 - Nay, 0 - Abstain, motion carried.

Chairman H. Meltzer announced the application would return at the January 6, 2010 meeting for a second completeness review and a tentative date of February 3, 2010 for public hearing if deemed complete. Chairman H. Meltzer stated new plans would be available for the public to review. Attorney S. Tombalakian gave an explanation of the process for completeness and public hearing. The public requested the minutes and agendas be posted on the website in the future, the board agreed to do so.

Public Comment:

Mark Peck Bloomsbury Mayor

Mr. Peck, Bloomsbury Mayor expressed concerns for the proposed project.

Board member J. Onembo explained to Mr. Peck that comments may be made at the appropriate time.

DISCUSSION & PUBLIC HEARING ITEMS:

1. Docket #09-04 - Santini, Santino & Dominick - Continuation of a Public Hearing for a Preliminary Major Subdivision application for Block 43 Lot 10. This application was carried from the November 4, 2009 meeting without further notice being required. Mr. Santini stepped down from the board at this time. The applicants were represented by Attorney D. Santini and Engineer K. Hoffman. Attorney D. Santini addressed Engineer M. Finelli's report dated December 1, 2009. Engineer K. Hoffman who was previously sworn explained the drainage near the proposed driveways. Mr. Hoffman stated drainage was not an issue with the new stormwater regulations. Engineer M. Finelli stated drainage at this point is not a problem and should be less of an impact on the road. Applicant S. Santini stated now that the road is no longer dirt there are no more problems. Engineer M. Finelli briefly addressed the drainage for Willow Grove Road as compared to the proposed site. Mr. F. Jacobsen asked if the remaining land is eligible for open space, Chairman H. Meltzer suggested a notation on the drawing. Engineer M. Finelli stated a note will be on the final plat. Vice Chairman J. Tietz asked Planner C. McGroarty to address the COAH for the project, Mr. McGroarty explained. Attorney D. Santini concluded at this time there were no further comments from board members.

Public Comment: No public comment was offered, the public hearing was closed at this time. A motion to grant Preliminary Major Subdivision approval was made by Mr. Jacobsen, seconded by Mr. Blaszk, Vote: Jacobsen, Blaszk, Butler, Corde, Hart, Meltzer, Tietz, Onembo, Sigler - Ayes, 0 - Nay, 0 - Abstain, motion carried. S. Santini returned to the board at this time.

2. Docket #09-05 - 55 Edison Road LLC - Public Hearing for a Preliminary Major Subdivision application for Block 26 Lot 18. This application was carried from the November 4, 2009 meeting without further notice being required. The applicant was represented by Attorney A. Lowcher and Engineer J. Chmielak. Attorney A. Lowcher stated he re-noticed for tonight's public hearing and reviewed the status of the application for the board. Attorney A. Lowcher stated the applicant Engineer will cover the proposal tonight for lot averaging. Engineer J. Chmielak briefly reviewed his credentials for the board and was sworn in and by Attorney S. Tombalakian and accepted as a professional engineer by the board. Mayor Butler and Mr. Blaszk stepped down for the application and left the meeting at this time.

The following exhibits were submitted:

Engineer J. Chmielak, P.E. presented Exhibit A-1 dated October 7, 2009 colorized rendering, exhibit A-2 dated October 7, 2009 qualifying subdivision map, exhibit A-3 dated November 3, 2009 cluster vegetation plan, exhibit A-4 dated November 3, 2009 existing vegetation plan.

Engineer J. Chmielak reviewed the RC zone permitted uses and remaining open space.
Engineer Chmielak addressed the 150ft. and 300ft. Stream buffers and agricultural fields to the north and east.

Engineer Chmielak addressed the suitability of the site for septic with sandy soils.

Engineer Chmielak addressed the lot averaging plan and the diversity in the lots.

Engineer Chmielak stated the cluster option was not practical based on the soil logs.

Break: 10:00 - 10:05 p.m.

Attorney A. Lowcher requested additional time to look at the layout and provide additional soil logs.

Public Comment: No public comment was offered.

Attorney S. Tombalakian announced the application will be carried to the January 6, 2010 meeting, no further notice will be provided.

Board member F. Jacobsen submitted his resignation to the board effective December 31, 2009. Chairman H. Meltzer thanked him for his many years of service on the board.

PUBLIC COMMENT: No public comment was offered.

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

ADJOURNMENT: 10:30 P.M.

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

Respectfully Submitted,

Margaret Housman, Secretary