

Franklin Township Land Use Board
Meeting Minutes
February 2, 2023

The Franklin Township (Warren County) Land Use Board met for their reorganization and regular meeting on Thursday, February 2, 2023. Attorney Schneider 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 a notice of this meeting on the Municipal Bulletin board and providing a copy to the municipal clerk. Advertisement of notice was posted in the Star Ledger of Newark, NJ and the Express Times of Easton, Pa. as well as the Franklin Township website.

The Flag Salute was led by Mr. Schneider.

OATHS:

Mr. Schneider gave the Oath of Office to the following members: Mr. Guth, Mr. Herzer, Mr. Sigler, Mr. Meltzer, Mr. Butler, Ms. Payne, Mr. Corde, Mr. Kubik and Mr. Balogh

ROLL CALL:

Members Present: Mr. Butler, Mr. Corde, Ms. Payne, Mr. Herzer, Mr. Sigler, Mr. Guth, Mr. Kubik, Mr. Balogh

Members Absent: Mr. Santini, Mr. Onembo

Also Present: Attorney Richard Schneider, Engineer Michael Finelli

REORGANIZATION OF THE BOARD

Appointment of Chairperson – Motion by Mr. Guth, seconded by Mr. Sigler to appoint Mr. Meltzer as Chairperson. No other nominations were heard. Motion carried unanimously by all in favor to appoint Mr. Meltzer.

Appointment of Vice Chairperson – Motion by Mr. Sigler, seconded by Ms. Payne to appoint Mr. Corde as Vice Chairperson. No other nominations were heard. Motion carried unanimously by all in favor to appoint Mr. Corde.

Appointment of Secretary – Motion by Mr. Guth, seconded by Mr. Corde to appoint Kelley Smith as Secretary. No other nominations were heard. Motion carried unanimously by all in favor to appoint Kelley Smith.

RESOLUTIONS

Motion by Mr. Meltzer, seconded by Mr. Butler and carried unanimously by all in favor to adopt Resolution R:23-1; A resolution setting the schedule of meeting dates.

Motion by Mr. Meltzer, seconded by Mr. Guth and carried unanimously by all in favor to adopt Resolution R:23-2; A resolution setting the official newspapers as the Express Times NJ Zone and Star Ledger.

Motion by Mr. Melzer, seconded by Mr. Herzer and carried unanimously by all in favor to adopt Resolution R:23-3; A resolution appointing Land Use Board Professionals: Michael Finelli (Engineer); Richard Schneider (Attorney); James Kyle (Planner)

MINUTES

Motion by Mr. Guth, seconded by Mr. Corde to approve the minutes from December 1, 2022. Roll Call: Ayes: Mr. Butler, Mr. Corde, Ms. Payne, Mr. Meltzer, Mr. Herzer, Mr. Sigler, Mr. Guth, Mr. Balogh

OK 4WD COMPLETENESS

Mr. Finelli reviewed his December 3, 2022 memo regarding the completeness review. He recommended that the application be deemed complete at this time and be placed on the March 2, 2023 agenda.

Motion by Mr. Corde, seconded by Mr. Meltzer to deem the OK 4WD Preliminary & Final Site Plan and Use Variance application with waivers complete. Roll Call: Ayes: Mr. Butler, Mr. Corde, Ms. Payne, Mr. Meltzer, Mr. Sigler, Mr. Kubik, Mr. Balogh.

KOBER SOLAR FARM, LLC RESOLUTION

Motion by Mr. Corde, seconded by Mr. Meltzer to approve the resolution memorializing Kober Solar Farm. Roll Call: Ayes: Mr. Butler, Mr. Corde, Ms. Payne, Mr. Meltzer, Mr. Sigler, Mr. Kubik, Mr. Balogh.

FRANKLIN TOWNSHIP

At the request of the Franklin Township Committee the Board was asked to review and comment on an ordinance amending the Code of Franklin Township to repeal chapter 80 Flood Damage Prevention and to adopt a new Chapter 80 entitled flood plain management and adopting flood hazard maps; designation a floodplain administrator; and providing for severability and an effective date introduced by the Township Committee.

Mr. Finelli explained the ordinance and why it is being done. He explained that there is really no choice and it has to be done by February 2023. Mr. Finelli further explained the ordinance and how the committee tailored it for the Township. Ms. Payne asked if it will create problems for people with flood insurance. Discussion took place amongst board members on how things could be affected.

Motion by Mr. Sigler, seconded by Ms. Payne to find to the extent required the ordinance before the board to amend the Franklin Township code has been referred to the land use board and the land use board finds to the extent necessary that it is not inconsistent with the master plan and makes no other recommendations. Mr. Corde asked if they know if it is in consistent with the master plan. Mr. Finelli stated yes and explained the reasoning. Mr. Schneider stated it is preemptory and the Federal government has control over it. Roll Call: Ayes: Mr. Butler, Ms. Payne, Mr. Herzer, Mr. Meltzer, Mr. Sigler, Mr. Guth, Mr. Balogh
Abstained: Mr. Corde, Mr. Kubik.

BILL PAYMENT:

Motion to pay the bills was made by Mr. Sigler, seconded by Mr. Guth to pay the bills submitted. Motion carried by All In Favor.

DISCUSSION:

Mr. Schneider commented that the time period is about to expire on anyone making an appeal on the Broadway Solar matter. There are still some things from a compliance standpoint that need to be done.

Mr. Finelli commented that Common Sense For Animals finally got their DOT approvals and hopefully will start their project soon.

Respectfully submitted,

Kelley Smith
Land Use Board Secretary