

FRANKLIN TOWNSHIP LAND USE BOARD
VIRTUAL MEETING MINUTES
November 3, 2021

FLAG SALUTE:

The Franklin Township (Warren County) Land Use Board met for their virtual regular meeting on Wednesday, November 3, 2021. Chairman H. Meltzer called the meeting to order at 7:35 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 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. Onembo, Mr. Herzer, Mr. Meltzer, Mr. Sigler, Mr. Butler, Mr. Handel, Mr. Corde, Mr. Kubik, Mr. Balogh

Members Absent: Mr. Santini

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

MINUTES: Minutes from the October 6, 2021 meeting.

Eligible to Vote: Meltzer, Corde, Santini, Butler, Onembo, Ferri, Herzer, Handel, Balogh

RESOLUTIONS:

1. 2021-02 – Elizabeth Gas (ETG) Acquisition Corporation.
Resolution of approval for a Preliminary & Final Site Plan application for a proposed Renewable Natural Gas (RNG) Station for Block 41 Lot 11 located at 148 Edison Road.
Eligible to Vote: Meltzer, Ferri, Onembo, Butler, Handel, Corde, Balogh
A motion to approve was made by Mr. Corde, seconded by Mr. Handel,
Vote: Corde, Handel, Meltzer, Ferri, Onembo, Butler, Balogh – Ayes,
0 – Nay, 0 – Abstain, all ayes motion carried.

2. 2021-03 - Broadway Solar, Owner of Broadway Energy LLC.
Resolution of denial for a Minor Site Plan application including a "D" Variance for Block 16.01 Lot 10.00 located at 2043 Route 57 Washington, NJ.
Eligible to Vote: Meltzer, Corde, Onembo, Santini, Butler, Handel, Balogh.
A motion to approve was made by Mr. Onembo, seconded by Mr. Meltzer,
Vote: Onembo, Meltzer, Corde, Butler, Handel, Balogh – Ayes,
0 – Nays, 0 – Abstain, all ayes motion carried.

COMPLETENESS ITEMS:

1. 2021-05 – Society of Jesus Christ the Priest – Completeness Review for Variance relief and a Site Plan application for Block 34 Lot 7.03 located at 75 Edison Road. Engineer M. Finelli reviewed his report dated October 28, 2021. Engineer Finelli stated that the application was previously granted in 1998 and was never perfected was woefully incomplete. Engineer Finelli recommended the board deem it incomplete at this time. Attorney R. Schneider stated there was a prior variance but no prior valid approval. A motion to deem the application incomplete was made by Mr. Sigler, seconded by Mr. Meltzer, Vote: Sigler, Meltzer, Ferri, Onembo, Herzer, Butler, Handel, Corde, Kubik – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

2. 2021-04 Safavieh – Completeness Review for a Preliminary Site Plan application for Block 58 Lot 1 located at 380 Bloomsbury Road the applicant being Yaraghi Realty LLC. The applicant was represented by Attorney Mark Peck and Engineer Tony Diggan, P.E. Attorney R. Schneider stated Mr. Handel and Mr. Santini will be recusing themselves. Attorney R. Schneider stated Mr. Onembo’s participation was discussed before the matter proceeds to site plan approval. Previous Mayor DeAngelis and Mr. Onembo’s meeting communications were determined not to be a conflict of interest. Under the consent order Mayor DeAngelis and Mr. Onembo recused themselves from the process and it would not adversely impact any future proceedings no disqualifying interest. Attorney R. Schneider raised the issue with Mr. Peck as a courtesy it’s appropriate to bring him up with the issue.

Mr. Peck expressed concern Mr. Onembo’s participation could taint proceedings and requested Mr. Onembo not participate.

Mr. Onembo stated his recusal was a result to listening to an expert on redevelopment focused on redevelopment issues suggested Mayor DeAngelis and myself recuse ourselves.

Mr. Peck stated I don’t believe there is a need thus is a concern it could be raised as an issue.

Mr. Onembo stated he is inclined to remain unless my colleagues have issue.

Attorney R. Schneider stated in the court of process solely focus on the redevelopment process and financial benefit.

Attorney R. Schneider asked Mr. Onembo as zoning officer did you have a brief meeting with the applicant regarding the permitted uses for the zone.

Mr. Onembo stated he did not have a future meeting.

Mr. Peck stated that he was more than satisfied.

Attorney R. Schneider requested Attorney Kline provide the members a list of the people he is representing, Attorney Kline will provide prior to the next meeting.

Attorney R. Schneider stated that Mr. Peck noticed for tonight's hearing. Mr. Peck's form of notice was correct, it was a voluminous amount of material submitted with this application. This material was only able to be accessed with private information. All materials appropriate under the law. Mr. Peck has agreed to re-notice and will provide documents directly assessable for public inspection at the Municipal building for any members of the public to review. The intension is that the applicant will address items at the up coming December 1, 2021 meeting and if deemed complete will proceed to public hearing.

Engineer M. Finelli reviewed his report dated October 29, 2021. Engineer Finelli stated additional submissions have been made we have provided an initial completeness review of a 1,075,700 sq. ft. warehouse, eleven items have not been satisfied. Comments have been addressed we received a second submission late last evening. Engineer Finelli recommended the application be deemed incomplete we will continue to communicate.

Engineer Tony Diggan of Kimely Horn addressed items to be supplied per Engineer M. Finelli's report. The applicant will re-notice for the December 1, 2021 meeting for completeness and if deemed complete then proceed to public hearing.

PUBLIC HEARING & DISCUSSION ITEMS: None

PUBLIC COMMENT:

Jean Paul Reese reviewed the procedure and raise your hand if you have any questions.

Ms. Tracy Heisler of 16 Kinnaman Avenue Washington, NJ
Ms. Heisler asked if there would be a November 17, 2021 meeting,
Mr. Meltzer replied no, Mr. Corde stated there would not be a December 15,
2021 meeting as well. Attorney Schneider explained that they were advertised
workshop meeting dates that had to be included and were previously advertised.

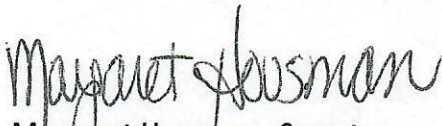
Mr. Pat Banes of 366 Bloomsbury Road, Bloomsbury NJ
Mr. Banes asked how the board was addressing people who do not have the
internet. Mr. Meltzer stated they can call in, Mr. Banes said yes but they can't
see anything couldn't they set up computers at town hall for people.
Public comment was concluded at this time.

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

ADJOURNMENT: 8:45 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. Meltzer, seconded by Mr. Corde, all in favor motion carried.

Respectfully Submitted,


Margaret Housman, Secretary