

FRANKLIN TOWNSHIP LAND USE BOARD
MEETING MINUTES
May 1, 2019

Flag Salute:

The Franklin Township (Warren County) Land Use Board met for their regular meeting on Wednesday, May 1, 2019 at the Franklin Township Municipal building at 2093 Route 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 Meetings 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 posted in the Star Gazette of Hackettstown, NJ and the Express Times of Easton, Pa.

ROLL CALL:

Members Present: Mr. Onembo, Mr. Meltzer, Mr. Van Sadlers, Mr. Santini, Mr. Corde, Mr. Sigler, Ms. Kantor, Mr. Banes
Members Absent: Mayor DeAngelis, Mr. Ferri
Also Present: Engineer M. Finelli, Attorney D. Soloway, Planner J. Kyle

MINUTES: Minutes from the April 3, 2019 meeting.

Eligible to Vote: Onembo, Meltzer, Van Sadlers, Santini, Sigler, Corde
A motion to approve was made by Mr. Corde, seconded by Mr. Van Sadlers,
Vote: Corde, Van Sadlers, Onembo, Meltzer, Santini, Sigler – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

RESOLUTION:

1. 2019-02- Resolution of approval for Pohatcong Creek Solar for Block 26 Lot 2.
Eligible to Vote: Onembo, Meltzer, Van Sadlers, Sigler, Corde
A motion to approve was made by Mr. Onembo, seconded by Mr. Corde,
Vote: Onembo, Corde, Meltzer, Van Sadlers, Sigler – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.

PUBLIC HEARING ITEMS:

1. Public hearing for a Preliminary Investigation for Block 58 Lot 1.
Planner James Kyle reviewed his Preliminary Investigation for Block 58 Lot 1 and stated with the adoption of Resolution 2019-34 on February 4, 2019 the governing body has directed the Land Use Board to conduct a preliminary investigation to determine if certain properties assessed under the criteria set forth in N.J.S.A. 40A:12A. would fall under redevelopment (page 4 of the preliminary investigation)
Mr. Kyle stated that should any of these conditions exist within the area studied, it is reasonable to conclude that an area is in need of redevelopment.
Mr. Kyle explained the process, a public hearing determination, criteria must be met, adoption of a resolution of this Land Use Board and then the Township Committee would designate the area in need of redevelopment. The township committee must adopt and have a hearing just like any other ordinance.

Board member Mr. Banes asked why is it considered in need of redevelopment, Mr. Kyle explained The township committee wanted an investigation, in 2014 they consolidated the IP and I zones into just I, Mr. Kyle explained the ordinance change.

Board member Mr. Onembo explained when you have an overlay zone with a housing plan the pilot plan requires a redevelopment plan. Mr. Kyle explained the benefits for the township of a pilot plan.

Board member Ms. Kantor asked how it was chose Mr. Kyle stated the township committee chose it, Mr. Kyle stated the property has been in the Industrial zone for some time which makes the property more attractive, it is an incentive to developers and more money would stay with the township, less for the schools and county. Ms. Kantor stated it was a great township benefit more money into the municipal budget and Mr. Kyle explained the tax rate is based on the municipal budget levy the benefit is the tax rate goes down. Mr. Kyle reviewed the description of the study area starting on page 6 of the Preliminary Investigation. Mr. Kyle stated the study area consists of approximately 112 acres of land on the north side of Asbury- Bloomsbury Road, located opposite from Lime Kiln Road in the southwest corner of the township. Presently the parcel is

actively farmed and bordered by hedgerows on all sides, figure 2: 2017 Aerial Oblique View from 4/17/19. The tax benefit to the township was briefly discussed, Mr. Onembo asked if there would be advantages for the town's tax base, Mr. Kyle stated absolutely. Mr. Corde stated it would take thousands of homes without a pilot program. The township committee would have more flexibility with the municipal budget absolute advantage to the township tax payers. Mr. Onembo pointed out the proposed property which is currently being farmed only brings in twelve hundred dollars per year in tax revenue.

PUBLIC COMMENT:

Ms. Joyce Kucyn of 143 Asbury Bloomsbury Road.

Ms. Kucyn asked how an agricultural piece of property would get Zoned Industrial.

Mr. Kyle explained farming is allowed anywhere you have to have non-residential uses, development.

Mr. Onembo stated the property has been Industrial since the mid 1970's, fifty three percent of the township is already preserved.

Mr. Jesse Pyskaty of 93 Bloomsbury Road.

Mr. Pyskaty said Industrial it's going to happen a pilot program would give the best tax incentive, and make it more appealing.

Mr. Onembo replied yes think about how we would make out better.

Mr. Pyskaty said he doesn't agree with section "c" being not applicable, remoteness to other locations.

Mr. Kevin Simpson of 151 Bloomsbury Road.

Mr. Simpson said everything around it is farm land would the road support a warehouse.

Mr. Corde replied this is a County Road and the County would have to be involved, the applicant would have to pay for the improvements.

Ms. Tracy Heisler of 370 Bloomsbury Road.

Ms. Heisler said there was no reference of impact to the neighboring properties.

Mr. Kyle replied there was no impact to assess it's not appropriate for this report.

Ms. Heisler asked what prompted the township to do this at this time.

Mr. Kyle replied it had nothing to do with this board it was the township committee's decision.

Mr. Robert Taylor of 186 West Mt. View Road.

Mr. Taylor stated he has concerns of truck traffic going through Asbury, has anyone addressed traffic flow and pollution into the river would it be addressed.

Mr. Kyle replied these factors would be taken into consideration and there would be an investigation.

Mr. Bruce Livingston of 27 Maple Avenue.

Mr. Livingston asked if a farmer could purchase the property.

Mr. Kyle replied yes.

Ms. Susan Dehaven of 59 Asbury Bloomsbury Road.

Ms. Rehaven asked if any field could be Zoned Industrial

Mr. Kyle replied yes. Ms. Dehaven said why take a hayfield or a cornfield, is it the only one. Mr. Onembo replied the northern part of Route 57 is in the Highlands, and part of Edison Road is also zoned Industrial.

Dalores Klinger of 138 Asbury Bloomsbury Road.

Mr. Kyle explained the different variance types and the 2014 Industrial park Zoning change to the Industrial zone.

Mr. Meltzer stated a re-development plan would give the Township Committee more flexibility. Under the current zoning there is no power to stop it if the criteria is met they can't say no.

Mr. Kyle stated one farm is preserved but lots 5 & 6 are an overlay zone for housing, they may get sewer down the road but an onsite treatment plant is hard to get.

Ms. Sara Pyskaty of 93 Bloomsbury Road.

Ms. Pyskaty suggested they change the property to agricultural period.

Mr. Kyle explained the history of zoning you need a balance with Industrial development you have to balance land uses there is limited redevelopment because of the Highlands.

Ms. Pyskaty said she is upset with changing the zone because of the money what is more important don't want it to become an Industrial zone. Consider the property instead of lowering taxes zoning is more important than enticing a buyer.

Ms. Kantor stated it would be worse off if they don't vote they could come in tomorrow and we would have nothing to say. Mr. Kyle stated it would give the committee the option to start the process.

Ms. Melissa Lopez – 312 Mt. View West
Ms. Lopez stated newspaper notice isn't enough and asked what the definition of remote was. Mr. Kyle explained by reason of the property's location.

Mr. Kevin Mcqueen of 61 Asbury Bloomsbury Road.
Mr. Mcqueen expressed his concerns with the process, traffic.
Mr. Corde and Mr. Onembo helped along with Mr. Kyle explain the process and the current situation with the zone.

Ann Ferraro of 54 Main Street Bloomsbury.
Ms. Ferraro asked when did the Township Committee authorize the investigation. Mr. Kyle stated at the February 4th meeting.
End of public comment.

Attorney Dave Soloway read the resolution to be sent to the township committee.
A motion to recommend approval based on testimony was made by Mr. Corde, seconded by Mr. Onembo, Vote: Corde, Onembo, Meltzer, Van Saders, Santini, Sigler, Kantor – Ayes, Banes – Nay, 0 – Abstain, the ayes have the majority, motion carries.

2. 2019-01 – Public hearing carried from the April 3, 2019 meeting for Route 57 Solar Block 16.01 Lot 10 & 10.08. The applicant was represented by Attorney M. Peck and Engineer and Planner R. Roseberry, Mr. Roseberry was accepted as a professional. Mr. Roseberry briefly reviewed the proposed solar project. Mr. Roseberry stated this was a small solar project he reviewed the definition of a principle solar farm and an accessory solar farm. Mr. Roseberry reviewed exhibit A-1 Aerial exhibit dated 1-16-19 located in the HC zoning district. The property is an agricultural field fronting on NJ Route 57 situated in the HC-Highway Commercial Zoning District and bordered on the east by the Warren County Vo-Tech School. The lot is also located within the Highlands Planning Area and the proposed solar arrays are to be constructed on the southerly portion of the property. There will be a new access road from Route 57 and the facility will be enclosed by a seven feet high chain-link security fence. Fire Chief R. Read reviewed and agreed with the proposed lay out. The applicant will comply with the Engineer's and DOT reports. Mr. Onembo suggested the applicant enhance the buffer on the resident's sides with typical landscaping, something maybe the deer won't eat six to eight feet tall to start.

Mr. Roseberry reviewed the positive criteria and beneficial use.
The proposed solar farm will help supply low and moderate income households.
The property use will be a low impact minimal use and will improve storm water by keeping soil in its natural state.
Negative criteria: aesthetics, buffer facility, three year roll back taxes. Benefits the public in general.

Public Comment:

Mr. Sean Carter of 11 Beidleman Road.
Mr. Carter asked how much is the project benefiting the town.
Mr. Kyle replied it will supply regional reduced power.
Mr. Carter stated everything is getting jammed in on Beidleman Road.

Ms. Jolene Foley of 21 Beidleman Road.
Ms. Foley asked when construction would begin if the application is approved,
Mr. Roseberry replied possibly fall or spring of next year. There would be no noise, glare or odor the panels are an opaque surface not glossy.

Mr. Onembo suggested the applicant relocate the facility closer to the school away from the homes, the board agreed. A motion was made to have the applicant lessen the impact and move the solar farm more towards the school's setback.
Motion by Mr. Onembo, seconded by Ms. Kantor, Vote: Onembo, Kantor, Meltzer, Van Saders, Santini, Sigler, Corde, Banes – Ayes, 0 – Nay, 0 – Abstain, all ayes motion carried.
The application was tabled to the June 5, 2019 meeting without further notice being required.

DISCUSSION ITEMS: None

PUBLIC COMMENT: No additional public comment was offered.

VOUCHERS: A motion to pay vouchers submitted for payment was made by Mr. Meltzer, seconded by Mr. Van Saders, all ayes motion carried.

ADJOURNMENT: 11:05 p.m.

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

Respectfully Submitted,

Margaret Housman, Secretary

