

FRELINGHUYSEN TOWNSHIP LAND USE BOARD
Minutes-July 1, 2024 – REGULAR MEETING
7:00 PM

CALL TO ORDER:

The meeting was called to order at 7:04 p.m. the Chairman, Martin Connor. This meeting was held at the Frelinghuysen Recreation Center, 139 Lincoln Laurel Road.

ANNOUNCEMENT OF PROPER NOTICE:

Notice of this meeting was provided by advertising in the New Jersey Herald and the Express Times, the official newspapers of the Frelinghuysen Township Land Use Board. Notice has also been posted on the Township bulletin board and the website.

FLAG SALUTE

ROLL CALL:

Present were: Martin Connor, Daniel Rogers, Robert Stock, Don Soisson, James Simonetti, Pamela Rogers, Edyta Hein and David Paust. Absent was: Christopher Stracco, Alan DeCarolis, Crea Mallery and Lowell Forbes

CORRESPONDENCE:

1. Resignation Letter – Mr. Paust - Accepted by Board
2. Frelinghuysen Township Board of Education Resolution
3. Frelinghuysen Township Environmental Commission Letter

MINUTES:

The minutes of the regular meeting of May 6, 2024 were approved on motion made by Ms. Hein and seconded by Mr. Stock. All were in favor.

Mr. Connor verified with the Board Secretary that the escrow balances were sufficient.

OLD BUSINESS:

One Faith Wellness, Block 201, Lot 31.01, Application No. 2024-01 – Route 94 – Public Hearing –

Mr. Selvaggi, attorney for the applicants, gave the floor to Mr. Roger Thomas, Esq. who represents the “concerned citizens of Frelinghuysen” which consists of 5 residents.

Mr. Thomas addressed the board members and stated on behalf of his clients he objects to the application due to many jurisdictional deficiencies such as D3 variances, lack of distribution in the application, C variances and finally that the proposed business is less than 1,000 feet from the Yellow Frame Church Sunday School. Mr. Thomas stated that in none of the town ordinances does it state that a church school does not fall under the definition of a “school”.

Mr. Selvaggi rebutted with the fact that a Sunday School is not a State licensed school and therefore does not count as a public or private school. Mr. Thomas stated that the Sunday School is considered a day school. Mr. Selvaggi agreed to confirm whether or not the Sunday school is a stated licensed school.

Mr. Selvaggi stated that are no D3 variances needed as they have conformed to all requirements. Mr. Thomas stated that he is prepared to cross exam Mr. Selvaggi's witnesses in regard to same. Mr. Brady stated that Mr. Stock remains in attendance and if Mr. Selvaggi proceeds with the public hearing and he cannot show that all requirements have been met, it will be deemed a conflict with Mr. Stock participating.

Mr. Stock recused himself from the meeting at 7:25 pm.

Mr. Thomas goes on to say that 6 member board is not an adequate number for an important application like this. He also stated that he did not believe that the notice sent to residents was sufficient because it did not give enough information to the public. Mr. Thomas recommends that the public hearing be cancelled for tonight.

Mr. Brady asked Mr. Selvaggi if he wanted to take a break and speak with his clients to find out if they want to proceed or postpone until the August 5th meeting. Mr. Selvaggi agrees and meeting is paused at 7:35 pm.

Meeting called back to session at 7:50 pm by Chairman Connor. Mr. Selvaggi stated even though he did not want to, he will postpone the hearing until the August 5th meeting and re-notice all residents that are within 200' of the property in this application. The public hearing is carried to the August 5, 2024 meeting.

OLD BUSINESS:

- 1. Dismissal of Benbrook Application #2020-04** - Mr. Brady explained why this application was being dismissed without prejudice. Motion to approve made by Mr. Simonetti, seconded by Mr. Soisson. All were in favor. Mr. Brady stated he will prepare a resolution to memorialize this.

Mr. Connor asked for a roll call vote. Roll call: Mr. Rogers – yes, , Mr. Connor – yes. Mr. Soisson – yes Mr. Stock – yes, Ms. Rogers – yes, and Ms. Hein– yes Mr. Stracco, Mr. DeCarolis, Mr. Forbes and Ms. Mallery were absent.

- 2. Ordinance No. 2024-11 – Ordinance to Amend Chapter 21 of the Code of the Twp. Of Frelinghuysen Regarding Stormwater Quality** - Mr. Brady and the Township Planner spoke about the mandated changes for the above ordinance. Mr. Good stated that if we don't approve the changes to the Master Plan we will be out of compliance and that all towns are approving them.

Motion to approve made by Mr. Simonetti, seconded by Mrs. Hein. All were in favor. Based on the Board's professionals, the Township Committee will be notified that the changes to the Ordinance was approved.

Mr. Connor asked for a roll call vote. Roll call: Mr. Rogers – yes, , Mr. Connor – yes. Mr. Soisson – yes Mr. Stock – yes, Ms. Rogers – yes, and Ms. Hein– yes Mr. Stracco, Mr. DeCarolis, Mr. Forbes and Ms. Mallery were absent.

PUBLIC PARTICIPATION – On motion made by Mr. Simonetti and seconded by Mr. Rogers, the meeting was opened to the public.

Nicole Wladich, resident on Lincoln Laurel Road, asked if all changes to Ordinance #2024-11 were mandated and the professionals confirmed that all changes are mandated.

Mr. Connor asked for motion to close public session. Motion made by Mr. Rogers, seconded by Mrs. Hein. All were in favor.

ADJOURNMENT:

There being no further business, the meeting was adjourned on motion made by Mr. Simonetti, seconded by Mr. Rogers. All were in favor. Meeting adjourned at 8:05 pm.

Respectfully Submitted,

Dawn McPeck