

**Franklin Borough Planning Board**  
**Meeting Minutes for**  
**June 18, 2018**

The meeting was called to order at 7:29PM by the Chairman, Mr. Wes Suckey, who then led the assembly in the flag salute.

Mr. Suckey read the Statement of Compliance pursuant to the "Open Public Meetings Act, Chapter 231, PL 1975."

ROLL CALL OF MEMBERS: Mr. Wes Suckey, Chairman (Present)  
Mr. John Christiano, Vice – Chairman (Present)  
Mr. Nick Giordano, Mayor (Present)  
Mr. Stephen Skellenger, Councilman (Absent)  
Mr. Floy Estes (Present)  
Mr. Jim Nidelko, (Absent)  
Mr. Jim Williams (Present)  
Mr. John Friend (Present)  
Mr. Richard Knop, Alternate #1(Present)  
Mr. Ted Bayles, Alternate #2 (Present)  
Mr. Michael Raperto, Alternate #3(Present)

ALSO PRESENT: Mr. Robert Correale, Board Attorney  
Mr. Ken Nelson, Board Planner  
Mr. Tom Knutelsky, Board Engineer

**SWEARING IN OF NEW CLASS IV MEMBER:**

**Stephen DeFinis**

Mr. Robert Correale (our board attorney's partner ) Swore in Mr. Stephen DeFinis at 7:31 as a member of **The Franklin Borough Planning Board.**

**APPROVAL OF MINUTES:**

No minutes to be approved

**APPROVAL OF RESOLUTIONS:**

Memorializing withdrawal of application for removal of condition that he obtained easements for. Westwind Manor/Grace Elder Care PB -06-17-1 25 Main Street, Franklin NJ Block 907, Lot 13  
Mayor Giordano excused himself and left the room. Mr. Williams also stated that he was not present at the meeting that this was originally discussed at. Mr. Correale advised Mr. Williams he did not have to leave the meeting. He would not be able to participate.

Mr. Suckey updated the board and public about what this matter was in reference too.

Mr. Nidelko made a motion to memorialize the withdrawal of the application to delete the condition in the resolution that easements be obtained. For PB -06-17-1 Block 907, Lot 13. Seconded by Floy Estes

**Upon roll call vote:**

**AYES: Christiano, Estes, Suckey, Nidelko, Knop,**

**NAYS: None**

**ABSTENTIONS: Mr. Skellenger**

**Motion was passed**

### **PAYMENT OF BILLS:**

Franklin Borough Planning Board Escrow Report for June 18, 2018

Mr. Suckey asked for a motion to approve the escrow report for June 18, 2018

**Jim Nidelko made a motion to approve the June 18, 2018 Escrow report. Seconded by Mr. Richard Knop.**

**Upon roll call vote:**

**AYES: Christiano, Estes, Suckey, Nidelko, Friend, Zydon, Williams, Kidd, Knop, Bayles, Raperto**

**NAYS: None      ABSTENTIONS: Mayor Giordano, Ted Bayles**

### **ADJOURNED CASES:**

There were no adjourned cases.

### **APPLICATIONS TO BE HEARD:**

JCM investors, 1012, LLC, PB# 04-18-02, Block 2701, Lot 2, 110 Munsonhurst Road, Preliminary & Final Site plan in MPR Zone. (Continued from June 6, 2018)

Mr. Correale asked the chairman to speak briefly. Mr. Correale spoke for the record. Mr. Correale wanted it to be clear on what standards the board would be working with tonight. The standards for this application would be as followed under the 20-2017 ordinance adopted by the mayor and council. The standards are 300 units permitted within those 300 units 10% of those are age restricted. The age restrictions combined with low and moderate income restrictions . The slope disturbance limits

10% 5% 2%. Mr. Correale just wanted to be clear that these are the standards that the board would

following for this application tonight. Mr. Correale stated this was the law and this is what the board would be following at this time.

Kevin Kelly then introduced himself as the attorney representing the applicant JCM investors.

Mr. Kelly followed up with Mr. Correale's explanation. Mr. Kelly explained that he did not expect this topic to come up. Mr. Kelly explained no one has contacted us about an ordinance. The only ordinance I know of is the one that I read in the New Jersey Herald. Mr. Kelly stated if he were to take council literally he is referring to an ordinance that has not been officially adopted yet. I believe that is taking place at the next town council meeting on June 26. Mr. Kelly stated that under the rules that they are playing by, they would be following the 30% 20% 20%. Mr. Kelly explained that no ordinance can be amended to response to an application. Mr. Kelly stated that he would address that in more depth at the hearing at the council meeting June 26. Mr. Kelly explained that all he knows is what he read in the New Jersey Herald. That is all we can go by at this time. Mr. Kelly addressed the board stating he would now like to continue with tonight's hearing. Mr. Kelly explained that he has with him tonight Mr. Ken Fox who is their architect. They do not have their engineer or planner with them this evening. Mr. Kelly made a point to ask the board members and the public who had questions to only ask questions in reference to the architect aspect of the project. Mr. Correale swore Mr. Ken Fox in as an architect. Mr. Fox listed his qualifications. Mr. Fox's qualifications were accepted and Mr. Fox proceeded with his presentation. Mr. Fox explained that his presentation would focus on plans and evolutions of a single building. Mr. Fox pre -marked two exhibits A5 display being A1- As submitted sheet one of two proposed design and elevation of a building showing 4 elevations of a single building not in color. A6 for the record is marked A2 second sheet of two proposed floor plans for the 1<sup>st</sup> 2<sup>nd</sup> and 3<sup>rd</sup> level floor plans as submitted. They are marked accordingly and with today's date June 18, 2018. Mr. Fox's discussion was focused entirely on the proposed design of the building, Floor plans, square footage, the exterior of the buildings, garages, balconies, patios, etc. Mr. Fox explained plans of evolution of a single building with four stories and elevations showing front, back,

left, and right of the building. There are garages, 3 units and additional units above. The color pallet they have chosen are earth like tones, brown and black stone. The units will have a repetitive theme throughout all the buildings. The developer wants it to be identified as one development. A6- A, B, and C describing the units by number of bedrooms they have. 9 units on the upper level and 9 on the lower levels. He described the ground floor plan, patios on the ground floors. There are a mix of 1, 2, and 3 bedroom units. The kitchens will be contemporary with the new amenities such as nice countertops + stainless steel fixtures. Mr. Fox ended his presentation by stating that they will be very nice looking buildings and he looks forward to having them built in Franklin.

Mr. Kelly asked questions in regards to Mr. Knutelsky's report. Mr. Correale explained to Mr. Kelly that he was aware of the report from Mr. Knutelsky dated June 5, 2018 and for the record they were both referring to the same report. Mr. Kelly and the board members both went into a question and answer segment, asking Mr. Fox architect directed questions only. Mr. Fox stated the building lay out and designs, have been described in the testimony. Earth tones will be the color pallet.

Mr. Fox explained he is required to follow all building codes under the New Jersey law.

Mr. Fox answered all the questions that the board members asked. If the question was not a question that he could answer he explained to the member or the professional asking the question that he could not answer that question. He then referred to where that question would fall under. Most of the questions that were asked Mr. Fox was able to answer.

Mr. Correale interrupted the meeting to ask the members of the public if anyone in the public was recording the meeting. He explained that board was not comfortable with the recording. There were several outburst from the public. Mr. Correale asked for all members of the public who were recording to cease their recording at this time. There was more outburst within the public. Mr. Correale explained it was not necessary to be videoing or recording your own personal recording that the town would gladly give you a copy of a recording at a small fee.

Nick Daurio -JCM Investors stated he was not comfortable with anyone recording beside the official record. Mr. Daurio stated that he has been before many boards and not once has anyone from the public been allowed to record the meeting. The official recording is the recording that the board provides. Mr. Daurio stated that he felt very uncomfortable with the personal recordings from the public.

Mr. Kelly stated that he knows that the meeting is being recorded. The official recording is the one that the board secretary records. No other recording would be used for any other matter then for personal reason.

Mr. Daurio spoke saying he was not comfortable with the recording and he has never been before a planning board where someone from the public to personally record the meeting. The official recording is the official recording there is no reason why anyone should have their own personal recording.

Mr. Correale and Chairman Mr. Suckey agreed. Mr. Suckey again addressed the public asking again at this time anyone in the audience recording to stop at this point.

### **Open Public Session ( Architect Questions Only )**

Mr. Suckey asked for a motion to open the meeting to public to address the architect questions only. Mr. Giordano made a motion to open the meeting to the public for architect questions only. Seconded by Mr. Nidelko. All were in favor.

Corey Hennings 21 Taylor Road addressed Mr. Fox with two questions. Floor to floor what are the ceiling heights. Mr. Fox answered 8ft to 9ft from floor to floor. 11ft on garage floor to first floor. Mr. Hennings's second question. What kind of structure will be between the units? Will it be a condo wall? Mr. Fox stated yes it will be what you would know as a condo wall.

Seeing no one else coming forward. Mr. Suckey asked for a motion to close this portion of the meeting to the public. Motion made by Mr. Christiano. Seconded by Michael Raperto. All were in favor.

Mr. Kelly addressed the board asking if he could present Mr. Daurio as the owner as the property not as an expert. Mr. Kelly just wants to make Mr. Daurio available to the public for questions.

Nick Daurio explained he is the builder and he will be the developer as well. Mr. Nelson had a question in regards to the garages being in the front and not in the back. The answer to that question is because we shrunk the project so much we could no longer fit them in the back. Had we left it at 24 acres we would have had more room to do more things.

Mr. Suckey asked for a motion to open the meeting to the public to architect related questions only.

**Mr Giordano made the motion to open the meeting to the public for architect questions for Mr Daurio.**

**Seconded by Mr. Raperto. All were in favor.**

Dick Durina 23 Lowzaw Road Are these going to be modular or stick build? Mr. Daurio answered stick build. Mr. Durina asked what the square footage per unit was. Mr. Daurio explained that the square footage would depend on the unit size. A one bedroom is 750-1,000 sq. A two bedroom being 1,021- 1,090 Sq. ft. and lastly the three bedroom having 1,222 sq. ft. There also are balconies that range from 66 sq. ft. to 88 sq. ft.

Mr. Durina's second question was in reference to storage areas. Will the units have specific space used for storage or will the garages be the only source of storage. Mr. Daurio explained that the units were pretty large which would allow for space for storage.

Mr. Durina asked Mr. Duario what his construction plan was and when does he foresee the units and the recreations area being built? Would they be built at the same time? Mr. Daurio explained that his plan is to build all 10 units simultaneously. The recreation areas would be built after the buildings were built. The goal is to have everything built at the same time in the best case scenario.

Mr. Durina then asked Mr. Duario about his site plan. Mr. Suckey interrupted and explained to Mr. Durina that this segment was to only ask Mr. Duario architect related questions. Mr. Durina understood and stated that he had no further questions at this time.

Dawn Rowe 141 Munsonhurst Road. Ms. Rowe asked Mr. Duario if there was going to be any kind of fencing around the property particularly in the front. Mr. Suckey interrupted by explaining to Ms. Rowe that was not a question for Mr. Duario at this time. Ms. Rowe understood and asked if she could ask a questions about landscaping. Mr. Suckey explained at this time Mr. Duario would only be answering architect related questions. Mr. Suckey explained that the planner was not here tonight to discuss landscaping. Ms. Rowe understood and said she had not further questions at this time.

Tom Knutelsky had a comment to add in regards to the recreation center being built after the 10 units were built. He thought it would be in the best interest to the board to look further into having Mr. Daurio to build the recreation facilities first. Mr. Knutelsky explained if you wait to build the recreation facilities last would they be built as rapidly as the units. The recreation facilities is a big part of the development and what entices the renters. Mr. Daurio said he agreed with Mr. Knutelsky explaining that the overall goal would be to build the whole development simultaneously. He would not want 300 people coming to him asking where the recreation facilities are. He knows that is part of what they are paying rent for. "I will get it done." Nick Daurio stated.

Not seeing anyone else coming forward. Mr. Suckey asked for a motion to close the meeting to the public. **Mr. Christiano made a motion to close the meeting to the public. Seconded by Mr. Giordano. All were in favor.**

Mr. Kelly stated that completes our witnesses for this evening.

Mr. Kelly asked if they could carry the hearing of this application over to the next meeting in July. The board members discussed having the meeting on July 5<sup>th</sup> but that would be the day after the fourth of July and they didn't think that there would be anyone who could attend that meeting due to the holiday.

The Board discussed among themselves and agreed that this application would be carried to the July 16<sup>th</sup> meeting with no further notice.

**Mr. Williams made a motion to carry this application to over to the July 16<sup>th</sup> meeting. Seconded by Mr. Nidelko. All were in favor.**

#### **OTHER BUSINESS:**

There was no other business to be addressed.

#### **DISCUSSION:**

Ken Nelson- Historic Main Street Redevelopment

Mr. Nelson spoke briefly on the Historic Main Street Redevelopment. Mr. Nelson stated the game plan is to have a board discussion for the plan in August. He will get a draft to the board in July. Mr. Nelson asked the board was able to meet in August. Mr. Williams stated it would be the August 20<sup>th</sup> meeting. Mr. Nelson was concerned that depending on what dates the JCM application would be carried over to. Mr. Nelson was not sure if having both the hearing and the Main Street Redevelopment discussion there would be enough time for both. Mr. Suceky assured Mr. Nelson that they would make sure there was time at that meeting to discuss the plan. Mr. Suckey stated he wanted to stay on the time line we have been working towards.

#### **CORRESPONDENCE:**

No correspondence

#### **OPEN PUBLIC SESSION:**

Mr. Suckey asked for a motion to open the meeting to open public.

**Mr. Williams made a motion to open the meeting to the public. Seconded by Mr. Giordano**

Cheryl Krause 160 Munsonhurst road. Asked why tonight's agenda was not posted to the website.

And why 2018 meeting minutes are being posted but there are still 2017 meeting minutes that are not posted. Mr. Giordano spoke on behalf of this matter and explained that there has been an overturn as far as employees and that has been part of the delay in getting the minutes caught up and posted to the website.

Ian Sherwood Corkhill Road – Stated he is still concerned about the slopes. The planning board voted on 10/5/2 slopes. It went from here to the council and the council voted on it. Mr. Kelly knows what the slopes were. Mr. Correale explained to Mr. Sherwood that he just needed to be patient. Mr. Correale explained that this would be clarified prior to the next meeting when a transcript is provided. It will be addressed at the Mayor and Council level at their next meeting. Mr. Sherwood stated he would be at June 26<sup>th</sup> Town and Council meeting Mr. Correale stated that if Mr. Sherwood was patient he would get clarification on this matter.

Dawn Rowe 140 Munsonhurst Road

In the interest of clarity Mr. Kelly was there when those slopes were voted on. Mr. Kelly was at that meeting, it is in the minutes.

Seeing no one else coming up to the microphone. Mr. Suckey asked for a motion to close the meeting to the public. **Mr. Williams made a motion to the close the meeting to the public**  
**Seconded by Mr. Nidelko. All were in favor**

**ADJOURNMENT:**

Mr. Suckey asked for a motion to adjourn the meeting. Mr. Williams made a motion to adjourn the meeting and Mr. Giordano seconded. **All were in favor.** Meeting was adjourned at 8:51 PM

Respectfully submitted,

Michelle Babcock  
Planning Board Secretary