

Franklin Borough Planning Board
Meeting Minutes for
March 16, 2020

The meeting was called to order at 7:30 PM 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. John Sowden, Mayor (Present)
Mr. John Postas, Council liaison (Absent)
Mr. Floy Estes (Absent)
Mr. Jim Nidelko (Present)
Mr. Jim Williams (Present)
Mr. John Friend (Present)
Mr. Richard Knop (Absent)
Mr. Michael Raperto, Alternate #1(Present)
Mr. Stephen DeFinis, Alternate # 2 (Absent)
Ms. Sharon Schultz, Alternate #3 (Absent)

ALSO, PRESENT:

Mr. Dave Brady, Board Attorney
Mr. Tom Knutelsky, Engineer
Mr. Ken Nelson, Planner

Approval of Minutes:

Franklin Borough Planning Board Meeting Minutes for the Reorganization Meeting for February 18, 2020

Motion made by **Mr. Friend**. Seconded by **Mr. Williams**

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Williams, Christiano, Suckey, Raperto**

NAYS: None ABSTENTIONS: None

Approved

PAYMENT OF BILLS:

Mr. Friend made a motion to approve the escrow report for **February 18, 2020**.

Seconded by **Mr. Williams**.

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Williams, Christiano, Suckey, Raperto**.

NAYS: None ABSTENTIONS: None

Approved

APPLICATIONS TO BE HEARD:

Continued hearing - Ian Sherwood, Preliminary Site Plan and C and D Variance approval, Block 2602, Lot 9 PB#01-20-01

Mr. Suckey stated that he would like to finish up Mr. Sherwood's application under hearings to be heard. After the board closes the hearing of Mr. Sherwood's application. The planning board can move forward with the resolution and finish Mr. Sherwood's application all together before starting the Y& J application.

The planning board members were in agreement.

Mr. Suckey stated for the record Mayor Sowden left the meeting at 7:37.

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Mr. Brady made a clarification that the planning board needs to approve the application first and from there then they can approve and memorialize the resolution.

Mr. Suckey asked if Mr. Sherwood had anything else to share or to add at this time.

Mr. Sherwood stated that he did not have anything else at this time.

Mr. Suckey asked for a motion to approve the PB application #01-20-1.

Mr. Williams made a motion to approve application PB# 01-20-01

Seconded by Mr. Christiano.

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Williams, Christiano, Suckey, Raperto.**

NAYS: None ABSTENTIONS: None

Approved

APPROVAL OF RESOLUTIONS:

Ian Sherwood, Preliminary Site Plan and C and D Variance approval, Block 2602, Lot 9
PB#01-20-01

Mr. Brady stated that the resolution was distributed to our professionals along with Mr. Askin (Mr. Sherwood's attorney.)

Mr. Brady stated that everyone was in agreement with the resolution.

Mr. Brady stated that Mr. Askin did bring attention to the fact that there was no mention of the public speaking where in fact there was resident who spoke during the public session.

Mr. Brady stated that he would make at the correction along with the language at the end of the resolution of being both approved and adopted this evening.

Mr. Suckey asked if the members had any questions.

There not being any questions from the professionals or the members.

Mr. Suckey stated that he would take a motion to approve and memorialize the resolution with the corrections to be added as stated by Mr. Brady.

Mr. Williams made the motion Seconded by **Mr. Friend.**

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Williams, Christiano, Suckey, Raperto.**

NAYS: None ABSTENTIONS: None

Approved

APPLICATION FOR COMPLETENESS:

Y&J Properties, LLC (PB-02-20-01), Block 1302 Lot 2, 16 Main Street, amended final site plan.

Mr. Suckey stated that at this time anyone who was present representing Y&J Properties to come forward.

Yaser Elnahar- 2 Crystal Glen Court, Flemington NJ.

Mr. Brady swore Mr. Elnahar in under oath.

Mr. Brady asked Mr. Elnahar if he was the only share holder and the owner of Y&J Properties, LLC.

Mr. Brady stated that the only reason he asks that is because typically LLC requires an attorney to represent them.

Mr. Brady stated in this extreme circumstance with everyone being on lock down to the Covid - 19 outbreak.

Mr. Brady stated that he feels inclined to allow Mr. Elnahar to represent Y& J Properties.

Mr. Elnahar stated the he is the only share holder and is the sole owner of Y& J properties.

Mr. Brady stated that we will limit the testimony on COAH.

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The board members were in agreement and Mr. Suckey asked for Mr. Elnahar to please give his testimony at this time.

Mr. Elnahar gave a brief history of the property along with the current status of the property.

Mr. Elnahar stated currently seven townhouses are on the property that are currently being occupied.

Mr. Elnahar stated that there are two lots that will house six more townhouses on each lot that have approvals already.

Mr. Elnahar stated that what he is looking to finish the project by building the twelve additional townhouses on both sides, changing and sprucing up the sign along with meeting the COAH requirements.

Mr. Elnahar is requesting from the town to allow for him to fulfill COAH requirements off site.

Mr. Elnahar went on to share the properties that he has been looking at in town thus far.

Mr. Elnahar stated that this project was an investment and he would not be the general contractor dealing with the day to day building and all that goes into developing a property.

Mr. Elnahar stated that he would be using a local contractor who would be in charge of the day to day aspects of the development.

Mr. Elnahar stated that he would also like to remove the existing sign at the entrance and put a new sign up that would be more appealing.

Mr. Elnahar stated that he would of course follow all town ordinances in regards to signage.

Mr. Elnahar stated that in speaking with the general contractor the time line for completion of the property would be anywhere from 8- 12 months.

Mr. Elnahar stated that there was a question in regards to the house on the hill.

Mr. Elnahar stated that there have been renovations to the inside of the house and there are plans to do maintenance on the outside of the house.

Mr. Elnahar stated nothing that would alter the look of the house.

Mr. Elnahar stated that the building is beautiful and does not want to change the look of the building and continue for it to be a solid beautiful structure with it being just as gorgeous on the inside.

Mr. Knutelsky stated that after hearing all the information and testimony

Mr. Knutelsky's recommendation to the board members is to deem this application complete.

Mr. Suckey asked if there were any questions from the members.

There were no questions from the members.

Mr. Suckey asked for a motion to deem this application complete.

Mr. Christiano made the motion to deem this application complete.

Seconded by **Mr. Williams**.

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Williams, Christiano, Suckey, Raperto.**

NAYS: None ABSTENTIONS: None

Approved

Mr. Knutelsky went on to explain that Mr. Elnahar will be offering off site COAH.

Mr. Knutelsky also stated that Mr. Elnahar is also looking to develop the last two buildings which equals 12 total units.

Mr. Knutelsky also stated that Mr. Elnahar is also looking to improve the beautification of the property by landscaping and replacing the existing sign.

Mr. Suckey asked for Mr. Knutelsky to give a brief summary of his March 12, 2020 report.

Mr. Knutelsky briefly gave a summary of his March 12, 2020 report.

Mr. Knutelsky stated that he would let Mr. Nelson speak on behalf of the COAH.

Mr. Knutelsky stated that he did have a question in regards to the projects completion time line.

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Mr. Knutelsky stated that he just wanted to confirm that Mr. Elnahar stated that the project would be between 8-12 months for completion and has plans in place to start building this summer.

Mr. Elnahar agreed to that statement and timeline.

Mr. Knutelsky briefly addressed the COAH being off site and not having any CO's issued to the twelve additional units until this is a formal plan drafted as far as the COAH being off site and Mr. Knutelsky stated that Mr. Nelson would get into that in greater detail in his report.

Mr. Knutelsky stated that Mr. Elnahar mentioned keeping the historic four-bedroom house also on the property as is with adding to its beautification with maintaining maintenance to the structure along with landscaping.

Mr. Knutelsky stated that the sign would also be getting an upgrade the same size sign but something a little more appealing and eye catching.

Mr. Knutelsky also stated that they would be enhancing the garbage/dumpster area on the property as well.

Mr. Knutelsky stated that those are the items that we will be working on with the applicant as the development progresses.

Mr. Knutelsky would like to add as a final condition if the board so chooses to be favorable for the resolution that there is an as built survey once everything is completed as a final sign off.

Mr. Knutelsky stated that he and the board has heard what Mr. Elnahar wants to do and Mr. Knutelsky will be able to guide him through the process. Mr. Knutelsky stated the biggest hurdle right now is the COAH.

Mr. Suckey stated that there would be no CO permitted until the COAH was fulfilled and asked Mr. Elnahar if he was ok with that statement.

Mr. Elnahar stated that he was not looking for a loop hole and wanted to do everything by the books and had no problem providing the COAH before getting the twelve additional CO's.

Mr. Suckey stated the list of properties that Mr. Elnahar was interested in purchasing for the off-site COAH.

Mr. Nelson suggested staying away from mobile homes. (Beverly Hills Estates)

Mr. Nelson explained that when you purchase a mobile home you do not own the land just the mobile home. Mr. Nelson stated that would be another issue that Mr. Elnahar would not want to get involved in.

Mr. Nelson went through the properties that Mr. Elnahar presented the board with for possible properties that could be purchased to fulfill COAH requirements.

Mr. Nelson went through each property and explained if it would work for COAH and how or why one or more properties would not work for COAH obligations.

Mr. Suckey asked if anyone else had any questions.

There were no questions from the board members.

Mr. Knutelsky stated that he had nothing further to add.

Mr. Nelson also stated that he didn't have anything else to add.

Mr. Brady stated that Mr. Elnahar's next step is to go before the Town Council to get a developer's agreement amended as for it as expired.

Mr. Brady briefly gave a summary of his notes and conditions for a drafted resolution.

The planning board members were all in agreement.

OPEN PUBLIC SESSION:

Mr. Suckey stated that there was no public present at the meeting.

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Mr. Suckey asked for a motion to approve the amendment of the prior resolution, to allow the COAH units to be placed off site and amending the developer's agreement.

Mr. Raperto made the motion to approve the amendment of the prior resolution, to allow the COAH units to be placed off site and amending the developer's agreement.

Seconded by Mr. Williams

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Williams, Christiano, Suckey, Raperto**

NAYS: None ABSTENTIONS: None

Approved.

ADJOURNMENT:

Mr. Williams made a motion to adjourn. Seconded by **Mr. Nidelko**

All were in Favor.

The meeting adjourned to executive session at 8:48

Respectfully submitted,
Michelle Babcock
Planning Board Secretary