

Franklin Borough Planning Board

Meeting Minutes for

February 15, 2022

The meeting was called to order at 7:32PM by the Chairman, Mr. 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. Concetto Formica, Council liaison (Present)
Mr. Floy Estes (Present)
Mr. Jim Nidelko (Absent)
Mr. Jim Williams (Present)
Mr. John Friend (Present)
Mr. Michael Raperto, (Present)
Ms. Sharon Schultz, Alternate #1(Present)

ALSO, PRESENT:

Dave Brady, Planning Board Attorney
Tom Knutelsky, Engineer
Ken Nelson, Planner

Mr. Suckey apologized for not being at the re- organization meeting and thanked everyone for their support in electing him as the chairman of the planning board once again in 2022.

APPROVAL OF MINUTES:

Mr. Suckey asked for approval for the **December 1, 2021 meeting** minutes.

Mr. Christiano made a motion to approve the **December 1, 2021 meeting** minutes.

Seconded by **Mr. Friend**.

Upon Roll Call Vote:

AYES: **Friend, Estes, Williams, Raperto, Sowden, Christiano, Suckey, Schultz**

NAYS: None ABSTENTIONS: **Formica**

Approved

Mr. Suckey asked for approval for the **January 18, 2022 Re -Org meeting** minutes.

Mr. Raperto made a motion to approve the meeting minutes. **January 18, 2022 Re -Org meeting** minutes.

Seconded by **Mr. Friend**.

Upon Roll Call Vote:

AYES: **Friend, Estes, Williams, Raperto, Formica, Sowden, Christiano, Suckey, Schultz**

NAYS: None ABSTENTIONS:

Approved

PAYMENT OF BILLS:

Mr. Williams made a motion to approve the escrow report for **February 15, 2022**

Seconded by **Mr. Christiano**

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS: **Sowden, Formica**

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Approved.

APPROVAL OF RESOLUTIONS:

RESOLUTION And Annual Report of Franklin Planning Board

Mr. Suckey stated that he would like to take a minute and thank the board for their time and efforts on getting these applications approved.

Mr. Suckey asked if everyone had a chance to read and review.

Mr. Suckey asked if there were any questions or corrections that needed to be made.

Mr. Suckey stated that he would entertain a motion to approve the resolution for the Annual Report.

Mr. Christiano made a motion to approve the **December 1, 2021** meeting minutes.

Seconded by **Mr. Friend**.

Upon Roll Call Vote:

AYES: **Friend, Estes, Williams, Raperto, Formica, Sowden, Christiano, Suckey, Schultz**

NAYS: None ABSTENTIONS:

Approved

APPLICATIONS TO BE HEARD:

Mr. Suckey stated that if anyone is here in the public that is here for Ascend -12 Munsonhurst they would not be heard tonight.

Mr. Suckey stated that application was carried to March 21, 2022.

Mr. Brady stated that no further notice would be provided.

Mr. Suckey introduced the next application that would be heard tonight.

Franklin 116 Development, LLC (PB# 08-21-04) 116 Rt 23, Block 1601, Lot 5 Amended Preliminary & Final Site Plan with Variance

Mr. Berend Hefele introduced himself and stated that he was the attorney representing this application.

Mr. Hefele asked Mr. Brady to confirm that this application's notice was in order.

Mr. Brady stated yes, the notice was reviewed and in order to proceed.

Mr. Hefele proceeded to give a summary of the property and the project proposed.

Mr. Hefele explained that this property was originally approved with the super Walmart application.

Mr. Hefele explained that the piece of property that the application is referencing has highway frontage which, is restricted with having wetlands around the property. This then leads to some restrictions when developing the property.

Mr. Hefele stated that is why the applicant is going to keep the footprint of the existing building. The applicant's plan is to renovate the outside and inside of the existing building.

Mr. Hefele stated the building as is stands now at disrepair and needs come TLC.

Mr. Hefele stated there would be a restaurant going in two of the four spaces available leaving two more retail spaces available.

Mr. Hefele briefly described the plans for the restaurant.

Mr. Hefele stated the restaurant would be a Mexican restaurant with 43 spaces in the inside along with 6 spaces for outdoor dining on the proposed patio.

Mr. Hefele stated that one of the other spaces would be occupied as office space for the owner and his son. The third space is still available.

Mr. Suckey stated that before Mr. Hefele introduces his witnesses for this evening, he would like for Mr. Knutelsky to go over his report as he believes there are somethings that need to be addressed.

Mr. Knutelsky stated that he revised his report from the last report and explained that there were red comments in the report that specified what was in question at the last meeting.

Mr. Knutelsky explained those concerns have since been addressed.

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Mr. Knutelsky explained that the text in black are remarks that still are in question and as the witnesses proceed this evening I will follow along with my report. Taking note of what is being addressed and what still needs to be addressed as testimony is heard.

Mr. Suckey agreed and asked for Mr. Hefele if he and his witnesses would follow Mr. Knutelsky's report as a guideline.

Mr. Hefele stated that was his intent, making it easier for everyone to follow along.

Mr. Hefele introduced his first witness. The applicant's engineer Mark Gimigliano.

Mr. Brady swore Mr. Gimigliano in under oath.

Mr. Gimigliano stated his education and professional background.

Mr. Hefele stated based on all of what Mr. Gimigliano has just stated please accept Mr. Gimigliano as an expert engineer.

Mr. Suckey agreed and asked Mr. Hefele to proceed.

Mr. Hefele asked Mr. Gimigliano if he worked on the plans in regards to the property.

Mr. Hefele asked Mr. Gimigliano if he could briefly give a summary of the plans.

Mr. Gimigliano stated that he brought with him a few exhibits to share with the board members.

The first one is titled Aerial Exhibit dated A101- 2/15/22 and is an aerial view of the property and the surrounding properties.

Mr. Gimigliano explained the exhibit, giving a brief description of the what the exhibit was showing and what was currently surrounding the property.

Mr. Gimigliano switched out the exhibit boards.

Mr. Gimigliano explained that the next exhibit would be a zoomed in version of the property being discussed this evening. Giving everyone a better look at the property.

Mr. Gimigliano describes the exhibit and what the proposed plans for this property are.

Mr. Gimigliano stated that there are currently four spaces two of which have been dedicated to a restaurant. One being office space for the owner and his son for office space. Leaving one available for lease at this time.

Mr. Gimigliano stated that the parking lot which was approved with the Super Walmart plans were approved over 15 years ago are basically what you are looking at on the plans.

Mr. Gimigliano briefly described the lay out of the parking area.

Mr. Gimigliano explained that the parking is the same layout from the already approved plans when presented in the Super Walmart approval.

Mr. Gimigliano briefly described the proposed sidewalks and the lighting that was proposed.

Mr. Gimigliano stated that there is proposed landscaping such as shrub, ground covering planters in front of and around the side of the building. Taller shrubs to line the outdoor patio area for privacy and to be used as a buffer.

Mr. Gimigliano stated that they are requesting a few variances one being the signs that the architect will get into more detail on those specifics.

Mr. Gimigliano stated that there would also be a variance request for the number of parking spaces.

Mr. Gimigliano stated that the restaurant would propose 59 seats for restaurant which requires 30 parking spaces with another 10 for the other two commercial units.

Mr. Gimigliano stated that this was the only space that the applicant has to offer for parking spaces as the property has environmental restraints attached to it.

Mr. Gimigliano stated there are also two uses for the building. One being for retail spaces and one being the restaurant.

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Mr. Gimigliano stated the reasons for why he thought that the amount of parking spaces he proposed is more than adequate.

Mr. Gimigliano stated that sums up the plans.

Mr. Gimigliano asked if there were any questions.

Mr. Knutelsky asked for Mr. Gimigliano to explain what improvements would be made to rt 23.

Mr. Gimigliano explained what was currently there.

Mr. Gimigliano explained new curb cuts, new sidewalks and a new surfaced driveway.

Mr. Suckey asked how wide the sidewalk would be.

Mr. Gimigliano stated it was 4ft and it would be in the front and on the sides of parking area.

Mr. K stated the majority of the frontage.

Mr. Gimigliano stated yes as requested.

The board discussed drainage and preapproved approvals dating back to 2013 when the area was approved for the Verizon store in a prior application.

Mr. Knutelsky explained to the board that the drainage and any DEP approvals were already done when this application was before this board in 2013.

Mr. Knutelsky touched on the trash enclosure and that it was requested that it be in an area where it would be a permeant fixture to the property.

Mr. Hefe stated that the architect would go into that in more detail when he gives testimony but Mr. Knutelsky' s requested can definitely be accommodated.

Mr. Knutelsky and the board discussed the lighting options.

Mr. Knutelsky stated that the board would have to come to an agreement for the timing of the lights as the applicant has stated that they would follow any recommendations that the board as.

Mr. Gimigliano stated the applicant would follow whatever the board would like to see as far as the lighting and the timing of the lights being on a timer as a condition in a resolution.

There was much discussion on the coloring of the lighting and the temperature of the lighting ultimately going with a 4,000 temp white lighting to follow suite with the rest of the commercial properties near by this property.

Mr. Hefe stated that the applicant would comply and appreciated the boards recommendations.

Mr. Hefe stated that the restaurant is an 11 am to 11pm operation and would need the lighting on until the last employee left for the night. That time most likely being 12am or as close to that as possible.

Mr. Brady stated that he would add that condition to a favorable resolution.

Ms. Schultz asked about snow removal.

Mr. Gimigliano stated that the snow would be removed to the rear westerly part of the property.

Mr. Knutelsky read through his report asking questions that might not have been addressed during Mr. Gimigliano testimony.

Mr. Knutelsky asked if there were any COAH requirements for this application.

Mr. Hefe stated no along with Mr. Nelson.

Mr. Williams asked about a Knock Box and if that was something that could be added to a favorable resolution as a condition.

The board members and Mr. Hefe were in agreement with that being a condition in a favorable resolution.

Mr. Raperto asked about the proposed lighting for the patio area.

Mr. Gimigliano stated that the details have not been worked out but, believes it would be more of a mood lighting in the patio area.

Mr. Brady asked Mr. Knutelsky if this was something that she would be added to a favorable resolution.

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Mr. Knutelsky stated yes, a lighting plan for the patio would be something that should be added to the resolution as it is part of the application.

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

Mr. Suckey stated not hearing any he would open the meeting to the public to ask questions or make comments for the engineer's testimony at this time.

Mr. Suckey stated not seeing anyone coming forward at this time he would close the meeting to the public.

Mr. Hefele stated that the next witness tonight would be our architect, Ken Fox.

Mr. Brady swore Mr. Fox in under oath.

Mr. Hefele qualified Mr. Fox in as an expert architect having Mr. Fox give the board his educational and professional background.

Mr. Suckey accepted Mr. Fox as an expert architect and asked him to proceed.

Mr. Fox gave a brief summary of the building that is currently on the property and explained that it is in much need of renovations.

Mr. Fox explained the current state of the building as not habitable at its current state.

Mr. Fox described the building giving the board a clear idea of why he stated that it needs a lot of work.

Mr. Fox stated that the plan is to bring it back to life.

Mr. Fox stated that they would re do the stucco, molding, windows and just overall bring it back to live, making it look like a new building without making huge changes.

Mr. Fox stated that he is proposing signage on the building.

Mr. Fox stated that he would like for the signs to look attractive and look like they are part of the building.

Mr. Fox stated that the current roof needs to be replaced.

Mr. Fox explained while replacing the roof they would construct an area where they would construct the area for the signs to go as shown on the plan.

Mr. Fox called it a parapet which would blend in more.

Mr. Fox stated that they are proposing four signs. For the available tenant spaces.

Mr. Fox stated that the intent is that the restaurant will take two of those spaces but we are still proposing four signs because of the four different tenant locations within the building.

Mr. Suckey asked why they need for four when the restaurant only needs one sign not two.

Mr. Fox stated we would like approval for four signs in case the restaurant does not work out. Then it would be four spaces again.

Mr. Suckey stated something like banked parking but with signs.

Mr. Hefele stated yes, better to ask for the approval now then to have to come back for another variance for a sign if the restaurant does not work out.

After much discussion on how many signs would be allowed and where they would be placed.

Ultimately, the board agreed to allowing the four signs using three at the present time and when and if the restaurant moves out making one large space become two separate spaces, they would then use the fourth sign.

Mr. Hefele stated that there is no reason to get into conditions and banked signage at this time.

Mr. Christiano asked if the existing roof would be replaced.

Mr. Fox stated yes.

Mr. Christiano asked for Mr. Fox to elaborate on the materials and the colors that would be used to replace the roof.

Mr. Fox explained that he can not say at this point if it will be a black or white roof they have not planned that far ahead yet.

Mr. Fox asked if there was a purpose to the question.

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Mr. Christiano stated that a white roof would be preferable to limit the heat that would eliminate any more heat island effect on Rt 23.

Mr. Fox stated that there are pros and cons to a white roof. However, he would be open to suggestions.

Mr. Christiano stated then I would like to suggest a white roof.

Mr. Fox said he would have no problem with that.

Mr. Hefele asked for Mr. Fox to briefly explain to the board the interior plans.

Mr. Fox stated that he would be reading off of sheet 2 of 2 starting with the layout and interior of the restaurant within the 1,782 Sq ft. Stating it was not a very big restaurant. Pointing out the seating area, the bar, the kitchen and bathrooms.

Mr. Fox went on to explain the other two spaces as well.

Mr. Fox stated that the space in the middle was 888 Sq ft.

Mr. Fox stated the space on the end because it does expand towards the rear is 1,160 Sq Ft.

Mr. Fox stated that HVHC each unit will be getting one with an air compressor in the rear.

Mr. Fox stated that is all he has to share at this time and would take any questions.

Mr. Knutelsky asked Mr. Fox to describe the different access points from front to back, ADA accessibility and how do you get from inside of the restaurant to the patio.

Mr. Fox explained that each unit has a front door for the only entrance for the public.

Mr. Fox explained that the restaurant had two doors.

Mr. Fox stated that the patrons of the restaurant could access the patio from the front door onto the sidewalk under the overhang and walk to the patio located on the south end of the building.

Mr. Fox stated that there is also a door in each of the unit spaces used for the tenants to access not so much for the public to use.

Mr. Fox stated three out of the four units have a cement slab out the back door.

Mr. Fox stated he thought it was a good idea that Mr. Gimigliano mentioned it in his testimony to extend the slab along the back side to the sidewalk on the ends of both sides of the building.

Mr. Fox stated if the board so sees fit to add as a condition in a favorable resolution.

Mr. Friend asked if there was any other access to the restaurant from the patio area other than the front door.

Mr. Fox stated no.

Mr. Fox stated keep in mind the patio is very small and will allow for four tables.

Mr. Williams stated and explained his reasons and strong suggestion for the building to have a Knock Box.

Mr. Hefele asked Mr. Fox to explain the circulation of the driveway and parking.

Mr. Fox briefly explained the configuration of the parking and entrances and exits.

Mr. Suckey wanted Mr. Fox to confirm there will be ADA access and ADA codes will be met in all areas where need be.

Mr. Fox stated yes.

Mr. Suckey asked if there would be anything on the roof.

Mr. Fox stated no, other than the kitchen hood from the restaurant.

Mr. Christiano and Mr. Suckey stated some concern about the ADA accessibility from the patio to the restroom inside the restaurant.

Mr. Fox assured them that it was ADA accessible and that it is not a very long distance due to the fact the restaurant is not that large in size.

Mr. Fox stated that concludes my testimony at this time.

Mr. Suckey asked if there were any more questions from the board members before he opens the meeting to the public.

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Not hearing any questions from the members. Mr. Suckey opened the meeting up to the public for questions or to give testimony for the architect.

Mr. Suckey stated not hearing anyone come forward he would close the meeting to the public.

Mr. Suckey asked for the engineer to come back up to answer a few questions Mr. Knutelsky had left form his report.

Mr. Gimigliano stated that he would just like to clarify that he did measure the size of the sidewalks and they are 6 ft to correct his testimony given of them only being 4 ft wide earlier.

Mr. Knutelsky asked Mr. Gimigliano to explain the already non-conforming pieces to this property along with the setbacks that come along with this property.

Mr. Gimigliano stated the only non-conforming piece is the front yard setbacks required in the HC -1 zone is the front yard.

Mr. Knutelsky asked if there would be any free-standing signs s or monument signs in front of the building or at the entrance.

Mr. Gimigliano stated no free-standing signs.

Mr. Knutelsky asked about the French drain and for that to be added to the construction details.

Mr. Gimigliano stated that would not be a problem.

Mr. Knutelsky asked Mr. Gimigliano when the loading area would be used mainly early in the morning before the restaurant opened.

Mr. Gimigliano stated that was correct something the restaurant would schedule with the wholesalers.

Mr. Gimigliano assured Mr. Knutelsky that it would be off peek hours not to disrupt busier times of the day.

Mr. Brady stated that is he right to assume the same will go for trash removal.

Mr. Gimigliano stated that is correct.

Mr. Knutelsky stated that concluded his questions and concerns that he had from his report.

Mr. Suckey asked if there were anymore witnesses this evening.

Mr. Hefele stated there were no further witnesses at this time and he would ask for the planning board to grant an approval for this application with everything that has been discussed this evening.

Mr. Brady summarized his notes for the conditions that would be added to a favorable resolution if the board should approve this application.

Mr. Hefele stated that he and his applicant would agree to all of what was mentioned by Mr. Brady.

Mr. Suckey asked Mr. Brady to add a condition that there would be no CO approvals until all of the escrow fees were paid in full.

Mr. Suckey stated at this time he would take a motion of approval or denial for this application.

Mr. Williams made a motion to approve this application and all of the conditions mentioned by Mr. Brady. Second by **Mr. Raperto**.

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Williams, Estes, Christiano, Raperto, Sowden, Formica, Suckey Schultz**

NAYS: None ABSTENTIONS: None

Approved

Mr. Suckey stated before the next application there would be a 5-minute recess.

Mayor Sowden and Councilman Formica left the meeting not returning due to the next application being a D variance.

Mr. Suckey brought the meeting to order.

Introducing the next application for **Mr. & Mrs. Papandrikos (PB# 09-21-03) 7 LaRue Street, Block 1004 Lot 12 R4 Preliminary and final site plan with a D variance.**

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Mr. Daniel Benkendorf from the law firm of Askin and Hooker introduced himself and stated that he was representing Mr. and Mrs. Papandrikos this evening.

Mr. Benkendorf gave a brief summary of the property at 7 Larue Street. Mr. Benkendorf explained that the property was in the R4 Zone which is residential.

Mr. Benkendorf explained what the applicants were looking to achieve with this application.

Mr. Benkendorf stated that the applicants were looking to turn the lower-level commercial floor into residential rental units instead.

Mr. Benkendorf stated in addition to that they are looking to put a garage up for tenant parking. Along with a storage area for the owner to keep maintenance equipment for the property.

Mr. Benkendorf explained that they would need variance relief from both a D variance and a C variance. And explained why.

D being because it is not permitted to have apartments on the first floor.

C variance would be for the garage construction that the applicants are seeking.

Mr. Benkendorf stated that he believed that the notice was in order.

Mr. Brady stated yes notice was in fact in order and we are in jurisdiction to continue with the application.

Mr. Benkendorf stated that he would like to mark his first exhibit as A 102 with today's date into the meeting titled Presentation Plan.

Mr. Benkendorf stated that it would be a document that was prepared by the engineer.

Mr. Benkendorf stated at this time he would like to swear in the engineer.

Mr. Brady swore Mr. Daniel Davies in under oath and Mr. Benkendorf qualified him in as an expert asking Mr. Davies to give his educational background along with his professional background.

Mr. Suckey accepted Mr. Davies in as an expert engineer.

Mr. Davies gave a brief description of the property and what the applicant was looking to achieve.

Mr. Davies stated that the property was located on the corner of Larue and Nester Street,

Mr. Davies stated that the building is setback from Main Street approximately 160 Ft.

Mr. Davies stated the only access in and out of the property is from Nestor Street.

Mr. Davies stated if you look in the photos submitted with the application you can see that the property is in an L shape.

Mr. Davies addressed the easements on the property.

Mr. Davies stated that the building itself falls into the front yard setback.

Mr. Davies stated there were questions and concerns from the engineer's report that we addressed such as the front yard setback, the height of the accessory structure along with some parking concerns that will all be addressed as we go through testimony.

Mr. Davies stated that there is a small landscaping plan. However, there is not much in the way of landscaping on this particular property.

Mr. Davies continued to briefly describe the building and the current layout of the building.

Mr. Davies addressed the parking lot and stated that it was informal and there were no lighting lamps proposed.

Mr. Davies stated that there would be wall mounted lighting to light the parking area. Along with front porch lighting in front of each unit.

Mr. Davies stated there is a fence that exists on the left side of the driveway.

Mr. Davies stated that the fence goes around the whole parking area.

The fence is in need of some repair. The applicant has no issue replacing the fence giving it a more updated look.

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Mr. Davies stated that there will also be providing a dumpster enclosure.

Mr. Davies stated there would be more testimony later on this evening and would follow any requirements or guidance from the board engineer on that particular area.

Mr. Davies stated that the applicant is proposing lighting over the garages at 11 ft tall which would be motion censored.

Mr. Davies went on to discuss the parking area and the proposed plans and improvements.

Mr. Davises stated that we have to have at least 12 parking spots and we have 14.

Mr. Davises stated that the parking areas would be repaved and re lined and the lines would be in conjunction with the town's ordinance as well.

Mr. Davies stated that there is some flexibility to what those extra spaces could be used for such as leaving they open for snow removal.

Mr. Knutelsky stated that he is relieved to see there is some wiggle room with the parking because it gives room and options.

Mr. Davies went on to describe the property and the different areas. The areas the applicant is looking to improve with remodeling the existing building and apartments along with adding a garage.

Mr. Davies stated that the applicant is also looking to request variance relief to place apartments on the ground floor.

Mr. Davies stated that here are some other variances that will need approval for as well as far as accessory structures, setbacks and height requirements.

Mr. Davies stated that he felt like the accessory structure was pushing the envelope as far as setbacks and such but explained the need for such a structure. Giving the positive criteria for such a structure on this property.

Mr. Benkendorf also stated that he wanted to add that the owner stated that he would be willing to update and fix the look of the building from the outside if the board had any recommendations on what they would like to see the building look like.

Mr. Nelson stated that he would just like to correct the comment of the ground floor apartments not being allowed due to the ordinance.

Mr. Nelson stated that variance is not about apartments on the ground floor.

The variance is about apartments not being permitted in the zone.

The zone only allows for single family structures.

Mr. Brady asked Mr. Nelson if this was then considered a D2 expansion of nonconforming use.

Mr. Nelson stated that he does have a question about the history of the building.

Mr. Davies stated that would be something that the planner could help answer when he comes up to give his testimony.

Mr. Knutelsky and members discussed different kind of dumpster options and sizes that would best suit this particular r property considering the Garbage truck and if they would be able to make the swing into Parking area where the dumpster will be.

Ultimately, coming to the conclusion of a 2-yard dumpster which comes on wheels which would make it easier for the garbage truck to access it.

Mr. Knutelsky asked for Mr. Davies to touch on the utilities.

Mr. Davies stated that there are no new proposed utilities.

Mr. Knutelsky asked where the electricity would come from for the garage.

Mr. Davies stated from the main building and it would be underground.

Mr. Knutelsky went through his report asking questions that were not mentioned during testimony and had Mr. Davies answer them as he asked them along with questions from the board members.

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Mr. Davies stated that if there needs to be a fire lane near the access drive it would affect the garage that is being proposed.

Mr. Davies stated the applicant would ask for a waiver for the fire lane.

Mr. Knutelsky stated that is something that would not be allowed to be waived due to the IRIS requirement and a DSA requirement as well.

Mr. Suckey agreed.

Mr. Suckey stated it would fall under fire subcode too.

Mr. Williams also expressed his concern over being able to get a fire truck into the access drive close enough to the building to be able to fight a fire if necessary.

The professionals and planning board members had a lengthy discussion and brain stormed different ways that the fire truck could access the area if there was an emergency.

Mr. Davies stated that the having the garage is something the applicant wanted for convenience but is not a deal breaker for the project if they have to eliminate the garage.

Mr. Davies stated if the board is not in favor of the garage because of how tight the property is and because of the requirements that can not be waived, such as the fire lane and overall fire protection. The garage can be eliminated from the application all together.

Mr. Knutelsky stated that there would need to be a letter of approval or permission granted by the fire official to allow for the garage to be built.

Mr. Suckey stated that a letter from the Fire Subcode official would be needed and that would come from the Construction Office.

Mr. Williams also suggested drawings of the streets and widths along with the lay out of the parking area prepared for the next meeting as well as having a letter from the Fire Subcode Official.

Mr. Williams suggested that the members go and look at the site.

Mr. Williams stated of course only two at a time not to have a quorum.

The professionals and board members agreed that was a good idea.

Mr. Benkendorf stated that he would then like to have the application carried to another meeting to prepare all that has been discussed and requested this evening.

Mr. Williams stated that would also give the members a chance to go out and look at the property as well.

Mr. Brady stated that he would like to enter the exhibit that Mr. Benkendorf handed out this evening as exhibit - A- 101 Planning documents 8 pages and dated February 15, 2022.

Mr. Williams stated that is exactly what he was looking for as far as the streets and aerial views as well.

Mr. Suckey asked if there were any further questions or concerns from the board members.

Not hearing any Mr. Suckey asked Mr. Davies if he has completed his testimony at this time.

Mr. Davies stated yes and explained at this moment he does not see the need to continue this application tonight or to hear from any more witnesses tonight because as discussed, this application might me having significant changes especially when it comes to the garage.

Mr. Davies stated there for it seems silly to continue tonight knowing testimony will change as I can see the application changing as well.

Mr. Suckey agreed and asked the board if they had any questions.

The board members asked a few more questions in regards to the applicant and parking and snow removal.

Mr. Suckey stated if there are no further questions from the board, he would like to open the meeting to the public to ask questions to the engineer and only the engineer at this time.

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Keeping in mind there will be other opportunities to ask questions as this application will be carried to another night.

John Lindquist 23 Nestor Street – Mr. Lindquist introduced himself stated that he was the neighbor south of the property.

Mr. Lindquist stated that all the points being brought up by the board are on point. However, what is being overlooked is besides the garage.

The families that live there in the area and that there will be three more apartments added and the traffic that may cause to the neighborhood.

Mr. Lindquist stated that he did not hear much testimony on the three added apartments so he was not sure he could address that now.

Mr. Suckey stated that is a question for the architect

Me. Suckey stated that question should be saved for when the architect gives his testimony at the next meeting.

Mr. Lindquist stated he apologized and he would keep those questions for the next meeting.

Mr. Lindquist asked what the screening was for when mentioned the neighbors would be screened from what, what are we being screened from.

Mr. Davies stated that the screening was the fencing that was going to be around the parking area and that would not be a change as that is the way the area is today as well.

Mr. Lindquist expressed his concern about what would happen if the garage was built.

Mr. Davies stated that at moment he does not foresee the garage being something that can feasible at this time with all of the restrictions due to the fire lane and other subcode restrictions I can see coming forward at this time.

Mr. Lindquist asked about the fence and if it would be remaining there where it is today.

Mr. Davies explained the fence and that there would be no changes to the fence as far as the application.

Mr. Lindquist thanked the board and stated that he would come back and address his other questions for the next meeting.

Carol Truhan- 23 Nestor Street

Mr. Truhan addressed her concern about bears.

Mr. Truhan stated that having a dumpster would only attract them more.

Mr. Truhan stated that there is already a problem with bears in the neighborhood. A dumpster would create more problems.

Mr. Brady stated that this portion is for questions so the question you would like to ask is how is the applicant going to keep the bears out of the dumpster.

Mr. Brady asked for the engineer to look into what can be done to prevent bears.

Mr. Benkendorf agreed. Stating they would look into that as well.

Mr. Suckey asked if there was anyone else from the public that wanted to come up to ask questions.

Mr. Suckey stated not seeing anyone coming forward, Mr. Suckey closed the meeting to the public.

Mr. Suckey stated at this time you could request the meeting be carried.

Mr. Benkendorf requested that the board be in favor of carrying this application to the next meeting without any further notice.

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Mr. Williams made a motion to carry this application to the March 21st meeting. Without any further notice.

Seconded by **Mr. Raperto**.

Upon Roll Call Vote:

AYES: **Friend, Estes, Williams, Raperto, Christiano, Suckey, Schultz**

NAYS: None ABSTENTIONS: **NONE**

Approved

OPEN PUBLIC SESSION:

Mr. Suckey opened the meeting to the public.

Not seeing anyone come forward. Mr. Suckey closed the meeting to the public.

OLD BUSINESS:

Mr. Suckey stated that he wanted to appoint a TCC committee.

Mr. Suckey stated that he would be a member along with John Christiano and a volunteer if anyone would like to volunteer to be a member.

Ms. Shultz stated that she would be interested in being on the committee.

Mr. Suckey thanked Ms. Shultz and stated that the meetings are typically once a month on Thursdays at 4:00.

Mr. Suckey stated that you will be notified of the next one once it is scheduled.

NEW BUSINESS:

None

DISCUSSION:

Mr. Raperto stated that he knows he has brought this up a few different times. Without any clear answer.

Mr. Raperto asked if there is any update on the board getting, I pads.

Mr. Suckey stated that he will need to peruse it with the mayor.

Mr. Suckey stated that it may be a funding issue.

Mr. Friend also suggested that there be two TVs as well that can upload site plans and such to make it easier to follow applications and plans.

Mr. Suckey stated that he would follow up with the mayor and see if he can get some answers.

ADJOURNMENT:

Mr. Estes made a motion to adjourn.

Seconded by **Mrs. Schultz**

All were in Favor.

The meeting adjourned at 10:38 P.M

Respectfully submitted,
Michelle Babcock
Planning Board Secretary

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