

**Franklin Borough Planning Board**  
**Meeting Minutes for**  
**August 16, 2021**

The meeting was called to order at 7:32 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. Concetto Formica, Council liaison (Present)  
Mr. Floy Estes (Present)  
Mr. Jim Nidelko (Present)  
Mr. Jim Williams (Absent)  
Mr. John Friend (Present)  
Mr. Richard Knop (Present)  
Mr. Michael Raperto, Alternate #1(Present)  
Ms. Sharon Schultz, Alternate #3 (Present)

**ALSO, PRESENT:**

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

**APPROVAL OF MINUTES:**

Mr. Suckey asked for approval for the July 19, 2021 Planning Board meeting minutes.

**Mr. Williams** made the motion to approve the Planning Board meeting minutes as written.

Seconded by **Mr. Christiano**.

**Upon Roll Call Vote:**

**AYES: Nidelko, Williams, Knop, Christiano, Suckey, Schultz**

**NAYS: None ABSTENTIONS: ESTES**

**PAYMENT OF BILLS:**

Mr. Suckey asked for a motion to approve the Escrow report for August 16<sup>th</sup> 2021.

**Mr. Williams** made the motion to approve the August 16<sup>th</sup> 2021 escrow report.

Seconded by **Mr. Nidelko**.

**Upon Roll Call Vote:**

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

**NAYS: None ABSTENTIONS: None**

**APPLICATION FOR COMPLETENESS**

Puresan LLC (PB# 08-21-01) Block 701 Lot 6 & 11 368- 406 Rt 23

Amended preliminary and final site plan with bulk C variance.

Mr. Suckey introduced the application and asked if there was anyone here this evening representing Puresan.

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Mr. Gimigliano came forward and introduced himself and stated that he was the applicants engineer and he was representing for Puresan this evening.

Mr. Gimigliano stated that he and his client were in front of the board in June for a minor site plan approval for his client to occupy a small portion of the building on Rt 23.

Mr. Gimigliano stated that this application is to amend the prior approval for the site to fully occupy their portion of the building.

Mr. Gimigliano stated that he and his clients received the completeness report from Mr. Knutelsky and have requested some waivers and are asking for the application to be deemed complete at this time.

Mr. Gimigliano stated in addition he would like to ask the board to consider hearing this application at the first meeting in September which is held for special meetings.

Mr. Suckey stated that the board will consider Mr. Gimigliano request after the board hears from Mr. Knutelsky' completeness report.

Mr. Suckey asked for Mr. Knutelsky to read from his August 12<sup>th</sup> 2021 completeness report.

Mr. Knutelsky stated that he will start with section B Items 1- 5.

Mr. Knutelsky stated the following items are found to incomplete and/or lacks information for this application, or waivers have been requested.

- Checklist Item #20- Location of water courses, natural features, flood plains, wetlands, and soils. a waiver had been requested and recommended it be granted.
- Checklist Item #23 – Location Survey a waiver for completeness only be granted.
- Checklist Item #38 Environmental Impact Statement waiver requested and recommend it be granted.
- Checklist Item # 43- 47 These are final site plan requirements only. Waivers requested and recommended the waivers for these checklist items be granted with the applicable information provided as conditions to any approval the board may grant.

Mr. Knutelsky stated based upon the aforementioned review and subject to the board finding that the recommended waivers are appropriate.

Mr. Knutelsky stated that he recommends that the application be found complete at this time.

Mr. Knutelsky stated that he further recommends that this matter be scheduled for the next available public hearing with adequate notice provided.

Mr. Knutelsky stated that after the board takes action in a favor of.

Mr. Knutelsky would like to add one more comment

Mr. Knutelsky also stated that he wanted to mention just so the board knows in the original amended resolution for the original site plan for Sante Bus there were a couple of phases for this original application that will also have to be addressed relating to phase I and Phase II.

Mr. Knutelsky stated these are things that may need to be addressed in a public hearing.

Mr. Knutelsky stated that he just wanted to make mention of that so there were no surprises during the hearing at the next meeting and stated that he will explain and give more detail on that in an email to Mr. Gimigliano.

Mr. Gimigliano thanked Mr. Knutelsky and stated that they would be in touch tomorrow.

Mr. Suckey thanked Mr. Knutelsky and asked if any board members had any questions.

Ms. Shultz stated that it was mentioned that the Sparta location has closed will that impact the traffic and the number of employees and trucks you stated you would have at the last meeting.

Mr. Gimigliano assured Ms. Shultz that nothing would change as far as more employees and trucks.

Mr. Suckey stated that he would like for it to be noted that Mr. Friend entered the meeting at 7:42.

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Mr. Suckey stated not hearing any other questions he would take a motion to approve the application for completeness.

**Mr. Williams** made the motion to approve the application PB # 08-21-01 with the next meeting date to be determined. Seconded by Mr. Estes.

Seconded by **Mr. Christiano**.

**Upon Roll Call Vote:**

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

NAYS: None ABSTENTIONS:

Mr. Suckey stated that he would have the board consider the request to hold the hearing at the September 1<sup>st</sup> meeting if the planning board members were available and in agreement.

The members agreed to have the hearing on Wednesday September 1<sup>st</sup>

Mr. Gimigliano thanked the board and left the meeting.

Mr. Suckey stated at this time Mr. Williams was going to excuse himself from the meeting as he has a personal conflict with the next application.

Mr. Williams left the meeting at 7:43.

**CONTINUATION OF APPLICATION**

Mogul Enterprises (PB# 3-21-01) Block 609 lot 20,21,22,23 151 Main Street. Exterior plans

Mr. Suckey proceeded to ask if there was anyone present to represent Mogul Enterprises.

Jesse Dawson came to the mike and introduced himself and explained what he was trying to accomplish this evening.

Mr. Dawson explained that there has been a lot of confusion on his end.

Mr. Dawson explained that there was a mix up with applications and he was supposed to be here this evening for his 124 Main Street Property but some how he is now here to show the plans and renderings for his 151 Main Street property.

Mr. Brady stated that according to the resolution Mr. Dawson was to report to HPC (Historical Preservation Commission) to show them the plans for what ideas he has for the outside of the building.

Mr. Dawson stated that he understands there is a HPC meeting tomorrow and he will be attending that as well.

Mr. Dawson stated since I'm here tonight would the board like to see the plans.

Mr. Brady stated that he if this was under other circumstances, he would not be able to hear from Mr. Dawson without an attorney present because they are a corporation, However, because Mr. Dawson was not obligated or required to come back to the board, we will take advantage of the opportunity in front of us.

Mr. Dawson proceeded to show the board members the rendering and explained what it was he was thinking of doing.

Mr. Suckey stated yes and that he liked the concept and thought it was a good mix of new and old.

Mr. Suckey also asked for a brief update on how he worked out with the neighbors' complaints.

Mr. Dawson stated that the neighbors are satisfied and are currently deciding what type of tree they want to replace the rotten one that was removed up with.

Mr. Dawson went on to explain where he is now with the project as far as the construction aspect.

Mr. Dawson explained materials are slowing coming available and he is able to start constantly work on the project.

Mr. Suckey stated that it seems like you are trying to keep the board happy, satisfy the complaints and be a good neighbor all at the same time.

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Mr. Dawson stated yes and because his name is going to be on the project, he wants to make sure everyone is satisfied and things are done right and safely.

Mr. Suckey asked if Mr. Dawson was attending the HPC meeting tomorrow night and Mr. Dawson stated that he would like to meet with them as soon as he can if that means tomorrow then yes.

Mr. Sowden stated that the committee would meet here tomorrow at 7pm and Mr. Dawson was welcome to come present his ideas the commission.

Mr. Dawson thanked him and said he would be there.

Mr. Dawson stated now that 151 is resolved. Mr. Dawson asked what he needs to do to move forward with getting his ideas for 124 to the board.

Mr. Brady stated that we can put Mr. Dawson on for the next meeting not sure if the chairman wants to have it on for the September 1<sup>st</sup> meeting or the second meeting in September which is the 20<sup>th</sup>

Mr. Brady stated that Mr. Dawson would have to be represented by council for the hearing as he is a corporation.

There was some confusion on what was submitted when and who received the application and who did not.

Mr. Brady and Mrs. Babcock would compare notes after the meeting to make sense of the confusion.

Mr. Dawson said that Mr. Haggerty has covid and has been out of his office for a long time and it has been hard to make sense of all that has been mixed up in his office regarding this application.

Mr. Suckey stated because it is only interpretation and because Mr. Dawson has worked with us and has been doing everything he has been asked of. Mr. Suckey stated he is willing to work with Mr. Dawson and will allow for his application to be on for the September 1<sup>st</sup> meeting as long as he can get everything to the office/ Mrs. Babcock by the end of the day on Wednesday.

Mr. Brady stated that this application would not to be noticed because it is just for interpretation.

Mr. Brady stated that he would email Tom, Ken & Mrs. Babcock what he received tomorrow. Mr. Suckey stated as long as by Wednesday you have everything into Mrs. Babcock, we will schedule you for the September 1<sup>st</sup> meeting.

Mr. Dawson thanked the board and stated he would be doing a lot of running around and making phone calls to make this happen for September 1<sup>st</sup>.

Mr. Suckey asked if anyone had any questions or concerns.

Mr. Nelson stated that he would like to refer back to 151 and the rendering that was presented.

Mr. Nelson stated that he had two comments and would of course refer to the HPC for their comments as well.

Mr. Nelson stated that he would be surprised if the HPC did not have an issue with the right-side elevation.

Mr. Nelson stated that he believes stucco and brick can work he is just not sure if that is the way to make it work.

Mr. Nelson stated that the other comment was in regards to the front of the building.

Mr. Nelson stated that if this building is suppose to be comparable to the building to the right of their building there is to much glass.

Mr. Nelson stated that he is not sure if HPC will have comments on that area.

Mr. Dawson stated that nothing is set in stone and depending on what the HPC says he can make changes to the size of the glass in the front as far as the windows and he can always change the look of the brick and stucco as well if the HPC is not in favor of that look.

Mr. Dawson explained why he did it that way to give it that old luck with also giving it character and not so cut off on the right side of the building.

Mr. Christiano stated that is probably in the best not to have the glass windows go down to the level.

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Especially in the winter with the salt on the sidewalk it will have to be replaced every couple years if not every year.

Mr. Dawson said that is a good point and he will readdress the glass windows again.

Mr. Suckey asked if there were any further questions. There were none and Mr. Dawson thanked the board again for their time and said hopefully he will be back on September 1<sup>st</sup>.

**APPLICATIONS TO BE HEARD**

None

**APPROVAL OF RESOLUTION**

There were no resolutions for approval

**OLD BUSINESS:**

Discussion on the rezoning of the Armory/ Littell building.

Mr. Suckey stated that mayor and council have asked if the planning board can look at it again to rezone it from an R1 zone to an industrial zone.

Mr. Suckey stated that rumor has it that the current owner has someone who is looking to purchase for the sole purpose of industrial use.

Mr. Suckey stated that the proposed purchaser came to the council requesting the zone be changed prior to he or she purchasing the building.

Mr. Suckey stated that the council has brought it to the planning board for the planning board's recommendation.

Mr. Suckey asked if there were any questions or concerns.

Mr. Christiano stated that he does not understand how this is being done.

Mr. Christiano stated that it seems like this process is being done backwards.

Mr. Christiano stated that the town is waiting for someone to come into town with a plan and asking for these sorts of requests instead of having these zones re-addressed and zoned properly before someone comes in and starts looking into properties to purchase.

Mr. Christiano stated that this particular property should have been rezoned to industrial years ago.

Mr. Suckey explained there have been a few different owners in the past 2-3 years and now it looks like they have someone serious as long as the request to change the industrial zone is granted.

Mr. Christiano stated that he believes that this area should be changed to industrial and should have been a long time ago and fully supports the change.

Mr. Suckey asked if there were any further questions or concerns.

There were no further questions or concerns from the planning board members.

Mr. Suckey stated that he would entertain a motion allowing the planning board attorney to right a letter to the town attorney with the recommendation that the town develop an ordinance to change the zone to an industrial zone.

**Mr. Estes** made the motion seconded by **Mr. Friend**

**Upon Roll Call Vote:**

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

NAYS: None    ABSTENTIONS:

**NEW BUSINESS:**

**TCC meeting updates -**

Mr. Suckey gave a brief update on the TCC meetings and different ideas and projects have been presented to the board the last few weeks.

- Old Super Walmart property (across from Starbucks on Rt 23) – Lam developments

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- 36 Wildcat Road – repeat TCC meeting looking to put a house on their property. Mark Hamilton Owner Who came back to the TCC meeting with DEP approvals and to ask what the next steps were as far as coming forth to have an application heard in front of the Planning board.

Mr. Suckey stated that was all he had to update the board with at this time in regards to TCC meetings.

**OPEN PUBLIC SESSION**

Mr. Suckey opened the meeting to the public.

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

**DISCUSSION:**

Mr. Nidelko stated that he just wanted to confirm that Puresan will be heard on September 1<sup>st</sup>

Mr. Suckey stated that yes, they will be heard on Wednesday September 1<sup>st</sup>.

Mr. Knutelsky stated that he wanted to add that he briefly discussed with Mr. Gimigliano in regards to the phases that were prior approvals.

Mr. Knutelsky suggested that Mr. Gimigliano bring up those conditions and approvals to the board during his testimony to make sure that nothing is being overlooked.

Mr. Knutelsky also stated that Sante Bus are still the owners and Puresan are the tenants under Sante Bus.

Mr. Nelson stated that he would like to mention that it looks like the housing plan will be ready to be presented at the September 20<sup>th</sup> planning board meeting.

Mr. Suckey asked if there were any other discussion items.

Mr. Suckey stated not hearing any he would take a motion for adjournment

**ADJOURNMENT:**

**Mr. Christiano** made a motion to adjourn.

Seconded by **Mr. Nidelko**

**All were in Favor.**

The meeting adjourned at 8:15 P.M

Respectfully submitted,  
Michelle Babcock  
Planning Board Secretary