

Franklin Borough Planning Board
Meeting Minutes for
October 18, 2021

The meeting was called to order at 7:30 PM by the Chairman, Mr. Christiano, who then led the assembly in the flag salute.

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

ROLL CALL OF MEMBERS:

Mr. Wes Suckey, Chairman (Absent)
Mr. John Christiano, Vice Chairman (Present)
Mr. John Sowden, Mayor (Present)
Mr. Concetto Formica, Council liaison (Absent)
Mr. Floy Estes (Present)
Mr. Jim Nidelko (Present)
Mr. Jim Williams (Present)
Mr. John Friend (Present) entered the meeting @ 7:36
Mr. Richard Knop (Present)
Mr. Michael Raperto, Alternate #1(Present)
Ms. Sharon Schultz, Alternate #3 (Present)

ALSO, PRESENT:

Michael Brown, Planning Board Attorney
Tom Knutelsky, Planning Board Engineer
Ken Nelson, Planner

APPROVAL OF MINUTES:

Mr. Christiano asked for approval for the September 20, 2021 Planning Board meeting minutes.

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

Seconded by **Mr. Estes**

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS: none

APPROVED

PAYMENT OF BILLS:

Mr. Christiano asked for approval for the October 18th Planning Board Escrow report.

Mr. Williams made a motion to approve the October 18th Planning Board Escrow report.

Seconded by Mr. Estes

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS: None

APPROVED

APPLICATION FOR COMPLETENESS

Franklin 116 Development, LLC (PB# 08-21-04) 116 Rt 23, Block 1601, Lot 5 Minor Site Plan

Mr. Christiano stated that application Franklin 116 Development will not be heard tonight.

Mr. Knutelsky stated that he would like to go over the application for completeness only at this time for the record and timing.

Mr. Knutelsky stated that the applicant did request an extension because they were already told that they were administratively incomplete last month.

Mr. Knutelsky stated that the applicant did switch the application around and resubmit a new full application that should be on for tonight for completeness only.

Mr. Knutelsky stated he is recommending the board finds this application incomplete as well and for the reason, he will read from his October 15th report.

Mr. Knutelsky read off the checklist items that he recommended that waivers be granted first though.

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1. Checklist item #24 – Storm Management (waiver to be granted)
2. Checklist # 38- Environmental Impact Statement (temporary waiver to be granted with testimony given at the hearing.)
3. Checklist item #29- Traffic Impact Study (waiver granted for completeness only)

The following items are found to be incomplete and lacks information for this application based upon a recent site inspection preformed by the office.

Checklist Item #18- Existing and proposed contours (*Note: the applicant indicated that this item is complete. I note that existing contours provided on the plans, which are used are the basis of proposed site grading, do not appear to be correct and need to be revised. Proposed contours to also be adjusted on the plans accordingly*)

Checklist Item #23- Location survey, prepared by a New Jersey licensed land surveyor. (*Note: The applicant has indicated that this item is complete. Mr. Knutelsky notes that the retaining wall adjacent to the parking area and certain drainage improvements have already been constructed on the site as part of approved 2013 construction activities. These existing improvements are not shown on the survey nor the site plan and need to be provided.*)

Mr. Knutelsky stated based upon the aforementioned review, he recommends that this application be found incomplete at this time.

Mr. Christiano thanked Mr. Knutelsky and asked if the members had any questions or concerns to add.

Mr. Knutelsky stated that if the board does follow the recommendation that the applicant would like to be carried to the next available meeting.

Mr. Brown stated that the applicant's notice for this meeting was sufficient. and was requested by the applicant that the notice carry to the next meeting as well with no further notice needed.

Mr. Christiano asked for a motion to deem this application incomplete and carry it to the next meeting, based on the recommendation of Mr. Knutelsky' s report.

Mr. Estes made a motion Seconded by **Mr. Raperto**.

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS

Approved.

Mr. & Mrs. Papandrikos (PB# 09-21-03) 7 LaRue Street, block 1004 lot 12 R4 Preliminary and final site plan with a D variance.

Mr. Christiano introduced the following application and asked Mr. Knutelsky to read his report.

Mr. Knutelsky stated that based on the review of the information for completeness Mr. Knutelsky stated that the following items are to be found incomplete and or/lacks information for this application.

Checklist Item #1 -The applicant must submit the original sixteen additional copies of the application properly completed. (*Note: during the pre- review it was determined that a number of dimensional "C" variances are required from section 161-32B for this applicant which have not been addressed on the application.*)

Checklist Item #2 - Fees & Escrow deposits. (*Note: During pre-review, it was determined that a number of dimensional "c" variances are required for this application. Additional fees and escrows for this relief are to be addressed.*)

Checklist Item #9 – A written list of all variances or design standard waivers requested and reasons why they should be addressed. (*Note: During Pre-review, it was determined that a number of dimensional "c" variances are required for this application. Relief of these variances have not been addressed.*)

Based upon the aforementioned review, Mr. Knutelsky recommends that this application be found administratively incomplete at this time.

Mr. Christiano asked for a motion to deem this application incomplete based on the recommendation of Mr. Knutelsky' s report.

Mr. Raperto made a motion Seconded by **Mr. Friend**.

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Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS: None Approved.

Mr. Christiano introduced the next application to be heard.

Frank & Robin Elmo- (PB# 08-21-03) 7 Estell Dr. Block 1601, lot 3 R1- zone Use D Variance.

Mr. Brady stated that he would send an email to the applicant's attorney explaining what changes need to be done. If they can get an updated application in 10 days prior to the next meeting they will be on for the next meeting.

Mr. Christiano stated that the next available meeting would be November 15th

Mr. Knutelsky stated that the application would have been found complete if the email from Mr. Brady was addressed.

Mr. Knutelsky stated that the plans were well done.

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

Not hearing any Mr. Christiano asked for a motion to deem this application incomplete at this time.

Mr. **Estes** made the motion. Seconded by Mr. **Nidelko**.

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS: NONE

APPLICATIONS TO BE HEARD

Stanley & Patricia Rak (PB 06-21-02), Block 701 Lot 5 Zone HC-1, 396-400 Route 23.

Minor site plan.

Mr. Larry Calli introduced himself and stated that he would be representing Mr. and Mrs. Rak this evening.

Mr. Calli stated that this is a simple minor site plan.

Mr. Calli stated that his clients are hoping to put up a sign on their property to advertise and better inform the public of what is located on his property.

Mr. Calli stated right now there are two businesses. One being Chesley's closet and the other being Sugar sisters.

The proposal is for a wall mounted sign above each store front and a standalone ground mounted sign.

Mr. Calli stated that the signage would follow all town ordinances and fits in the location accordingly.

Mr. Calli stated that this is a variance free application none the less it does require planning board review which brings us here this evening.

Mr. Calli stated that he has one witness with him this evening. Mark Gimigliano who is a licensed engineer with Dykstra and Walker. Mr. Gimigliano prepared the plans that are before the board this evening.

Mr. Calli stated that Mr. Gimigliano will take the board through a tour of the property giving the board a better feel for where the proposed signage will be located.

Mr. Brown stated at this time he would like to swear Mr. Gimigliano in as an expert.

Mr. Brown swore Mr. Gimigliano in under oath and asked Mr. Gimigliano to list his qualifications.

Mr. Calli asked Mr. Gimigliano to give the board a brief tour and description of what it is the applicant is looking to accomplish.

Mr. Gimigliano gave a brief description of the building and the layout of the building.

Mr. Gimigliano stated that the property was located on Rt 23 and consisted of a 5,000 square foot commercial building with three commercial spaces, along with a parking lot in the front of the building.

The proposed signage would be wall mounted above each store's location, along with a stand alone ground mounted sign north of the building alongside Rt. 23 at the entrance of the parking lot.

Mr. Gimigliano stated there is currently no signage other than temporary signage above the store units.

Mr. Gimigliano stated there is an existing ground mounted sign on the property that will be removed from the property prior to the new ground mounted sign being put up in a different location from the previous sign.

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Mr. Gimigliano gave a description of the size and material of the signage that would be used on the three store fronts and the ground mounted sign.

Mr. Gimigliano stated that the signs would comply with the town ordinances.

Mr. Christiano stated that he is sure Mr. Gimigliano did his research but wants to just reinforce the fact that the aluminum signs with lighting is to have a dimming feature which is stated in the town ordinance but is often overlooked.

Mr. Christiano asked if the board members had any questions.

Mr. Knutelsky asked the chairman if he could read his report dated August 27th 2021

Mr. Knutelsky referred the board members to page two of his report and pointed out the list of eight comments that Mr. Knutelsky made in his report.

Mr. Knutelsky stated although the applicant's engineer addressed most of them. Mr. Knutelsky would like to clarify a few of the items.

Mr. Knutelsky stated that he would like to see the document that was handed out to the board today which gives the signage details to be added to the site plan.

Mr. Gimigliano stated that will be done.

Mr. Knutelsky just wanted to confirm that they will be removing the free-standing sign before the new sign is put up.

Mr. Gimigliano stated that is correct.

Mr. Knutelsky stated that he would also like to note that there are non-conformities that exist on this site which will not be further increased by the proposed work.

Mr. Knutelsky stated that he would ask Mr. Brown to comment and or confirm that.

Mr. Brown stated that as per what Mr. Knutelsky has stated this project will not further increase this property as being non confirmative.

Mr. Brown stated that only thing changing is the signs.

Mr. Knutelsky stated that he would also like to confirm that all electric for the ground mounted signs will be underground.

Mr. Gimigliano stated that was correct.

Mr. Knutelsky stated that he has no further questions or anything else to add at this time.

Mr. Christiano asked if the sign that is in the property now is lit.

Mr. Gimigliano stated no, the existing sign does not have lighting.

Mr. Nelson stated that for the record he did not do a report for this application due to the limited nature of it.

Mr. Nelson stated that after talking and reviewing with Mr. Knutelsky he relied on Mr. Knutelsky's expertise for this.

Mr. Christiano asked if there were any more questions. Not hearing any Mr. Christiano asked for a motion to approve this application.

Mr. Williams made the motion. Seconded By **Mr. Estes**.

Before taking roll call the meeting was opened up to the public for any comments from the public.

The owners of Chelsey's closet who rent space from Mr. Rak wanted to thank the board for "approving" this application they are excited to have the signage and help customers and the public see where they are located and give them some better advertisement.

Mr. Christiano stated not seeing any more comments coming forward he will close the meeting to the public and asked Mrs. Babcock to proceed with roll call.

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS

Approved.

Mr. Christiano introduced the next application.

Frank & Robin Elmo- (PB# 08-21-03) 9 Estell Dr. Block 1601, lot 3 R1- zone

Use D Variance.

Mr. Brown stated that he would like to swear Mr. Elmo in under oath as he will be giving testimony on behalf of this application.

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Mr. Brown Swore Mr. Elmo in.

Mr. Elmo stated his name and gave his address.

Frank Elmo lives at 85 Davis Road in Franklin.

Mr. Nelson, Mr. Elmo's Attorney asked Mr. Elmo to explain what it is he is looking to achieve this evening.

Mr. Elmo explained that he purchased 9 Estell Drive which is two acres of land that borders his daughter's property.

Mr. Elmo stated that he always wanted to have extra land. Mr. Elmo explained that he has an antique tractor that he would like to store in a shed out of the weather.

Mr. Elmo stated that he purchased the land next to her daughter's property to expand her back yard more room for the kids to play and run around. Mr. Elmo stated not for just my grandchildren but all the kids who live nearby. Mr. Elmo stated that he keeps it mowed and keeps it neat so that the kids can play on it. Mr. Elmo explained that he uses his tractor and bushhog to do the maintenance on the property however the bushhog weighs a ton and is hard to hook up every two weeks especially in the summer.

Mr. Elmo said he is old and the tractor is older. Mr. Elmo would like to have a place where he can store the tractor and bushhog.

Mr. Elmo stated that he would like to buy a shed a nice one 14 x 30 Vinyl Siding metal roof with two doors so he can ride the tractor inside the shed. It would be for storing the tractor and the bushhog along with anything else that is not being used during the winter months.

Mr. Elmo stated that he would like to buy the shed and place it on the property.

Mr. Elmo stated that the shed would be placed within the envelope of the property and just use it for his equipment.

Mr. Carlson asked if all the other properties in this area are residential.

Mr. Elmo stated yes.

Mr. Nidelko asked if Mr. Elmo has any intention of building on this property.

Mr. Elmo stated not that he can see in the foreseeable future.

Mr. Elmo stated that is why he placed the shed in the back corner so that if one day he sells or in his passing his children sell it a house can be built within in the envelope and the shed is already located in the back corner of the property.

Mr. Christiano asked for Mr. Nelson to give his comments.

Mr. Nelson stated that the main concern was what the shed was needed for and Mr. Elmo did a good job of explaining that.

Mr. Nelson stated that this is a D variance, a technical D variance, but none the less a D variance.

Mr. Nelson stated the reason for the D variance is because a structure should be on the property prior to an accessory structure being added.

Mr. Nelson stated the only question he has for Mr. Elmo is that this shed would not be for a business this is only to be used for personal use correct.

Mr. Elmo stated yes.

Mr. Nelson stated giving the testimony given that he has no objections to the application.

Mr. Christiano asked if there were any utilities within the property.

Mr. Elmo explained that there is an electrical box in front of the property that JCP&L installed with anticipation these lots would be built on.

Mr. Christiano asked for Mr. Knutelsky to read from his report.

Mr. Knutelsky read from his report dated September 17, 2021.

Mr. Knutelsky stated that the applicant went through most of my report answering any questions I had.

Mr. Knutelsky wanted to clarify that with following the town ordinance that accessory structures are permitted up to 500 Sq Ft.

Mr. Knutelsky stated the shed Mr. Elmo is proposing meets that requirement at 420 Sq Ft.

Mr. Knutelsky stated he did not hear the height of the proposed shed.

Mr. Knutelsky asked Mr. Elmo if the shed's height is less then 12 Ft and Mr. Elmo said yes.

Mr. Knutelsky stated that is what the ordinance allows so that is a good answer.

Mr. Knutelsky stated as far as a favorable resolution goes. Mr. Knutelsky would like for Mr. Elmo to submit another zoning application to formally show and explain the shed and its location on the property.

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Mr. Elmo stated that he had already sent in an application that was denied which led him to being here tonight.

Mr. Knutelsky stated that he would like Mr. Elmo to resubmit another zoning application with the prints and pic of the shed and giving the dimensions of the shed like he explained this evening just so that there is something on record in the zoning office as well as in planning due to this being a D variance.

Mr. Elmo stated he would do so tomorrow morning.

Mr. Christiano stated he would like to open the meeting up to the public for any comments they may have in regards to this application only.

Mr. Christiano stated not hearing or seeing anyone come forward he would close the meeting to the public at this time.

Mr. Christiano asked if any of the board members had any further questions or comments.

Mr. Christiano stated not hearing any he would take a motion to approve this application.

Mr. Williams made the motion to approve the application.

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS

APPROVED

APPROVAL OF RESOLUTION

In the matter of Mark Hamilton & Georgianne Diehl (PB# 09-21-01) 36 Wildcat Rd. Block 1801, lot 2

Mr. Christiano asked if everyone read and reviewed the resolution.

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

Mr. Christiano stated not hearing any questions or concerns he would take a motion to approve the resolution.

Mr. Friend made the Motion. Seconded by **Mr. Estes**.

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS

APPROVED

OLD BUSINESS:

Mr. Christiano asked Mr. Nelson if there were any updates on the housing plan.

Mr. Nelson stated that it is under review and he was not sure if it would be ready to be readdressed at the next meeting.

NEW BUSINESS:

There was none

OPEN PUBLIC SESSION:

Mr. Christiano opened the meeting to the public.

Mr. Christiano closed the meeting to the public due to no one being in the public at this time.

DISCUSSION:

None

ADJOURNMENT:

Mr. Estes made a motion to adjourn.

Seconded by **Mr. Nidelko**

All were in Favor.

The meeting adjourned at 8:22 P.M

Respectfully submitted,
Michelle Babcock
Planning Board Secretary

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