

Franklin Borough Planning Board
Meeting Minutes for
September 1, 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 (Absent)
Mr. Floy Estes (Absent)
Mr. Jim Nidelko (Present)
Mr. Jim Williams (Present)
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 August 16 2021 Planning Board meeting minutes.

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

Seconded by **Mr. Williams**

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS:

PAYMENT OF BILLS:

NONE

APPLICATION FOR COMPLETENESS

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

Minor site plan.

Mr. Suckey asked if there was anyone present to represent this application this evening.

Mr. Suckey stated not seeing anyone he would table this application to the next meeting.

Mr. Knutelsky stated that the board could hear this application for completeness without the applicant being present.

Ms. Schultz excused herself from the meeting at 7:34.

Mr. Brady advised Ms. Shultz to wait in the hallway until someone from the board let her know we were finished with this application.

Mr. Knutelsky stated that he has a very brief report that he would be reading from dated August 27, 2021.

Mr. Knutelsky read his report and stated that he finds the application complete at this time. He recommends that the planning board does as well and schedules the hearing for the next meeting in September. (9/20/21)

Mr. Suckey thanked Mr. Knutelsky and asked if there were any waivers needed.

Mr. Knutelsky stated no.

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

Mr. Suckey stated not hearing any he would take a motion to deem this application complete at this time.

Mr. Williams made the motion to deem Stanley and Patricia Rak PB# 06-21-02 application complete.

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Seconded by Mr. Friend.

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS:

APPLICATIONS TO BE HEARD

-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 stated that the board received a letter from the applicant's attorney requesting that the application be withdrawn.

Mr. Suckey stated therefore the application will not be heard.

Mr. Suckey stated that the next application to be heard was

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

Minor site plan.

Mr. Suckey stated that this application will be carried to our next meeting which is on September 20, 2021.

APPLICATION FOR INTERPERTATION

Mogul Enterprises (PB# 08-21-02) Block 1004 lot 10.

Applicant looking for approval to reconfigure an existing mixed- use building.

Mr. Williams excused himself from this application and left the meeting not returning to the meeting at 7:37.

Mr. Haggerty introduced himself as the attorney representing his client Mr. Dawson who he has here with him tonight who will also give some testimony on this request he is proposing this evening.

Mr. Haggerty stated that he did receive Mr. Knutelsky's report dated August 27, 2021 and he and his client reviewed and feel they have or will address all of Mr. Knutelsky's concerns once Mr. Dawson is able to give his testimony.

Mr. Brady stated that he would like to give a quick background on how this application came about and stated that interpretation is not something that the board typically does as far as approving the application through an interpretation.

Mr. Brady stated that Mr. Dawson reached out to his office and asked if there was a way he could take the This two-story apartment and making it one two one story apartments.

Mr. Brady stated that Mr. Dawson was aware that this would be a violation of the portion of the ordinance that requires no residential use at the bottom floor on Main Street.

Mr. Brady stated that his recommendation to Mr. Dawson was rather having the zoning officer saying yes, or the planning board saying yes and perhaps set a bad president.

Mr. Brady stated on the other hand it did not sound like it was something that necessarily needed a use variance with higher standards and higher fees.

Mr. Brady stated that he suggested Mr. Dawson come in for an interpretation application and come to the board and put things on record and explain what exactly his plans are for this configuration. Mr. Nelson stated that he would like to state that he made an error in his report as far as the zoning.

Mr. Nelson stated that in hos report he states that this property is in the B1 zone wherein fact it is in the Main Street redevelopment Plan that was adopted by the council in 2019.

Mr. Nelson stated after reviewing the plan again that there is really not much difference in what the plan is for this zone then if it was in the B1 zone.

Mr. Nelson stated that it really is just a technical issue and a typo on his part.

Mr. Suckey thanked Mr. Nelson and asked If we could start with Mr., Dawson's testimony.

Mr. Brady asked Mr. Dawson to raise his right hand and swore Mr. Dawson in under oath.

Mr. Dawson stated his name and address.

Mr. Haggerty asked Mr. Dawson what his affiliation was to this property.

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Mr. Dawson replied and stated he was the project manager.

Mr. Dawson gave a brief description of the use of the building is currently.

Mr. Dawson explained that what he is proposing is taking a three-bedroom apartment and making it two one-bedroom apartments.

Mr. Dawson explained what he was looking to do as far as the floor plan for the new one-bedroom apartments.

Mr. Haggerty asked if there would be any changes to the exterior of the building and Mr. Dawson said no other than putting in energy efficient windows.

Mr. Dawson stated it is not in any way a complex project.

Mr. Haggerty asked about what Mr. Dawson had in mind as far as parking.

Mr. Dawson stated that he has actually added more parking.

Mr. Dawson explained that the old garage that they tore down and replaced was not big enough for actual car parking and it was used more as a storage unit.

Mr. Dawson stated that he replaced the garage with an actual 4 car garage that will allow for cars to be parked inside.

Mr. Haggerty asked is there an adequate amount of parking for the apartments proposed,

Mr. Dawson stated that there is more than enough parking.

Mr. Haggerty asked if the demand in one-bedroom apartments was greater then a three bed- room apartment,

Mr. Dawson explained that he and is partner kept the end building a three-bedroom apartment and it was on the market for over three months and in the end, they are charging the tenants in a three-bed room apartment what they will charge a two-bedroom apartment.

Mr. Dawson stated that he definitely sees that there is a greater demand for one bed room apartments opposed to the three just by the amount of time it took for the three-bedroom apartment to become occupied.

Mr. Christiano stated that he would like some clarification that the pictures that were submitted were from September 2013.

Mr. Christiano asked if the photos submitted still depict what the property looks like currently.

Mr. Dawson stated yes, except for the garage as I explained earlier.

Mr. Dawson explained that the exterior looks the same as far as the front of the building on the Main Street Side.

Mr. Dawson explained that he did redo the steps and made repairs on the back side of the apartments as there needed to be updates as far as the condition of the steps.

Mr. Brady asked Mr. Dawson to state how many parking spots he has in total.

Mr. Dawson stated 14 regular parking and 2 handicap parking spots next to the stairs.

Mr. Nelson asked id there was anything that would stop this reconfiguration to one day possibly being a commercial unit.

Mr. Nelson stated if a few years from now the commercial ends up being a better option as far as a rental could it be easily converted to rent as a commercial opposed to an apartment.

Mr. Dawson said yes, all that would have to be removed is the stove.

Mr. Dawson stated depending on how the tenant wanted the lay out you could have a waiting room in the front part of the building or visa versa.

Mr. Dawson stated it can be done without any issue for sure.

Mr. Nelson stated that is something to keep in the back of his mind if there comes a time where commercial may be the better route.

Mr. Suckey asked if there were any questions before having Mr. Knutelsky read his report.

There were no questions so Mr. Suckey asked Mr. Knutelsky to proceed with his report.

Mr. Knutelsky stated that there is no checklist for interpretation.

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Mr. Knutelsky stated if needed we could deem this application complete by the testimony and all the information giving to us by Mr. Dawson along with the pictures and other application support items that were submitted along with the application.

Mr. Knutelsky stated that Mr. Dawson addressed the internal improvements he would be making And addressed the parking comments along with adding parking and where the parking was going to go has all been addressed by the applicant.

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

Mayor Sowden asked if the two commercial spaces on the bottom that are already being used if they would remain commercial.

Mr. Dawson stated yes, there was no intention of changing those stores.

Mr. Knutelsky stated that he wanted to make a point or have Mr. Brady add his expertise on this point that he wants to make which is the applicant is here for this one side of the building.

If the board finds this application favorable is this just for this particular side of the building an does not include the other side.

Mr. Brady stated that he would intend to write the resolution that this is specific intended for the apartments mentioned whether they be 123 or ABC or however Mr. Dawson has them labeled.

Mr. Brady stated that the resolution will state that this was granted under these specific circumstances for these particular reasons and it will be very specific to these apartments addressed tonight.

Mr. Suckey asked how the apartments are

Mr. Dawson stated its is all 124 from A- F.

Mr. Dawson explained that the first floor was approved and there were no issues because it was on the second floor and not on the first.

Mr. Dawson explained it was staled at zoning because of the first floor not being commercial.

Mr. Suckey stated that he just wanted to make sure we know who approved what and when.

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

Not hearing any.

Mr. Suckey opened the meeting to the public.

Mr. Suckey stated that there was no one int the public at this time.

Mr. Suckey closed the meeting to the public.

Mr. Sucky stated he would entertain a motion at this time.

Mr. Nidelko made the motion of approving the interpretation to make the first floor into a one-bedroom apartment.

Seconded by Mr. Friend

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS

Mr. Haggerty thanked the board and asked if his client could ask for a waiver on the resolution to not waste any time and to start working on the project.

Mr. Suckey stated he would ask for a motion if the members agreed and wanted to grant Mr. Dawson a waiver on waiting for the resolution next month.

Mr. Christiano made the motion. Seconded by **Mr. Raperto**.

All were in favor.

APPROVAL OF RESOLUTION

There were no resolutions for approval

OLD BUSINESS:

None

NEW BUSINESS:

None

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OPEN PUBLIC SESSION:

Mr. Suckey stated there was no one in the public.

DISCUSSION:

Mr. Nelson asked if Mr. Suckey would take a brief census to see if any of the planning board members would be available for October 6th meeting.

Mr. Suckey stated that it would be the first Wednesday of the month the workshop date.

The board members agreed and stated that they were available.

Mr. Nelson stated that he would like to reserve that date for the housing plan presentation/ discussion.

Mr. Nelson stated that the housing presentation would be 1 ½ -2 hours.

Ms. Shultz asked will there be any applications on for that meeting as well.

Mr. Suckey stated that right now he just wants to keep that meeting reserved just for the housing plan.

Mr. Suckey stated that the housing plan needs to be addressed and will hold priority.

Mr. Suckey stated we will just have to see how all the other applications go and if need be, they can be moved to the 2nd meeting in October.

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