

**TOWNSHIP OF FRANKLIN
PLANNING BOARD
COUNTY OF SOMERSET, NEW JERSEY**

**SPECIAL VIRTUAL MEETING
August 18, 2021**

The regular meeting of the Township of Franklin Planning Board was held at 475 DeMott Lane, Somerset, New Jersey and was called to order by Chairman Orsini, at 7:30 p.m. The Sunshine Law was read, the Pledge of Allegiance said, and the roll was taken as follows:

PRESENT: Councilman Chase, Carl Hauck, Carol Schmidt, Jennifer Rangnow, Mustapha Mansaray, Charles Brown, Robert Thomas, and Chairman Orsini

ABSENT: Meher Rafiq and Sami Shaban

ALSO PRESENT: Mr. Peter Vignuolo, Board Attorney, Mark Healey, Planning Director, and Christine Woodbury, Planning & Zoning Secretary

PUBLIC COMMENTS:

Chairman Orsini then made a motion to open the meeting to the public for general Planning comments. Councilman Chase seconded the motion, and all were in favor. Seeing no one coming forward, Chairman Orsini made a motion to close the public portion of the meeting. Mr. Thomas seconded the motion, and all were in favor.

HEARINGS:

Mr. Peter Vignuolo, Board Attorney, then gave the Board general guidance on what their role was in the matter before them that evening involving a municipal project requiring the use of public funds pursuant to the Municipal Land Use Law (MLUL) and was not a hearing for an application. He then explained that the Board's role was to review the project and provide its recommendations to the Library Board and the Township Council. He also noted that, even though notification was not required as it related to a municipal project review by the Board under the MLUL, notice was provided by the Township and the Library Board as an accommodation to the public. As such, Mr. Vignuolo added that the public would be provided with the opportunity to express their comments concerning the project to the Board, and their comments to the Board would be entered into the record in the minutes. The Board Attorney did again stress that the discussion was not an Application before the Board, but a project review pursuant to the MLUL, for comment by the Board to the Library Board and the

Township. Finally, he added that the Planning Board was not going to approve or deny an application on the project that evening. A discussion ensued among the Board regarding the parameters of the hearing.

- **FRANKLIN TOWNSHIP PUBLIC LIBRARY – SOUTH BRANCH / PLN-21-00014**

Review and recommendation by the Planning Board, in accordance with N.J.S.A. 40:55D-31(a), pertaining to the Franklin Township Public Library and the Township of Franklin for the construction of a new library building - RECOMMENDATIONS WERE PROVIDED.

Mr. Donald Whitelaw, Esq., Attorney for the Franklin Township Public Library Association, and the Township of Franklin, came forward. Mr. Whitelaw then reiterated Mr. Vignuolo's statement that the night's discussion would be for the Board to review and make recommendations to the Library Board and Township Council. He then described the approximately 2.3-acre site next to the Franklin Park School and was a one(1)-story building that was approximately 5,580 sq. ft. with associated parking and other site improvements to service the library.

Mr. Jeffrey Reynolds, Principal and Project Manager/Landscape Architect with the Reynolds Group, 575 Rte. 28, Raritan, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Reynolds then shared his screen to show the original plan for the subdivision, a 4-acre lot owned by the Board of Education that was subdivided into two (2) two (2)-acre lots. He then showed the dimension plan showing an existing one(1)-way street that travelled to the Franklin Park Elementary School and a one-way access into the new library site with angled parking along a looped driveway out of the site. He then showed a colorized site rendering and describing the drainage travelling from the east to the west on the site currently and then locating the proposed detention pond. Mr. Reynolds indicated that all of the drainage for the site was travelling away from all of the residences and going towards existing drainage systems into the street. He added that they had some rain gardens, located in the middle of the site, which would transfer the run-off into a larger bio-retention basin to connect into the existing system following best management practices provided by the state. He spoke of the angled parking and the roadway in and out of the facility. Mr. Reynolds then spoke about the sidewalk that was being provided across the entire frontage of the site that would connect to the Franklin Park School. He then described the Landscaping Plan for the site, noting the native New Jersey species being used, including an evergreen (Norway Spruce) buffer between the residential properties and along the northern end of the property as well. Mr. Reynolds also stated that they were providing a chain link fence along the northern and western edge of the property to prevent people and/or animals from wandering onto the property. He noted that there were residential chain link and board on board fences on their properties and were keeping the building as far away from the residences as possible. Mr. Reynolds then described the 4 ft. x 8 ft. directional sign at the entrance to the drive. He then spoke about the

inclusion of a bicycle rack and a few seats in front of the library and seating areas on both ends of the library. He noted that the upper seating area would be for adults and the lower seating area would be for the children. Mr. Reynolds then described the LED shoebox-style lighting that would be provided on-site (approximately six (6) lights that would be 18 ft. tall). Towards the building, Mr. Reynolds included lower bollard lights for the pedestrian walkway. He then explained that all of the utilities would be coming into the site from Clover Place. Mr. Reynolds then told the Board that it was a very simple site with plenty of plantings for beautification, with the library building being located in a thicket area. He then spoke about a drop-off area and canopy of the front entrance of the building

Mr. Reynolds indicated that they had already gotten approval from the Delaware & Raritan Canal Commission (DRCC) and from the County for the subdivision and Site Plan since it did not affect any County facility. He stated that they were just waiting upon Township approval as other agencies had already approved the site. He added that they have will-serve letters from water, sewer, electric and gas utilities as well.

Mr. Reynolds then addressed the Technical Review Committee (TRC) report that he indicated had only minor engineering comments and were not substantial in nature. He reassured the Board that they would be able to comply with all comments noted in the report. Mr. Reynolds noted that the soils were good and would accept groundwater infiltration. He did mention that a Letter of Interpretation (LOI) was obtained by the NJDEP and that confirmed that there were no wetlands on the property.

Chairman Orsini opened a discussion regarding the Environmental Commission memorandum, and Mr. Reynolds indicated that their only comment was potentially using some pervious surface in lieu of the rain gardens. Mr. Reynolds explained that he would prefer to use the rain gardens since they were small and would be simple to maintain as opposed to pervious surface over a whole parking area. The Chairman then brought up the Commission's suggestion to utilize solar panels on the roof and include electric charging stations in the parking area. He also noted that the Commission wanted them to preserve as many existing trees on the site as possible. Mr. Reynolds indicated that there was only one (1) tree worth saving on the site, but that it was in a bad spot on the site. He added that they could add the solar panels and electric charging stations if that is what the Library Board wanted. A discussion ensued among the Board.

Mr. Thomas then testified that he felt they utilized the site very well and responded very well to the comments from the Environmental Commission.

Councilman Chase suggested that a sidewalk be provided out to Claremont Rd. to provide a walking connection there. Mr. Reynolds commented that they did look at that but noted that there were no sidewalks along Claremont Rd. to connect to and that it would cost approximately \$50,000 to construct. A discussion ensued about future connections out to Rte. 27, with the Chairman agreeing with the suggestion. Mr. Thomas suggested to utilize the Township's Sidewalk Fund in order to construct the

sidewalk being proposed. Mr. Brown stated his support to constructing a sidewalk out to Claremont Rd. and also suggested that there should be a sidewalk constructed along the frontage on Clover Place to cut down on traffic and encourage walking to the library.

Chairman Orsini made a motion to open the hearing to the public. The motion was seconded, and all were in favor.

Mr. Christopher Brosius, 28 Central Avenue, Franklin Park, NJ, came forward. Mr. Brosius stated he was not in favor of the project because he felt it was a waste of taxpayers money and would destroy wooded land and wildlife habitat.

Ms. Veronica Avenir, 60 Clover Place, Franklin Park, NJ, came forward. She asked the Board if they knew that the Board of Trustees made a unilateral decision to utilize the subject site without consulting anyone and that the grant was specific to the subject location. Mr. Vignuolo, Board Attorney, stated that the question posed by Mr. Avenir was not relevant to the Board's role in reviewing the plan and was not involved in site selection or grant funding.

Ms. Avenir then drew the Board's attention to the Traffic Report, noting that it indicated that their conclusions were not based on any data due to the pandemic. She then wanted to know why the Landscape Architect wanted to by-pass the recommendation from the Environmental Commission

Ms. Annabelle Alvarez, 60 Clover Place, Franklin Park, NJ, came forward. Ms. Alvarez reiterated concerns expressed by Ms. Avenir regarding the Traffic Report and the environmental impact. Chairman Orsini indicated that the Library Board and Township Council would be the forum in which Ms. Alvarez could bring her case. Mr. Healey, Director of Planning, used the Board of Ed's decision to choose the location for the Claremont Rd. school as a comparison. A discussion ensued.

Mr. Reynolds stated that it was next to impossible to save existing vegetation on the site, with the exception of the northwestern corner of the site, because the property needed to be graded due to the development and would be in conformance with State standards for storm water management. Mr. Healey then gave information regarding what encompassed the "site" for the benefit of the public.

Chairman Orsini asked Mr. Reynolds what he would think about including a staggered row of Norway Spruce along the residential property lines. He indicated he would not have a problem providing a staggered row of spruce; however, he stated that the trees would probably get to 25-30 ft. wide at maturity and would grow together as a natural buffer. He then told the Board and public that it was a better scenario to give trees their space so that they might have space to grow and thrive.

Mr. Thomas told the Board and public that he had visited the site a few times, and that trying to preserve the existing vegetation would be a huge mistake because it was

probably 99% deciduous and that there would be no buffer in the winter without the inclusion of the spruce evergreens that were proposed.

Ms. Alvarez then asked how long it would take to attain considerable coverage, and Mr. Reynolds indicated that it would take 5-10 years to attain that level. He stated, at planting, there would be 18 trees planted at the property line and that the spruce trees would be 6-8 ft. tall and 5ft.- 7ft. wide, with 1 ft. or 2 ft. per year growth in height and width.

Councilman Chase then pointed out that the resident at 60 Clover Place did not share a boundary with the property where the library was to be constructed and would be adjacent to the parcel that would be remaining in its natural condition. Ms. Alvarez stated that she can see the proposed lot from her deck.

Ms. Alvarez then stated her concern for the rain gardens being proposed and bringing mosquitos to the area as opposed to providing pervious pavement. Mr. Reynolds explained how the designed storm water management would work and that it would actually alleviate some of the mosquito issues that were presently on the property and would certainly not make the situation worse.

Mr. Christopher Brosius, 28 Central Avenue, Franklin Park, NJ, came forward again. Mr. Brosius then brought up Ms. Avenir's statements regarding the Traffic Study not having conclusive data due to the pandemic.

Chairman Orsini made a motion to close the public portion of the meeting. The motion was seconded, and all were in favor.

Mr. Harold Maltz, Traffic Engineer, 19 Porter Rd., West Orange, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Maltz then addressed his June 28, 2021 Traffic Report. He noted that the subject property lay adjacent to the Franklin Park Elementary School and then spoke about the entrance drive and single-family residential access. He then noted that the school was the only other traffic generator in the area besides the single-family home. Mr. Maltz stated that when he went to do his Traffic Study, the Franklin Park School was doing all remote learning and that only teachers were driving to the school at that time due to COVID-19. He then discussed the normal hours of operation for the school (8:50 a.m. to 3:10 p.m. pre-COVID) and how both the school and the library were complementary uses. He indicated that there was a total of 16 busses, both small and large, that line up on the school's frontage on Baylor Avenue on the east side of the school. He then discussed the pre-COVID drop-offs and pick-ups on Baylor Avenue and how the operation worked very smoothly. He noted that the library would not open on any day before 10:00 a.m. and would not interfere with the busses and transportation of pre-K students to and from the school. He also had information that the library would only be open from 10:00 a.m. till 8:00 p.m. on Mondays and from 1:30 p.m. to 8:00 p.m. on Thursdays. Additionally, on Tuesday, Wednesday and Friday, the library would operate from 2:00 p.m. to 5:00 p.m. and Saturday from 10:00 a.m. to 2:00 p.m. and closed on Sundays.

Mr. Maltz then drew the Board's and the public's attention to the ITE's (Institute of Transportation Engineers) trip generation manual to identify trip generation and peak hours for different land use types. He discussed his analysis, utilizing the ITE's manual, to determine that the use would only generate 5 trips in the morning peak hour and would relate to staff only due to the library not being open during morning peak hours. He noted that the evening peak hour, the library would generate 41 trips in and out during the evening peak hour and 63 trips in and out during the four (4) hours of operation on Saturdays. All of the numbers calculated were not considered a significant amount of traffic and the driveway provided a one way in and out of the site directing both directions of traffic in separate directions with right-hand turns in and out.

Chairman Orsini made a motion to re-open the meeting to the public for questions of the Traffic Engineer. The motion was seconded, and all were in favor.

Ms. Veronica Avenir then asked if Mr. Maltz knew that Clover Place was used as a short-cut. Mr. Maltz indicated that he was not informed, and he reiterated his testimony related to the ITE's Trip Generation numbers. A discussion ensued regarding taking information from the staff at the school and the ITE's calculations as well as the complementary hours between the school and the library.

Mr. Christopher Brosius expressed concern that Mr. Maltz's testimony was flawed in that he was unable to take actual traffic counts and did not have information related to the fact that motorists utilize Clover Place as a cut-through street. He wanted the recommendations from the Board to be postponed.

Ms. Alvarez asked if Mr. Maltz could elaborate on how Traffic Engineers use the trip generation numbers that have been gathered by the ITE. A discussion ensued

Ms. Avenir then asked what the opposition for the Board was to postpone this discussion to wait for a Traffic Study to be more accurate post-pandemic. Chairman Orsini explained that they did not feel the Traffic Study was inaccurate based upon Mr. Maltz's testimony because he went above and beyond by visiting the site and found out what the pre-pandemic traffic generation was.

Mr. Vignuolo, Board Attorney, advised Ms. Avenir that the Board did not have the discretion to postpone a recommendation and explained why.

Chairman Orsini made a motion to close the meeting to the public. The motion was seconded, and all were in favor.

Chairman Orsini made a motion that the Applicant comply with all of the comments and recommendations in the TRC report, that they made available the connections at least for a future installation for electric car charging stations and solar panels in the parking area, at least the provision of one (1) bicycle rack, cut-off LED lighting, compliance with all outside agency and staff reports, sidewalks extended through Claremont Rd. and constructed along the property frontage along Clover Place utilizing Township Sidewalk

Funds and investigate as to whether they could enhance the row of Norway Spruce with staggered plantings, still on center if possible, to enhance the buffering in the eastern portion of the site. Mr. Vignuolo, Board Attorney, then discussed the idea of the recommendation for sidewalks utilizing the sidewalk fund relating to the areas off-site of the subject property. Mr. Thomas seconded the motion, and the roll was called as follows:

FOR: Mr. Hauck, Ms. Schmidt, Ms. Rangnow, Mr. Mansaray, Mr. Brown, Mr. Thomas, and Chairman Orsini

ABSTAIN: Councilman Chase

AGAINST: None

Ms. Christine Woodbury, Board Secretary, stated that the following hearing would be carried and gave the carry date as well as provided instructions to the public as to how to log into the Webex connection to participate in that hearing.

- **INSITE PROPERTY GROUP / PLN-21-00011**

C Variance in which the construction crew inadvertently constructed the side yard at 34.9ft rather than 35.0 f.t required at 619 Somerset Street, Somerset; Block 162, Lot 1.01, in the R-C Zone - **CARRIED TO SEPTEMBER 1, 2021 – no further notification is required.**

COMMITTEE REPORTS

No reports were discussed.

WORKSESSION/NEW BUSINESS:

No work session/new business was discussed.

EXECUTIVE SESSION:

The Board did not enter into an Executive Session that evening.

ADJOURNMENT:

Chairman Orsini made a motion to adjourn the regular meeting at 9:45 p.m. Mr. Hauck seconded the motion, and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
September 19, 2021