

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

**VIRTUAL MEETING
October 20, 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, Meher Rafiq, Carol Schmidt, Jennifer Rangnow, Mustapha Mansaray, Charles Brown, Sami Shaban (arrived at 7:36 p.m.), and Chairman Orsini

ABSENT: Robert Thomas

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

MINUTES:

- **Regular Meeting – September 1, 2021**

Ms. Rafiq made a motion to approve the Minutes, as submitted. Councilman Chase seconded the motion, and the roll was called as follows:

FOR: Councilman Chase, Mr. Hauck, Ms. Rafiq, Ms. Schmidt, Ms. Rangnow, Mr. Mansaray, Mr. Brown, and Chairman Orsini

AGAINST: None

- **Regular Meeting – September 22, 2021**

Ms. Rafiq made a motion to approve the Minutes, as amended. Councilman Chase seconded the motion, and the roll was called as follows:

FOR: Councilman Chase, Mr. Hauck, Ms. Rafiq, Ms. Schmidt, and Chairman Orsini

AGAINST: None

PUBLIC COMMENTS:

Chairman Orsini then made a motion to open the meeting to the public for general Planning comments. Mr. Brown 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. Councilman Chase seconded the motion, and all were in favor.

HEARINGS:

- **31 VOORHEES, L.L.C. / PLN-20-00013**

Mr. Peter U. Lanfrit, Esq., Attorney, appearing before the Board on behalf of the Applicant, 31 VOORHEES, L.L.C. on behalf of RPM Development Group, the designated redeveloper in the Township's Renaissance Redevelopment area. Preliminary & Final Major Site Plan which the Applicant sought approval to construct (37) 3-bedroom townhomes at 1 Gurley Street, 31 Voorhees Avenue, 59 Berry Street, 38 Blair Avenue, 240 Fuller Street, 6 & 8 Davis Avenue, Somerset; Blocks 113/119/122/132, Lots 1-5 & 11-27/26-46/3-6/9-14, in the CMR/CMMU Zone - **CARRIED FROM SEPTEMBER 1, 2021 – with no further notification required.**

Mr. Lanfrit then explained that the reason that the parcels were not contiguous and part of one (1) total application was because RPM was attempting to acquire all of the land within that Redevelopment Area to develop that section of the project. He added that because some of the property owners were not inclined to sell their properties and because it was the philosophy of the Township not to condemn properties, they were going to redevelop the area piece-meal as they acquire the parcels. Mr. Lanfrit then told the Board that they had an overall conceptual plan, which he indicated they would be sharing with them to show how all of the properties tie together within that section.

Mr. Kevin Shelly, Engineer employed with Shorepoint Engineering, 1985 Hwy. 34, Ste. A-7, Wall, NJ, came forward and was sworn in. The Board accepted his qualifications. He told the Board that the initial plans were prepared and dated over a year ago, with numerous modifications and revisions to the plans. He then gave a brief overview of the plans before going into the site specifics. Mr. Shelly shared his screen showing an aerial view of the site plan (Sheet 2) where the Board could see all the parcels that were mentioned earlier that were part of the Applications that evening. Mr. Shelly then drew the Board's attention to Block 113, Lots 1-5, 11-27 (1.03-acre parcel) and bounded by Blair Avenue to the north, Gurley Street to the east, Voorhees Street to the south, and Berry Street to the west. He then told the Board that Block 119 was comprised of Lots 26-46 (1.02-acre property), bounded by Blair Avenue to the north, Gurley Street to the west, and Voorhees Avenue to the south. He went on to describe Block 122, where Blair Street and Fuller Street meet, Lots 3-6, (0.23 acre parcel) with frontage on Fuller Street. Finally, Mr. Shelly discussed Block 132, Lots 9-14, 0.34-acre parcel), with frontage on Davis Avenue.

Mr. Shelly then described what was planned for Block 113 by showing a colorized exhibit of Block 113/119 that was submitted and entered into the record as Exhibit A-1. He told the Board that the Applicant proposed to construct 17 townhouse units on Block 113 within four (4) buildings on the site. He added that each building was located along the perimeter of the property, with street frontage. Mr. Shelly then shared that each unit would have one (1) garage space in the back and either one (1) or two (2) driveway spaces, depending on the units' width, for a total of 26 driveway spaces and 17 garage spaces. He then noted that access to the parking area would come from Voorhees Avenue and Blair Avenue, with two (2) identification signs proposed at each entrance. He stated that the signs would be a maximum of 36 inches tall and 5 ft. back from any property line and outside of any sight triangle easement for the driveways. Mr. Shelly testified that the 5 ft. setback for the signs would eliminate the variances outlined in the Township professionals' letters. He indicated that trash collection would be handled by a centralized trash enclosure located within the site and the existing water and sewer mains in the perimeter streets would provide service to each of the new buildings. Mr. Shelly then described the storm water management system that would include various catch basins for the parking areas and an underground detention basin beneath the asphalt as well as manufactured treatment devices used for the required water quality treatment for the development as well. He then noted that both the building- and pole-mounted LED fixtures would be provided throughout the site, along with an attractive landscape package. Mr. Shelley then told the Board that they were also including a 3,000 sq. ft. open space area up against Gurley Street in between Building A and Gurley Street and would include various types of landscaping, a path, as well as two (2) locations for benches.

Mr. Shelly stated that the Applicant was proposing the full reconstruction of Gurley Street, which would create a 30 ft. wide roadway, with on-street parking (12 parking spaces) and to include curbs and sidewalks to replace the approximately 20 ft. wide street that existed currently. Additionally, the Applicant was planning to mill and repave their half of Voorhees Avenue and Blair Avenue along the property frontage.

Mr. Shelley then addressed a comment in the August 17, 2021 CME review letter, asking that they revise the perimeter street designs to allow for additional on-street parking. He stated that the effort would include a significant additional site work, including new curbing, sidewalks, pavement striping, underground utility relocations and utility pole relocations and additional site paving. He indicated that the Applicant would agree to make the listed street improvements with the condition that funding was available to assist with the construction costs. In agreeing to that request, eight (8) on-street parking spaces would be made available along Blair Avenue, six (6) spaces along Berry Street, and six (6) spaces along Voorhees Avenue as well.

Mr. Shelly then told the Board that the requested widening of Berry Street would have an impact upon the proposed site design that was different than what was in the Site Plans. He explained that by pushing the Berry Street sidewalk and curb back by about 6 ft. from where it is presently shown, Buildings C and D would also need to be shifted back as well so that the buildings have enough separation from those new sidewalks.

He added that doing so resulted in Building D (small, 2-unit building fronting on Voorhees Avenue) having a side yard setback at 5 ft. where 10 ft. was required, and a variance would be required. He reminded the Board again that the variance was only necessary due to the requested road widening along Berry Street.

Mr. Shelly then told the Board that a variance was also being requested for building height, where 40 ft. maximum was allowed and 40.6 ft. was proposed. He noted that the main roof lines complied with the requirements, but that there were several architectural peaks that slightly exceed that maximum height to provide adequate living space in the upper floor area. That being said, Mr. Shelly indicated that they believed that the height variance was de minimus. Otherwise, he testified that Block 113 complied with the bulk standards of the redevelopment plan, and if approved, the lots would be consolidated into a single parcel.

Mr. Shelly then drew the Board's attention to Block 119, across the street from Block 113, noting that they were proposing ten (10) townhouse units within two (2) buildings that were each located along a perimeter street. He then added that parking was provided in the back of the building, with access coming from Voorhees Avenue. He told the Board that each unit had a garage space and either one (1) or two (2) driveway spaces that were behind the units, depending on the width. Similarly, he stated that water and sewer were provided from the adjacent roads, with an underground storm water management system was proposed under the roadways and building- and pole-mounted LED lighting fixtures with landscaping throughout. There would also be another centralized trash enclosure area. Again, as with Block 113, Mr. Shelly told the Board that the widening of the roadway would create additional on-street parking spaces four (4) along Voorhees Avenue) and four (4) along Blair Avenue. He then noted that approximately 8,500 sq. ft. of the site, in the eastern corner, where Blair and Fuller Street meet, included wetlands with the buffer adjacent to those resulting in approximately 35% of the site being preserved as open space. Mr. Shelly, once again, was requesting a variance for the 40 ft. building height maximum, where 40.6 ft. was being proposed for the same reasons listed before. Again, he noted that otherwise the proposed improvements on the lot complied with the bulk standards for the redevelopment plan, with the lots to be consolidated into a single parcel if approved.

Mr. Shelly then moved on to discuss Block 122 and entered into the records the colorized rendering of Block 122 as Exhibit A-2. He told the Board that there were four (4) townhouses proposed within one (1) building for this parcel. He added that each unit had one (1) garage and one (1) driveway. He told the Board that what made the building on this lot different from the others was that the garages and driveways were in the front of the buildings instead of in the back and fronted on Fuller Street. Mr. Shelly stated that there was no way to put garages and driveways behind these buildings without owning/purchasing additional parcels. Again, this site would also have LED lighting, landscaping with foundation plantings, water and sewer would be provided through Fuller Street and the storm water management system consisted of trench drains at the end of the driveways to collect the runoff, porous pavement asphalt driveways and an underground storage basin located underneath the driveways as well.

Mr. Shelly included the need for a height variance for the same reasons stated with the other two parcels. He added that everything else complied to the bulk standards, and that they would consolidate the Block into one parcel, if approved. He noted that trash/recycling would be handled differently on this lot and would be stored internally inside each unit and brought out to the curb.

Mr. Shelly then drew the Board's attention to the final parcel, Block 132, Lots 9-14, which was shown on Exhibit A-3 that was entered into the record. He told the Board that the parcel included six (6) townhouse units within one (1) building with each unit having one (1) garage space and two (2) driveway spaces located behind the building. Mr. Shelly indicated that access to the units would come from Davis Street with a one (1)-way entrance drive aisle located to the north of the building and a one (1)-way exit to the south. Again, he stated that trash/recycling would be stored internally and brought to the curb for pickup. He noted that there was a storm-water management system located to the rear of the property with an underground detention basin, manufactured treatment devices, with water and sewer provided from the street. He then added that the same variance for building height existed with this parcel as well. Additionally, a variance for impervious coverage was also required, where 80% is the maximum allowed, and 84.9% was proposed. Mr. Shelly added that the original iteration of the plan for this parcel had garage doors and driveways to the front of the building to be able to provide as much on-street parking as possible and did not require a variance.

Mr. Shelly then entered into the record as Exhibit A-4, showing the full build-out for Block 132, which he indicated was bound by Franklin Blvd., Frank Street, Davis Avenue, and Fuller Street. He told the Board that in the event additional parcels would be able to be acquired, a straight throughway would be constructed between Fuller St. and Frank Street and parallel with Davis Street to create a rear parking scenario for each of the units in the Block. Mr. Shelly indicated that this configuration would allow for the maximum amount of on-street parking around the perimeter streets, without having any driveways or access ways coming off of Franklin Blvd. When this would be accomplished, the variance requested would then be eliminated at that time and the asphalt on either side of the building would be removed and replaced with open lawn area.

Mr. Shelly then went on to show full conceptual build-out exhibits. He showed the Board Exhibit A-5, which was the rendering for Block 122, a four (4)-unit building fronting on Fuller Street. In trying to follow the nature and concepts of the redevelopment area, he stated that they created an area for the further parcels (Lots 9-14 and 23-28), which created a thru-way with parking and two (2) additional units located on the remainder of that lot.

Mr. Shelly stated that the other two parcels would cover the entire Block and were self-contained with no future build-out for those, with the exception of Block 113, Lots 6-10 were not currently part of the Application. He indicated that for a full build-out scenario, they would simply extend the drive aisle that was being constructed as part of the proposed phase, along with another four (4)-unit building fronting on Gurley Street and

continue the triangular-shaped open space area up along Gurley Street. He noted that in the full build-out scenario shown, they would be asking for the side-yard setback variance for Building D due to the Berry Street widening, but the variance would go away as all of the lots would be consolidated.

Mr. Shelly then reviewed the staff reports, specifically Mr. Healey's Planning report, a secondary report dated August 18, 2021, a CME report dated August 17, 2021, Police report as well as the Environmental Commission's report. He noted that the Health Dept. had no comment.

In reviewing the Planning report, item #1 in the report reflected Mr. Healey's concern that they create more on-street parking, and Mr. Shelly indicated that the plans before the Board that evening had addressed those issues. Related to the parking requirements under Residential Site Improvement Standards (RSIS) discussed in item #2 in the Planning report. He noted that for the entire development, there were 37 total garage spaces, 49 driveway spaces and were creating a total of 45 on-street parking spaces (131 spaces for the 37 units). He added that the 3.5 spaces per unit greatly exceeded the 2.4 space ratio for RSIS and, individually block by block for 113, 119 and 132, all comply with the RSIS requirements. Mr. Shelly indicated that for Block 122, specifically, only 2.25 spaces per unit were provided compared to the 2.4 spaces required by RSIS, but just not feasible to get those in front of the property. He stated that in a full build-out scenario, there would be more on-street parking available. Thus, he asked for a de minimus exemption from RSIS for Block 122. Mr. Shelly then drew the Board's attention to the signage on the property (item #4), and he indicated that they were making some minor modifications as to the sign locations and all signs would be fully compliant. Mr. Shelly testified that the proposed fencing details showing it outside of the right-of-way would be shown on the plans and would be included. He then discussed the two (2) small benches that would be included in the open space area and being respectful at the same time of the residents of the building located there to avoid creating a large gathering space as it related to Mr. Healey's comment #8. Mr. Lanfrit stated that they would provide all of the information requested in comment #11 in the report and would agree to make it a condition of any approval.

Mr. Shelly then testified that they could comply with all of the comments contained within the CME Engineering report. He added that they could also comply with the Fire Prevention report, dated August 5, 2021. He added that the Environmental Commission report spoke about pervious pavement, and he testified that they did provide pervious pavement in the storm water management areas on-site. He then addressed the request of the Commission regarding providing the electrical infrastructure for charging stations and would do so within the confines of the garages.

He then drew the Board's attention to the Police Dept.'s request for signs to be relocated and some landscaping removed, noting that both would be taken care of.

Mr. Joaquin Bouzas, Architect employed by Inglese Architecture+Engineering, 632 Pompton Avenue, Cedar Grove, NJ, came forward and was sworn in. The Board

accepted his qualifications. Mr. Bouzas then shared the elevations and floor plans with the Board, noting that they had about eight (8) unit clusters scattered throughout a variety of sites. He indicated that the number of units range from two (2) units to eight (8) units per cluster. Additionally, he stated that there were essentially two (2) designs with garage entrances at the rear and two (2) designs with garage entrances at the front of the building, but that the living spaces of all designs were essentially the same (3-bedrooms). All buildings also include recreation space on the third floor in all buildings for open work-from-home office space and an outdoor deck. Mr. Bouzas then addressed Mr. Healey's item #7 with his concern that the open space could be utilized as a bedroom. He testified that the space was open to the stairwell and there was only a storage closet provided in that area for decorations, but not intended as a bedroom closet and has no shelving. Mr. Lanfrit stated that the lease agreement included a clause that limited the units to two (2) occupants per bedroom for a maximum occupancy of six (6) people per unit. He added that tenants would be in violation of the lease and subject to eviction, and the Applicant would agree to add language into the Resolution as a condition of approval.

Mr. Bouzas then shared elevations of the building, including colors and materials, as requested by Mr. Healey in comment #5 of his report. He showed that the facades had different looks between the different sized buildings and showed the architectural details and accent details in Exhibit A-7. He noted that the peak of the architectural gables was the cause of the need for a height variance and was based on the slope of the roof. He then showed the diagrams of the units that had front-loading garages and noted that all buildings would have the same color schemes.

Mr. Healey indicated that the Applicant had done a very good job in addressing the comments in his report

Mr. Hauck asked Mr. Shelly regarding the revision of plans to include on-street parking on Gurley Street. He wanted to know if all the parking spaces complied with separations from stop signs or distances to the intersection. Mr. Shelly indicated that they would comply with all of the requirements. Mr. Healey indicated that if they had to lose a few on-street parking spaces, they would still comply with RSIS.

Chairman Orsini opened a discussion regarding the installation of the electrical infrastructure for car charging stations. Mr. Lanfrit indicated that they would only include that if a tenant requested that feature.

Councilman Chase asked about the discrepancy for Block 132, with testimony related to rear garages/driveways, but that the latest plans submitted showed those items at the front of the building. Mr. Shelly testified that the plans submitted were for rear-loading garages. They then discussed a tenant having to back into a space until a full build-out could be accomplished. A discussion ensued, and Mr. Lanfrit stated that the driveway shown there would be eliminated when additional property could be acquired.

Mr. Healey gave his opinions related to the full build-out scenario, whereby being able to provide adequate on-street parking and waiting for the ability to acquire additional parcels before planning for more buildings on the already acquired additional properties until they could have a cohesive plan that went along with the overall Redevelopment Plan.

On Block 119, Councilman Chase opened a discussion regarding the wetlands on that property and the associated buffer. He wanted to know if there would be access to that area, and Mr. Shelly indicated that a fence would separate that area from the development and the plans showed landscaping with native species as approved by the NJDEP. A discussion ensued regarding keeping trash away from that area, and the Councilman suggested a fence along Blair Street as well.

Councilman Chase then discussed having a dedicated 220 electrical line in the garages to make it easier to add the infrastructure/electrical charging station at a later date.

Mr. Healey explained that the Township Council had authorized the use of the Township's Affordable Trust Fund to fund the additional parking spaces that were above and beyond what was originally proposed. The reasoning was that it would better serve the community/area in terms of parking supply and improve the streetscape and serve as traffic calming devices.

Mr. Healey indicated that he felt that the two (2) people per bedroom on the tenant lease should be included as a Resolution condition and that a condition be included that the open space den area is not able to be used as a bedroom. Mr. Healey then discussed the many items that the Applicant was addressing, delaying the completion to address Township staff concerns.

Chairman Orsini made a motion to open the meeting to the public. Councilman Chase seconded the motion, and all was in favor. Seeing no one coming forward, a motion was made to close the meeting to the public and seconded. All were in favor.

Mr. Lanfrit gave his closing summation.

Councilman Chase made a motion to approve the Application to include the variances requested and conditions discussed. Ms. Rafiq seconded the motion, and the roll was called as follows:

FOR: Councilman Chase, Mr. Hauck, Ms. Rafiq, Ms. Schmidt, Ms. Rangnow, Mr. Mansaray, Vice Chair Brown, Mr. Shaban, and Chairman Orsini

AGAINST: None

COMMITTEE REPORTS

No reports were discussed.

WORKSESSION/NEW BUSINESS:

No worksession items or 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 8:46 p.m. Ms. Schmidt seconded the motion, and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
November 29, 2021