

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

**VIRTUAL REGULAR MEETING
December 1, 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, Sami Shaban (arrived at 7:43 p.m.), Charles Brown, Robert Thomas, and Chairman Orsini

ABSENT: None

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

RESOLUTIONS:

- **InSite Property Group / PLN-21-00011**

Councilman Chase made a motion to approve the Resolution, as submitted. Mr. Thomas 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. Thomas, and Chairman Orsini

AGAINST: None

DISCUSSION:

- **Extension of time: Elizabeth Realty Partners, LLC / PLN-21-0000**

Mr. Shamanowitz, Esq., Attorney, appeared before the Board on behalf of the Applicant, Elizabeth Realty Partners, LLC. Mr. Shamanowitz indicated that the Board granted a Minor Subdivision back in May, 2021, together with a Site Plan approval for warehouse development. He then told the Board that the Applicant acquired the properties, took title in two (2) closings, the last of which took place as recently as September 1, 2021. Mr. Shamanowitz stated that they were now in the process of Resolution compliance

and getting the final map in order. He noted that his office was preparing the Minor Subdivision deeds, finalizing metes and bounds, so they need some additional time to perfect the Minor Subdivision approval. Finally, Mr. Shamanowitz indicated that they were asking for a six (6)-month extension of time, which would run to May of 2022.

Chairman Orsini indicated that they were entitled for an extension, and Ms. Woodbury, Planning Board Secretary, stated that a Resolution for the Extension of Time would be prepared by Mr. Clarkin and memorialized at a later date.

Chairman Orsini made a motion to approve the Extension of Time to May 10, 2022. 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. Thomas, and Chairman Orsini

AGAINST: None

WORKSESSION/NEW BUSINESS:

- **Circulation Plan - Draft**

Mr. Healey, Planning Director, gave a brief overview by stating that the Planning Board had retained WSP to prepare a Circulation Plan element of the Master Plan, and they had been working on the plan with staff for a while, and several drafts were prepared. He noted that one of the later drafts was reviewed by an Ad-Hoc Subcommittee that the Planning Board had formed to review the plan, with a virtual meeting of that subcommittee a few months earlier where they offered a number of comments. Mr. Healey then said that most of the comments were incorporated successfully into the current draft that was before the Planning Board that evening. He added that there were a few added comments added by Councilman Chase, and Ms. Debbie Hartman, of WSP, would discuss those as she goes over the plan for the Board's edification. Mr. Healey then explained where they were in the process, with the ultimate goal of adopting the Plan as an element of the Master Plan. He then went on to state that the Board was presented with the latest draft to discuss in the worksession that evening. He indicated that the Board would be discussing with Ms. Hartman that evening the draft and some of the recent changes/additions by Councilman Chase and ultimately having a public hearing in two (2) weeks to present it to the Planning Board and public with a questioning period.

Ms. Debbie Hartman, employed by WSP, came forward. She reiterated Mr. Healey's testimony that indicated that she and her company were tasked with preparing the draft Circulation Element to be incorporated into the Master Plan. Ms. Hartman then laid out the Plan Summary that they would be discussing that evening, to include Vision and Goals, Existing Conditions and Analysis, and Recommendations. In beginning her

review, Ms. Hartman started with the vision they prepared for the Circulation Element. She went on to explain that the vision was going to be seen through ten (10) goals they would be covering, falling into two (2) categories. Those categories, she stated, were to:

1. Establish a circulation system that recognizes the high level of through-Township traffic and minimizes its negative impact on Township residents, and 2. Provide a safe transportation network with several mobility options. The first category would include safety and traffic flow, but limiting widening to just certain pinch points, work to implement traffic calming to slow speeds in residential areas, plan connector roads, where appropriate, to alleviate some safety and circulation issues, consider acceleration and deceleration lanes to make merges a bit more safe, and improve the resilience of the infrastructure while also minimizing storm water impacts and . .
2. Providing a safe transportation network with several mobility options to include bikers, walkers, and transit modes of travel. Additionally, continue to implement the Bikeway Master Plan that was already in place and encourage other means of non-motorized transportation.

Ms. Hartman then told the Board that they looked at previous studies that had been done for the Township and incorporated those recommendations that had not already been included in the Plan. She added that they had also incorporated NJDOT data from the State that included several management systems available to them. These management systems included Pavement Management System, Congestion Management System, as well as the Bridge Management System. Ms. Hartman then discussed looking at traffic counts in the Township over the past decade or so as well as crash data for the most recent three (3)-year history showing crash hot spots primarily along Route 527 and Route 27 and in the northeast corner of the township. She presented a map of these discussed areas.

Ms. Hartman then indicated that they looked at the existing conditions for biking, sidepaths and trails that were available. She showed the map of those existing conditions as well as levels of traffic stress in the Township, with a rating scale of 1-4 for ease of this mode of travel. She then detailed the various transit services available to Township residents, including County services (SCOOT, DASH, and CAT) as well as the Rutgers service to New Brunswick and NJ Transit – a rail and bus north in Somerset County and east in New Brunswick. Additionally, Ms. Hartman discussed the Roadway Functional Classification as well as the Roadway Jurisdiction that would include Township roads, County roads and State roads.

Ms. Hartman then drew the Board's attention to the recommendations made based upon their studies and were either carried over from unfinished recommendations from previous studies, transit recommendations, intersection improvements, corridor-wide recommendations (mark shoulders, lower speed limits) and bike facilities to make connections to those already in place.

Ms. Hartman stated that they had some focus areas for recommendations, with one (1) being the Hamilton Street area and included traffic calming, public transit and bike/pedestrian accommodations. Some of these recommendations included traffic-calming measures in high crash corridors, complete the sidewalk network and lower speed limit. Also recommended in this area were for the public transit system to consider extending the New Brunswick bus routes, provide crossings and amenities at bus stops and consider a bus route to Bound Brook NJT station. Lastly, mark sharrows and making Lewis Street a bike boulevard, to require bike parking with any new development that was approved as well as possibly providing bike/pedestrian only links.

The other focus area was the I-287 Commercial area (Worlds Fair Drive). She did note that the recommendations for both of these areas could also be replicated in other areas of need in the Township. She included removing redundant driveways so that there were fewer access points and fewer conflict points for both motor vehicles and bicycles as well as lowering the speed limit. She also stated that some bike/pedestrian improvements could include marking the pedestrian crossing, complete the sidewalk network, install standard bike lane and consider median island, bus stop shelters and include a rapid flashing beacon to make pedestrian crossings more prominent for vehicular traffic to see better.

Ms. Hartman then showed a chart of the Implementation Matrix that they put together, with 153 recommendations that showed the type of recommendation, the lead agency involved (Township, County or State) and the cost, all for prioritization purposes.

Mr. Healey then mentioned to the Board the members who were on the Subcommittee and told them it included Vice Chair Brown, Ms. Rafiq, Mr. Thomas and Councilman Chase.

Ms. Hartman then discussed with the Board members, the comments listed by Councilman Chase. She discussed the corrections the Councilman suggested related to the tables that were included in the report, noting that the corrections he made. Ms. Hartman then discussed the question that Councilman Chase brought up about Old Road and its classification, the components of which were discussed. She told the Board how they came up with their classification of that road, utilizing the traffic counts, the narrowness of the roadway as well as the speed limit.

Chairman Orsini then asked if any of the comments made by the Councilman materially affects the conclusions presented. He decided at that time to open the meeting up to the Board for questions of Ms. Hartman.

Chairman Orsini suggested that the proposal had many implications and should be shared with the Hamilton Business District and an effort to make sure that other Boards and Committees were aware of it and could implement it. He wanted to know how these ideas/changes get communicated to the State and the County and how do they at least get considered and what is the plan for that.

Mr. Healey stated that he wasn't sure if the NJDOT would listen to Franklin Township's plan, but he felt that Somerset County will. He also added that one of the reasons that they chose to work with WSP was because they were working with the County and have prepared a number of plans for the County and the recommendations were consistent with what the County has done in the past and/or was piggybacking on those recommendations. He recommended also to distribute the plan to the Township Council and make the different committees aware of the plan as well. Chairman Orsini suggested sending it to the Traffic Bureau and the Township Manager. He suggested that once it was adopted, they could get together at a future work session to put the items in priority and cost. The Chairman also recommended that the plan be shared with State Assemblymen and Senators to represent Franklin Township to the State.

A Board member opened a discussion about how to get Franklin Township residents to the hub that is being proposed by New Brunswick. Ms. Hartman agreed with sharing these ideas with the Hamilton Street Business District would be key to implementing these ideas.

Chairman Orsini suggested that Mr. Shaban, a Somerset County Planning Board member, to be a good conduit and connection to get some of the County issues resolved. Ms. Hartman indicated that the County should be updating their Circulation Plan in the next year as well. A discussion ensued.

Mr. Thomas stated that he was not sure if they could have a Circulation Plan without some recommendations that eventually involve the ballooning truck traffic trips coming through the Township. He believed they needed some assistance with directing these trucks on certain routes as opposed to just going wherever their GPS tells them to. He added that some intersections were already proving that they were not appropriate for that kind of traffic. He noted that they had approved many warehouses in the past few months which always increases truck traffic. A discussion ensued related to the design element with new warehouse applications. Ms. Hartman suggested that the developers contribute to roadway improvements to eliminate some of these problems. Chairman Orsini spoke about requiring sidewalks and electric vehicle charging stations for new applicants.

Mr. Healey suggested to Ms. Hartman that they should at least identify the truck traffic problems in the Circulation Plan.

Ms. Rafiq stated that she would like to see something in the Vision Plan for the Township something about land preservation and Open Space. A discussion ensued related to access to Open Space in the Circulation Plan. Ms. Hartman indicated that they would include some verbiage to the Plan to incorporate that idea.

- **Planning Board Members Appointments:**

- **Municipal Wastewater Management Planning Committee**

Councilman Chase currently was representing the Planning Board and agreed to continue with the position.

- **Open Space Advisory Committee**

Ms. Rafiq volunteered to represent Planning Board on this committee.

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. Councilman Chase seconded the motion, and all were in favor.

HEARINGS:

- **ORION IV ELIZABETH LOGISTICS CENTER, LLC / PLN-21-00013**

Preliminary & Final Major Site Plan w/C Variance in which Applicant wants to construct a 182,780 sq. ft. building at 425 & 429 Elizabeth Avenue, Somerset; Block 502.01, Lots 2 & 4, in the BI and RDO Zones - **CARRIED TO DECEMBER 15, 2021 – with no further notification required.**

- **SAINT PETER’S UNIVERSITY HOSPITAL, INC. / PLN-21-00016**

Mr. Sandy Galacia, Esq., Attorney, appearing on behalf of the Applicant, Saint Peter’s University Hospital. Relief of condition and a parking variance is requested by the Applicant from the original approval that prohibited medical office use on the premises at 562 Easton Avenue, Somerset; Block 262, Lot 1.01, in the OP Zone - **CARRIED FROM NOVEMBER 03, 2021 – with no further notification required.**

Mr. Galacia explained that the Applicant was seeking relief from a 1986 condition of approval that restricts medical office use on the property at 562 Easton Avenue, Somerset, NJ, which is a small office building. He noted that Saint Peter’s wished to move some non-acute care from the main hospital to the subject location which already houses Saint Peter’s Sports Therapy offices. Mr. Galacia told the Board that there were already three relief of condition requests approved, the first being in 1993 for an eye institute that occupied the second floor and has recently vacated the property. He then stated that in 2005, the Board granted relief of condition for the present sports therapy

use. He then told the Board that Saint Peter's was not trying to eliminate the condition totally, but just to allow for the uses that were coming forward. Mr. Galacia stated that should the property be sold; the condition would go with the property and that every medical office use proposal would have to go before the Board for approval. Additionally, Mr. Galacia stated that they were also seeking a parking variance. He added that the property has 76 parking spaces since it was constructed in the 1980s, but that the Township just changed the parking regulations to eliminate the provision that based parking need on number of employees and doctors for that type of use. He indicated that now went with a straight square footage requirement and that they were there that evening to ask for the approval for 76 parking spaces that were currently provided on the site.

Mr. Garick Stault, CFO for Saint Peter's Healthcare System as well as St. Peter's University Hospital, One (1) Shipwood Lane, North Brunswick, NJ, but represent Saint Peter's Hospital located at 254 Easton Avenue, NJ, came forward and was sworn in. He discussed the subject property being owned by Saint Peter's, with the sports therapy program there being a hospital-based service authorized and approved by the Dept. of Health. He noted that there used to be an orthopedic practice there but was currently not there any longer. Additionally, he testified that the Somerset Eye Institute used to occupy the second floor, but no longer were located there since about a year ago so that area was currently vacant. Mr. Stault indicated that they currently run physical medical services (sport, occupational therapy, speech therapy and physical therapy) in the main campus and at 562 Easton Avenue and were looking to expand some clinical in-patient services and need to move our outpatient physical therapy services from the hospital to the second floor of 562 Easton Avenue so they don't have to keep those services in two (2) locations. He added that they have a hospital ENT service, with one (1) physician, and would bring a second physician on and move the hospital-based practice over to 562 Easton Avenue on the second floor for office visits. Mr. Stault then testified that they had already received Dept. of Health approval for the plans for the interior improvements and were now with DCA attempting to receive approval. He told the Board that they had done several improvements to the property to include a new roof, outside façade work as well as repaved the parking lot and grounds work with new plants and shrubs. He indicated that all of the requested improvements in the Technical Review Committee report (TRC) have been done. Mr. Stault then mentioned the agreement they have in place with Saint Sharbel Church for parking and was still in effect. He then noted that should the church parking become unavailable, even temporarily, they could shuttle patients back and forth from the hospital to 562 Easton Avenue.

Ms. Bonnie Saunders, Manager of Rehab Services, 34 Everetts Road, Ringoes, NJ, and representing Saint Peter's University Hospital at 254 Easton Avenue. She indicated that she supervises all of the hospital's physical therapy, occupational and speech therapy programs as well as the audiology services at all the different locations. She then explained that they were planning to move their pediatric physical therapy to 562 Easton Avenue, along with occupational and speech therapy services and

audiology services as well as the hospital-based ENT practice. She indicated that the sports therapy would remain on the first floor.

Mr. Galacia brought up his screen to share the floor plans that were submitted with the Application. Utilizing the floor plan, Ms. Saunders described what was being shown on the first floor of 562 Easton Avenue as the sports physical therapy. She noted that the sports therapy offices on the left side of the floor plan were going to be converted to a vestibular treatment area and that the front left corner would be expanded as a sports therapy/physical therapy gym area, with the front right portion as lymphedema and pelvic floor treatment rooms as well as a speech therapy room and a new waiting area for the first floor. Mr. Galacia then brought up the floor plan for the second floor that would include the services previously mentioned. Ms. Saunders explained where all the components would be located on the second floor. She stated that there would be two (2) physicians and a physician assistant and four (4) support staff, 11 rehab professionals who would all work part-time with varied hours. She added that there would be nine (9) support staff, four (four (4) with the therapy area and five (5) with the ENT practice). Ms. Saunders then explained how they scheduled the pediatric therapy sessions (45 minutes to an hour each) and the ENT practice was scheduled 1-2 per hour. She added that services would be by appointment only, with hours of operation for rehab services from M-F (7 a.m. to 8:30 p.m.) and hours for the ENT practice on M-Th from 7 a.m. to 5 p.m. She then testified that there would be no Saturday appointments at that location.

Ms. Vicky Gagliano, Director of Parking Studies, employed with THA Consultants, 15836 Burrigo Drive, Tampa, FL, came forward and was sworn in. She added that she was CAD certified for public parking. The Board accepted her qualifications. Ms. Gagliano stated that she prepared a parking study and described the information used to prepare the study, including the head count, the scheduling as well as employees' work hours, patient appointment hours and how much of an overlap was there. She indicated that she prepared charts with that information in her report. Ms. Gagliano then spoke about her conclusions and how she came to them. She explained that the summary table included all modalities and patient loads, taking into account some overlapping. She testified that they came up with a peak hour parking volume of 70 vehicles (between 2 p.m. and 2:30 p.m. on Wednesdays and Thursdays). She added that if there ever was a need for shuttling, they would shuttle the employees, not the patients.

Mr. Healey discussed a question posed in the TRC report, asking if the table represented the entire building. Ms. Gagliano answered in the positive. Mr. Healey asked what the number of cars utilizing the parking on-site when the Eye Institute was in the building, pre-COVID. Ms. Gagliano indicated that the number of cars utilizing the parking on-site then was 67 during peak hours. She added that the number of cars utilizing the parking on-site when Sports Medicine was in the building was a little higher at 71 cars during peak hours.

Mr. Andrew Villari, Traffic Engineer, employed with Stonefield Engineering, 92 Park Avenue, Rutherford, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Villari explained that he prepared the Traffic Study, utilizing information from the hospital related to proposed use and previous uses. He then described the conclusions he reached in his report, noting that there were no expansions to the existing building proposed, but some re-tenanting of some currently vacant space. He indicated that their focus was traffic coming and going to the site based upon their appointments which was all schedule and timed by Saint Peter's. He told the Board that they found that the peak hour traffic was not a substantial amount based upon an industry standard for what constitutes a major traffic generator (100 vehicle trips in one (1) hour. Mr. Villari told the Board that all of the current and future uses at the site would only generate between 60-70 vehicle trips in an hour and not a major trip generator. He testified that there was a smaller impact on traffic than what was functioning in the building two (2) years ago. He also added that the uses were being relocated from down the street and not inviting new traffic to the area.

Mr. Thomas Ricci, Planner, with Stonefield Engineering and Design, 92 Park Avenue, Rutherford, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Ricci indicated that they would be seeking a C-2 Parking Variance for the Application. He then went through the positive criteria for the variance, noting that he felt the benefits outweigh any detriments based upon the other professional's testimony. In addressing the negative criteria, Mr. Ricci stated that he did not believe that the proposal would impair the intent of the zone plan or zone scheme and a permitted use in the zone. He noted that there were no unknowns in those seeking care due to the fact that scheduling was done all by appointment.

Mr. Healey stated that the Application was technical in nature, and he stated that he would give a summary of what was being sought. He described the proposal as a permitted use in the zone and noted that the most current previous use was 100% medical office. He then discussed and elaborated upon the previous testimony that was given. He added that the parking variance resulted from a change in the ordinance going to square footage only.

Chairman Orsini noted that there were 76 parking spaces on site, and testimony given indicated that peak hour parking needs were for 70 parking spaces. He questioned Mr. Healey regarding whether the Applicant would need to come back before the Board if/when the type of tenancy changed. Mr. Healey indicated that they would have to come back before the Board.

Chairman Orsini opened a discussion regarding St. Sharbel Church's parking agreement with the Applicant but believed that the Board should only consider the available parking on-site. Board Attorney, Mr. James Clarkin indicated that he agreed and that he would suggest including a "tail condition", which is a condition that follows the approval, whereby if it is noted by the Director of Planning that parking demand has exceeded what was provided on-site, that the Applicant would have to come back

before the Board to provide an alternative mechanism to alleviate that concern, i.e., a shuttle service. A discussion ensued.

Mr. Thomas then asked if there was ever a parking issue when the building was fully occupied with medical uses. Mr. Stault, CFO of Saint Peter's indicated that there was never an issue in his 17 years working for the hospital.

Ms. Schmidt opened a discussion regarding whether they would be informing patients that St. Sharbel's parking lot was available for overflow parking. Mr. Stault spoke about the uses being established practices with established patients and that the first option would be to have the employees park in the church lot if there was an issue with available parking.

Chairman Orsini then asked how many of the provided 76 parking spaces do they anticipate being needed for employees. Ms. Saunders responded that at the peak times, they have 20-27 employees on-site at any one time. She indicated that the few times in the past when they needed the overflow parking, they have had their employees park in the St. Sharbel's lot. Ms. Saunders then added that the parking study was based upon all of their actual scheduled visits but that they have a 15-18% cancel/no show rate, with the winter months being higher at around 20%. She added that the pediatric services had a higher cancel/no show rate of up to 25%.

Mr. Clarkin stated that besides the parking variance, the Applicant was also asking for a modification of the existing condition, so that testimony needed to be given to either show changed circumstances or some other good cause. Mr. Galacio indicated that he thought they showed that there was changed tenancy with the Eye Institute leaving the building and being replaced by a different type of practice than before and that the Board had already granted modifications twice for the property.

Chairman Orsini made a motion to open the meeting to the public. Mr. Thomas 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.

Mr. Galacio then made his closing summary.

Chairman Orsini made a motion to approve the Application, with Parking Variance for the uses described and with compliance with the comments in the TRC report. Additionally, consider granting relief that would allow the modification of the condition to allow the additional medical offices to utilize the second floor of the building. The approval would not run with the land and personal to Saint Peter's University Hospital and limited to the exact practice areas that were now proposed to occupy the second floor. Also, in the event that the parking demand exceeded what was anticipated and the Planning Director sees that there were negative impacts upon the neighborhood, then the Applicant would be required to return to the Board, with public notice, to fashion an alternative parking solution, whether it be a shuttle from the hospital campus

or some other mechanism to eliminate the negative impacts upon the neighborhood.
Mr. Thomas seconded the motion, and the roll was called as follows:

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

AGAINST: None

COMMITTEE REPORTS

No reports were 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 9:34 p.m. Ms. Rafiq seconded the motion, and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
January 14, 2021