

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

**REGULAR MEETING
August 3, 2022**

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 Charles Brown, Vice Chairman, at 7:30 p.m. The Sunshine Law was read, the Pledge of Allegiance said, and the roll was taken as follows:

PRESENT: Councilman Anbarasan, Carl Hauck, Meher Rafiq, Theodore Chase, Jennifer Rangnow, Charles Brown, Robert Thomas, and Chairman Orsini

ABSENT: Mustapha Mansaray, and Sami Shaban

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

HEARINGS:

- **AWAKENING DAWN, LLC / PLN-21-00015**

Minor Subdivision w/C Variances in which the Applicant sought to subdivide the property into three (3) lots at 161 Cedar Grove Lane, Somerset; Block 507.38, Lot 13, in the R-40 Zone - **CARRIED to DECEMBER 7, 2022 – with no further notification required.**

DL - 12/31/2022

- **BH 31 SCHOOLHOUSE ROAD, LLC / PLN-22-00010**

Preliminary & Final Major Site Plan in which the Applicant was proposing to construct a 90,000 sq. ft. warehouse at 31 Schoolhouse Road, Somerset; Block 517.04, Lot 21.03, in the Business & Industry (B-I) Zone - **CARRIED to SEPTEMBER 7, 2022 – with no further notification required.**

DL - 9/30/2022

- **50 ATRIUM DRIVE LLC / PLN-22-00005**

Preliminary & Final Major Site Plan w/C Variances in which the Applicant wished to retain the existing warehouse addition at 50 Atrium Drive, Somerset: Block 468.01, Lot 24.01, in the Business & Industry (B-I) Zone.

PUBLIC COMMENTS:

Chairman Orsini made a motion to open the meeting to the public for general Planning comments, and Mr. Thomas seconded the motion. All were in favor.

Ms. Kiki Nastasikas, 3204 Enclave Circle, Canal Walk, Somerset, NJ came forward. Ms. Nastasikas indicated that she was there that evening to remind the Board that the property on Mettlers Road where B9 was proposing to build two (2) warehouses, was included in the list of Franklin Township's designated Scenic Corridor, made effective in 2003. She added that in 2019, the Scenic Corridor was incorporated into the Township's Master Plan. She then discussed the purpose of the Scenic Corridor, quoting from the actual document, and stated that building the warehouses on Mettlers and Schoolhouse Rd. was directly against the true intent of the Scenic Corridor ordinance. She then asked the Board to reject the B9 application.

Mr. Thomas reminded the public that they were not here that evening to discuss a specific project, just general Planning issues that included warehouses.

Ms. Anne Cohen, 66 Bayard Road, Canal Walk, Somerset, NJ, came forward to discuss what was proposed in her backyard. She spoke about the Scenic Corridor and its purpose and discussed the details of the same.

Chairman Orsini then spoke to the public, reminding them that the Scenic Corridor was not a weapon to be used to prevent development, but a set of standards

Mr. Stan Szaharchek, 4 Constitution Way, Somerset, NJ, came forward. He then spoke about the Scenic Corridor, noting that there were specific guidelines and standards that had to be met regarding the any application, i.e., setbacks, enhanced landscaping, layout of the project, etc.

Ms. Beverly Rabinowitz, 67 Bayard Road, Canal Walk, Somerset, NJ, came forward. She mentioned the truck traffic running on Mettlers Rd., despite the weight limits for that roadway, and also wanted to make sure that the requirements and standards of the Scenic Corridor ordinance were enforced. She implored the Board to correct the mistake that was made when the zoning was changed to allow these kinds of large developments.

Ms. Janet Goldstein, 47 Saratoga Court, Canal Walk, Somerset, NJ, came forward. Ms. Goldstein read excerpts of a book called, Franklin Township, Somerset County: A

History, where it discussed the preservation of scenic rural areas, including Mettlers Rd. from Schoolhouse Rd. to Amwell Rd.

Mr. Joe Hoffman, 5 Congress Court, Canal Walk, Somerset, NJ, came forward. He indicated that the group organized from Canal Walk, Canal Walk Warehouse Committee, wanted to make sure that Franklin Township abides by its ordinances, regulations, and guidelines. Mr. Hoffman asked if the Applicant who purchased the property behind Canal Walk knew about the specifications regarding the Scenic Corridor, and a discussion ensued with the Chairman.

Ms. Jan Brant, 22 Bryant Court, Canal Walk, Somerset, NJ, came forward. Ms. Brant discussed the zoning of the northerly portion of Lot 60, stating that Mr. Healey told her that in 1998 that portion of the lot was zoned M-1 and that the southerly portion was zoned RR-3. She stated that when the M-1 and M-2 Zones were merged into the B-I Zones, Lot 60 was not listed. She then discussed various documents that she obtained from the Township that supports that.

Mr. Healey indicated that if Ms. Brant could provide him what she was looking at and what document (s) she had to support her conclusions, he would look into that.

Mr. Jim Simonos, 7315 Minuteman Lane, Canal Walk, Somerset, NJ, came forward. Mr. Simonos stated that the Canal Walk Warehouse Committee was hopeful that they had found some things that would prevent the developer from building behind their residential development, including the Scenic Corridor Overlay and the NJDEP request for wetlands waiver. He asked for an update on that request from the Board, and Chairman Orsini indicated that the waiver was not within their authority, but with the NJDEP. A discussion ensued.

Ms. Shirley Tyler, 57 Tallman Lane, Canal Walk, Somerset, NJ, came forward. Ms. Tyler discussed the view they currently have from their properties to the land that was proposed for development. She mentioned wildlife, flora and fauna and asked the Board to take their concerns as seriously as they are.

Seeing no one coming forward, Chairman Orsini mad a motion to close the public portion of the meeting. Councilman Chase seconded the motion, and all were in favor.

HEARINGS:

- **50 ATRIUM DRIVE, LLC / PLN-22-00005**

Mr. James Stahl, Esq., Attorney, appeared before the Board on behalf of the Applicant, 50 Atrium Drive, LLC. Preliminary & Final Major Site Plan w/C Variances in which the Applicant wishes to retain the existing warehouse addition at 50 Atrium Drive, Somerset, Block 468.01, Lot 24.01, in the B-I Zone.

Mr. Stahl indicated that the existing warehouse consisted of 70,642 sq. ft. and, if approved, the warehouse addition would add an additional 70,380 sq. ft. He then stated that the use was consistent with other uses in the zone. Mr. Stahl then indicated that the Owner/Applicant was expanding his own use and not to accommodate another tenant and wanted to consolidate their other business to this location in the electronics/distribution business. He also then indicated that there would be additional employees on site as a result. Mr. Stahl then stated that the addition would include a small office for the additional warehouse space.

Mr. F. Mitchell Ardman, Engineer, and Planner, employed with the Reynolds Group, 575 Rt. 28, Raritan, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Ardman then described the existing conditions and existing operations on-site. He introduced a colorized version of Sheet 4 of the plan set and revised on 7/6/2022 showing the entire site on the property located at the corner of Atrium Drive and Davidson Avenue with 11.86 acres. He described the building with parking in the front of the property and the site of the former convention center. He then indicated that the site currently had loading bays in the front of the building that faced Davidson Avenue with a right-turn in and a right-turn out onto Davidson Avenue. Mr. Ardman also showed the existing driveway on the east side or rear of the property. He then pointed out the aerial map within Mr. Healey's Planning report that showed all the parking in front of the building at that time. He then detailed the existing storm water management pond (wet pond) in the easterly corner of the property as well as parking along Atrium Drive, which was an existing condition and would be continuing with the proposed project. .

Mr. Ardman then detailed the proposed warehouse addition on the Atrium Drive side of the property of 70,380 sq. ft. that included a small office for the warehouse manager. He reiterated the testimony of Mr. Stahl, stating that they want to accommodate growth in their business and also to accommodate some space that was currently out of the area. He then added that they wanted to incorporate 10 loading docks on the east side of the proposed warehouse building that would be fully screened from Davidson Avenue by the building with one (1) drive-in door into the building. He then told the Board that the existing drive into the site from Atrium Drive would be slightly modified, moving it slightly to the east, widened and the turning radius would be improved. He then showed that there would be the continuation of the drive aisle on the southerly side of the proposed warehouse addition to provide full circulation around the building for both cars as well as emergency vehicles to bring the circulation back to the existing parking lot

which would largely remain as is. He added that it would be restriped and made sure to have the correct amount of ADA handicapped spaces in front of the building. Mr. Ardman then indicated that there would be an additional six (6) parking spaces that would be located in close proximity to the addition with a walkway between the two building areas. He added that they would also be providing the EV spaces that were required. Mr. Ardman indicated that there would be one (1) variance required for the driveway that was within the 50 ft. setback at 27 ft., which would be continued. He then noted that they were fully compliant with the bulk variances of the zone and meet the parking requirement of the zone

Mr. Ardman stated that they had general utilities with water and sewer and will be upgrading the water system and would comply with all the comments of the Fire Prevention Dept. and the Engineering Dept. He went on to explain that there was one (1) technical comment in the Fire Prevention report, dated July 28, 2022, and would agree to work with Mr. Hauss to his satisfaction regarding a Fire Dept. connection for both sections of the building. He then discussed the sanitary sewer connections for both buildings.

Mr. Ardman then drew the Board's attention to the drainage on the property, connecting the parking lot to the same roof drainage system that was currently on-site. He indicated that they had a slight decrease in impervious surface with the redevelopment of the proposed addition going in the area that currently provided additional parking area and no increased storm water runoff from the site.

Mr. Ardman then discussed the Lighting Plan, indicating that there would be primarily building-mounted LED lights and would be supplementing some lighting in the parking lot and would not be looking for a waiver for lighting in that area.

Mr. Ardman then drew the Board's attention to the Landscaping Plan, stating that they had enhanced it significantly from what currently existed. He indicated that they would be replacing the trees within the existing parking lot and focused most of their concern with the landscaping along Atrium Drive with a whole new row of shade trees. He added that they also provided a whole new combination of deciduous trees around the building to include foundation plantings and ornamental trees. Mr. Ardman also explained that they would be supplementing the trees already located along Davidson Avenue to provide more screening and more shade to the parking area. He indicated that they were also planning to screen the loading area as much as possible from the travelling public, according to the ordinance. Also being provided was a dense row of evergreen trees to screen the new loading area from Atrium Drive as well as along the easterly side of the driveway there.

Chairman Orsini asked for clarification regarding the technical comment in the Fire Prevention report. Mr. Ardman indicated that he had been referring to item #3 in the report related to the request for a single Fire Dept. Connection between the two (2) buildings for the sprinkler system. He testified that they could make satisfying Mr. Hauss, Fire Prevention Director, a condition of any approval.

Mr. Ardman indicated that they could comply with the Health report as well as satisfying the Environmental Commission's requirement to provide the make-ready EV parking spaces on-site. He added that the roof was solar ready, but that there was no plan right at the moment to provide solar panels. He added that they could also provide anti-idling signs around the property as well. He indicated, per the July 19, 2022 Sewerage Authority letter, that they would comply with that report. Addressing CME's July 26, 2022 report, Mr. Ardman indicated that they would comply, but wanted to put some issues on the record. He then referred to page 2, item #B7 related to a variance required for the Maximum Vertical Dimension for the tenant sign and noted that they would reduce that to the 4 ft. maximum and would not require a variance. He then referred to item #B11, asking for a waiver to provide sidewalks out to the street. Mr. Ardman indicated that they did provide internal sidewalks from the new parking area to the building for good circulation and a good drop-off location fully in front of the building for Uber drivers, etc. Mr. Ardman then addressed Mr. Healey's report of July 28, 2022, item #2 under the Comment section, to provide enough screening to satisfy the ordinance condition to screen the parking area off of Atrium Drive. He indicated that he provided that testimony earlier in the hearing, noting that the new location was much better than having it in the front of the building.

Mr. Healey then asked for some clarification regarding some comments in his Planning report. He pointed to comment #1 and asked what the use of the loading docks in the front of the existing building would be used for. Mr. Ardman stated that those would be closed off to large tractor trailers and may be used for drop-offs from UPS, Fedex, etc. Mr. Healey then asked for a close up look at the screening proposed for the new loading area, which Mr. Ardman described to include deciduous trees and five (5) pine trees (5-6 ft. in height upon planting and 6-8 ft. on center) in an island to screen the loading area from Atrium Drive. Additionally, he indicated that there would be six (6) pine trees planted of the same height planted on the other side of the driveway entrance from Atrium Drive in a compact pattern. Mr. Ardman also indicated that they could provide a bicycle rack if the Board so requested, as mentioned in item #5 under Comments.

Vice Chair Brown asked if they could remove the drive aisle around the building and making the entrance/exit on Davidson Avenue a two-way driveway. Mr. Ardman stated that the driveway on Davidson Avenue is very close to Rt. 287 and felt that the stacking of vehicles wanting to make a left into the site would not be a good scenario. Mr. Healey interjected that he and the Township Engineer asked Mr. Ardman to provide a number of scenarios for that issue.

Mr. Thomas wanted to know what the plan was for moving the trucks out of the area once they were leaving the site. Mr. Ardman indicated that the bulk of their traffic comes from and goes to Rt. 287 and that was not expected to change. Mr. Thomas asked what would prevent trucks from turning left onto Atrium Drive and travelling through the local streets. He wanted to make sure that the truck traffic goes right out to Atrium Drive out to Davidson to connect to Rt. 287. Mr. Ardman indicated that they made the right turning radius constructed to allow for ease of truck traffic in that direction as well as their plan to improve the intersection at Atrium Drive and Davidson

Avenue for a better truck turning radius. He also testified that they would make sure if there needed to be design issues in the roadway at Davidson Avenue/Atrium Drive intersection to make it an easy turn from Davidson Avenue to Atrium Drive. The inclusion of signage was discussed at the exit from their loading area as well as at the intersection of Davidson Avenue and Atrium Drive to direct truck traffic to specific areas. Mr. Stahl indicated that the Applicant would work with Mr. Healey in that regard. Mr. Healey then discussed the forthcoming signage plan with the Board and spoke to the enforceability of weight limits on certain roadways.

Mr. Ardman then put on his Planner hat and gave testimony as to the variance that was being requested. He indicated that they were requesting a C-2 variance indicating that what they propose was a better planning alternative for the site and that what was presented works well with the property and provided full circulation around the building and reusing the area that was already paved with impervious material that would not be changing the existing condition of 27 ft. setback where 50 ft. was required. He noted that they were also providing significant landscaping on the site along Atrium Drive and would soften the pavement and any impact to the travelling public. He proffered that two (2) purposes of the Municipal Land Use Law would be furthered. Mr. Ardman stated that he did not believe that there would be any negative impacts by granting the variance and the benefits outweigh any detriments, of which he did not see any.

Mr. Clarkin, Board Attorney, asked if there were any substantial detriments to the public good by granting the variance or any substantial impairment to the Township's zone plan or ordinance. Mr. Ardman answered in the negative.

The Chairman and Mr. Healey then discussed the inclusion of the drive aisle as the reason for the variance, but that the building complied to all ordinances. Mr. Healey added that the drive aisle was a necessity for employees to access the parking lot due to the restricted access driveway on Davidson Avenue.

Dr. Chase mentioned the point that the Fire Prevention Director wanted to have emergency access to the site to access all areas/buildings on the site.

Mr. Robert Longo, Architect employed by Cornerstone Architectural Group, 202 Hamilton Blvd., South Plainfield, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Longo entered into the record two exhibits, including two (2)-dimensional floor plans and elevations. He then noted that the existing building was white and the addition was proposed to be gray, and he showed the trucker's area and the small shipping office and bathrooms as well as the fire pump room and electrical room. He then explained that the rest of the space was for racking for warehousing and pointed out the location of the new loading docks. Mr. Longo then discussed the small connection that they would make to connect the two buildings. Mr. Longo then entered into the record as Exhibit A-1, showing a rendering of the view coming from Rt. 287 as one would be heading south on Davidson Avenue. He indicated that they were proposing a concrete building with concrete panels, steel frame and columns painted to match the colors on the existing building. He noted that the

landscaping on the rendering was taken directly from Mr. Ardman's plans and should accurately depict what the site will look like when completed. Mr. Longo stated that the materials would be the same around all sides and indicated that the new building was a little taller than the existing buildings due to warehouse building standards being a bit different now.

Ms. Elizabeth Dolan, Traffic Engineer and Principal of Dolan & Dean Consulting, 181 West High Street, Somerville, NJ, came forward and was sworn in. The Board accepted her qualifications. Ms. Dolan indicated that they prepared a standard Traffic Analysis for the warehouse expansion by counting the actual driveway movements. She indicated that the movements were projected to be essentially double what they were currently and discussed the peak morning hour with 30 entering and 4 exiting for a total of 34 driveway movements. He testified that the evening peak hour, there were 13 entering and 52 exiting, for a total of 65. Ms. Dolan then told the Board that they studied the intersection of Atrium Drive and Davidson Avenue, with traffic volumes being much lower than they historically were with many vacancies in the area. She then stated that there was a level of service "C" coming out of that intersection in the morning and a "B" in the evening. She then noted that there would be a level of service of A, B and C for the morning and evening peak coming into Atrium Drive off of Davidson Avenue with a slight delay at the intersection and the driveways. For the future condition, she stated that they routed the traffic in the same manner and counted it, both entering and exiting. She then spoke about the truck traffic coming and going to/from the site, with one (1) truck coming into the site in the morning peak hour and two (2) leave, with the evening being busier with four (4) entering and five (5) exiting. Ms. Dolan then stated that there was one (1) truck that did come in from the back end of Atrium Drive, but otherwise the rest came to and from Davidson Avenue. She then discussed the guardrails along the frontage of the property near the front entrance and exit drives and being so close to the overpass over Rt. 287, she stated that she believed introducing left turns in and left turns out at the driveway would be problematic and cause queuing on Davidson Avenue, possibly causing back-ups. She also mentioned that there was another driveway between theirs and the Rt. 287 overpass for the Rotor Clip site, which would cause the left turns in and out there to conflict with those movements. For all the stated reasons, Ms. Dolan indicated that they did not feel it appropriate to make that front entrance and exit driveway a full movement driveway, combined with the relatively low volumes of the use. She added that they doubled the activity for their analysis, but the space proposed was a warehouse. She continued by stating that there might be an increase in employee activity, she indicated that she did not expect it to be a doubling of the traffic. Ms. Dolan then stated that because there was a lot happening in the area, they included in their analysis the trip projections with the traffic from two (2) developments – the Hampton Inn and another warehouse that was submitted to also be placed on Atrium Drive and would impact the Davidson Avenue intersection.

Ms. Dolan then discussed that there was no parking variance and the site circulation had been worked out with the Fire Prevention Director and truck circulation requirement for

passenger vehicles and a very standard design for the different vehicle types that would be entering/exiting the site for the use.

Mr. Thomas asked if were possible to restripe Davidson Avenue and including a left turning lane into Atrium Drive. Ms. Dolan indicated that they could take a look at that possibility but was unsure of the width of the roadway there. Being that they were doing some work at the intersection for radius requirements, she indicated that she would have to look at the tapering there on either side of that left-hand turn lane. Mr. Thomas then asked if she put into her projections, the possible development of the old Holiday Inn site. Ms. Dolan indicated that she could definitely look into the Puleo site that would be before the Board in another month; however, they had taken things as far as what they know would be happening in the corridor but did not do any speculation on potential redevelopment. A discussion ensued among the Board.

Mr. Clarkin asked Ms. Dolan if she included some potential growth, and she indicated that they did use a potential growth factor in a very conservative manner. Although she felt that traffic has come back to pre-COVID levels, she stated that they were not seeing growth at the rate the NJDOT had historically provided for different counties and different road types.

Dr. Chase then opened a discussion regarding emergency vehicles being able to make the turn into the site. Mr. Ardman stated that they discussed the situation with Mr. Hauss to his satisfaction. A discussion ensued.

Dr. Chase made a motion to open the meeting to the public, and Ms. Rafiq seconded the motion, and all were in favor.

Ms. Kiki Nastasikas, 3204 Enclave Circle, Canal Walk, Somerset, NJ came forward. Ms. Nastasikas asked how many existing trees would be cut down to accommodate the new structure. Chairman Orsini indicated that they were building the proposed building where a portion of the parking lot is at that moment and were planting more trees than were there on the site presently. Ms. Nastasikas asked the Architect if it were common to include what the landscaping would look like 15 years from now in a color rendering of a building and would not that be misleading to do so. A discussion ensued with the Chairman related to this topic.

Ms. Shirley Tyler, 57 Tallman Lane, Canal Walk, Somerset, NJ, came forward. Ms. Tyler asked Ms. Dolan if she had any concern for how many 18 wheelers they were “dumping” onto Rt. 287. Ms. Dolan answered in the negative, and when asked why she was not concerned, Ms. Dolan indicated that Rt 287 was an interstate highway and built for trucks and moving goods and people. Ms. Dolan then reminded Ms. Tyler that she had testified that the proposal was not a particular busy use and trips were limited. A discussion ensued with the back-up of traffic on Rt 287. Ms. Tyler then discussed the heat that blacktop brings. Chairman Orsini addressed her comment by stating that the impervious coverage was being decreased with the proposal and that there was a positive benefit by including the robust landscaping being brought to the parking islands and the site in general that did not exist now. Dr. Chase stated that “heat Islands” was

the term Ms. Tyler was looking for. He then discussed the possibility of including a green roof or solar cells on the roof to use the heat to create energy to feed the building. He then discussed the Landscape Plan that was discussed.

Ms. Jan Brant, Ms.22 Bryant Court, Canal Walk, Somerset, NJ, came forward. Ms. Brant asked what type of product the proposed warehouse would be used for, and Mr. Stahl indicated it would also be for the existing use of electronics distribution and warehousing. She then asked if there would be any solar panels including with the project, and Mr. Stahl indicated that the building would be solar-ready and that they were including the EV car charging stations on-site. Mr. Longo indicated that the existing building had solar panels already on it

Mr. Alex Strauss, 285 Hazlet Way, Somerset, NJ, came forward. He indicated he was not happy with the project and was concerned for truck noise if he were to stay at the Doubletree Hotel. He then spoke about the lack of aesthetics with a warehouse building and had issues with truck traffic as well.

Seeing no one further coming forward, Chairman Orsini made a motion to close the public portion. Dr. Chase seconded the motion, and all were in favor.

Mr. Stahl then made his closing statements.

Chairman Orsini made a motion to approve the Application for Amended Preliminary and Final Site Plan , a variance to allow the continuing and non-conforming condition of the drive aisle within the front yard setback and a waiver with regard to sidewalk interconnection. He added that it would come with conditions that the Applicant would comply with the reports from Fire Prevention, the Environmental Commission (particularly that the roof be solar-ready), Health, and anti-idling signs. Additionally, the proposal must comply with the Sewerage Authority, Somerset County Planning Board, Delaware & Raritan Canal Commission (DRCC), Mr. Healey's 7/28/2022 Planning Report regarding the inclusion of a bike rack on-site and better designated pick-up and drop-off areas. Additionally, the Applicant would look into providing a dedicated left hand turn lane on Davidson Avenue, and if determined to be feasible, up to the staff to review. Mr. Clarkin also included a signage package and education for drivers with regard to the truck routes reviewed and approved by Township staff. Rafiq seconded the motion. The roll was called as follows:

FOR: Councilman Anbarasan, Mr. Hauck, Ms. Rafiq, Dr. Chase, Ms. Rangnow, Vice Chair Brown, Mr. Thomas, and Chairman Orsini

AGAINST: None

COMMITTEE REPORTS:

No Committee reports discussed.

WORK SESSION / NEW BUSINESS:

There was no work session or new business discussed.

EXECUTIVE SESSION:

The Board did not enter into Executive Session.

ADJOURNMENT:

Chairman Orsini made a motion to adjourn the meeting at 9:15 p.m., and Mr. Thomas seconded the motion. All were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
October 23, 2022