

## April 19, 2022 Planning Board

Pursuant to the "Open Public Meeting Act," The Sentinel and the South Jersey Times were notified of this meeting. A public notice was posted in the Municipal Building and on the website. The Township of Franklin Planning Board was called to order by Acting Chairman, E. Lynne Rafuse at 7:00 PM with the following members present: John Bruno, Heather Flaim, Kevin Constantine, John Melleady, Joe Szwed, Stephen Ranson, A-1, Kyle Clark, A-2, Ralph Travaglione and Joseph Petsch. Absent: Jon Stippick and Jim Kelly. Present: B. Michael Borelli, Solicitor and Rosemary Flaherty, Land Use Administrative Officer/Zoning & Housing Officer. Also present: Ed D'Armiento, PE,CME,CFM, and Chris Dochney, PP,AICP, Planner of CME Associates. Chairman Joseph Petsch led in the flag salute.

Mr. Petsch seats Steve Ranson in the absence of Jim Kelly, and Kyle Clark in the absence of Mr. Stippick.

### Approve Minutes 3/15/22

### Approve Secretary's Report: March 2022

**Approve Resolution: PB22-02** Michael Fiordaliso Block 4902 Lot 16 Site Plan Waiver Delsea Drive

**PB21-06 Louis & Marie Kassab** B701 L14 Minor Subdivision 2 New Lot Sheridan Avenue

**PB22-03 Joseph Komito** B1306 L17 Minor Subdivision 2 lots Franklin Street

### Correspondence

### Open Public Portion

Closed Session, If Required

### Adjourn

### Approve Minutes

Upon a motion by Mr. Bruno, seconded by Mr. Travaglione, all in favor, to approve Minutes of 3/15/22 meeting. Motion passed.

### Approve Secretary's Report

Upon a motion by Mr. Bruno, seconded by Mr. Travaglione, to approve Secretary's Reports of March 2022 in the amount of \$1300.00.

**RCV:** Mr. Bruno, yes; Mrs. Flaim, yes, Mr. Constantine, yes; Mr. Melleady, yes; Mr. Szwed, yes; Mr. Ranson, yes; Mr. Clark, yes; Mr. Travaglione, yes; Mr. Petsch, yes. Motion passed.

Block 4001 Lot 6 Site Plan Waiver Delsea Drive

### Approve Resolution: PB22-02 Michael Fiordaliso Block 4902 Lot 16 Site Plan Waiver Delsea Drive

Upon a motion by Mr. Bruno, seconded by Mr. Constantine, to approve Resolution PB22-02 Michael Fiordaliso d/b/a Fiori Concrete B4902 L16 for Site Plan Waiver Delsea Drive.

**RCV:** Mr. Bruno, yes; Mrs. Flaim, yes, Mr. Constantine, yes; Mr. Melleady, yes; Mr. Szwed, yes; Mr. Ranson, yes; Mr. Clark, yes; Mr. Travaglione, yes; Mr. Petsch, yes. Motion passed.

### PB21-06 Louis & Marie Kassab B701 L14 Minor Subdivision 2 New Lot Sheridan Avenue

Mr. Borelli states all public notice papers are in order.

**Marie Kassab** of 2633 Sheridan Avenue is sworn in and states they purchased lot 45 years ago, one daughter build house in 2009 and now youngest daughter wants to build a house. Mrs. Kassab states she is getting older and wants family close.

Mr. Petsch asks about the accessory building.

Mr. Borelli states if intent is to build house. **Mrs. Kassab** states intent was to keep barn for animals then barn will be taken down in the future. **Mr. Petsch** states perhaps approving application conditionally and the barn to be taken down as it is not allowed to have barn without a home. **Mrs. Kassab** asks what is a reasonable amount of time to take down barn. **Mr. Travaglione** asks if **Mrs. Kassab** was aware of no barn without residential, as you can have a barn without home with q-farm until you divide lot, then a barn must be secondary to a home. Mr. Travaglione states prior to moving into home, you would have to take barn down. Mr. Travaglione asks why the driveway was put on west side.

**Janine Kassab** (Marie's Daughter) of 2633 Sheridan Avenue is sworn in and states she did not want to cut through her mom's lot, they want their own driveway and they intend on taking the barn down. Discussion of frontage ensued.

**Chris Dochney, Planner** of CME Associates states technically, applicant needs lot frontage variance and any bulk variances. Mr. Dochney goes over the positive and negative criteria for frontage and bulk variances on report. Mr. Dochney states that if barn comes down, most issues go away.

Discussion ensued over property behind lot, but it is not part of this application.

Upon a motion by Mr. Bruno, seconded by Mr. Travaglione, all in favor, to open the public portion. Motion passed. No one for comment or question. Upon a motion by Mr. Travaglione, seconded by Mr. Bruno, all in favor, to close the public portion. Motion passed.

Mr. D'Armiento continues on with report # 13 -fee of \$200.00 to be paid to Township's Recreation Facility/Open Space Fee. **Mrs. Rafuse** interjects that this was done many years ago, but this practice stopped as it was found to be illegal. Board members concur and strike # 13. Mr. D'Armiento continues with 14 posting of affordable housing development fees.

Mr. Borelli asks about Letter of Interpretation. **Mr. D'Armiento** states it would be for lot 14, but does not affect new lot 14.01. Mr. Borelli states there are no sidewalks in the area. Mr. D'Armiento states they would not recommend sidewalk fund.

Mr. Borelli states the grading plan is a standard requirement.

Mrs. Kassab states her daughter would like to build home and have the barn come down within 3 years. Mr. Travaglione does not see the have a hardship. Mr. Dochney states this would be called a "Flexible C" Variance. Negative criteria shows no substantial detriment to neighborhood.

Mr. Petsch states with Lot 15.02 there is no property to purchase to gain frontage as there is existing house. Mrs. Kassab concurs.

Upon a motion by Mr. Bruno, seconded by Mr. Szwed to approve Frontage/Bulk Variance for PB21-06 Louis & Marie Kassab B701 L14 Minor Subdivision 2 New Lot Sheridan Avenue based on Engineer's Report, conditioned on when house is built, the barn will have to come down prior to moving in the house.

RCV: Mr. Bruno, yes; Mrs. Flaim, abstain, Mr. Constantine, yes; Mr. Melleady, yes; Mr. Szwed, yes; Mr. Ranson, yes; Mr. Clark, yes; Mr. Travaglione, no, because applicant had land on east side; Mr. Petsch, yes. Motion passed.

**PB22-03 Joseph Komito B1306 L17 Minor Subdivision 2 lots Franklin Street**

Mr. Borelli states all public notice papers are in order.

**Steve Filippone**, PE, PP, CME, Principal of Engineering Design Associates, Ocean View, NJ is sworn in.

**Joseph Komito** of 201 Pear Tree Avenue, Berlin, NJ is sworn in and states this is in reference to 401 and 415 Franklin Street, where he wants to subdivide and two 8-acre lots for homes for his brother and himself. Mr. Komito's brother is a firefighter with the Star Cross Fire company and together they wish to raise their families there.

Mr. Filippone states on April 13th, he met on-site with Ed D'Armiento and Jim Winckowski to properly show what they wish to do. There is a 15' wide asphalt drive and no drainage is required as there is natural drainage existing. They wish to continue the drive with asphalt and there are open gas mains existing. Mr. Filippone states they looked this many years ago, and looked at it with a cul-de-sac with six homes (now expired) and he believes this is a much better plan. Mr. Filippone states that Mr. Komito and his brother both agreed to carry out trash/recycling out to Franklin, also agreed that children will catch the school bus at Franklin and only the part of the road improved would be plowed for snow. Mr. Filippone agrees with Engineer's Report and prior to moving in, have a prepared improvement plan, they agree to place a bond.

Mr. Komito states he just wants to move back in town and raise his family here.

Mr. Petsch states he knows Mr. Komito well, there is no conflict here, nothing financial as they are firefighters together at Star Cross. Mr. Borelli states being co-firefighters is not in itself a conflict. Mr. Borelli also states his name was on the 200' property list that he sold 2 years ago but is still on list.

Mr. Filippone states trash, recycling, school bus pick-up and mail will all go out to Franklin Street.

Mr. D'Armiento states they met April 13<sup>th</sup> at site with Mr. Filippone, states main schedule of 18' cart-way width and will end at applicants property and transition to driveway access for each lot. Curbing/Sidewalk would not be provided consistent with neighborhood. Road improvement as per 253-31D and will need grading plan.

Mr. Dochney states this is large 16 acres to be split in half and lack of frontage they propose to improve right-of-way and continue to end streets with private driveway. It was not a minor just technically a major subdivision and both Mr. D'Armiento and myself would not recommend sidewalks and curbs.

Upon a motion by Mr. Melleady, seconded by Mr. Travaglione, all in favor, to open public portion. Motion passed.

**Jason Brandt** of 688 Rosemont Avenue is sworn in and generically asks if applicant is to rely on the 200' property list, if someone moved, etc. **Mr. Borelli** states the Municipal Land Use Law says you can rely on 200' property owner list even if it is wrong listing.

Upon a motion by Mr. Bruno, seconded by Mr. Constantine, all in favor, to close public portion. Motion passed.

Mr. Borelli asks if Mr. Komito and brother own parcel. **Mr. Komito** states yes, we own land, will build homes and farm a little.

Upon a motion by Mr. Szwed, seconded by Mr. Bruno, to \_\_

Mrs. Flaim asks what happens with paper street. **Mr. Filippone** states they will improve Franklin Street 18' wide down to lot and will remove signs.

Mr. Travaglione asks is applicants are aware of roll-back taxes with Q Qualified farms. **Mr. Komito** states yes.

Mr. Petsch states add to Resolution applicant is to take trash/recycling out to Franklin along with kids getting school busses out at Franklin, add 18' width extension of road, and bond information.

Upon a motion by Mr. Szwed, seconded by Mr. Travaglione, to approve PB22-03 Joseph Komito B1306 L17 Minor Subdivision 2 lots Franklin Street as per Engineer report, extension of road with 18' width, applicants are to bring trash/recycling out to Franklin, along with children getting school busses out at Franklin and bonding.

RCV: Mr. Bruno, yes; Mrs. Flaim, yes, Mr. Constantine, yes; Mr. Melleady, yes; Mr. Szwed, yes; Mr. Ranson, yes; Mr. Clark, yes; Mr. Travaglione, yes; Mr. Petsch, yes. Motion passed.

Upon a motion by Mr. Bruno, seconded by Mr. Travaglione, all in favor, to open the public portion.

**Bill Morris** of Oak Avenue congratulates Lynne Rafuse on her retirement and thanks her for many years of being Secretary to the Boards with professionalism and kindness.

**Cindy Merckx** of the Sentinel, states she has worked with Lynne for the past 20 years plus and it has always been a pleasant experience dealing with Lynne, she will be missed, and wishes all the best for her retirement.

Upon a motion by Mr. Travaglione, seconded by Mr. Ranson, all in favor, to close the public portion. Motion passed.

No Closed Session.

Mr. Petsch states he has worked with Lynne since 1992 and he stated if you needed something, Lynne got it done with a smile and a pleasant attitude. Mr. Petsch states Lynne will be missed but wishes her the best in retirement and her travels.

Mr. Borelli also has worked with Lynne from the beginning and she has been a pleasure to work with, and wishes Lynne all the best.

Board members all wished Lynne a happy retirement. Mrs. Rafuse thanked everyone for their well wishes.

**Adjourn**

Upon a motion by Mr. Bruno, seconded by Mr. Constantine, all in favor, to adjourn the meeting at 7:35 PM.

Sincerely,

E. Lynne Rafuse, Secretary  
Planning Board, Township of Franklin