

Franklin Borough Zoning Board of Adjustment
Meeting Minutes for November 2, 2016

The meeting was called to order at 7:30 PM by Chairwoman, Mrs. Louise Murphy, who then led the assembly in the flag salute.

Mrs. Murphy read the Statement of Compliance pursuant to the "Open Public Meetings Act, Chapter 231, PL 1975."

ROLL CALL OF MEMBERS PRESENT: Mrs. Liz Bonis-Present
Mr. Floy Estes-Absent
Mr. John Kopcso-Present
Mr. Richard Knop-Present
Mrs. Louise Murphy-Present (Chairwoman)
Mr. Glen Soules-Present
Mr. Wes Suckey-Present (Vice-Chairman)
Mr. Rafael Burgos-Absent (Alt #1)
Mr. Ted Bayles-Present (Alt #2)

ALSO PRESENT: Mr. Tom Knutelsky-Board Engineer
Mr. Ken Nelson-Board Planner
Mr. Robert Correale- Sat in for Mr. Dave Brady, Board Attorney

Mr. Bayles, Alternate #2 stepped in for Mr. Estes who was absent from the meeting.

APPROVAL OF MINUTES:

Mr. Soules made a motion to approve the **Franklin Borough Zoning Board of Adjustment Meeting Minutes for October 5, 2016**. Seconded by Mr. Suckey.

Upon Roll Call Vote:

AYES: Bonis, Knop, Murphy, Soules, Suckey, Bayles

NAYS: None ABSTENTIONS: None

APPROVAL OF RESOLUTIONS:

There were no resolutions to approve.

APPLICATIONS FOR COMPLETENESS:

(ZB-09-16-1), Russell Anema, 27-31 Church Street, Block 2003 Lot 5, Use D Variance.

Board Engineer, Mr. Tom Knutelsky reviewed his completeness report dated November 2, 2016. He indicated the applicant has submitted sufficient documents and will need to provide testimony to support the variance request. He recommended the application is found complete and a public hearing to be scheduled at the December board meeting. The Board had no further comments or questions on the application.

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Mrs. Bonis made a motion to **Deem Complete Application ZB-09-16-1, Russell Anema, 27-31 Church Street, Block 2003 Lot 5, Use D Variance.** Seconded by Mr. Knop.

Upon Roll Call Vote:

AYES: Bonis, Kopcso, Knop, Murphy, Soules, Suckey, Bayles

NAYS: None ABSTENTIONS: None

ADJOURNED CASES:

There were no adjourned cases.

APPLICATIONS TO BE HEARD:

(ZB-08-16-2), Franklin American Legion, (Sgt. Francis Glynn Post No. 132), 1 Legion Road, Block 1101 Lot 9, Use and Bulk Variance Relief.

Board Member, John Kopcso stepped down from the application.

Applicant's Attorney, Mr. Daniel McCarthy, III, Esquire stepped forward. He introduced Mr. Robert Lawler the Applicants Finance Officer who will be given testimony for Franklin American Legion. Mr. Lawler was than sworn in by Mr. Robert Correale. Mr. Lawler briefly described the Franklin American Legion Corporation and talked about the activities and social events that occur on the site. He indicated there is currently forty to fifty active members.

Mr. McCarthy displayed the Property Survey prepared by Joseph D. Greenaway, P.L.S. dated November 22, 2011. He stated the survey was also part of the application. Mr. Lawler referring to the survey described the Franklin American Legion structure, parking lot, and outside pavilion. He described the existing outside pavilion. He talked about the events and activities that occur on the property. He described the proposed addition and said the steel trusses which are twenty feet each have been donated to the applicant. He said the site has a paved parking lot and cars can also park on the grass area if needed. Also, if additional parking is needed there is road frontage parking and behind the Shop Rite is a wide open area that is sometimes used for parking but did indicate they do not have permission from Shop Rite to park there. He said the Franklin American Legion is not looking to expand the number of people that can use the facility.

Mr. McCarthy displayed a Structural Repair Plan prepared by Careaga Engineering, Inc. dated January 12, 2016. Board Engineer, Mr. Tom Knutelsky specified the plan is referring to the old block and lot number, (Block 70 Lot 3) and the new number is Block 1101 Lot 9. Mr. Lawler described the addition and said it will be constructed of steel trusses with a wood frame and a metal roof.

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Mr. McCarthy referred to Thomas G. Knutelsky, P.E. report dated September 28, 2016. Mr. Lawler described the lighting on the existing pavilion. He said the halogen lighting will be replaced with new LED lighting and any grading issues will be corrected. Mr. Lawler addressed Mr. Knutelsky comments concerning grading. Mr. Knutelsky said there may be some trees, bushes and rocks that may need to be removed. Mr. Lawler confirmed no retaining walls will be constructed and it will all be graded. The applicant also addressed Mr. Knutelsky concerns on whether the pavilion expansion would comply with ADA accessibility standards and agreed to install a ADA compliant walkway to the pavilion if the Board recommends one to be installed. Mr. Lawler confirmed that an as-built plan will be provided by a licensed surveyor upon completion of construction and is aware that building permits will be needed from the Franklin Borough Construction Department. He also discussed the benefits to the community if the application is approved and said there would be no negative impacts from the application.

Board Member, Mrs. Bonis asked the applicant if there is an occupancy limit for the building and asked if the expansion will change the number of people attending a function. She also was concerned if the occupancy number was to change will that affect parking on the site. Mr. Lawler indicated the occupancy limit for the building will not increase. Mrs. Murphy commented on the stone wall shown on the plans. Mr. Bayles talked about LED lighting and commented on their brightness. He suggested only three lights may be needed and said they may also have to be on dimmers. Mr. Lawler was asked to describe the parking on the site and he referred to the Property Survey prepared by Greenaway Surveying. Mr. Knutelsky asked if there is onsite staff on the site to direct parking during a big event. Mr. Lawler indicated onsite staff does direct parking for large events.

Board Planner, Mr. Ken Nelson referred to his report dated September 22, 2016. He indicated the applicant has satisfied his concerns with the parking demands. He gave a brief explanation on why the property is listed in the multifamily zone. He also clarified the applicant has agreed the outside pavilion will mostly be used between the months of April and October and it would not be enclosed or heated.

OPEN PUBLIC SESSION:

(ZB-08-16-2), Franklin American Legion, (Sgt. Francis Glynn Post No. 132), 1 Legion Road, Block 1101 Lot 9, Use and Bulk Variance Relief.

Mr. Suckey made a motion to **Open to the Public**. Seconded by Mr. Bayles. All were in favor.

No one from the public came forward to comment on the application.

Mr. Soules made a motion to **Close to the Public**. Seconded by Mr. Suckey. All were in favor.

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Mr. Suckey confirmed the applicant agreed to install a hard-surface walkway to the pavilion area. Mr. Correale commented on conditions discussed at the meeting if the application is approved. He confirmed the outside pavilion will be used mostly between the months of April and October and will not be enclosed or heated. Also, the applicant will install a hard-surface walkway to the patio. Applicants Attorney suggested the condition should state that the pavilion will be used weather permitted rather than between the months of April and October. Board Members agreed with the change. Mr. Correale said the applicant also agreed to work with Board Engineer on the location and design of the hard surface walkway.

Mr. Soules made a motion to Approve Application with Conditions, (ZB-08-16-2) Franklin American Legion, (Sgt. Francis Glynn Post No. 132). Seconded by Mr. Knop.

Upon Roll Call Vote:

AYES: Bonis, Knop, Murphy, Soules, Suckey, Bayles.

NAYS: None ABSTENTIONS: None

Board Member, Mr. Kopcsó returned to the meeting.

OTHER BUSINESS:

Chairwoman, Mrs. Murphy reminded Board Members to complete and submit the Professional Evaluations for 2016.

PAYMENT OF BILLS:

Mrs. Bonis made a motion to approve the **Franklin Borough Zoning Board Escrow Report for November 2, 2016**. Seconded by Mr. Bayles. All were in favor. (Abstention from Mr. Kopcsó)

DISCUSSION:

Mr. Knutelsky gave the Board an update on the Meenan Oil site plan and revisions. He said he spoke to representatives associated with the project and also the DCA state inspector. He indicated they are not aware of any changes made to the site and said the states inspections reflected the existing plans that were approved. Mr. Knutelsky said he spoke with Karen Murphy and showed her a picture taken on October 2nd that showed a 500 gallon white tank on the site. According to Mr. Knutelsky she indicated the 500 gallon tanks in the storage area are empty and did indicate the empty tanks are an existing condition. Mr. Knutelsky commented on the methanol tanks stored on the site. He said it appears the tanks are empty and are temporarily stored until they are moved to another site. Mr. Suckey asked if a storage area was designated on the plans. Mr. Knutelsky said a storage area was not listed on the plans but indicated Mrs. Murphy did say that the empty tanks have always been stored on the site. Mr. Knutelsky said he will look into the matter

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further and discuss this with Board Attorney, Dave Brady and will keep the Board updated.

OPEN PUBLIC SESSION:

Mr. Suckey made a motion to **Open to the Public**. Seconded by Mr. Bayles. All were in favor.

No one from the public came forward.

Mr. Suckey made a motion to **Close to the Public**. Seconded by Mr. Soules. All were in favor.

ADJOURNMENT: There being no further business Mrs. Bonis made a motion to adjourn the meeting of the Franklin Borough Zoning Board of Adjustment. Seconded by Mr. Soules. All were in favor. Meeting was adjourned at 8:15 PM.

Respectfully submitted,

Karen Osellame
Board Secretary