

# **Franklin Borough Planning Board**

## **Regular Meeting Minutes for**

### **July 21, 2025**

The meeting was called to order at 7:00 PM by Mr. Christiano. Mr. Christiano led the assembly in the flag salute. Mr. Christiano read the Statement of Compliance pursuant to the "Open Public Meetings Act, Chapter 231, PL 1975."

#### **ROLL CALL OF MEMBERS PRESENT:**

Mr. John Christiano Chairman (Present)  
Mr. John Friend Vice Chairman (Present)  
Mr. John Sowden, Mayor (Absent)  
Mr. Concetto Formica Councilman (Absent)  
Wes Suckey (Absent)  
Mr. James Nidelko (Present)  
Mr. Floy Estes (Absent)  
Mr. Jim Williams (Present)  
Mr. Michael Raperto, (Present)  
Ms. Sharon Schultz, Alternate #1 (Present)  
Mr. James Affinto, Alternate #2 (Absent)  
Mrs. Keri Marino Alternate #3 (Absent)  
Mr. George Drossel Alternate #4 (Present)

ALSO PRESENT: Dave Brady, Planning Board Attorney  
Jessica Caldwell 'Dykstra Planning Board Planner

#### **APPROVAL OF MINUTES:**

Mr. Christiano asked for approval for the meeting minutes for **June 16, 2025**

**Mr. Friend made** a motion to approve the **June 16, 2025** minutes.

Seconded by **Mr. Williams**

#### **Upon Roll Call Vote:**

AYES: **Christiano, Friend, Nidelko, Williams, Raperto, Drossel**

NAYS: None ABSTENTIONS: **Schultz**

**Approved**

#### **APPROVAL OF ESCROW REPORT:**

**Ms. Schultz made** the motion to approve the Escrow report.

Seconded by **Mr. Raperto**

#### **Upon Roll Call Vote:**

AYES: **Christiano, Friend, Nidelko, Williams, Raperto, Schultz, Drossel**

NAYS: None ABSTENTIONS:

Mr. Christiano stated that the board would be rearranging the agenda to go over some of the housekeeping items on the agenda before getting into the application this evening.

Mr. Christiano stated that he would like to propose the borough to create an ordinance that if you are going to build a structure in a certain part of town. Part of the application would need to include geotechnical testing.

Mr. Christiano stated that I just want everyone to think about this come up with questions or concerns or ideas that you may have to add to the proposed ordinance.

Mr. Christiano stated that Mr. Brady has also researched this.

Mr. Christiano stated we just want to protect the builder the town and the residents that will be living in these buildings.

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Mr. Christiano stated that anyone who has lived in Franklin long enough knows there are mine shafts all over town more so in certain areas than others and we should all know.

Mr. Brady stated that everyone should go home and come up with ideas and thoughts that you envision proposed ordinance to look like.

At the next meeting we can discuss again and come with a better idea to present to the council.

Mr. Christiano stated that the other ordinances he has been thinking about proposing is that the new apartment buildings/complexes need to reserve some sort of open space outdoor area for children to be able to play. Especially in a property that is a mixed-use property.

Mr. Christiano stated that he talked to Mr. Brady about this in one of the towns he represents.

Mr. Brady stated that yes Morristown has an ordinance very similar to this making sure that developments and apartment complexes have open space, grass areas, playgrounds, picnic tables, an area to picnic, etc.

Mr. Christiano stated that he would like to board to think about and come up with ideas and thoughts that we can put into an ordinance to present to the council as well as the other one discussed tonight.

The board agreed and stated that they be prepared to discuss again at the next meeting.

#### **APPLICATIONS FOR COMPLETENESS:**

**Eli King Realty LLC**

**392 Rt 23 Block 701 Lot 3 HC-1 Zone**

**Pb # 8-24-01 Preliminary and final site plan.**

Mr. Williams excused himself as he has a personal conflict and has used Mr. Haggerty the attorney representing this application for his own personal use.

Mr. Williams left the meeting room at 7:30.

Mr. Christiano asked for Mr. Haggerty to proceed with the application.

Mr. Brady stated that there are 6 members now and this application because it is a D variance it will need 5 confirmed yes. Mr. Brady stated that Mr. Haggerty could take a poll at the end of the meeting to see if he and his client felt comfortable enough bringing the application to a vote this evening or waiting till more members are present at the next meeting.

Mr. Haggerty thanked Mr. Brady and stated that he should be able to get a good read as he and his client present the application.

Mr. Christiano stated that he would like for Mr. Knutelsky to proceed with the completeness report at this time.

Mr. Knutelsky stated that he would be reading from his completeness report dated July 18, 2025

Page 2 section B. States the following items to be incomplete.

A location survey recommends a temporary waiver be granted for completeness only.

The applicant stated they will have one for the board this evening.

33 all landscaping in details. temporary waiver recommended for completeness only.

Landscaping in detail tonight during the hearing.

37 licenses permits and approvals required – Temporary waiver recommended

43-47 – final site plan requirements only – temporary waivers for completeness only.

Mr. Knutelsky summarized his report and recommended that the board grant completeness and the waivers and temporary waivers at this time based on his completeness report.

Mr. Christiano asked if there were any questions from the board.

Not hearing any Mr. Christiano asked for a motion to deem this application complete.

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Mr. Friend made the motion to deem the application complete and grant the temporary waivers as recommended by our engineer.

Seconded by Mr. Raperto.

#### **Upon Roll Call Vote:**

AYES: **Christiano, Friend, Nidelko, Williams, Raperto, Schultz, Drossel**

NAYS: None ABSTENTIONS

Approved

#### **PUBLIC HEARING:**

**Eli King Realty LLC**

**392 Rt 23 Block 701 Lot 3 HC-1 Zone**

**Pb # 8-24-01 Preliminary and final site plan.**

Mr. Brady stated that he reviewed the notice and can confirm that everything is complete and is in good standings.

Mr. Christiano asked Mr. Haggerty to proceed.

Mr. Haggerty introduced himself as the attorney from Dolan and Dolan who will be representing Eli King the property owner of 392 Rt 23. Block 703 – lot 3 in the HC- 1 Zone.

There is a structure there currently that needs work. If you live in town, I'm sure you are familiar with the building.

Mr. Haggerty stated that we are proposing to do a mix use. Commercial on the first floor. The second and third floor would be used for residential use.

The square footage would stay the same but it would get a complete face lift.

2-bedroom apartments on the second floor and a 1-bedroom apartment on the third floor.

Mr. Haggerty stated that he has a few witnesses with him this evening to speak on behalf of the property and the project.

Mr. Brady asked if they would all come forward to the Microphone and he would swear them all in under oath.

**Joesph Rozedhadeh** – Orange NJ – Owner of the property.

Still playing with the idea of bringing his dentistry to the first floor the commercial part of the building.

Mr. Rozedhadeh purchased the building in 2019.

Mr. Rozedhadeh stated that the second and third floor there were apartments.

Mr. Rozedhadeh stated he is looking to have commercial on bottom.

Mr. Rozedhadeh stated that the building has been vacant since he has purchased it and by the state of the building when he purchased it. The building has been vacant for some time.

Mr. Rozedhadeh stated that he did speak to neighboring property owners and they believed that it would be next to impossible to find commercial tenants to fill the space.

Ms. Caldwell stated that if it was a going to be the dentist office.

Mr. Rozedhadeh stated that he is still strongly thinking about it.

Mr. Knutelsky stated that there are different parking requirements for a medical site and a regular commercial space and explained it to the board members.

Right now, there is more than enough parking for commercial and residential on the 2<sup>nd</sup> & 3<sup>rd</sup> floor.

The applicant would need a variance for parking if you went through with the medical portion.

Mr. Haggerty stated that he is not 100% sure about the medical but would want the flexibility at this time.

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Mr. Knutelsky briefly discussed the water stream behind the building and he believes that only concerns Dr. Bonnett's property and not this property.

Mr. Haggerty stated that he would like to introduce the next witness.

Justin Sheperd. – Presented his qualifications on being an expert architect.

The board qualified Mr. Shepherd as a professional architect.

Mr. Shepherd shared the Aerial map that was requested. The aerial was marked as an exhibit.

Marked 101 with the date of 7/21/25.

Mr. Shepherd also passed out a copy to the board members as well.

Mr. Friend asked if there is any residential property within the 200 ft list.

The board discussed and stated that there were no residential legal or non-legal properties within this property.

Mr. Shepherd gave a brief description of the property as it stands today and then went into detail about the proposed plans to really give the building a complete facelift.

Mr. Shepherd gave a description of the proposed apartments and what they would entail.

Like mentioned earlier one bedroom and two-bedroom apartments.

Mr. Shepherd stated keep in mind that they are not changing the footprint of the building.

Mr. Knutelsky asked if there could be some testimony in regards to the site plan improvements to the property.

Mr. Shepherd stated that the whole site at this point would be an improvement.

There would be a paved parking area with the appropriate parking for handicap. The site will also be landscaped appropriately, Being mindful of sight triangles. The property will be maintained through a landscaper for lawn maintenance and snow removal.

Mr. Shepherd touched on the dumpster enclosure as well to satisfy the board and the questions they may have in regards to the garbage.

There was a lengthy conversation about the landscaping on the site plan. With of an agreement to have at least 10% of the site plan to be landscaped appropriately.

Mr. Christiano asked if the applicant would be in agreement of having the sidewalks placed in the frontage to follow suite with the other properties along that section of the highway.

Mr. Haggerty stated that his client is in agreement with putting in sidewalks as part of the site plan improvements.

Mr. Haggerty asked for Mr. Snyder to give the board his credentials and schooling and professional background.

Mr. Snyder stated that he is a civil and constructional engineer.

Licensed in both.

The board qualified Mr. Snyder in as a professional engineer.

Mr. Knutelsky stated that he would like to hear testimony on signage. Mr. Knutelsky stated there is no mention of signage at this time.

Mr. Snyder stated that at this time they are not requesting any sort of signage at this time.

Mr. Snyder stated it would not be free standing. Mr. Snyder said it would be most likely a building mounted sign.

Mr. Knutelsky was in agreement with that and stated that could be easily added to a favorable resolution as a condition.

Mr. Snyder and the applicant agreed.

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Mr. Christiano asked if there was a laundry area in the basement.

Mr. Shepherd stated that it could be accommodated for sure.

Mr. Nidelko asked what the color scheme would be.

Mr. Snyder stated that it would be earth tones and they would not want to stick out.

Mr. Snyder stated that they would match the area for sure.

Mr. Friend asked about a KnockBox

Mr. Snyder stated that it would be for the commercial area not for the residential units.

The board continued to ask the architect questions in regards to the exterior of the building and landscaping.

Mr. Brady asked if the building would have a sprinkler system.

Mr. Shepherd stated that yes. The whole building would have a sprinkler system.

Mr. Christiano asked if there were any further questions from the board. Not hearing any Mr. Christiano asked Mrs. Caldwell to go over her report at this time,

Mrs. Caldwell stated that she would be summarizing her report dated July 18, 2025.

Mrs. Caldwell stated that it is a straight forward bulk D 1 variance.

Mrs. Caldwell stated that it is recommended that you receive the variances so if the building ever needs to be re built, the builder would be able to rebuild with all of the existing variances.

Mrs. Caldwell briefly discussed the applicant's responsibility for the COAH obligations.

Mrs. Caldwell asked if the applicant could give a better description of what the exterior of the building would look like.

Mr. Shepherd stated it would be an earth tone color and it would be vinyl siding that would be used.

Mrs. Caldwell went through her report with the applicants satisfying Mrs. Caldwell's requests for a modest but a much better appearance that is there now. Mrs. Caldwell asked for a awning over the front maybe adding a small porch, it's very flat and needs something more appealing.

There was a brief discussion on Ev charging stations in the parking area.

Mrs. Caldwell was satisfied with all of her comments and concerns being addressed. Mrs. Caldwell stated that she has nothing else at this time.

Mr. Christiano asked if there were any further questions from the board. Not hearing any Mr. Christiano stated that he would open the meeting to the public at this time to ask or comment on the application that is being discussed at this time.

At this time there were no members of the public. Mr. Christiano closed the meeting to the public at this time.

Mr. Brady stated to Mr. Haggerty at this time he would allow Mr. Haggerty to take a poll on the feelings from the board in regards to this application before having the application go up for a vote because remember you will need 5 confirmed yes votes in order to have an approved application and we only have 6 members who can vote at this time.

Mr. Haggerty thanked Mr. Brady a stated that he would like to poll the board members.

Mr. Christiano stated that at this time he would like to go around giving each board member the opportunity to give their thoughts on the application.

Mr. Christiano stated by saying he is in total agreement of the building need a complete facelift and it's been a long time coming to see something happen at this property but he does not believe that they should be apartments for residents they are in a commercial zone for a reason. I believe the area is not a safe area for children especially to be playing or growing up so close to the highway.

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Mr. Christiano polled the board giving each board member the opportunity to speak on behalf of their thoughts on the application.

At the conclusion of the board members being polled.

Mr. Haggerty stated that he would like to table the vote and have it moved to next months meeting.

Mr. Brady stated that is fair and stated that the vote on this application would be tabled to the next meeting August 15<sup>th</sup> everyone was in agreement to that.

Mr. Haggerty thanked the board and said that he and his client would discuss and take everything that was mentioned in consideration and come up with a plan B.

Mr. Haggerty and his applicant left the meeting.

**OLD BUSINESS: None**

**NEW BUSINESS: None**

**DISCUSSION:**

RESOLUTION #2025-53 OF THE BOROUGH OF FRANKLIN AUTHORIZING THE PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION OF CONDITIONS OF BLOCK 1010 LOT 11 AND BLOCK 1401 AND LOT 3 TO DETERMINE IF SUCH AREA MEETS THE CRITERIA TO BE DECLARED A NON -CONDEMNATION AREA IN NEED OF REDEVELOPMENT.

Mr. Christiano stated that this came up during the June 16<sup>th</sup> meeting. We were directed from the Town Council to investigate this property and agreed for Jessica to establish a study and a report on this property to see if this is a property worthy of being considered a property in need of a re development area.

Mr. Christiano asked Mrs. Caldwell how far she is from completing the report.

Mrs. Caldwell stated that she is pretty close to completing the report and reported to the board where she is now in her report, giving a brief summary of what she has included thus far.

Mrs. Caldwell stated at this point she would suggest that the board plan to have the hearing for this property at the next meeting date or because it being summer and lacking members, we could even move it to the September meeting so we have a full board.

Mrs. Caldwell stated that it would be a public hearing and it would have to be noticed and because it's a re development it requires specific notice that Mr. Brady and the Secretary would have to be aware of as well.

The members were in agreement and agreed to having the hearing for the September meeting. Due to the lack of time to properly notice.

Mr. Christiano asked what is driving this? Is there a developer?

Mrs. Caldwell stated that there was a long time ago she is not sure if that there is someone at this very moment.

Mr. Knutelsky stated that this property is very desirable piece of property.

Mr. Christiano asked Mrs. Caldwell if the report would be ready for the August meeting.

Mrs. Caldwell stated yes.

Mr. Brady asked Mrs. Caldwell if she wanted him to work with Michelle on the noticing. Mrs. Caldwell stated that would be great and she would assist as well.

Mrs. Caldwell went over the procedure of the noticing and how far in advanced it needs to be in prior to the meeting date.

After a lengthy conversation of who can and can not make the meeting on August 18<sup>th</sup> the board and professionals decided to move the re development hearing to the September 15<sup>th</sup> meeting.

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**OPEN PUBLIC SESSION:**

Mr. Christiano stated that he would open the meeting to the public for anything that has been discussed tonight.

There was no public in attendance.

**ADJOURNMENT:**

**Mr. Christiano** stated that concludes the items on the agenda and asked for a motion to adjourn.

Mr. Affinto made the motion Seconded by **Mrs. Marino**.

The meeting adjourned at 9:25 P.M