

**Frenchtown Planning Board
Regular Meeting
September 23, 2015**

Chairman Eckel called the Regular Meeting to Order at 7:30 P.M. and stated that all the requirements of the “Open Public Meeting Law” have been met. The meeting has been advertised, the Agenda has been posted in the Borough Hall and copies distributed to the designated newspapers.

ROLL CALL

Present:	Absent:	Case
DenBleyker		Cooper
Dougherty		
Dragt		
Eckel		
Musolino		
Scott		
Sullivan		
Suttle		
Weeks		

APPROVAL OF MINUTES

Regular Meeting – August 26, 2015

Jack Weeks moved to accept the minutes of the August 26, 2015 Regular meeting. Gordon Dragt seconded the motion. The minutes of the August 26, 2015 Regular meeting were approved by favorable roll call vote with John DenBleyker abstaining.

PUBLIC COMMENTS

Chairman Eckel announced that before we start the public comment section, comments are welcomed on matters not listed on the agenda. Comments related to agenda items should be held until that specific item comes up on the agenda. Chairman Eckel opened the public comment session.

Gerry Becker, resident of Frenchtown for 34 years, asked why the agendas cannot be posted on the website. Chairman Eckel responded that a resident in Frenchtown has volunteered to help with that. We will be posting minutes and could also do the agendas. We are actively working on it. Gerry Becker stated that he lives next to the hatchery and wants to keep up with what is going on. He wants to go on the internet.

Gerry Becker asked about the taxes going up and the situation with the new sewer plant that was built. The sewer plant was two years late and penalties were to be paid. Chairman Eckel responded that it is a question for Council.

Having no other public comments, Chairman Eckel closed the public comments session.

Sign Application - Block 41 Lot 6, 33 Race Street – Christina Ferrari (DallaTerra Home & Lifestyle Boutique)

Christina and Sean Ferrari noted that they are requesting permission for an advertising sign. They are located in Dorsey Reading’s building next to the Spinnery. The sign is constructed of cedar wood and will be indirectly lit. The lighting is existing and is underneath the sign. Chairman Eckel confirmed that there will be no illumination because the lighting is not directed toward the sign. Responding to Chairman Eckel as to the size and colors of the sign, Christina Ferrari noted that the sign will be white wash with hand painting in shades of green and brown. The lettering for Home and Boutique are under 3 inches. The sign measures 45 inches by 18 inches. Chairman Eckel noted that there are 4 items of information. Chairman Eckel asked what the signable area dimensions are? It is the distance between the roof line and the top of the window and does not include architectural features. The applicant was not sure of that exact measurement and agreed to go measure it and come back with the figures. She added that the trim is not considered a major architectural feature.

Christina and Sean Ferrari returned to the meeting with the signable area measurements of 30 feet across and 18 inches high. Chairman Eckel noted that the signable area is 45 square feet and the sign is 5.625 square feet which is well within the 40% requirement. Responding to Chairman Eckel, Christina Ferrari noted that the sign will be affixed to the building with metal hangers.

On motion by Catherine Suttle, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Planning Board approved the sign application for Block 41 lot 8 and the following resolution:

RESOLUTION #2015-31

**FINDINGS OF FACT, CONCLUSIONS AND RESOLUTION
GRANTING APPROVAL FOR INSTALLATION OF A SIGN**

WHEREAS, Applicant Christina Ferrari of DallaTerra Home & Lifestyle Boutique has applied to the Planning Board for permission to install an advertising sign on the premises located at Block 41 Lot 6;

AND WHEREAS, after considering all the evidence presented, the Planning Board has made the following findings of fact at its Regular Meeting on September 23, 2015:

1. The wall sign will read in accordance with the sketch attached hereto.
2. The wall sign will measure 18 inches high by 45 inches wide for a total of 5.625 square feet and the signable area is 18 inches high by 30 feet wide which includes the trim work across the windows which is not considered a major architectural features. The sign complies with the 40% signable area requirements.
3. The wall sign will be made of wood and will be in colors of white wash with hand painting in shades of green and brown.
4. The wall sign will be affixed to the building so it does not swing.

5. The wall sign contain 4 items of information as defined in the Land Use Ordinance #564.
6. The wall sign will be not be illuminated.

NOW THEREFORE, BE IT RESOLVED, that based upon the foregoing findings of fact and conclusions, the Planning Board of the Borough of Frenchtown does hereby grant to the above named applicant, permission to install an advertising sign on the above referenced premises.

I certify that the foregoing resolution was approved on September 23, 2015.

Votes on Adoption of Motion	
9	AYES
0	NAYS
0	ABSTAIN
0	RECUSED

Brenda S. Shepherd, Secretary

Sign Application - Block 41 Lot 8, 51 Bridge Street – 51 Bridge Street (The Wild Flower Café)

Laura Grecco noted that she is requesting permission for an advertising sign on behalf of Anthony Grecco. The sign is a window sign which will measure 28 inches wide by 3 feet high. The letters will be made by Tom Johnson. All letters are below three inches except for the Wild Flower Café. Chairman Eckel noted that the signable area is 18.75 square feet. The sign is calculated at 42% of the signable area which meets the requirement of 50%. There are 8 Items of information. Responding to Chairman Eckel, Laura Grecco noted that the colors of the sign are the colors of the building and the letters will be applied directly to the window as individual letters. The sign will not be illuminated. Cathy Suttle noted that under item (e) of window signs, in place of a permitted wall sign, the signable area is limited to 20%. Chairman Eckel responded that it applies to accessory window signs such as the brands signs that would be switch out similar to the ones the Board approved recently. This is the main sign which allows 50% of the signable area. Chairman Eckel referred to the table of design elements which say total of 50%. The Board has relied on this section of the ordinance before. Chairman Eckel noted that the sign subcommittee is working on the ordinance and the committee will clarify the wording on this section as it is confusing.

Jack Weeks added that the applicant has a menu sign temporarily. When the business opens, you can put it out as a sandwich board because restaurants can have sandwich boards.

On motion by John DenBleyker, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Planning Board approved the sign application for Block 41 lot 8 and the following resolution:

RESOLUTION #2015-32

**FINDINGS OF FACT, CONCLUSIONS AND RESOLUTION
GRANTING APPROVAL FOR INSTALLATION OF A SIGN**

WHEREAS, Applicant Anthony Grecco of Wild Flower Café has applied to the Planning Board for permission to install an advertising sign on the premises located at Block 41 Lot 8;

AND WHEREAS, after considering all the evidence presented, the Planning Board has made the following findings of fact at its Regular Meeting on September 23, 2015:

1. The window sign will read in accordance with the sketch attached hereto.
2. The window sign will measure 28 inches wide by 3 feet high for a total of 8 square feet and the signable area is 18.75 square feet which complies with the 50% signable area requirements.
3. The window sign will be in colors of plum, gold, blue, pink, gold and green to match the building.
4. The letters of the window sign will be applied directly to the window as individual letters.
5. The window sign contain 8 items of information as defined in the Land Use Ordinance #564.
6. The window sign will be not be illuminated.

NOW THEREFORE, BE IT RESOLVED, that based upon the foregoing findings of fact and conclusions, the Planning Board of the Borough of Frenchtown does hereby grant to the above named applicant, permission to install an advertising sign on the above referenced premises.

I certify that the foregoing resolution was approved on September 23, 2015.

Votes on Adoption of Motion

_____ 9 _____	AYES
_____ 0 _____	NAYS
_____ 0 _____	ABSTAIN
_____ 0 _____	RECUSED

Brenda S. Shepherd, Secretary

Laura Grecco announced that they are hoping to open on the 15th of October.

NEW BUSINESS:

a) Draft Redevelopment Plan

Chairman Eckel noted that the Board will not be discussing the draft redevelopment plan this evening. It was believed that the draft was going to be brought before the Board this evening. Once it comes before the Board, it becomes a public document. The draft is not ready to come before the Board. The Redevelopers has not done what he needs to do yet so the redevelopment plan is not ready for review and discussion. We may have something next month. The Redeveloper had to meet with the architect who is leaving for Scotland for several weeks. Cathy Suttle noted that she appreciated the process procedure that was provided to the Board by Attorney Hirsch.

Chairman Eckel noted that a redevelopment plan is a Council item. The Council would like the Planning Board to comment on it and then it goes to Council. There will be an opportunity for the Board and public to weigh in on it as well as an opportunity before Council to weigh in on it. The Board Attorney and Planner will be present to discuss the draft plan with us. William Sullivan commented that the Redevelopment Plan will become an ordinance to cover that property. He asked why the Borough is seeking input from the developer? Chairman Eckel stated that a non-condemnation redevelopment plan is for the town. When the town wants something redeveloped, it makes it more appealing for a developer. When you have empty lots and towns are interested in redeveloping the area, if a developer who was interested in developing a property backs out, a new developer has to follow the plan. John DenBleyker stated that it is a cooperative process. We get something we like and the developer gets something too. It is a private process and the proposed developer is paying for the redevelopment plan. Chairman Eckel noted that members of the school board are also on the Technical Review Committee. William Sullivan noted that the plan becomes an ordinance and the developer develops as set forth in the ordinance. Chairman Eckel stated that it is critical that you have every detail covered. Once a redevelopment plan is adopted, the developer is held to that plan. William Sullivan added that redevelopment ordinances can be amended in the same process as ordinances. Everything that comes before Council cannot be discussed until a motion is made. He has seen ordinances changed after discussions and public input. Chairman Eckel added that when it comes to public input, although some members of the Board will recuse themselves, they can provide public input as members of the public.

Chairman Eckel noted that the Board and Borough Planner is drafting the redevelopment plan. The redevelopment plan is a well written plan that gives the Planning Board enormous control of what the development will look like. In reference to the George Michael development, the Board architect must be on site when the developer is developing to assure the architecture details are captured. It is a huge expense to the developer. Cathy Suttle commented that it is her sense that the developer is not having his way in writing the plan. Our Planner is putting together the plan to get to the point where we can get public input. Chairman Eckel noted that the plan may be ready for the November meeting assuming Architect Chris Pickell can review what the developer just submitted. John DenBleker asked if there could be exhibits that can be presented prior to the meeting and if that could be posted online. Chairman Eckel responded that the redevelopment plan map would be appropriate. She will asked if we can get that and get it posted.

Chairman Eckel noted that if there is a lot of public comments, she will limit the time and we may continue the public comments to the next meeting. Meetings do not go past 10:30 pm as indicated in the bylaws. John DenBleyker asked if Attorney Hirsch can provide what is

appropriate for Board member input for Board members who recuse themselves. Chairman Eckel responded that she will have Attorney Hirsch provide guidance.

VOUCHERS

Brenda Shepherd, Board Secretary, presented the following vouchers for approval:

VOUCHER LIST 9/23/15

Elizabeth McKenzie	Professional Services for Affordable Housing through 6/30/15	\$ 2,012.50
Archer & Greiner	Professional Services for General Representation through 8/31/15	\$ 220.00
Albert Cruz	Professional Services for Declaratory Judgement through 8/31/15	\$ 1,004.99

ESCROW ACCOUNT – BLOCK 3 LOT 1 – Frenchtown 7

Elizabeth McKenzie	Professional Services for Frenchtown 7 through 7/29/15	\$ 612.00
Archer & Greiner	Professional Services for Frenchtown 7 through 7/31/15	\$ 280.00
Pickell Architecture	Professional Services for Frenchtown 7 through 9/15/15	\$ 362.50

ESCROW ACCOUNT – BLOCK 34 LOT 1 – Michael’s Inspection

Van Cleef Engineering	Professional Services for Michael through 6/30/15	\$ 597.95
Van Cleef Engineering	Professional Services for Michael through 7/31/15	\$ 2,355.95
Van Cleef Engineering	Professional Services for Michael through 8/31/15	\$ 1,973.00

ESCROW ACCOUNT – BLOCK 57 LOT 1 - Cretella

Elizabeth McKenzie	Professional Services for Cretella through 8/24/15	\$ 1,093.75
Van Cleef Engineering	Professional Services for Cretella through 8/31/15	\$ 2,565.00

ESCROW ACCOUNT – BLOCK 34 LOT 1 – Michael PILOT

Albert Cruz	Professional Services for Michael through 8/31/15	\$ 45.00
Albert Cruz	Professional Services for Michael through 8/31/15	\$ 1,260.00

On motion by Jack Weeks, seconded by John DenBleyker, and carried by unanimous favorable roll call vote, the Planning Board approved payment of the above bills list.

CORRESPONDENCE, COUNCIL REPRESENTATIVE REPORT AND OTHER RELATED ITEMS

Chairman Eckel reported that the Board received a letter from Attorney Danzo regarding the Cretella application and they are not ready to come back to us at this point.

Chairman Eckel noted that she will be absent from the next month's meeting due to work. If this redevelopment plan comes to the Board for that meeting, John DenBleyker and Warren Cooper will have to step down. She recommended that Catherine Suttle chair that portion of the meeting.

Chairman Eckel reported that in reference to posting of the minutes, Attorney Hirsch recommended that once the minutes are adopted that they be posted. Chairman Eckel added that Attorney Hirsch also believes the Board can post the agendas although the agendas are subject to amendments. Since applicants are required to submit applications two or three weeks in advance of a meeting, those applications should be listed on the posted agendas.

As to the Sign Subcommittee, Catherine Suttle noted that they have targeted where the issues are. Chairman Eckel is typing the ordinance in a format where you can search for a particular sign, etc. She will send it to all the Board members. Catherine Suttle also noted that she is doing something similar for the sign application. Jack Weeks did get some sample ordinances from the Planner so we can look at restaurants in particular. Jack Weeks commented that he spoke with the restaurants and menu signs vary so they may have to shrink or enlarge it to fit. Some restaurants only have windows, etc. Jack Weeks noted that Planner McKenzie recommended that if you go through a town and see that they have great signs, let us know so Planner McKenzie can get the sign ordinance from other towns.

Chairman Eckel reported that Outsider Art did not come to the last meeting for sign approval. The Zoning Officer will issue a summons if the sign is displayed without approval. Responding to Jack Weeks, Chairman Eckel stated that a business does not have to have a sign. Jack Weeks noted that he approach Valley Florist who wants to put their sign where the realtor sign is. Valley Florist is upset because when they originally applied, the Board did not approve it as it was presented. Syllables were removed, etc. Chairman Eckel responded that they can have a hanging sign but it cannot swing. Realtor signs have their own regulations. She added that temporary signs do not require a sign permit. The Sign Subcommittee will be working with the businesses and the Business Association.

Chairman Eckel noted that there is a copy of a memo in the Board packet wherein she was contacted by the County Planning Officer who is meeting with the NJDEP and if we are having

challenges dealing with the NJDEP, they would like input provided. She asked that the input be provided to her. William Sullivan stated that Streets and Roads may have some input. Chairman Eckel noted that she will contact Mike Reino, the Public Works Manager.

Referring to his work schedule for the next few months, John Dougherty noted that he will be out of town for the next few months for work and will be returning to town by the end of the year. His work is in the close out phase. He may have to go back in June or July of 2016 for one month to complete the defect liability.

As to executive session minutes, Chairman Eckel noted that Attorney Hirsch recommended that the executive session minutes be adopted but they cannot be released and should be filed separate from the regular minutes. She asked Secretary Shepherd to place the executive session minutes on the next agenda for approval.

Chairman Eckel also noted that there is also correspondence in the Board packet for the 42nd Annual Environmental Congress on "Fixing our Water Woes". She asked if anyone would like to attend? William Sullivan commented that he will give the letter to a new resident in town that is an environmentalist. Rocco Musolino added that the Environmental Commission has had people attend in the past.

William Sullivan reported that he met with Paul Michael about the improvements to Third Street. There was an item in the redeveloper's agreement that was exchanged for improving all of Third Street. Paul Michael is now saying that asphalt is three times more expensive than when we made that agreement. Nothing has been resolved. In addition, William Sullivan noted that Robert Haver walked by during our meeting and spoke with Paul Michael. Paul Michael will settle the issues with Robert Haver.

ADJOURNMENT

William Sullivan moved adjournment at 8:53 PM, and Catherine Suttle seconded. The motion passed on favorable voice vote.

Brenda S. Shepherd
Planning Board Secretary