

**Frenchtown Planning Board  
Regular Meeting  
February 25, 2015**

Vice-Chairman DenBleyker 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.

**OATH OF OFFICE – GERRY CASE (CLASS II)**

Brenda S. Shepherd administered the Oaths of Office to Gerry Case. He accepted his Oath of Office.

**ROLL CALL**

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

**APPROVAL OF MINUTES – Special Meeting – October 30, 2014**

Warren Cooper moved to accept the minutes of the October 30, 2014 Special meeting. Gerry Case seconded the motion. The minutes of October 30, 2014 Special meeting were approved by favorable roll call vote with Gerry Case abstaining.

**APPROVAL OF MINUTES - Reorganization and Regular Meeting – January 28, 2015**

Warren Cooper moved to accept the minutes of the January 28, 2015 Reorganization and Regular meeting. Jack Weeks seconded the motion. The minutes of January 28, 2015 Reorganization and Regular meeting were approved by favorable roll call vote with Gerry Case abstaining.

**PUBLIC COMMENTS**

Vice-Chairman DenBleyker 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. Vice-Chairman DenBleyker opened the public comment session.

Having no public comments, Vice-Chairman DenBleyker closed the public comments session.

**SIGN APPLICATION – BLOCK 41 LOT 12, 33 BRIDGE STREET – PATRICK LEGIN**

Carolyn Gadbodias, representative and manager of Early Bird, noted that she is requesting permission to install an advertising sign. The sign measurements were not included in the application. The sign will be a window transfer on 33 Bridge Street and will measure 20” high

by 20” wide. The color of the sign will be gold lettering with the bottom section having letters under 3 inches. The letters will have a white outline. John DenBleyker stated that there are 4 items of information. The words on the lower section are less than 3 inches. Responding to John DenBleyker, Carolyn Gadbodias noted that the letters in Early Bird are approximately 7 inches high. Cathy Suttle noted that the window sign is less than 50% of the signable area and meets the signable area requirement. Carolyn Gadbodias noted that it is 13.2%. She added that there will be no lighting on the sign. On motion by Jack Weeks, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Planning Board approve the sign application for Block 41 Lot 12 and the following resolution:

**RESOLUTION #2015-09**

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

WHEREAS, Applicant Carolyn Gadbodias representing the Early Bird has applied to the Planning Board for permission to install an advertising sign on the premises located at Block 41 Lot 12;

AND WHEREAS, after considering all the evidence presented, the Planning/Zoning Board has made the following findings of fact at its Regular Meeting on February 25, 2015:

1. The signs will read in accordance with the sketch attached hereto.
2. The window sign will measure 20 inches high by 20 inches wide and meets the 50% signable area requirement.
3. The window sign will be a window transfer in lettering of gold with white outline and the lettering on the bottom of the sign is less than 3 inches.
4. The window sign will not be illuminated.
5. The window sign contain a total of 4 items of information as defined in the Land Use Ordinance #564.

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 February 25, 2015.

Votes on Adoption of Motion

\_\_\_\_ 9 \_\_\_\_ AYES  
\_\_\_\_ 0 \_\_\_\_ NAYS  
\_\_\_\_ 0 \_\_\_\_ ABSTAIN  
\_\_\_\_ 0 \_\_\_\_ RECUSED

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Brenda S. Shepherd, Secretary

**VOUCHERS**

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

**VOUCHER LIST 2/25/15**

Elizabeth McKenzie	Professional Services for General Representation through 1/31/15	\$ 43.75
Elizabeth McKenzie	Professional Services for General Representation through 1/31/15	\$ 787.50
Archer & Greiner, P.C.	Professional Services for General Representation through 1/31/15	\$ 100.00
Van Cleef Engineering	Professional Services for General Representation through 12/31/14	\$ 435.00

**ESCROW ACCOUNT – BLOCK 34 LOT 1 – Michael Inspection Escrow**

Van Cleef Engineering	Professional Services for Michael through 12/31/15	\$ 503.90
Van Cleef Engineering	Professional Services for Michael through 1/31/15	\$ 599.25

**ESCROW ACCOUNT – BLOCK 3 LOT 1 – Redevelopment Study**

Elizabeth McKenzie	Professional Services for Redevelopment through 1/31/15	\$ 87.50
Archer & Greiner, P.C.	Professional Services for Redevelopment through 12/31/14	\$20.00

On motion by Warren Cooper, seconded by Gordon Dragt, 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**

William Sullivan noted that the new sewer plant is up and running. Gerry Case added that the cold weather is hard on the new sewer plant. Things are freezing up, heat tracers are not working right and the computer is not talking to certain pieces of equipment. William Sullivan noted that warmer weather is coming.

William Sullivan noted that we had a meeting and are looking into what we are going to do and offer to the people on the hilltop streets. We are looking into a paving project. It is an ordeal. We are moving forward on it. The money would come from the taxpayers and a special

assessment. Mayor Cooper commented that we think we would be eligible for a grant and/or a low interest loan. There are programs out there. It is a project that involves paving, sewer infrastructure and possible water lines. We can apply to USDA. William Sullivan added that we are trying to set it up for new sewer customers. Those homes are all on septic. That hill is a quagmire. We do maintenance up there. We spend a lot of time and material on those roads. It has been an upward situation from the beginning. We are trying to facilitate the opportunity to rectify the situation. We need to determine whether the taxpayers want to absorb the burden or a portion of it. It is all or nothing. If one person holds out, the project is a bust. The land is not deeded to the Borough. There are no right of ways but we have been maintaining the roads. The history is unclear. We are trying to see what we can do. We estimate that there are 24 properties including Thompson land. We are actively pursuing it. It would be one project. We have to come up with an equitable solution but all the people have to sign over a portion of their properties. Mayor Cooper noted that those property owners have been seeking this for decades. It will depend on the Borough getting complete cooperation and involvement of all the property owners. The taxpayers have to come up with an equitable solution. We are going to present something to Council next Wednesday. If it is okay, we will schedule a town hall meeting in March so we can get those property owners to start talking amongst themselves. William Sullivan added that no one will want to come on board if they do not know the cost. We are trying to come up with a cost to see if they are in. If the cost was spread equally, it would be about \$300.00 per year per house for a 20 year loan. We may be able to get a 40 year loan. Eventually, it will become a safety issue with the septic systems. The soil structure does not support EPA levels. It would become an issue to the property owners. We do not want to have those septic systems on the hill starting to fail. We want to get sewer, gas and water lines up there. We want those utility lines in before we put the road in so the property owners do not dig up the new roads. We have to find a balance. Responding to Gerry Case, William Sullivan noted that the number discussed with Council was \$3,500.00 for the hillside property and \$206.00 for every other taxpayer. That ratio is 20 to 1. He believes it should be 2 to 1. We have to see where their numbers are. Those property owners have been paying taxes since those houses were built. It would increase their property value but it would not be 20 to 1. They are not assessed any different being on a dirt road then on a paved road. We want to try to get them to hook up to the sewer system. Water would be up to them. We do not want septic problems on the hill because with the shale, it will move across the it shale very fast and end up on Kingwood Avenue. Mayor Cooper stated that looking at the other side of the coin, because of the changes in the DEP regulations, it would cost a property owner well into the \$40,000.00 range to replace a septic system. Rocco Musolino recommended that be proposed to the property owners. William Sullivan responded that there is no telling if a septic system will last and the property owner could later hook up to the sewer line. We want to provide that opportunity. We have an attorney whose firm is good at this type of issue. The property owners will have options.

Mayor Cooper noted that there will be a joint meeting of the Council, Planning Board and Business Association on Saturday at 8:15 am at the Frenchtown Elementary School to discuss problems and signage and to get input on what we have on the books and to get direction on how we will address those problems. We do not want to be top heavy with the explanations, descriptions, etc. with our own presentation. This is an opportunity to listen to people address their concerns and get input. Everyone has had the materials made available to them. Those people have to get to their shops to open on time. We want to be familiar with the issues and start addressing those issues. Gordon Dragt commented that he believes it would be an advantages to have others businesses that are not part of the Business Association aware of the meeting. Jack Week noted that he did approach Minettes and did ask other people from the Business Association to contact people who are non-members. Mayor Cooper noted that

Chairman Eckel has talked to people as well. The important aspect is to provide the forum and hear what people have to say. He wanted to remind everyone that because we are holding the meeting at the elementary school, the ability to record is limited. If you have a recorder, please bring it and we can spread the recorders around. We will have copies of the sign ordinance and Village Center Plan available for everyone.

Mayor Cooper also noted that subsequent to a discussion with Chairman Eckel, we will be making one announcement at the meeting to the business community. Anyone who does not have an approved sign would have until March 28<sup>th</sup> to submit a sign application so that by the April Planning Board meeting, everyone who has not gotten a sign approval, will be approved. If we do not have a sign application by March 28<sup>th</sup> from those not approved, we will authorize the Zoning Officer to issue summons.

Mayor Cooper noted that an item came up today that an individual is interested in opening a bakery in town and wanted clarification on seating. If the bakery does not serve food to the tables and it functions the same way as Early Bird, they would not need approval. There are limitations on the number of parking spaces by square footage. Gordon Dragt responded that if you have an establishment where people are served at a counter and those people can sit at a table, the applicant does not have to have a review. No parking review is required. If you have a restaurant, you have to go through a review process and you get into the parking issue. For a bakery, there would be no review and the parking would not be an issue for review. Sarah Scott noted that it falls under the fast food restaurant definition and the tables would be an accessory use. Mayor Cooper confirmed that the space conforms with the definition of fast food restaurant.

#### **ADJOURNMENT**

Sarah Scott moved adjournment at 8:11 PM, and Gerry Case seconded. The motion passed on favorable voice vote.

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Brenda S. Shepherd  
Planning Board Secretary