

Frenchtown Planning Board  
Regular Meeting  
July 27, 2016  
7:30 P.M.

Chairman Randi 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	Musolino
DenBleyker	Myhre
Dougherty	
Dragt	
Eckel	
Scott	
Sullivan	
Suttle	
Weeks	

**APPROVAL OF MINUTES**

**Regular Meeting – May 25, 2016**

Gerry Case moved to accept the minutes of the May 25, 2016 Regular meeting. Cathy Suttle seconded the motion. The minutes of the May 25, 2016 Regular meeting were approved by favorable roll call vote with John Dougherty and Sarah Scott 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. Having No comments, Chairman Eckel closed the public comment session.

**SIGN APPLICATION - BLOCK 41 LOT 5.01, 29 RACE STREET – LATIFA’S FASHION BOUTIQUE**

Applicant Carona Davis-Diop for Latifa’s Fashion Boutique noted that she is requesting permission to install an advertising sign at 29 Race Street. It is a women’s boutique and she will be selling women’s accessories and all natural body products. The sign is a silhouette of a woman with a purple circle cut out which will be placed in the center of the window. It is a vinyl decal. The letters are just under 3 inches. Cathy Suttle noted that in looking at the dimensions of the sign, 2 feet by 2 feet, and the window dimensions, the sign is 8% of the signable area well within the 50% requirement. The items of information is 1 for the logo. The sign will not be illuminated. The applicant noted that she may put the hours of operation on the door. Cathy Suttle stated that the letters must be less than 3 inches. The applicant agreed. Cathy Suttle noted that the sign complies with the ordinance. On motion by Cathy Suttle, seconded by Jack Weeks

and carried by unanimous favorable roll call vote, the Planning Board approved the sign application for Block 41 Lot 5.01 and the following resolution:

**RESOLUTION #2016-14**

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

WHEREAS, Applicant Carona Davis-Diop of Latifa’s Fashion Boutique has applied to the Planning Board for permission to approved an advertising sign on the premises located at Block 41 Lot 5.01;

AND WHEREAS, after considering all the evidence presented, the Planning/Zoning Board has made the following findings of fact at its Regular Meeting on July 27, 2016:

1. The sign will read in accordance with the sketch attached hereto.
2. The window sign will be a vinyl decal, 2 feet by 2 feet, placed in the center of the window and is 8% of the signable area in compliance with the less than 50% requirement
3. The window sign will be in colors of purple surrounding white lettering with a pink hat.
4. The sign will not be illuminated.
5. The sign contain a total of 1 item 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 July 27, 2016.

Votes on Adoption of Motion

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

\_\_\_\_\_  
Brenda S. Shepherd, Secretary

## **NEW BUSINESS:**

### **REVIEW OF ORDINANCE #771 FOR CONSISTENCY WITH THE MASTER PLAN**

Chairman Eckel noted that this Ordinance was introduced by Council for tattoo studios to be an allowed use in r4A zone. We have received comments on that ordinance from Planner McKenzie. The Planning Board must determine if the ordinance is consistent with the Master Plan. Planner McKenzie's memo indicates that it is consistent with the Master Plan.

Cathy Suttle had a question about the square footage and commented that she thinks it is more like a doctor's office where you make an appointment. William Sullivan response that people may not be making appointments. Council is treating this as a similar business such as a gallery or retail space. Chairman Eckel noted that the Land Use Ordinance was structured to make sure that everything on the first floor was retail. It does not require a variance to have this professional space on the first floor. Subsequent to a discussion on the square footage of the first floor, Chairman Eckel noted that some of the first floor units that are larger than 2,500 square feet are grandfathered. Chairman Eckel added that Council intended to view this as a particular art studio. She recommended that it be changed from the original version of tattoo shops to tattoo services. When Rich Cahill came to the Board for a variance, we put conditions on the tattoo portion of the business. The town has evolved and Council feels strongly that this should be approved as a normal use in town. She recommended that this use be listed as Item ff in the ordinance instead of Item N. The Planning Board agreed. On motion by John DenBlyeker, seconded by William Sullivan and carried by unanimous favorable roll call vote, the Planning Board deemed Ordinance #771 consistent with the Master Plan and made the following recommendation to the Governing Body:

1. If tattoo studio is to be an approved use similar to art/craft galleries and stores, it should be listed as item ff, under Section B.1 as a retail use

### **REVIEW OF ORDINANCE #775:**

Chairman Eckel noted that Ordinance #775 has not been introduced. The Council sent the ordinance to the zoning officer for further comments before introduction. The Board is in a position to make recommendations. William Sullivan noted that when anyone comes for a building permit, they need a zoning permit first. They cannot get a construction permit without a zoning permit. We are trying to stream line that. Subsequent to a brief discussion, the Board recommended that a change in height also be added. Chairman Eckel added that Attorney Hirsch commented on a change in use that requires parking review. This ordinance does not address parking because parking is in another part of the ordinance. If more parking is required, a site plan is required. That has not changed. Chairman Eckel noted that Planner McKenzie has also provided comments on the ordinance. Sarah Scott commented that the word footprint is in quotes and "footprint" should be defined. William Sullivan noted that the footprint is the edge of the roof to the edge of the roof. He believes that is a building standard. Chairman Eckel stated that the Board's recommendations to the Council should include the comments of Planner McKenzie regarding the ordinance and that height be added in addition to footprint. This ordinance will come back to the Board to determine its consistency with the Master Plan once it is introduced by Council. The Board consented to the recommendations. Brenda Shepherd will provide a letter from the Planning Board to Council with these recommendations. Chairman Eckel and John DenBleyker will review the letter prior to it being sent to the Council.

## **ENVIRONMENTAL COMMISSION MEMORANDUM DISCUSSION**

Chairman Eckel noted that the Environmental Commission is requesting to review development applications. We can do something similar to the applications that are required to go to the Fire Department. Sarah Scott agreed that development applications should be reviewed by the Environmental Commission referring to an application where the location had chimney swifts. Changing a building may have an impact on the environment. Chairman Eckel added that site plans that deal with a change in parking should be included. John DenBleyker commented that the Board should receive a comment letter from the Environmental Commission on applications that they review. Chairman Eckel recommended that reviews be limited to site plans. There was a concern that this would create a burden for the application. Gordon Dragt expressed concern that this would create another layer of review and could delay an application. Chairman Eckel noted that the Board does not have to wait for the comment letter if it is not provided in a timely manner. It should not hold up an application if we do not get a response. William Sullivan stated that according to the letter from the Environmental Commission, the Commission intends to be responsive. Subsequent to a brief discussion, the Board agreed that anything that requires a site plan approval should be reviewed by the Environmental Commission and that the Environmental Commission should respond within two weeks of receiving the application. The Board will provide a memo to the Environmental Commission.

## **VOUCHERS**

Chairman Eckel noted that the Cretella application is in the arrears. We are going to ask Attorney Hirsch as a matter of procedure how to proceed to collect those arrearages. We do not have a contract with the conflict attorney to provide legal services to the Board. She added that when people sign an escrow agreement, they agreed to pay all the professional fees.

Chairman Eckel also noted that Mr. Meiskin replenished the escrow account and has a slight balance left but it is not enough to cover any further reviews or attendances at meetings.

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

## **VOUCHER LIST 7/27/16**

Archer & Greiner	Professional Services for General Representation through 5/31/16	\$ 480.00
Elizabeth McKenzie	Professional Services for General Representation through 4/30/16	\$ 218.75
Albert Cruz	Professional Services for General Representation through 5/31/16	\$ 991.32
Archer & Greiner	Professional Services for General Representation through 6/30/16	\$ 600.00
Albert Cruz	Professional Services for Declaratory Judgement through 5/31/16	\$ 695.44
Albert Cruz	Professional Services for General	

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

Van Cleef Engineering	Professional Services for Michael through 5/31/16	\$ 1,551.15
-----------------------	---	-------------

**ESCROW ACCOUNT – BLOCK 3 LOT 1 – Frenchtown 7**

Elizabeth McKenzie	Professional Services for Frenchtown 7 through 1/31/16	\$ 2,887.50
--------------------	--	-------------

Van Cleef Engineering	Professional Services for Frenchtown 7 through 1/31/16	\$ 2,012.50
-----------------------	--	-------------

Maser Consulting	Professional Services for Frenchtown 7 through 1/17/16	\$ 1,620.00
------------------	--	-------------

Elizabeth McKenzie	Professional Services for Frenchtown 7 through 2/29/16	\$ 175.00
--------------------	--	-----------

Maser Consulting	Professional Services for Frenchtown 7 through 2/14/16	\$ 2,202.50
------------------	--	-------------

Elizabeth McKenzie	Professional Services for Frenchtown 7 through 3/31/16	\$ 131.25
--------------------	--	-----------

Van Cleef Engineering	Professional Services for Frenchtown 7 through 2/29/16	\$ 233.65
-----------------------	--	-----------

Elizabeth McKenzie	Professional Services for Frenchtown 7 through 5/31/16	\$ 131.25
--------------------	--	-----------

On motion by John Dougherty, 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**

Chairman Eckel noted that the Mayor and Council approved a resolution to create a Sign Advisory Committee to review and overhaul the sign portion of the Land Use Ordinance. We have looked at the sign ordinance in the past and made comments for amendments. The members of the new committee will consist of the Mayor, a Council member, a member of the Frenchtown Business and Professional Association, the Planning Board Chairman and two members of the Planning Board which will be Rocco Musolino and Cathy Suttle who were members of the original sign subcommittee. The committee will be formed shortly. Once the committee is formed, it will have 60 days to report back to Council with recommendations. Hopefully, we will have a better product that will be easier to interpret and understand for everyone as well as the zoning officer. William Sullivan commented that we do not want to restrict the sign ordinance any further. We just want to simplify it and clarify it. Chairman Eckel noted that she spoke to Attorney Hirsch and Planner McKenzie on the subject and there

are other sign ordinances that have similar intent and results that we want with less verbage. We are trying to get samples to find one that fits us that can be revised to what we want.

Councilman William Sullivan reported that the Governor has suspended funding for the road projects. The Council has decided to continue the process for Ridge Road so we are ready to go when the money is released.

Councilman William Sullivan also reported that as to Affordable Housing, we are still moving forward with the litigation. We still do not know our number. We have not heard anything on that yet. Responding to Gordon Dragt, William Sullivan noted that Building A in River Mills, which will house the affordable housing units, will be built by a subcontractor. The requirement is that Building A and the other buildings will be built simultaneously. Chairman Eckel noted that the Council extended the sewer service area to the nursing home. She asked if there is anything to report on that. William Sullivan stated that the Council has not heard anything.

Jack Weeks noted that the restaurant that was approved without a site plan approval was notified by the zoning officer that in order for them to proceed, they will need to come before the Planning Board. They were approved for an exhaust hood. He added that there are 11 tables which will require 7 parking spaces. Gordon Dragt noted that the owner did not do it intentionally. There was a misunderstanding with the zoning officer. Chairman Eckel responded that it is a Council issue because the Council employees the zoning officer.

#### **ADJOURNMENT**

Gerry Case moved adjournment at 9:00 pm, and William Sullivan seconded. The motion passed on favorable voice vote.

---

Brenda S. Shepherd  
Planning Board Secretary