

May 19, 2020 Planning Board

Virtual Meeting ZOOM

Pursuant to the "Open Public Meeting Act," The Sentinel and the South Jersey Times were notified of this meeting. A public notice was posted in the Municipal Building and on the website. The Virtual ZOOM meeting hosted by Barbara Freijomil, Township Clerk. The Township of Franklin Planning Board was called to order by Chairman, Joseph Petsch at 7:00 PM with the following members present: Dave Deegan, Pat Dougherty, Jim Rohrer, Jim Kelly John Melleady, and Kevin Constantine-A-1, James Handy-A-2 and Ralph Travaglione. Absent: Heather Flaim and Jason Brandt. Chairman Petsch led in the flag salute. Chairman Petsch seats Kevin Constantine in the absence of Jason Brandt. (Jason Handy is not seated).

Mrs. Freijomil makes a statement asking everyone to be patient and explained how to be able to speak by phone (landline press star 9) or computer by raising hand then being unmuted as everyone will have a chance if they wish to speak

Approve Minutes

Approve Resolutions: Richmond American Homes of Maryland Inc.: PB19-4 Minor Subdivision PB19-5

Approve Secretary's Reports: February 2020-\$0.00; March 2020-\$0.00 April-\$0.00

SP19-3 Amended Paul Cuccinello/Pinnacle Paint Ball Amended Site Plan Delsea Drive B5006 Lot 1 & several others

Correspondence

Open Public Portion

Closed Session, If Required

Adjourn

Approve Minutes

Upon a motion by Mr. Deegan, seconded by Mr. Dougherty, all in favor, to approve Planning Board Minutes of 2/18/2020 meeting. (PB meetings 3/17/2020 & 4/21/2020 were cancelled due to COVID19) Motion passed.

Approve Secretary's Report

Upon a motion by Mr. Deegan, seconded by Mr. Travaglione, to approve Secretary's Report of 2/18/2020 in the amount of \$000.00.

Roll Call Vote: Mr. Deegan, yes; Mr. Dougherty, yes; Mr. Melleady, yes; Mr. Rohrer, yes; Mr. Kelly, yes; Mr. Constantine, yes; Mr. Travaglione, yes; Mr. Petsch, yes. Motion passed.

Approve Resolutions:

Upon a motion by Mr. Travaglione, seconded by Mr. Constantine, to approve the following Resolutions for Richmond American Homes: **PB19-4** B904 L13 & **PB19-5** B903 L12 each Minor Subdivision to create one new lot for storm-water basin.

SP19-3 Amended Paul Cuccinello/Pinnacle Paint Ball Amended Site Plan Delsea Drive B5006 Lot 1 & several others

Mr. Borelli states public notice papers are in order. **Mr. Borelli** gives brief history of application: In June of 2018 Pinnacle Paint Ball was approved with one 36 x 80 building, play areas and parking with no other structures. Later the applicant started to build other structures and the challenged was that he used shipping containers. The shipping containers raised concerns of all Engineers, professionals and Board members who had significant concerns that applicant would have to come back to the Board for testimony and approval.

Dave Patterson, Attorney of Maressa – Patterson of Berlin, NJ states he represents Paul Cuccinello of Pinnacle Paint Ball and would like the following witnesses sworn in: Paul Cuccinello, Jr., John Peterson, Architect and Neil Ambrose, Structural Engineer.

Mr. Borelli swears in Paul Cuccinello, Jr., Owner/Applicant of Pinnacle Paint Ball, John Peterson, Architect and Neil Ambrose, Structural Engineer and Steve Filippone, PE of EDA. Board members accept Mr. Peterson, Mr. Filippone and Mr. Ambrose as expert witnesses.

Mr. Patterson states that application with Paul Cuccinello first consisted of several blocks and lots, which have been processed with an all-inclusive deed, Planning Board initially approved as Preliminary/Final Site Plan. Mr. Patterson states Mr. Cuccinello proposes to get approval of castle which is constructed of 19 containers, all welded together with flags.

Paul Cuccinello, Jr. is applicant and owner and states that the Planning Board previously approved Preliminary and Final Site Plan, which consisted of several blocks and lots which now are all included in deed form. Mr. Cuccinello states they are now amending the previous approval to include castle structure made of shipping containers. (Microphones were garbled, then outburst of inappropriate language.) **Dave Patterson** interjects that meeting will not continue with language. Mr. Cuccinello continues, the castle is the

main attraction of the park and will fit this facility. Microphone difficulties and suggestions were made if on computer to mute their microphones.

Mr. Kelly asked if castle was important why wasn't it on original application/plan? **Mr. Cuccinello** states he didn't know it had to be on plan.

There may be liability with litigation concerns.

Steve Filippone, PE, PP, CME, Principal of EDA is sworn and states that he drew plan and put up plan on screen and showed changes with area in netted area and another reason why we are before the Board that the billboard will be removed and ID sign will go back to other side of driveway. Structure has not changed in size but by septic, there are 4 port-o-johns and 4 port-o-johns for players and referees and conforms to septic system. With approval if conditions of approval will clean up septic approval for consistency that is the basic overview of structures.

Mr. Cuccinello states that tower to top is 28' but it is not for use, just show, walls are bridges and stairs. **Mr. Cuccinello** states shipping containers replicate video game, they are 9' high and they are closed no one is going inside or on top of. A couple of containers are stacked for show. Castle color is gray and shipping containers will be aqua blue with his logo on that. **Mr. Petsch** states all containers will be painted like that so they do not look like what they presently look like.

Mr. Patterson states nothing changed, architectural plans were submitted, taxes were paid, they have Engineers previous report showing NJDEP and Environmental and would open to the Board for testimony.

Mr. Borelli asks who is building the castle. **Mr. Cuccinello** states he is the General Contractor and had DA Mitchell for welding stairs and they have done similar projects but not this big. **Mr. Borelli** asks if **Mr. Cuccinello** if he understood the conditions of approval. **Mr. Cuccinello** states yes.

Ed Darmiento, PE, of CME Associates is sworn and asked if they filed for Construction. **Mr. Cuccinello** states yes with Rich Saunders and further states as of today he has Rich's blessing.

John Peterson, Architect gives his background for the record and the Board accepts him as expert witness. No questions on access to the Board. **Mr. Petsch** states **Mr. Cuccinello** was cited for no construction permits, we looked at architectural as Paul mentioned that Rich Saunders, Construction Official brought down DCA with standards local and DVA B Building Criteria. BB Building with wood and structural Steel excessive; City Hall is a B Use Building. It is a 2-story structure code for safety.

Mr. Borelli asks if **Mr. Peterson** has every done this type of work. **Mr. Peterson** states that not shipping containers and together with **Mr. Ambrose**, he is comfortable with **Mr. Cuccinello** and safety. **Mr. Peterson** is only concerned with castle with occupants but no closed containers with no occupants, the building code is quite big. The structure is stable, it is good. Meets classifications as buildings, may look different, but meets building code.

Mr. Petsch asked will there be handicap individuals on the 1st floor. **Mr. Peterson** states that building will be handicapped accessible and stairs will be commercial grade.

Neil Ambrose, PE provides the Board with his background and the Board accepts him as an expert witness. **Mr. Ambrose** performed his initial inspection on rust on new weld as per code, calculation qualification on steel elements. As structural engineer he is satisfied that this all meets the code qualifications. **Mr. Borelli** asks **Mr. Ambrose** what standard and Code is followed along with Construction Code. **Mr. Ambrose** states it is IBC and 8462 Structural building for containers are inspected by welds AISC Codes. **Mr. Borelli** asked if he looked at wind loads, live load and dead load large surface. **Mr. Ambrose** looked at all containers and all welds and had no problem. **Mr. Petsch** states with IBC code is not clear as there are none in NJ and asks if he will provide codes to our Construction Official as DCA was unclear. **Mr. Ambrose** states he would and further states that it will be safe for end user. **Mr. Cuccinello** states we are all on the same page with Rich Saunders, Construction Official.

Ed D'Armiento, PE of CME asks if permit is in hand. **Mr. Cuccinello** understands it was done backwards and is working with Construction to get the approval permit.

Mr. Dougherty asks about landscaping along frontage to Mr. Filippone. Mr. Filippone states shade trees in parking area with plantings around sign thorn-less honey gum and willow oak around native plants. Mr. D'Armiento states we have not looked at plantings. Mr. D'Armiento asks who will remove billboard. Mr. Cuccinello states Clear Channel is taking sign down when lease expires in January. Mr. D'Armiento states ID sign was relocated back to original location. Discussion ensues over septic, port-o-johns for players and referees, 3-4 employees in building, sea boxes were listed as condition of approval and grading/drainage plans.

Upon a motion by Mr. Dougherty, seconded by Mr. Kelly, all in favor, to open public portion. Motion passed.

Mrs. Freijomil states that there is someone with their hand raised.

Mrs. Summers of 433 Marshall Mill Road is aware of height of tower and sea containers, but asks if there will be lighting on the castle building at night. **Mr. Filippone** states he designed lighting through the parking lot only, no lighting through playing field, lights are all down lights. With daytime play, no need for lights on play area. **Mr. Deegan** asks will castle be lit in evening. **Mr. Cuccinello** state there will be no lighting on castle, just in parking area. **Mrs. Summers** thanks the Board.

Matthew Moss of 915 Morningside Drive asks if there will be a pro-shop and if so shop hours. **Mr. Borelli** states retail will only be open no later than 8PM.

Mrs. Freijomil states asks if there was anyone else who wished to be heard, there are no other people to be heard.

Mr. Borelli states there is no smoking, no designated area. **Mr. Cuccinello** concurs, no smoking as netting could be easily burned at other parks, that could be part of Resolution. **Mr. Cuccinello** states Clear Channel will be responsible to remove billboard when the lease runs out.

Mrs. Freijomil sees another hand up.

Cindy Merckx of The Sentinel is sworn and asks how many people will be allowed in containers at a time. Mr. Peterson states the B use occupancy is based on square footage with code plant, it is state that a number of occupants on first floor is 19 occupants and second floor is 28 occupants. **Mrs. Merckx** asks if there is one way up and one way down. **Mr. Peterson** states there are 2 stairs which could hold over 50 people and all this will be inspected by Fire Marshall. **Mrs. Merckx** asks Mr. Petsch if he will personally check on this and he confirmed. **Mrs. Merckx** thanked Mr. Petsch.

Mr. Peterson states there is natural ventilation and lighting in sea containers.

Mrs. Freijomil checked all attendees again if they wished to be heard and they answered in the negative.

Upon a motion by Mr. Dougherty, seconded by Mr. Kelly, all in favor, to open public portion. Motion passed.

Recap: there are no new variances, billboard is to be removed, ID sign is to be removed, stone parking instead of grass. **Mr. D'Armiento** has no objection to stone or grass, maintenance of grass with possibility of stone.

Upon a motion by Mr. Deegan, seconded by Mr. Melleady, to approve Amended Site Plan with all comments, moving ID sign, removal of billboard, and all conditions of July 18, Engineer report, and inclusive of first Site Plan approval.

Roll Call Vote: Mr. Deegan, yes; Mr. Dougherty, yes; Mr. Melleady, yes; Mr. Rohrer, yes; Mr. Kelly, yes; Mr. Constantine, yes; Mr. Handy, not seated; Mr. Travaglione, yes; Mr. Petsch, yes. 8:42PM

Mr. Patterson thanks the Board. Mr. Petsch congratulates Mr. Cuccinello. Mr. Cuccinello states they are 70% complete, and hopefully they will be completed by end of summer.

Open Public Portion

Upon a motion by Mr. Dougherty, seconded by Mr. Melleady, all in favor, to open public portion. Motion passed. No one for question or comment.

Upon a motion by Mr. Melleady, seconded by Mr. Kelly, all in favor, to close the public portion. Motion passed.

Correspondence all information only.

Closed Session, Not Required

Adjourn

Upon a motion by Mr. Melleady, seconded by Mr. Kelly, all in favor, to adjourn the meeting at 8:46 PM.

Sincerely,

E. Lynne Rafuse, Secretary
Planning Board, Township of Franklin