

# BOROUGH OF FRENCHTOWN

*Mayor*  
Brad Myhre

*Incorporated April 4, 1867*

*Municipal Clerk*  
Brenda S. Shepherd, RMC

29 Second Street  
Frenchtown, NJ 08825

October 2, 2024

Beth Danese

<opra+request-67349-0d756ce2@requests.opramachine.com>

Re: Open Public Records Request

Dear Ms. Danese:

I, as the Custodian of Records for the Borough of Frenchtown, received your Open Public Records Act request on October 1, 2024. Accordingly, the seven (7) business day deadline to respond to your request is Thursday, October 10, 2024. This response is being provided to you on the first business day after my receipt of the request.

Your request seeks the following:

All records or files that you have regarding the subdivision at River Mills - most importantly the information regarding the remaining buildings to be built, where they stand in the approval process, what plans have been submitted, and where the borough stands (or what they require) to grant final approval.

In response to your request, the purpose of the Open Public Records Act is to seek identifiable government records. The records must be identified and not simply a request for "any and all records or files". This request is denied because it requires that the Custodian of Records conduct research for responsive government records as opposed to conducting a search for a specific government record.

Additionally, requesting "required information" requires research as opposed to a search for an identifiable government record. While there may be "information" in a government record, OPRA is not a vehicle to ask open-ended questions. This request is also denied.

Upon request, the Borough of Frenchtown Planning Board file for the River Mills development will be made available for your review.

The Custodian of Records desires to cooperate and requests that you provide specific information which identifies the record sought to allow for a search as opposed to research. In essence, the government record should be identified by sender, recipient and type.

Additionally, in the spirit of cooperation, the following information is provided: the Borough is waiting to finalize the Fifth Amendment to the Developer's Agreement before authorizing the issuance of any pending or further Zoning and Construction Permits. Unless the property owner/developer of the remainder of the lots at River Mills makes changes to the site plan approved by the Planning Board, the property owner/developer does not have to return to the Planning Board and may proceed to obtain Permits. However, changes to the site plan approved by the Planning

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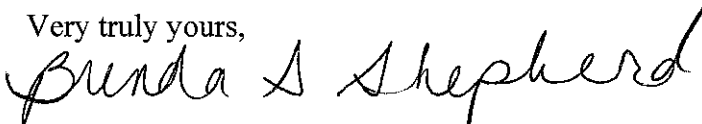
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Board will require that the property owner/developer return to the Planning Board for amended site plan approval. Further, the developer has to conform with any New Jersey Department of Community Affairs rules, regulations and Orders.

This information is a summary, is being provided as an accommodation, and is not to be relied upon by the requestor because it goes beyond the scope of OPRA. This response does not represent any opinion and is not a substitute for the requestor performing independent due diligence and reaching its own conclusions.

Very truly yours,



Brenda S. Shepherd, Records Custodian  
Borough of Frenchtown