

Franklin Borough Planning Board
Meeting Minutes for
March 16, 2009

The meeting was called to order at 7:35 PM by the Chairman, Mr. John Cholminski, who then led the assembly in the flag salute.

Mr. Cholminski read the Statement of Compliance pursuant to the "Open Public Meetings Act, Chapter 231, PL 1975."

ROLL CALL OF MEMBERS PRESENT: Mr. Lermond, Mr. Zschack,
Mr. Oleksy,
Mr. Maugeri, Mr. Cholminski

ABSENT: Mr. Christiano, Mr. Suckey,
Mayor Crowley (Arrive at 7:51)

ALSO PRESENT: Mr. Thomas G. Knutelsky, P.E.
Mr. Ken Nelson, P.P.
Mr. James Kilduff, Director

Mr. Cholminski said, for the record, we have five (members) so we do have a quorum. Mr. Cholminski said anyone from the public here for application PB-12-08-1 Braen Aggregates, at the request of the applicant this will be postponed until next month, with proper notification they will be heard. Mr. Cholminski said that is at their request.

APPROVAL OF MINUTES:

Mr. Zschack made a motion to approve the **Franklin Borough Planning Board Workshop Meeting Minutes for February 11, 2009**. Seconded by Mr. Maugeri.

Upon Roll Call Vote:

AYES: Lermond, Zschack, Oleksy, Maugeri

NAYS: None ABSTENTIONS: None

(Motion Approved)

Mr. Maugeri made a motion to approve the **Franklin Borough Planning Board Meeting Minutes for February 17, 2009**. Seconded by Mr. Zschack.

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Mr. Lermond questioned page 8, the second paragraph from the bottom. After the discussion it was decided by Board members to remove the sentence "Mr. Knutelsky said you are right."

Upon Roll Call Vote:

AYES: Lermond, Zschack, Oleksy, Maugeri

NAYS: None ABSTENTIONS: None

(Motion Approved)

APPROVAL OF RESOLUTIONS:

There were no resolutions to approve.

APPLICATIONS FOR COMPLETENESS:

There were no applications for completeness.

ADJOURNED CASES:

PB-10-08-1a Wal-Mart, Amended Preliminary and Final Site Plan, "C" Variances, Block 70 Lots 1.01 and 1.04.

Mr. Cholminski said Wal-Mart has requested to carry until the next meeting.

Mr. Maugeri made a motion to carry until the next Planning Board meeting of April 20, 2009, application **PB-10-08-1a Wal-Mart, Amended Preliminary and Final Site Plan, "C" Variances, Block 70 Lots 1.01 and 1.04.** Seconded by Mr. Zschack.

Upon Roll Call Vote:

AYES: Lermond, Zschack, Oleksy, Maugeri, Cholminski

NAYS: None ABSTENTIONS: None

(Motion Approved)

APPLICATIONS TO BE HEARD:

PB-12-08-1 Braen Aggregates, Preliminary and Final Site Plan/Restoration Plan, Block 64 Lots 53, 56, 49.01 and 49.04.

The Applicant requested to carry until next month.

OTHER BUSINESS:

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Master Plan Re-examination

Board members received draft #1 of the Master Plan Re-examination report, memo dated 03-16-09 from Ken Nelson and Proposed Franklin Vision Statement.

Mr. Nelson referred to his draft of the Master Plan Re-examination report.

Section two:

Mr. Nelson said how he organized it (section two) was according to the categories that were established in the Master Plan in connection with the goals and objectives. Mr. Nelson said the 2003 Plan has 8 separate categories which there are a number of goals and objectives. Mr. Nelson said he tried to summarize those the best he could under those same number of categories. Mr. Nelson said he brought in a number of things he identified or discovered in other parts of the Master Plan that talked about issues and concerns that were not specifically mentioned in the goals and objective section.

Section three:

Mr. Nelson said what he did in section three was to attempt to determine how those problems, issues, goals and objectives have either been addressed or not addressed. Mr. Nelson said how he did that was to organize it by the same eight categories he used in section two. Mr. Nelson said he wanted the Board to make sure they are comfortable with everything that is in section two and three. Mr. Nelson asked, if in section two, did he miss anything from back in 2003 and in section three did he miss anything in terms of how those issues and problems have been addressed or not addressed.

The Board went over each section and gave their comments. The Draft only had sections 1, 2 and 3.

Mr. Cholminski suggested that they go through the report section by section and get comments on each section from the Board members. Mr. Cholminski asked if anyone had comments on section one.

Mr. Nelson referred to section two, land use category. Mr. Nelson said a number of issues are Main St., promoting Smart Growth and rezoning of the Scott Road area.

Mayor Crowley arrived at 7:51PM.

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Mr. Cholminski named some of the major land use problems and issues. Mr. Cholminski said we had the 517 lawsuit, where the Board and the Master Plan was approved for low density residential that was changed to high density. That is a significant change to what the vision was. Mr. Nelson asked if that was an issue in 2003 or did that come after? Mr. Cholminski said it came after, we had a plan that took place in 2003; you say you want to identify the issues, problems, goals and objectives from 2003. Mr. Cholminski said he thinks we should go back and say why didn't the plan materialize and document what didn't go according to plan. Mr. Lermond said we will do that eventually. Mr. Kilduff said we have already amended the Master Plan, so the Master Plan we have now reflects the changes that brought about that MAAH Zone. Mr. Nelson said section four gets into what changes there have been in assumptions policies and basic issues affecting the Master Plan. Mr. Nelson said the Master Plan was adopted in 2003; it identified the Munsonhurst area for low density development then subsequent to that there was litigation. Mr. Nelson said in the memo he distributed tonight he mentioned the Munsonhurst District litigation. Mr. Cholminski said sections four and five are not here yet.

Mr. Nelson said in section three on page eight, second bullet point, a Main St. Revitalization Plan was adopted by the Planning Board in 2006. Mr. Nelson said the next bullet point says while the plan was adopted in 2006 there are still further efforts in connection with the Main Street Revitalization. The Board discussed what would be in the different sections of the Master Plan Re-examination report.

Mr. Nelson said tonight he came up with more of an elaborate vision statement than the 2003 plan contains but the way he did that was to build on the vision statement of the 2003 Master Plan expanding it a little but not really changing the thrust of it. Mr. Nelson said all he is looking for in the next week or so is to make sure he identified everything that needs to be identified.

The Board discussed section two and the Board members gave their comments on this section. The Board discussed and gave comments on Main Street, Zinc Mine Site, redevelopment, re-zoning of the hospital, the settlement agreements and a current zoning map. Mr. Kilduff explained to the Board the draft of the current zoning map done by Civil Solutions. There was a discussion on the zoning map, the rezoning of different properties and high and low density areas.

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Mr. Nelson asked if there were any comments on section three. Mr. Lermond referred to page eight. Mr. Lermond said we talked about a Main Street Revitalization Plan that was adopted but didn't go anywhere. Mr. Nelson said right. Mr. Lermond said you mentioned a few of those in a few places, would those be part of this re-examination report or referenced. Mr. Nelson said we can include it as an appendices. Mr. Kilduff said before the Board starts adding appendices, think about what you want to include. Mr. Kilduff said there are a couple of other elements that will be added into this Master Plan Re-examination. Mr. Kilduff said Mr. Nelson is working on a new Housing Plan Element that becomes part of this Master Plan Amendment. Mr. Kilduff said he received a draft copy of the Circulation Plan, the Corridor Study planning report; the DOT is going to have comments on that draft study soon, and he will share that with the professionals and the Board. Mr. Kilduff said that will hopefully be adopted by the Planning Board as an amendment to the Master Plan as the new Circulation Plan Element.

Mr. Lermond said we mentioned a lot about 517; we mentioned the quarry zone and the Hospital Zone. Do those fall into the land use section? Mr. Nelson said he mentioned the Quarry Zone at the end of the land use section, he can expand on that, and the hospital site, the Board actually approved a site plan for that. Mr. Lermond said under circulation you talk about the Group 5 application and the bypass road, is there any merit to add a traffic light on (Rt.) 23 by Weis. Mr. Kilduff said the resolution on Group 5 required that we work the corridor road into the Master Plan. Mr. Kilduff said as this project moves forward it is important that we stress the importance of the corridor road in our master planning for the town.

Visioning

Mr. Nelson said we are hoping to avoid having to go through the full visioning process for Plan Endorsement. Mr. Nelson said he is hoping (the Office of Smart Growth) will accept an expanded vision statement beyond what is in the 2003 Master Plan, (instead) of going through the whole process which is time consuming and expensive. Mr. Kilduff said that is basically like a new Master Plan with the meetings at the fire house. Mr. Kilduff said we passed out copies of the 2003 (vision statement); this expands on it.

Highlands Initial Assessment/ Plan Conformance: Buildout Analysis

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Mr. Knutelsky said in regards to Highlands Conformance, we are a planning municipality. Mr. Knutelsky said the preservation municipalities must be in conformance with the Highlands Regional Master Plan. Mr. Knutelsky said the planning municipalities have the option of being in conformance with that plan. Mr. Knutelsky explained the modules or tasks that the Highlands provided. Mr. Knutelsky said the Highlands did its best guessing at what was developable in the Borough. Mr. Knutelsky passed around a map that showed what is developable. Mr. Knutelsky explained the map and what was developable and what was not developable. Mr. Cholminski asked how slippery is the slope for this Highlands funded study. Mr. Knutelsky said during the council meeting the attorney, Mr. Ursin, said once you hit module 4 you are so far along with your Master Plan conforming to the Highlands Regional Master Plan that there is no stopping you. Mr. Knutelsky said up to module 3, is a feeler for the Borough, (to decide) do we really want to get into this process any further.

Mr. Cholminski asked is the intent of the Governing Board to truly evaluate the potential to join the Highlands Master Planning area. Mayor Crowley said the intent is to find out more and then make a decision. Mayor Crowley said as we get to module 3, we would have enough (information) to decide which way we have to go. Mayor Crowley said the Highlands people are not going to continue to give us money if there is no intention of at least considering going in with them. Mayor Crowley said if we get to module 3 or 4 and if it looks like we would be better off complying and becoming part of it, we may go forward. Mayor Crowley said if we are going to be made to come about their way of thinking in other areas of the state, in other words through their permitting process, we may be better off being a part of it. There was a discussion on whether to conform to the Highlands or not.

Sewer Service Area

Mr. Knutelsky referred to his report dated February 20, 2009. Mr. Knutelsky said basically what he presented to the Council, was map #3 that had a couple different tones and colors. Mr. Knutelsky said in his presentation to the Council he ended up doing one final map and it indicated to be the sewer service map last revised 02-20-09 and it just showed one color, green. It shows areas and lots in the Borough that we feel should be part of the sewer service area. Mr. Knutelsky passed around the

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map. Mr. Knutelsky said the difference between this map and the map that was presented during the workshop meeting had to do a lot with residential lots. Mr. Knutelsky explained to the Board this map. There was a discussion on the map, sewer service and septic systems. Mr. Kilduff said, to sum this up for the Board, you approved a map, we sent it to the Council, we had some changes that needed to be made, it was done at the council level, and that is the map you looked at tonight.

Mr. Knutelsky wanted to comment on Norge Building Supplies. Mr. Knutelsky said they went down to DEP and tried to talk some sense into DEP to allow us to have that parking lot built. Mr. Knutelsky said he received plans from the applicant revising that parking lot scheme to adapt to the DEP rules in the area. Mr. Knutelsky explained what they ended up doing as part of the revision. Mr. Knutelsky said he doesn't know how the Board feels if you would like to see a new plan brought before you when the applicant returns or an amended site plan that would require a new application. Mr. Knutelsky said they have to come back (to the Board) as a status to discuss the parking lot; maybe they can show how the parking lot could be built from what he was discussing so they can make their application to DEP. Mr. Cholminski said that would be fine. Mr. Kilduff said he had a few messages from Larry Rappaport the attorney for them. Mr. Kilduff said they went ahead and submitted to DEP. That is a problem they didn't wait for a response from us. Mr. Knutelsky said he realized that but the application to the DEP can be easily amended because they only submit three or four plans to DEP. Mr. Knutelsky said at this point he would like to see them amend it to the DEP as just a plan change and build it in a less conjoined area. There was a discussion on this. Mr. Knutelsky said Jim and I will do a conference call and get things ironed out.

PAYMENT OF BILLS:

Mr. Lermond made a motion to approve the **Franklin Borough Planning Board Escrow Report for March 16, 2009**. Seconded by Mr. Oleksy

Upon Roll Call Vote:

AYES: Lermond, Oleksy, Maugeri, Cholminski

NAYS: None ABSTENTIONS: Zschack, Crowley

(Motion Approved)

DISCUSSION:

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CORRESPONDENCE:

OPEN PUBLIC SESSION:

Mr. Zschack made a motion to Open to the Public. Seconded by Mr. Maugeri. All were in favor.

Betty Allen, Jenkins Road, Franklin, stepped forward. Mrs. Allen talked about the Main Street Committee. Mrs. Allen made comments on the Zinc Mine property. Mayor Crowley informed Mrs. Allen of issues with the Zinc Mine. Mrs. Allen commented on the railroad. Mayor Crowley informed Mrs. Allen of issues with transportation. Mrs. Allen told the Board clean up day was on April 18th.

Mr. Zschack made a motion to Close to the Public. Seconded by Mr. Oleksy . All were in favor.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:42PM on a motion by Mr. Lermond. Seconded by Mr. Maugeri. All were in favor.

Respectfully Submitted,

Robin Hough
Secretary