

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

The meeting was called to order at 7:32 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. Suckey, Mayor Crowley,
Mr. Maugeri, Mr. Cholminski (left at 8:22)

ABSENT: Mr. Christiano (Arrived at 7:34)

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

APPROVAL OF MINUTES:

Mr. Lermond made a motion to approve the **Franklin Borough Planning Board Meeting Minutes for August 17, 2009**. Seconded by Mr. Oleksy.

Upon Roll Call Vote:

AYES: Lermond, Zschack, Oleksy, Suckey, Crowley, Cholminski

NAYS: None ABSTENTIONS: None

(Motion Approved)

Mr. Christiano joined the meeting at 7:34. Mr. Cholminski said he was changing the order of the agenda.

APPLICATIONS FOR COMPLETENESS:

PB-08-09-1 MD-3 LLC Amended Preliminary and Final Site Plan, Block 28 Lots 4 & 11.

Mr. Laurence Rappaport, attorney for the applicant, stepped forward.

Mr. Knutelsky referred to his report dated September 14, 2009, checklist #19; the applicant has requested a waiver, to provide a scale greater than what is required.

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

Mr. Knutelsky recommended the waiver. Checklist item #23, location survey of all structures within 200 feet, has not been shown. Mr. Knutelsky said if the applicant would request a waiver he would recommend that the waiver be granted. Mr. Knutelsky referred to checklist item #43- 47 are for final site plan requirements only; he recommends a waiver be granted.

Mr. Knutelsky said he recommends a waiver for #19, #23 if requested by the applicant and #43 - #47. Mr. Cholminski asked if the applicant requested a waiver. Mr. Rappaport said the applicant requests the waiver.

Mr. Lermond made a motion to deem complete application **PB-08-09-1 MD-3 LLC Amended Preliminary and Final Site Plan, Block 28 Lots 4 & 11**. Seconded by Mayor Crowley.

Upon Roll Call Vote:

AYES: Christiano, Lermond, Zschack, Oleksy, Suckey, Crowley, Cholminski

NAYS: None ABSTENTIONS: None

(Motion Approved)

Mr. Knutelsky informed the Board the applicant spent time with himself, Mr. Kilduff and DEP with this parking lot revision.

APPROVAL OF RESOLUTIONS:

PB-07-09-2 Wal-Mart Real Estate Business Trust, Minor Subdivision, Lot Line Adjustment, Block 70 Lots 1.01 and 1.06.

Mr. Brady said there have been two modifications, page 2, the fourth "whereas" it says there was a meeting on August 21; in fact it was August 17. Mr. Brady said the second change is page 4 paragraph #9, Mr. Kilduff and Mr. Knutelsky looked at the original draft and now instead of it saying the applicant will identify which 5 maps will be included for filing. Mr. Brady said we revised it to say "the applicant shall submit the revised maps intended to be filed, to the Board Engineer for review and said maps to be filed shall be prepared in conformance to the Map Filing Law and shall contain all required certifications." Mr. Cholminski said he needs a motion with the changes.

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

Mayor Crowley made a motion to adopt the resolution for **PB-07-09-2 Wal-Mart Real Estate Business Trust, Minor Subdivision, Lot Line Adjustment, Block 70 Lots 1.01 and 1.06**. Seconded by Mr. Lermond.

Upon Roll Call Vote:

AYES: Christiano, Lermond, Zschack, Oleksy, Suckey, Crowley, Cholminski

NAYS: None ABSTENTIONS: None

(Motion Approved)

PB-07-09-1 GHB Tree Farm, Minor Subdivision, "C" Variance, Block 29 Lot 29.01.

Ms. Megan Ward, attorney for the applicant stepped forward. Ms. Ward said she didn't have the opportunity to see the resolution. Ms. Ward asked to look at it.

OTHER BUSINESS:

Mr. Cholminski said lets move onto 2010 meeting dates, professional evaluation forms and Master Plan Workshop Meeting. Mr. Kilduff said in the Boards packets were the meeting dates for 2010 and the reorganization date. Mr. Kilduff went over the dates for the regular meeting and the workshops. Mr. Kilduff said these dates will be formally adopted at the reorganization meeting for next year. Mr. Cholminski asked the Board if there were any objections to the dates. No one objected.

Mr. Kilduff said every year we fill out forms to evaluate our professionals; each year we look a little more in depth at one of the positions. Mr. Kilduff said this year is the year to look at the planner position in more detail. Mr. Kilduff said we will have to schedule a meeting with the subcommittee; he will have to talk to the Zoning Board and we will need a couple of volunteers to participate in that. Mr. Kilduff asked the Board members to return the forms at the next meeting which will be the workshop meeting. Mr. Cholminski said he will not be able to attend the workshop but he would like to be on the subcommittee. Mr. Christiano also volunteered for this committee.

Mr. Kilduff said we picked September 29 last month for a workshop meeting to complete our work on the Master Plan re-examination and hopefully, at the end of that meeting, schedule a public hearing.

APPROVAL OF RESOLUTIONS:

PB-07-09-1 GHB Tree Farm, Minor Subdivision, "C" Variance, Block 29 Lot 29.01.

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

Ms. Megan Ward, attorney for the applicant, stepped forward after reviewing the resolution. Ms. Ward said it looks fine and she has the original signed deeds from the property owner. Ms. Ward gave Mr. Brady these deeds.

Mr. Lermond made a motion to adopt the resolution for **PB-07-09-1 GHB Tree Farm, Minor Subdivision, "C" Variance, Block 29 Lot 29.01**. Seconded by Mr. Christiano.

Upon Roll Call Vote:

AYES: Christiano, Lermond, Oleksy, Suckey, Cholminski

NAYS: None ABSTENTIONS: None

(Motion Approved)

Mr. Cholminski asked the Board if it was OK to discuss the Master Plan before hearing Braen Aggregates. No one opposed.

DISCUSSION:

Master Plan Re-examination

Mr. Nelson handed out several maps to the Board. The maps showed the rail line, zinc mine property/ Main Street, environmental conditions, REC and a concept plan for the zinc mine (he thinks that was the most recent concept for the zinc mine).

Mr. Nelson said he was asked to look at the Main Street Revitalization plan and the Zinc Mine Property. Mr. Nelson said he looked at the environmental studies that have been done for the Zinc Mine. Mr. Nelson said there are still many things associated with Main Street that you can build on and there have been some positive things that have happened slowly. Mr. Nelson said when things happen slowly, frustration develops. Mr. Nelson said the Main Street plan hinges on two key things. Mr. Nelson said the first one is intensive redevelopment of the Zinc Mine property with the aim of bringing in a substantial number of new residents. Mr. Nelson said these residents were intended to be senior citizens. Mr. Nelson said the intention was to generate disposable income along this new residential development hoping that the expansion of the disposable income would find a way into new and existing businesses on Main Street.

Mr. Nelson said the second part is building on the mining history to attract visitors and tourists to the Main Street area with the hope that many will be spending

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

money. Mr. Nelson said those two things together are the primary foundation that the Main Street Revitalization plan was built on. Mr. Nelson said there is a problem with age restricted housing and if that market is going to rebound. Mr. Nelson gave some examples of age restricted housing.

Mr. Nelson said, in the lower portion of the zinc mine site, there are huge foundations, retaining walls and all kinds of site impediments. Mr. Nelson said his reading of the environmental studies is that there has been some cleanup already and some of those hot spots may not be all that difficult in cleaning up. Mr. Nelson said there are a number of areas that these consultants could not get to, so he is not sure how bad things really are there.

Mr. Nelson referred to his memo dated September 14, 2009, the section on recommendations for the zinc mine property. Mr. Nelson went through some of his recommendations in the report. Mr. Nelson said he is concerned that the plan that is in place now may not be fully implementable because of some of the changes that exist out there today.

Mr. Cholminski said he agrees that there are major changes from what we planned and worked on five years ago. Mr. Cholminski said the changes to the housing market for the senior's changes his whole outlook on that property. Mr. Nelson said, without that he doesn't think the mining history of the town is enough to bring Main Street back the way it has to be brought back. There was a discussion on the Main Street plan.

Mr. Kilduff said the Board did adopt it (The Main Street Plan) when the plan was completed two years ago but we did not make it part of the Master Plan. Mr. Cholminski questioned making it part of the Master Plan now. Mr. Nelson said right now the Master Plan does not have a plan for Main Street. Mr. Nelson said there are things that could be useful to this Board and the Board of Adjustment if it was part of the Master Plan. Mr. Lermond asked like what, the signage and circulation but not the residential. Mr. Nelson said you would have to put some language in there about density and the age restricted housing which is currently under review, you wouldn't be adopting as is. Mr. Nelson said it would be something of a hybrid approach.

Mr. Suckey said with the Main Street study it seems to be adequate at the present moment so we just have to look at a few areas of it. Mr. Suckey said he is in the

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

process of making up his report now. Mr. Cholminski asked if his report will come to this Board. Mr. Suckey said a copy will come to this Board. Mayor Crowley said it will come to the Mayor and Council and be shared with you (Planning Board). Mr. Cholminski asked what was the next step. Mayor Crowley said the Mayor and Council would decide if we recommend redevelopment, whether to go redevelopment or another direction. Mr. Suckey said rehabilitation would be up to the Mayor and Council. Mr. Cholminski said that is contrary to what he thought the subcommittee was established for.

Mayor Crowley said the lower portion of the mine area has such problems he doesn't see that it is economically feasible to clean it up unless, whoever pays for that clean up, is going to get a large payback. Mayor Crowley said what he doesn't understand is that the person who made the problem is supposed to clean it up, which is the New Jersey Zinc Company. Mayor Crowley said we are going to Mr. Patire the present owner and not going back further to the Zinc Company and ask why didn't you clean it up before you left, because the remnant of the mining area is really what the problem is. Mayor Crowley asked, is there a legal way to go back to them. Mr. Brady said that is a complicated question, maybe the Borough attorney would be the person to (ask). Mr. Brady said the question in his mind is does the Borough get to enforce that, Mr. Patire or whether the DEP gets to enforce that. There was a discussion on this property and who might be responsible for the clean up of the property.

Mr. Nelson said if the lower area is not developable then maybe you need to look at a more intensive use of the upper part of the property. Mr. Cholminski said you can't do it unless you know what the bottom line is on the bottom piece of the property. Mr. Cholminski gave his opinion on Mayor and Council and the redevelopment subcommittee.

Mr. Cholminski left the meeting at 8:22.

Vice-Chairman Kevin Lermond took over as Chairman.

Mr. Nelson referred to the map he handed out on the rail line. Mr. Nelson said he had a conversation with the transportation planner for Sussex County and he indicated that he did not believe there is not much of a chance this line in the long term future would be a passenger rail line. Mr. Nelson explained how the rail line goes through the County using the map. There was a discussion on a passenger rail service, land banking and shafts. Mr. Christiano said for the record he disagrees with

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

that transportation (planner) there is just too much going on nationally (with the) rail service. The Board continued to discuss the rail line and passenger service.

Mr. Kilduff said the Main Street Revitalization Plan was adopted by this Board in 2006; there was a discussion about putting it into the Master Plan. Mr. Kilduff said Mr. Nelson said if you do that he will have to write some language to reflect the changes that have occurred. Mr. Kilduff said the time line as far as the subcommittee is concerned they will be doing a report for the Mayor and Council and (for) the Planning Board to review. Mr. Kilduff said the next step would be if the recommendation is to look at redevelopment, would be to do a formal study to designate those areas that would be in need of redevelopment. Mr. Kilduff said we did this once before and the only area in need of redevelopment at that time was the Zinc Mine. Mr. Kilduff said if this study goes forward it may expand on that and include parts of Main Street, contaminated sites and other parts of the Borough. There was a discussion on the process of redevelopment.

Mr. Suckey made a motion to **open to the public** Master Plan reexamination. Seconded by Mr. Zschack. All were in favor.

Robert Allen, Franklin stepped forward. Mr. Allen addressed the Board about the Zinc Mine, Tymac, County Officials and Mary Emilius. Mr. Allen also talked about the rail service and for the Zinc Mine.

Anthony Patire, owner of the Zinctown property, stepped forward. Mr. Patire said he enjoyed Mr. Christiano's thoughts and perseverance on the railroad. Mr. Patire said he felt the same way. Mr. Patire asked about the viaduct and the plans. Mr. Patire said the viaduct came into play years ago. Mr. Patire asked if there was a way from the County to construct a road from that viaduct to Rte 23; he believes all the land is available along that railroad line to get to Rte 23. Mr. Patire said that road would change the whole town.

Betty Allen, Jenkins Road, Franklin, stepped forward. Mrs. Allen talked about a timber shaft and traffic. Mrs. Allen said we have water, sewer, natural gas and we have a tax rebate plan which she doesn't understand why we are not letting people know about it. Mrs. Allen talked about Sparta, tax ratable, activities in other towns, and the zinc mine. Mrs. Allen told the Board about vandalism that occurred.

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

Mr. Zschack made a motion to **close to the public** Master Plan reexamination. Seconded by Mayor Crowley. All were in favor.

The Board took a break at 8:54.

The Board reconvened at 9:05.

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.

Mr. Jerome Vogel, attorney for the applicant, stepped forward. Mr. Vogel gave a brief overview of the application. Mr. Vogel said one of the requirements (of the Quarry ordinance) was that a site plan be filed. Mr. Vogel said we have filed that site plan, with preliminary and final maps, environmental impact statement, a stormwater report, and we have file a Hydrogeologic Study with respect to the Wildcat Bog which is part of the property. Mr. Vogel said all of that is on file and has been reviewed by your two consultants. Mr. Vogel said there is a proposed new access road and to close off the old access road on Corkhill.

Mr. Robert Tessier, planner from Dykstra Associates, was sworn in at this time. Mr. Brady said Mr. Tessier has testified here before as a professional planner. Mr. Tessier showed the existing operation on an aerial photo. Mr. Brady said we need to mark this exhibit A-1. Mr. Tessier said (A-1) this is an aerial photo on the legend, dated June 16, 2007, photo taken by Robinson Aerial.

Mr. Tessier referred to an existing conditions map which was already submitted. Mr. Tessier explained the property. Mr. Tessier said the parcel is 186 acres; inside Franklin is 154 acres. Mr. Tessier said of that 154 acres, 110 are quarry zone; they took out the Wildcat Ravine and a portion of the Wildcat Bog. Mr. Tessier used the map to explain the layout of the property.

Mr. Tessier referred to the site plan sheet A-6 of 11. Mr. Tessier showed the location of the existing access and the new access using this sheet. Mr. Vogel said all of the setbacks in respect to the relocation of facilities and the roadway meet the requirements of the ordinance with reference to any existing homes. Mr. Tessier said there is a buffer of 150 feet around the property lines. Mr. Tessier showed a

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

proposed wetlands limit which was filed with the state. Mr. Tessier said they received the LOI back. Mr. Tessier showed the line on the map.

Mr. Vogel asked Mr. Tessier to identify for the neighbors where the access road will come out. Mr. Tessier showed on the map the access road, distances on both sides and how the traffic will go. Mr. Suckey asked Mr. Tessier to identify both properties on both sides of that new roadway. Mr. Tessier said the property on this side is part of the quarry and this lot 49.02 is the last home. Mr. Tessier said from the end of their property there maybe 200 feet to where that new access road (will be).

Mr. Nelson asked Mr. Tessier to describe the topographic conditions there. Mr. Nelson said the elevation of existing homes versus the elevation of the roadway as it comes through to the site. Mr. Tessier explained the topographic conditions using the map.

Mayor Crowley asked what the timeline was to opening the new roadway. Mr. Tessier said if you look at the environmental impact statement page 8, we have a quarry three year phasing plan. Mr. Tessier said in the second year we are talking about getting a more detailed site plan. Mr. Knutelsky said he knows that information was found in the EIS document, one of his comments was do you have any objections to breaking that out of the EIS and making it's own operation standard report for the quarry rather than have it buried in the EIS document. Mr. Knutelsky said when future inspections are done the engineer is going to want to have a plan and an operation's report. Mr. Vogel said there is no reason not to do it.

Mr. Knutelsky referred to his report dated September 17, 2009, section B, in regards to zoning. Mr. Knutelsky said item a and b both relate to accessory uses on site. Mr. Knutelsky said Mr. Tessier talked about the office trailer being relocated, the new drive and parking. Mr. Knutelsky said for the record the office trailer that is on site and currently used right now is going to remain in use until the new office trailer has been proposed or constructed. Mr. Knutelsky said then the existing office trailer will be abandoned as soon as the new office trailer is up and running. Mr. Tessier said we will give you the details, he thought that we were using it but when we met with Mr. Braen on the site he said we have to have that up until we have the new situation under control. Mr. Lermond said it is abandoned and then removed. Mr. Knutelsky said the bonding for reclamation would include the removal of structures because there are also foundations on site.

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

Mr. Knutelsky referred to his report item #C, bulk standards. Mr. Knutelsky said they meet the bulk standards on site until any of the structures go up. Mr. Knutelsky said in the dark gray area where the process will take place, that is well outside the 150 plus the maximum structure height, so we should be fine it is the processing that they are going to do in the future. Mr. Knutelsky referred to item # D; those additional site plans. Mr. Suckey asked Mr. Knutelsky to explain that (the structure height) again. Mr. Knutelsky said it is 150 foot setback plus the structure height, so what we have is 150 and he believes the maximum height in the zone. Mr. Knutelsky said what he is saying is the 150 plus the maximum height in that gray area is well outside that limit. Mr. Knutelsky said that future processing in that area (you) will come back (to the Board) as a separate site plan. Mr. Tessier said right. Mr. Knutelsky said if that processing area gets moved more the once the site plan would be amended every time the processing (is moved). Mr. Tessier showed where the applicant has a lot of work to do.

Mr. Knutelsky referred to item #D. Mr. Knutelsky said the initial site plan requirement the applicant was supposed to submit an initial site plan within six months with the establishment of the ordinance. Mr. Knutelsky said the ordinance was done in August, 2008, and the site plan was filed in December. Mr. Knutelsky said they meet the time frame but in regards to the initial site plan document the phasing plan detail of the document, he didn't pick that up in the plan. Mr. Knutelsky said he saw future phasing but not the phasing of the current operations that is going on now, should the expansion not occur. Mr. Knutelsky said he thinks that was the intent of this initial site plan, we wanted to see what was going on now and what was the expected growth there right now should the expansion not occur. Mr. Knutelsky said he didn't pick that up in the plans submitted so he is saying that is not included but since we are here and ready to move on doesn't mean the Board is still going to require it as a condition. Mr. Knutelsky said since it is in the zoning ordinance there is a variance required for relief if that is what the applicant wishes. Mr. Brady said his reaction was that it was a waiver because it wasn't controlling uses of structure but he would go back and look at that. Mr. Vogel said what ever pleases the Board, from his perspective if you ask for phasing we put a line on the drawing to say this is phase one, phase two and phase three. Mr. Vogel said we are telling you the first area would be the first phase but we are going to be working in the whole area. Mr. Brady said he thinks it is a waiver because it is a document. Mr. Lermond said we can't waive the present ordinance. Mr. Suckey said we established the ordinance; the idea was to find out where you were going and what you were doing at the site.

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

Mr. Vogel said suppose we give you a narrative that goes with that map that says we are working (here) we will describe the area, and you can have something to refer to that will relate to the map. Mr. Suckey said he thinks that was what they were looking for initially so we can go back to the maps and say this is what they're doing, it is complying, it is within the ordinance so we are fine. Mr. Knutelsky said a narrative would be helpful, make it small and put it right on the map. There was a discussion on the area they are working in. Mr. Tessier showed the area on the existing conditions map.

Scott Braen was sworn in at this time. Mr. Braen said he is the president and CFO of Braen Aggregates one of the companies that he owns. Mr. Braen said he has been quarrying full time for about 22 years; he owns three quarry operations. Mr. Braen said a lot of the material here that we mine is for color. Mr. Braen explained the different color stone and what that color is used for to the Board. Mr. Braen said we jump around for the color. Mr. Braen said the other reason we bounce around the site is we don't like to stay in one spot because we are blasting. Mr. Braen said we might be closer to neighbors in one area so we might blast over here one day and a week later go in a completely different area. Mr. Braen said we are using a lot of mobile equipment on tracks that moves around throughout the day.

Mr. Knutelsky said that makes the typical phasing plan difficult for this job. Mr. Knutelsky said that is why you have the existing area as phase one because you are jumping around based upon color. Mr. Braen explained how you jump back and forth on the location. Mr. Braen said sometimes we give people a line of disturbance, it is easier to monitor and we won't be in this area.

Mr. Knutelsky referred to item #E in his report, starting with number 3; the key map to meet the ordinance should be revised to a greater area. Mr. Knutelsky said the applicant is requesting a two year reclamation process; the ordinance favors a one year process. Mr. Knutelsky said he recommends the Board agree to that, two years seems to be appropriate. Mr. Suckey said we should check the ordinance just to make sure, if it is one (year) then we might have to change that to two (years). Mr. Suckey said we don't have the power to waive this. Mr. Tessier said we can change it to one year. Mr. Knutelsky read this section of the ordinance. Mr. Knutelsky said he thinks we are flexible to approve the two if we have to. Mr. Vogel said put in the resolution that we requested two years based on the advice of your consultant, it is an appropriate time frame. Mr. Knutelsky said the major work on the reclamation

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

plan is just to make sure we have the earthwork counts to support the topsoil in the area. Mr. Knutelsky said there is topsoil being removed so lets put that on the plan.

Mr. Knutelsky said the landscaping is for the Board planner to review and approve. Mr. Nelson asked about working in the south pond area or in the north pond area. Mr. Vogel said we will be working in the south area first but they could move into the north area. Mr. Vogel said you could run out of color in one spot and then have to go to another. Mr. Vogel said at some point they could be in both areas. There was a discussion on this. Mr. Knutelsky said the reclamation landscaping will be worked out with Ken (Board Planner) and the applicant.

Mr. Knutelsky referred to his report item F, operational standards that are listed in the ordinance; he would like to see as much text on the plan as possible. Mr. Knutelsky asked what are the dust control measures. There was a discussion on the dust control measures.

Mayor Crowley asked in the EIS it shows a water truck, where is the water coming from for this project. Mr. Braen said we take the water out of a settlement basin. Mayor Crowley asked if you are going to be connected to town water. Mr. Braen said maybe if we wanted to hook the office up but right now it is all portable. Mayor Crowley said there are no water and sewer connections.

Mr. Knutelsky referred to item# G in regards to a base line survey for adjacent properties, structures and wells. Mr. Knutelsky said he believes that the survey is going to be performed in the future. Mr. Knutelsky said he thought it was supposed to be performed as part of the initial site plan as well. Mr. Vogel said your ordinance says we have to offer it to people within 500 feet and we will do that. Mr. Suckey asked if there was a time plan for doing that. Mr. Vogel said we would implement it as part of the resolution of the site plan to require us to do it in a given period of time. Mr. Suckey asked what would be your given period of time from the time we approve the resolution. Mr. Vogel said in six months. Mr. Suckey said within 6 months of the resolution we should have the report. There was a discussion on the time.

Mr. Knutelsky referred to item #H, performance of guarantee reclamation due within 45 days of any approval granted. Mr. Knutelsky referred to J, K and L that is the annual report, aerial photograph and escrow found to be established and those are in the ordinance and should be made a condition of any approval.

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

Mr. Knutelsky referred to his report item #2, parking and circulation. Mr. Knutelsky said Mr. Tessier explained the new entrance to the site. Mr. Knutelsky said the current entrance is up near the residential area on Corkhill Road; it is moved easterly that offers better sight distance in both directions. Mr. Knutelsky said with trucks moving so fast on a straightway he would like to see some widening along there to benefit the operation maneuvers as well as public traveling along Corkhill. Mr. Knutelsky said they are recommending a minimum of 200 feet in both directions. Mr. Tessier said yes the engineer is recommending that. Mr. Braen asked why would you do that with no trucks that will make a right (turn). Mr. Knutelsky said it expands the intersection for trucks as that truck goes off to the side you will find someone that will want to go around them. Mr. Knutelsky said it benefits the area. There was a discussion on this.

Mr. Knutelsky referred to his report; parking and circulation, A and B are being worked on. Mr. Knutelsky asked how the 16 stall parking area, parking for a quarry, was derived at for the operation. Mr. Knutelsky said the plans should show striping and a stop bar at the stop signs. Mr. Knutelsky said the existing access drive will remain open until the new one is open, but then that one will be an emergency access. Mr. Knutelsky asked how is that going to be regulated. Mr. Tessier said when it is an emergency exit that gate will be locked.

Mr. Knutelsky said there is one sign for the application; it is 35 square foot and it is not illuminated. Mr. Tessier said correct. Mr. Knutelsky said you are getting a new trailer. Mr. Knutelsky asked if some of the existing utility patterns are going to remain on the site. Mr. Tessier said we are going to note that on the plan what will remain. Mr. Knutelsky asked about the stone crushing foundation will that be reused or removed. Mr. Tessier said leave it. Mr. Knutelsky said as part of the reclamation process we will get rid of them. Mr. Knutelsky said add dimensions to the office trailer. Mr. Tessier said we will give you details. Mr. Knutelsky asked about the handicap stall, will that be provided. Mr. Tessier said no.

Mr. Knutelsky referred to lighting and landscaping in his report. Mr. Knutelsky said because there is more than 10 stalls, then 15 percent of the parking lot should be landscaped along with two shade trees. Mr. Knutelsky said that you will work out with Mr. Nelson. Mr. Tessier explained some of the landscaping they would do. Mr. Knutelsky said there will be no lighting on site except for emergency lighting if that could be shown on the plans. Mr. Knutelsky said he is recommending a street light

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

added towards the intersection just to make it visible. There was a discussion on lighting.

Mr. Knutelsky referred to his report item #6 utilities. Mr. Knutelsky said the electric service was going to run along the road underground. Mr. Knutelsky said he doesn't think that is a necessity to have underground utilities. Mr. Lermond said we would have to see it when we see the plans. Mr. Christiano said given the nature of this site where the earth is constantly being moved I would go for above ground.

Mr. Knutelsky referred to item #8 in his report, construction details. Mr. Knutelsky said with the chain link fence, the fence around the outside, he is recommending that a bottom rail be used rather than a bottom wire for safety purposes. Mr. Knutelsky said for handicapped parking add sign details to the plans as part of construction details. There was a discussion on the fence.

Mr. Knutelsky said there was an LOI that was handed out. Mr. Tessier said it is the line shown on the plan; we have a letter verifying that. Mr. Tessier said when we do the plan we will reference the letter of interpretation. Mr. Tessier said on the revised plans they will also show the riparian buffer. Mr. Kilduff asked didn't the LOI change. Mr. Tessier showed on the map the line for the LOI. Mr. Kilduff said the reason he is asking is the map next to you, our unofficial zoning map, that irregular line is supposed to follow the LOI or what was anticipated. There was a discussion on this line. Mr. Knutelsky said to answer the question, that zone line shown there isn't reflective of the wetlands line. Mr. Knutelsky asked if the zone line could be shown on the site plan. Mr. Tessier said we can show it. Mr. Kilduff asked if we have a way to show the zone line as it will be adopted. Mr. Tessier said he can take the map from where that zone line was and put a note that we are putting this metes and bounds on it based upon a physical overlay of what the zone map is. There was a discussion on this.

Mr. Nelson said his report described the existing conditions. Mr. Nelson said the elevation for the two pond areas north and south, the elevation for the water surface, there is no elevation for the proposed quarry floor. Mr. Nelson said as he understands it, is it because you're not sure how deep you are going to end up. Mr. Nelson wanted to know if the Board had any questions on that.

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

Mr. Zschack made a motion to open to the public application **PB-12-08-1 Braen Aggregates, Preliminary and Final Site Plan/Restoration Plan, Block 64 Lots 53, 56, 49.01 and 49.04.** Seconded by Mr. Suckey. All were in favor.

Mr. Lermond said the meeting is open to the public on for the topics we discussed tonight.

No one from the public stepped forward.

Mr. Suckey made a motion to close to the public application **PB-12-08-1 Braen Aggregates, Preliminary and Final site Plan/Restoration Plan, Block 64 Lots 53, 56, 49.01 and 49.04.** Seconded by Mr. Zschack. All were in favor.

Mr. Kilduff said next month we will have two applications on so if you want to split the time or we can decide next month as we get closer to the meeting. Mr. Vogel said the Hydrogeological person they use is from Albany; if we bring him down he wants to make sure he has the opportunity to get him on. Mr. Kilduff said the October meeting is on October 19th at 7:30. Mr. Brady said there is no further notice we are going to October 19th.

OTHER BUSINESS:

PAYMENT OF BILLS:

Mr. Suckey made a motion to approve the **Franklin Borough Planning Board Escrow Report for September 21, 2009.** Seconded by Mr. Oleksy.

Upon Roll Call Vote:

AYES: Christiano, Lermond, Oleksy, Suckey, Maugeir

NAYS: None ABSTENTIONS: Zschack, Crowley

(Motion Approved)

OPEN PUBLIC SESSION:

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

No one from the public stepped forward.

Franklin Borough Planning Board
Meeting Minutes for
September 21, 2009

Mr. Suckey made a motion to Close to the Public. Seconded by Mr. Maugeri. All were in favor.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 10:36PM on a motion by Mr. Maugeri. Seconded by Mr. Suckey. All were in favor.

Respectfully Submitted,

Robin Hough
Secretary