

Franklin Borough Planning Board
Workshop
Meeting Minutes for
September 29, 2009

The meeting was called to order at 7:33 PM by the Vice-Chairman, Mr. Kevin Lermond, who then led the assembly in the flag salute.

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

ROLL CALL OF MEMBERS PRESENT: Mr. Christiano, Mr. Lermond, Mr. Zschack,
Mayor Crowley, Mr. Maugeri

ABSENT: Mr. Oleksy, Mr. Suckey, Mr. Cholminski

ALSO PRESENT: Mr. Ken Nelson, P.P.
Mr. James Kilduff, Director

Mayor Crowley said there was a luncheon in Newton today about planning things. Mayor Crowley asked for a report on that, he heard there were awards that were given out. Mr. Kilduff said the Sussex County Economic Development Partnership had their annual awards luncheon today and someone from Franklin got an award under the Municipal Category. Mr. Kilduff said Starbucks was also nominated but didn't get any award. Mr. Kilduff received the award under the Municipal Category.

DISCUSSION:

Master Plan Re-examination Report Draft #3

Mr. Lermond said we are here tonight to discuss the Master Plan re-examination report. Mr. Lermond said the ultimate goal is deciding if we are ready for a public hearing. Mr. Lermond said at a recent meeting we had a discussion about October 21 (for the public hearing date). Mr. Lermond said this is a workshop meeting; we can have discussion, consensus and open to the public. Mr. Lermond said in an email today we received a vision statement.

Mr. Lermond said we need to get a consensus on the changes that we previously looked at over the process of sections 1 through 4. Mr. Maugeri referred to draft 3 of the Master Plan re-examination report, on page 15 section 7, the Munsonhurst District Litigation and Settlement Agreement. Mr. Maugeri said the last item he (Mr. Nelson) has 2013 with a question mark. Mr. Maugeri said he thought we were

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committed through 2012. Mr. Lermond said it needs to be confirmed and the question mark needs to be taken out.

Mr. Nelson said after he went through sections one through four and made the changes that you see there he went through it again and picked up a few more things. Mr. Nelson said they are basically grammatical and updates in terms of time frames. Mr. Nelson said he would issue another copy with the track changes. Mr. Lermond said there will be one more meeting before the public meeting so if we get one more final track change (then) everyone can have one more look at it for the next meeting. Mr. Nelson said in terms of time table and legal requirements, if the hearing is on October 21, then there has to be hard copies available for the public to review 10 days before that. Mr. Nelson said if we come to a consensus about the changes he will issue a copy with the changes so you can see where those changes occur and he will issue a hard copy without the track changes for the public to review 10 days prior.

Mr. Zschack said he has a question on page 6, the fourth bullet down it talks about Main Street; it mentions an establishment of an Open Market Area. Mr. Zschack asked is that something that's talked about (or) not zoned that way. Mr. Nelson said this is under Major Land Use Problems, Issues, Goals and Objectives Identified in the last Master Plan. Mr. Lermond said if you look on page 5 this is a review. Mr. Lermond said this is setting the tone for what could be.

Mr. Nelson referred to page 14 item #3 in his report the last bullet point. Mr. Nelson said this is a new item that he included. Mr. Nelson said he thought it was appropriate to mention that there were some problem properties in the Borough; however, it was pointed out to him that maybe the word problem is not the best word. Mr. Nelson said he was going to replace "problem" with "underutilized properties". Mr. Nelson said the intent here was not to get involved with any specific properties. Mr. Nelson said this is just indicating that this is an issue and at some point in the future this Board may have to deal with this issue. Mr. Lermond said in addition to underutilize we may or may not want to rethink whether this is really related to zoning. Mr. Nelson said we will take out any reference to zoning because we really don't know what is causing these properties to be underutilized.

Mr. Lermond referred to page 11, paragraph 4, talks about the corridor study. Mr. Lermond said he gets confused (with) the Circulation Plan, Corridor Study, what we

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adopted and there is reference to a Circulation Plan on page 17. Mr. Nelson said that particular item identifies something that has occurred since the last Master Plan that will have an impact on the planning policies of the Borough. Mr. Nelson said that thing that has occurred is the Rte 23 Corridor Study. Mr. Nelson said what he did in section 5 is adopt the Corridor Study as the Borough's new Circulation Plan Element. Mr. Lermond said on page 17 it talks about a Circulation Plan we adopted last year. Mr. Kilduff said the name of the plan is the Transportation Vision Plan that is the plan we worked out; Mr. Nelson is calling it the Corridor Study which used to be the short name we called it. Mr. Maugeri said the Corridor Study is the correct name, that was what was in the original Master Plan and that is what he is referring to. Mr. Maugeri said you are talking about a study of the Rte 23 Corridor. Subsequent to the Master Plan we met with DOT and did the Transportation Vision Plan. Mayor Crowley said the original name was the Corridor Study, then the DOT renamed it and their actual report is Franklin Borough Transportation Vision Plan. The Board discussed the Transportation Vision Plan. Mr. Lermond asked if this had to be adopted because it is referenced on page 17. Mr. Nelson said that is a good point. Mr. Nelson said 10 days before the hearing the reexamine has to be available and the Transportation Vision Plan. Mr. Lermond said anything that gets referenced in here will have to be part of that.

Mr. Nelson referred to the Vision Statement. Mr. Nelson said it was prepared back in March; we had discussion about it, he thought we should give it one last review. Mr. Nelson said this will also be included in the Master Plan Amendment section right after the Circulation Plan. Mr. Nelson said that will be replacing the current vision statement in the 2003 Master Plan that is located on page 2 of that document. Mr. Nelson said if everyone is comfortable with that language it deals with the year 2030, he highlighted some major goals of the community with respect to land use planning. The Board had a discussion on the vision statement.

Mr. Lermond asked the Board if they were OK with the way it was. Mr. Lermond said one of the objectives of this overall process was also meeting the Office of Smart Growth guidelines. Mr. Kilduff said the Municipal Visioning Process is a big part of that Plan Endorsement process. Mr. Kilduff said he and Mr. Nelson were trying to ask for a waiver on that. Mr. Kilduff said we wanted to be able to ask the Office of Smart Growth for a waiver on that requirement because we have done so much visioning through our Transportation Vision Plan and now through this Master Plan Re-examination. Mr. Lermond said during the public meeting do we spotlight,

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highlight or draw some attention that we do have an amended Vision Statement so that it is on the record. Mr. Kilduff said at the public hearing we should set time for the vision statement and make sure the public is aware that this is the new statement. Mr. Lermond asked if everyone was OK with this Vision Statement. No one objected.

Mr. Nelson said under Master Plan Amendments we have the Circulation Plan Element, and the Vision Statement. Mr. Nelson said we were going to have other items under this category a Highlands Regional Master Plan element and also a Housing Plan and Fair Share Element amendment but both of those which are interconnected are not at a point where they can be included as a Master Plan Amendment. Mr. Nelson said those two items are going to be shifted to future planning efforts because they are really ongoing activities right now. Mr. Nelson said we are not sure right now if the Borough will continue with Plan Conformance or not with respect to the Highlands Master Plan. Mr. Nelson said the Housing Plan and Fair Share Plan, the deadline for submitting the revised plan to COAH was extended from December 2009 to June of 2010.

Mr. Maugeri referred to page 18 third paragraph down towards the end. Mr. Maugeri read the sentence. Mr. Maugeri said he thought that 23 was left out on the Rte. Mr. Maugeri said it actually is the second full paragraph. Mr. Maugeri read the paragraph above that. Mr. Maugeri questioned the last sentence in that paragraph, "Route 23 is the most heavily traveled road in the Borough and on an average day carries 20,000 to 25,000 vehicles." Mr. Maugeri asked if that was correct. Mr. Nelson said he will double check that.

Mr. Lermond referred to page 16, of draft #3 of the Master Plan reexamination report. Mr. Lermond said some of this seemed liked notes to the Board when we were writing the outline or sketch of what we were undertaking as a process. Mr. Lermond said he wasn't sure if all this flowed with the final outcome of the report. Mr. Nelson said he thinks it does.

Mr. Nelson referred to draft #3, of the Master Plan re-examination report, recommendations. Mr. Nelson said the main item under recommendations is the list of the zoning map changes and land development regulations. Mr. Nelson said the zoning map changes we have gone through in detail they are all there by lot and block. Mr. Nelson said this becomes the basis on which the Council will take action

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and make changes to the zoning map. Mr. Nelson questioned what do we do about a map that illustrates those changes. Mr. Nelson said we really don't need to have a map because we have identified the changes by block and lot; however, for informational purposes there probably should be a map included. Mr. Nelson said he thought you could take the zoning map and divide it up into sections and with each section being an 8 1/2 by 11 sheet which would fit into the document. Mr. Nelson said that is something that Mr. Knutelsky can do and be included as an appendix. There was a discussion on the zoning map and the zone map changes.

Mr. Lermond said on page #21 there is a reference to an appendix with a question mark concerning the maps. Mr. Lermond said if you need the appendix that is where you make the reference if you don't then that can come out.

Mr. Nelson said the other item under recommendations is after the list of zone map changes were a few minor changes to the land development regulations. Mr. Nelson said the Council can take action on several of these without further activity by the Board. Mr. Nelson said the one that will require additional work by this Board is the NC Zone, working out the actual requirements for that zone.

Mr. Nelson referred to page #24, other recommended changes. Mr. Nelson asked what do we do with the 2006 Main Street Revitalization study. Mr. Nelson prepared two alternatives for the Board based on the discussion at the September 21, 2009 meeting. Mr. Nelson said the first is to adopt the 2006 Main Street plan as part of the Master Plan which that would be the fourth item under Master Plan Amendments or we will simply reference in this section that the Main Street Plan was adopted by this Board but was not adopted as part of the Master Plan. Mr. Nelson said it contains a lot of information but needs substantial updating. Mr. Nelson gave pros and cons of both alternatives.

Mr. Lermond said we would adopt for the purpose of the public hearing either a or b on page 25 as our recommendation. The Board discussed items a and b on page 25, whether to adopt the Main Street Plan in the Master Plan or to reference it in the Master Plan. After a lengthy discussion the Board members agreed to include the Main Street Plan with paragraph A in the Master Plan. Mr. Lermond said we all agree that there is enough verbiage to satisfy everybody in paragraph A but do we need to highlight this topic further in future planning efforts. Mr. Nelson said he will add something specifically about updating the Main Street Plan.

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Mr. Lermond asked if there was any other discussion on section 5. Mr. Nelson referred to future planning efforts. Mr. Nelson said there were two items that we are dealing with; finalizing the new zoning map for adoption by the Borough Council and then moving ahead to specifics relative to the recommendations in section 5 B.

Mr. Lermond asked about home occupation. Mr. Nelson said there has been a request by a property owner in the Borough for this Board to reevaluate the restrictions with respect to home occupation. Mr. Nelson said we are not at a point where we can get into an involved discussion about that because it can get very complicated. Mr. Nelson said he was going to include on the list to reevaluate the home occupation requirements. Mr. Lermond said your recommendation is even though this topic hasn't been any part of our review of the re-examination to date, you would put in future planning efforts a bullet that it is something worthwhile in our future efforts. Mr. Nelson said it is not something that originated with him; he is passing this on from a property owner. Mr. Lermond asked is it worth putting it in here. Mr. Maugeri said he never remembered that coming up at any of our meetings. Mr. Christiano said last time this has come up is the last time we did the Master Plan.

Mr. Kilduff said he was approached by Ms. Gardell about home occupation ordinance. Mr. Kilduff said she did a lot of work on this and gave him some recommendations that he passed along to our planner. Mr. Kilduff said at the last meeting Mr. Nelson mentioned that he had received these (and he) would review them and speak to us about them at this meeting. Mr. Kilduff said we do have in the ordinance provisions for home based occupation however, there are restrictions on it. Mr. Kilduff gave some examples of the restrictions. Mr. Maugeri said he is not in favor of putting into the Master Plan right now until the whole Board is here. Mr. Nelson said he isn't prepared to offer any specific recommendations; all he was suggesting is that he includes it on the list of future planning efforts. Mr. Nelson said the reason for doing that is if it is not included in the reexamination report in some fashion and at some later date you get involved in preparing an ordinance amendment for the Council he believes it triggers some notification problems that get very expensive for the Borough. Mr. Nelson said maybe discuss this at the public hearing. Mr. Kilduff said he told Ms. Gardell that she can come to any Planning Board meeting; she was here at the last meeting. Mr. Kilduff told her there were a lot of other things on the agenda. Mr. Kilduff said she didn't get to speak at that

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meeting. Mr. Maugeri said he is not sure of all the issues to put it in tonight. Mr. Lermond said Mr. Nelson's point was we add it to the bullet as possible future planning effort. Mr. Lermond said we can add that at the next meeting or the public meeting.

Mr. Kilduff said he wants the Board to be aware of how the Master Plan is growing. Mr. Kilduff said right now we have the 2003 Master Plan. At the end of the process our Master Plan will consist of the 2003 Master Plan, the 2009 Master Plan Re-examination because now they are tied together. Mr. Kilduff said the amendments to the Master Plan which will be the Housing Element, Quarry Zone amendment, Munsonhurst District Amendment, Circulation Plan Element which is the Transportation Vision Plan, Vision Statement and Main Street Revitalization. There was a discussion of putting these documents on discs.

Mr. Lermond said the purpose of the meeting was to decide if this document was ready to go but before we do that open to the public to see if there are any comments then make a decision can we go to a public meeting.

OPEN PUBLIC SESSION:

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

Tony Patire, owner of Zinc Town properties, stepped forward. Mr. Patire said today he spoke to the County Engineer in reference to the viaduct project over the Susquehanna Railroad. Mr. Patire said he was told that construction was probably two years away before the ground was broke around there. Mr. Patire said he mentioned to him the possibility of a roadway from that location to Rte 23 and he indicated that any kind of vision of that would have to come from the town to the County. There was a discussion on this roadway.

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

Mr. Lermond said we need to discuss if we are ready. Mr. Maugeri said based on our conversation tonight we are ready to put this to print. Mr. Kilduff said we selected October 21st as our public hearing date. Mr. Kilduff asked if we are going to supply a blue line copy to the Board or just take these changes and incorporate them. Mr.

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Nelson said he would do another (copy with) track changes. The Board had a discussion.

Mr. Kilduff said in advance of October 21 we need to get a final draft that will be available for public inspection and that won't show any changes. Mayor Crowley said the final meeting is the public meeting and the finalization on (October) 21st. Mr. Kilduff said 10 day's prior to that meeting we have to have available for public inspection the actual draft. Mr. Lermond said if something came up on the 19th we would discuss it on the 21st. Mr. Kilduff said (October) 21st is the public's chance to have input and it is the Board's final look at it. Mr. Kilduff asked Mr. Nelson what would happen if there were a lot of changes. Mr. Nelson said he would (have) to talk to Mr. Brady. Mr. Nelson said you could reach a point where there are so many changes that they make you notice again, but that would be his (Mr. Brady's) call. Mr. Maugeri said we run that risk no matter what. Mr. Lermond said he heard we are ready. Board members agreed. Mr. Kilduff said we will have a regular meeting on October 19th; we can put discussion of the Master Plan on that (agenda). Mr. Kilduff said on October 21st we will have our public hearing; there will be an advertisement in the paper and we have to notice adjacent municipalities. Mr. Kilduff said we will have public copies available of the final draft.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:06 PM on a motion by Mayor Crowley. Seconded by Mr. Zschack. All were in favor.

Respectfully Submitted,

Robin Hough
Secretary