

**Franklin Borough Planning Board**  
**Workshop**  
**Meeting Minutes for**  
**February 11, 2009**

The meeting was called to order at 7:30 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. Lermond, Mr. Zschack,  
Mr. Oleksy, Mr. Suckey, Mayor Crowley,  
Mr. Maugeri,

ABSENT: Mr. Cholminski, Mr. Christiano (Arrived 7:48)

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

Mr. Lermond said also invited to the meeting tonight was the Plan Endorsement Advisory Committee, some of the (Planning Board) members are on that committee, and Paul Nilon is also on that committee. Mr. Nilon was present at the workshop. Mr. Lermond informed the public that there will be no formal action tonight and the discussion is around kicking off the Master Plan Re-examination process.

**DISCUSSION:**

Mr. Nelson referred to his report dated February 2, 2009. Mr. Nelson said this report conveys how the Highlands issue as well as the Plan Endorsement process relates to the State development and redevelopment, and proposed changes to the sewer service area in Franklin are all tied together with the re-examination report. Mr. Nelson said over the next couple of months we will be dealing with the re-examination report, but also with Highlands, Plan Endorsement process, sewer service area, COAH and the Housing Plan.

Mr. Nelson said we have to determine whether or not we want to bring Franklin's Planning polices into conformance with the Highlands Master Plan. Mr. Nelson said we will go from sewer service area issue to the Highlands mapping issue and then into the re-examination report. Mr. Nelson referred to his report dated February 9,

**Franklin Borough Planning Board**  
**Workshop**  
**Meeting Minutes for**  
**February 11, 2009**

2009. Mr. Nelson said he tried to outline agenda topics for the next several months. Mr. Nelson said there are meetings scheduled into July; at these meetings we will be dealing with issues related to the re-examination report, Highlands, and Plan Conformance. Mr. Nelson said he will outline what we will be discussing at these meeting. Mr. Nelson said we will continue next week with items we have on the agenda tonight. Mr. Nelson said we will be trying to get the re-examination report done by July. Mr. Nelson said he distributed tonight a handout titled Plan Endorsement Community Visioning Standards that comes from the Office of Smart Growth and is part of the Plan Endorsement process. Mr. Nelson said the office of Smart Growth wants each municipality to do a visioning session. Mr. Nelson said this describes what is suppose to be involved in that.

Mr. Nelson said the other thing he distributed is a Form-Based Code. Mr. Nelson said that is a way of regulating land use that is a growing trend throughout the country; it focuses on the actual form of buildings, how buildings look and the shapes. Mr. Nelson said he wants to touch on this during the re-examination process.

**Sewer Service Area**

Mr. Knutelsky referred to the sewer service area map he handed out (three maps stapled together). Mr. Knutelsky said the first map has a light blue color on it; this represents the proposed County/Municipal sewer service area that was initially submitted to DEP to represent the Borough's needs in regards to sewer. Mr. Knutelsky said this map represents the sewer service area that you might see in our Master Plan with properties due to environmental constraints and farm lands that are not currently sewered.

Mr. Knutelsky referred to the second map of the hand out. Mr. Knutelsky said this is DEP review of that first map, with areas that they (DEP) believe to be part of the sewer service area. Mr. Knutelsky said you can see there is a core sewer service area but much of the properties are fragmented. Mr. Knutelsky said a lot of the properties are divided so that the entire parcel is not included, you know some of the approvals and projects we've had, some of those properties have been taken out. Mr. Knutelsky said the green on that map is what DEP would initially allow as our (the Borough) sewer service area. Mr. Knutelsky said this map came back in December 18, 2008, with correspondence they submitted back to the County. Mr.

**Franklin Borough Planning Board**  
**Workshop**  
**Meeting Minutes for**  
**February 11, 2009**

Knutelsky said the County then requested that we (Harold E. Pellow and Associates) look at this map to see if there are any projects or certain properties that might be revised on the map and to send the list back.

Mr. Knutelsky said the third map shows those areas of green originally included, it shows areas of dark blue the we have requested to be added back into the plan. Mr. Knutelsky said those darker blue areas represent certain properties where approvals have taken place through the planning process, through Planning and Zoning Board applications to the Borough, as well as other properties especially along Munsonhurst Road. Mr. Knutelsky said there are also properties that were presented to be taken out of the sewer service area, such as the quarry property and the open space property at the end of Munsonhurst Road. Mr. Knutelsky said when he refers to our recommendation (that includes) Jim, Ken, himself and Brian Vandebroek from sewer and water. They meet and decided what properties would be viable to add into the sewer service area. Mr. Knutelsky said we are not trying to create policy in the Borough, this was based on their best efforts to actually represent what sewer availability should be in the Borough. Mr. Kilduff said the first choice would be to have all of the Borough included in the sewer service area. Mr. Kilduff said many years ago DEP started chipping away at the sewer service area and the Borough gave up sewer service area in the south part of town. Mr. Kilduff said if we go back and tell them we want everything back in the sewer service area we are not going to get anywhere. Mr. Kilduff said we need to do some planning and look at properties realistically as to their development potential and make those kinds of calls, if it is not practical to have it in the sewer service area or to take it out. Mr. Kilduff said we don't want to be the responsible party for doing this so I'm informing the Board of all these issues.

Mr. Knutelsky referred to the second map. Mr. Knutelsky said the reason why it was (dwindled) down is directly related to the Highlands. Mr. Knutelsky said because we are in the Highlands Planning area, they looked at the overlays in the planning areas, conservation zone and environmentally constrained areas. They (DEP) decided it would not be feasible to be developed. Mr. Knutelsky said if you look between Hemlock and Jenkins Road all the properties are not included only portions of the properties because of the steep slope in between so DEP said not to include those. Mr. Knutelsky said going down to where the Nardella pieces are along (Rte) 23, Weis Market and the Golf Course, the actual Weis and Golf Course club house are fragmented out of the entire lot and Nardella pieces aren't even included. Mr.

**Franklin Borough Planning Board**  
**Workshop**  
**Meeting Minutes for**  
**February 11, 2009**

Knutelsky said we felt those lots should be in for a commercial standpoint. Residential is different, there is already a house there you are not going to develop a backyard.

Mr. Lermond said let the record show that John Christiano has joined (the meeting).

Mr. Knutelsky referred to the third map. Mr. Knutelsky said the yellow are areas the County had originally included that we were recommending to be removed from the sewer service area, the green is what the DEP had proposed, the light blue is what the County had proposed and we are saying should still be added in. Mr. Knutelsky said the dark blue are areas the county might or might not have had in but the DEP did not want to add in, and we want to include it in the total sewer service area.

Mr. Christiano asked if we increase the sewer service area does that become an argument in favor of higher density. Mr. Kilduff said we are not going to be able to increase the sewer service area; we are fighting to hold on to what we have. Mr. Knutelsky said there was a decrease in the sewer service area. Mr. Knutelsky said the amount of projects that are there right now and have gone through the review process we want to see included back in the sewer service area. Mr. Knutelsky said from a density standpoint he thinks we are not increasing density but maintaining the original approvals. Mr. Knutelsky said the residential properties that might increase density in the Borough are not located in the sewer service area. Mr. Knutelsky said, other than the Munsonhurst lots, Nardella lots and the mine lot, there are not too many lots we are adding back in. Mr. Kilduff asked about the Grant projects.

Mr. Knutelsky said the only problem we have is that you need to have your municipal approval and the treatment works approval to make it valid as part of the sewer service area. Mr. Knutelsky said he doesn't know what properties in the Borough have those permits but that is one thing we need to provide.

Mr. Kilduff asked Mr. Knutelsky about the time line on this, when it becomes effective with DEP and the County's Waste Water Management Plan. Mr. Knutelsky said the existing County's Waste Water Management Plan, he thinks it is valid up to the end of April; he didn't know the exact date. Mr. Knutelsky said once that April date hits what you see in green on the second map goes into effect, unless they change it and by our arguments and what we submit for the rest of the mapping.

**Franklin Borough Planning Board**  
**Workshop**  
**Meeting Minutes for**  
**February 11, 2009**

Mr. Knutelsky said any application that would need DEP permit for sewer, treatment of works approvals they would have to be in hand come April or else they would be out of luck. There was a discussion if a builder had its own treatment plant.

Mr. Christiano said he was at a two day seminar sponsored by the DEP on sewers and septic. Mr. Christiano said a representative had commented how the State of New Jersey is trying to get away from sewers into a managed septic program. Mr. Christiano said sewer systems are becoming expensive for municipalities to maintain. Mr. Christiano said it is an expensive infrastructure for municipalities to maintain and install. Mr. Christiano explained the managed septic program. There was a discussion on septic systems.

Mr. Christiano asked is this going to lead us into a process that increases our density. Mr. Lermond said you could increase the density of the area you are maintaining or holding on to. Mr. Knutelsky said if you look at the sewer service area they provided to us he doesn't see how they could increase the density there because that area is already developed.

Mr. Kilduff asked the Board members if they had any specific comments on the mapping that they looked at tonight. Mr. Knutelsky said there was a list that reflects the dark blue properties. Mr. Nelson said the Board members can look at this memo and map and then have a discussion about it on Tuesday.

**Highlands**

Mr. Nelson said we are heading towards Plan Conformance, Module one deals with the buildout analysis, current municipal conditions and this involves a GIS analysis. Mr. Knutelsky said the Highlands office provided them with a CD of GIS mapping of the Borough that discusses certain things like areas that are currently farm land, condominium association, right of way in the Borough, sewer service areas and areas serviced by water. Mr. Knutelsky there are three maps they are looking at, they have to be reviewed and revised accordingly. Mr. Knutelsky said the Highlands Council on the CD gave us their impression of what is developable and what is not. Mr. Knutelsky said they are going through every single lot in the Borough to see if it is developable in the future or not. Mr. Knutelsky said when something is developable and the Highlands said it was not we need to describe why it is developable. Mr.

**Franklin Borough Planning Board**  
**Workshop**  
**Meeting Minutes for**  
**February 11, 2009**

Knutelsky said there are certain things like it has an approval already, that it is already developed and it can be redeveloped. Mr. Knutelsky said if Highlands says it is developable and we know it isn't developable we need to make those changes as well. Mr. Knutelsky said we have to revise these maps by the end of the month.

Mr. Nelson said there are several steps in the process; Mr. Knutelsky just described the first step, looking at each lot determining what is developable and what is not. Mr. Nelson said the next step looks at current municipal zoning and resource capacity of the Borough and how that compares with the Highlands Master Plan. Mr. Nelson said at some point we will get into the housing element again; there is also an environmental resource inventory module and at the end there is a municipal self-assessment, implementation plan & petition. Mr. Nelson said that is the point where we decide to either bring the Borough's planning policy in conformance with the Highlands Master Plan or not. Mr. Nelson said there is also a possibility when we get done with the second step we might want to cut off the process, depending on what the information is telling us.

**Plan Endorsement**

Mr. Nelson said we hope to use a lot of the information that is developed in connection with the Highlands and in connection with the re-examination report to address Plan Endorsement requirements. Mr. Nelson said both the Highlands and the Plan Endorsement process will require the preparation of reports. Mr. Nelson said the re-examination report is obligatory; the Highlands at some point we can decide not to continue with, the Plan Endorsement we are sort of obligated in connection with the settlement agreement to pursue that could be a multi year process.

**Master Plan Re-Examination**

Mr. Nelson said you have to first look at what the issues were when we did the last master plan re-examination report; we are going back to 2003. We are looking at 2003 Master Plan and what issues were mentioned in that document. Mr. Nelson said the second step will be to determine how those problems have been addressed or not addressed. Mr. Nelson said that will be the first report he will give to you (the Board) to review some time in March. Mr. Nelson said then we will get into the new issues and problems that have materialized since 2003. Mr. Nelson said in the last

**Franklin Borough Planning Board**  
**Workshop**  
**Meeting Minutes for**  
**February 11, 2009**

section will be recommendations either for the Planning Board to pursue in the coming years or the Council. Mr. Nelson said the traffic circulation will be a new amendment to the Master Plan. Mr. Nelson referred to page three of his report dated February 2, 2009, a list of discussion items. Mr. Nelson said it won't be a new Master Plan it will be evaluating the current Master Plan. Mr. Nelson said for the most part the 2003 master plan is still valid and doesn't require a complete revision. Mr. Nelson said the re-examination report will include the new circulation element based on the DOT Route 23 study. Mr. Nelson said the forum based code in the re-examination report is to identify that as something that requires further study. Mr. Lermond asked is that something we would recommend. Mr. Nelson said the forum base code is something that the Council would adopt.

Mr. Kilduff said as we go down the road of the Plan Conformance Process with the Highlands, conformance means getting our Master Plan to conform to the Highlands regulations and they also talk about the Highlands element in the Master Plan.

Mr. Nelson said he handed out material on visioning. Mr. Nelson said the plan endorsement process requires a visioning process, he believes this requires more than one meeting. Mr. Nelson said we are not sure if the Office of Smart Growth will give the Borough credit for the visioning that is included as part of the 2003 Master Plan. Mr. Nelson said Mr. Kilduff handed out the visioning statement in the 2003 Master Plan. Mr. Kilduff said we are discussing visioning tonight which is required by plan endorsement.

There was a discussion on the time table of getting everything done. Mr. Lermond asked if there were any comments from the Board. Mr. Oleksy referred to Mr. Nelson's list on page three, number 4, "community vision" -"the community's role as a center", is that our own town center or the town being the center for the regional area. Mr. Nelson said the Borough being the center for the region. Mr. Nelson said we are assuming that we will get the States and Highlands blessing that Franklin is the center.

Mr. Maugeri said on the vision statement, we should add something in there relative to Rte 23 and major shopping we have around there. Mr. Kilduff said given the projects that have been approved recently, Group 5 and the two Grant projects, maybe we want to do that. There was a discussion on the visioning process.

**Franklin Borough Planning Board**  
**Workshop**  
**Meeting Minutes for**  
**February 11, 2009**

**OPEN PUBLIC SESSION:**

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

Mr. Lermond said he wasn't sure if you (Paul Nilon) was part of this or part of the public.

Paul Nilon, Plan Endorsement committee, said he was new at this and commented on the vision statement.

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

**ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned at 8:46PM on a motion by Mr. Maugeri. Seconded by Mayor Crowley. All were in favor.

Respectfully Submitted,

Robin Hough  
Secretary