

**Franklin Borough Zoning Board of Adjustment**  
**Meeting Minutes for**  
**April 1, 2009**

The meeting was called to order at 7:30 PM by the Chairman, Mr. Richard Kell, who then led the assembly in the flag salute.

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

ROLL CALL OF MEMBERS PRESENT: Mr. Correal, Mrs. Bonis, Mr. Gardell  
Mr. Swiss, Mrs. Alexander,  
Mr. Kell

ABSENT: Mr. Kopcso, Mrs. Murphy

ALSO PRESENT: Mr. David Brady, Esq.  
Mr. James Kilduff, Director

**APPROVAL OF MINUTES:**

Mr. Correal made a motion to approve the **Franklin Borough Zoning Board of Adjustment Meeting Minutes for March 4, 2009**. Seconded by Mr. Swiss.

Upon Roll Call Vote:

AYES: Correal, Gardell, Swiss, Alexander, Kell

NAYS: None            ABSTENTIONS: None

(Motion Approved)

**APPROVAL OF RESOLUTIONS:**

**ZB-12-07-1 Garrera and Millier "D" Variances, Block 40 Lot 35.**

Mr. Christiano stepped up to the dias.

Mr. Brady said Mr. Christiano is joining us for the consideration of the Garrera and Millier resolution because he was borrowed from the Planning Board.

Mr. Brady said the version that all the Board members have in front of them is incorrect in one aspect, we had neglected to properly recite all the K exhibits that were entered. Mr. Brady said the version you have just has K-1 entered on February 4, 2009, and on March 4, 2009 there was a second K-1 (then K-2) through K-6. Mr. Brady said he revised it as to what those documents were. Mr. Brady said if the Board approves the resolution, he asks the Board to approve the revised resolution reflecting all the K exhibits. Mr. Kell asked if anyone wanted the K exhibits read off.

Mr. Gardell said he thought there was a discussion on back up beepers and he thought he had concluded that they can't be turned off. Mr. Brady said he thinks we

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discussed back up beepers. Mr. Brady asked what page (was that on). Mr. Gardell said page 10. The Board discussed back up beepers. Mr. Kell said he would recommend that we amend this to say “no vehicles shall use flashing lights while on the premises” and delete the back up sensors.

Mr. Kell said he needs a motion to approve the resolution with the change of removing the back up sensors from item #10 on page 10. Mr. Brady said (and) the change or adding the K exhibits.

Mr. Gardell made a motion to approve the resolution with the changes discussed for application **ZB-12-07-1 Garrera and Millier, “D” Variances, Block 40 Lot 35.** Seconded by Mr. Swiss.

Upon Roll Call Vote:

AYES: Correal, Gardell, Swiss, Alexander, Christiano, Kell

NAYS: None            ABSTENTIONS: None

(Motion Approved)

Mr. Christiano stepped down from the dais. Mr. Kell thanked Mr. Christiano for taking the time to listen to this application.

**APPLICATIONS FOR COMPLETENESS:**

There are no applications for completeness.

**ADJOURNED CASES:**

There are no adjourned cases.

**APPLICATIONS TO BE HEARD:**

There are no applications to be heard.

**OTHER BUSINESS:**

**PAYMENT OF BILLS:**

Mrs. Bonis made a motion to approve the **Franklin Borough Zoning Board Escrow Report for April 1, 2009.** Seconded by Mrs. Alexander.

Upon Roll Call Vote:

AYES: Correal, Bonis, Gardell, Swiss, Alexander, Kell

NAYS: None            ABSTENTIONS: None

(Motion Approved)

**DISCUSSION:**

**Sewer Service Area**

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Mr. Kilduff said the county is updating their water quality management plan and the sewer service area is part of that. Mr. Kilduff said the DEP is looking to contract sewer service area to take properties that formally were listed as sewer service area and take them out. Mr. Kilduff said this is an effective way to stop development because the only other option at that point would be a septic system. Mr. Kilduff explained what the Borough has been doing with the sewer service area and the sewer service map that they have been working on.

**Master Plan Re-examination**

Mr. Kilduff said every six years we are required under, Municipal Land Use Law, to review our Master Plan. Mr. Kilduff explained the Master Plan Re-examination process and where we are in that process. He talked about the Master Plan Amendments that have been done since the last Master Plan in 2003 and the revision of the zoning map.

**Visioning**

Mr. Kilduff said part of the Master Plan re-examination is a visioning process. Mr. Kilduff said there is a vision statement in the 2003 Master Plan and after six years there are certain things you may want to change. He gave the Board a copy of the 2003 vision statement and a draft of one proposed by our planner, Ken Nelson.

Mr. Kilduff said the visioning statement is very important as far as the State is concerned. Mr. Kilduff said in their process they call Plan Endorsement they require a very involved visioning session with the town. Mr. Kilduff said he is putting this on the agenda to discuss this with the Board in the hope that we can get some kind of waiver on this. Mr. Kilduff said he doesn't think our visioning has changed too much since 2003. Mr. Kilduff asked the Board for comments on the vision statement. Mr. Kilduff gave some examples of suggestions that were given to him for the vision statement. There was a discussion on the vision statement and Main Street.

**Highlands Plan Conformance**

Mr. Kilduff said we actually have two grants that we have gotten from the Highlands. Mr. Kilduff said one is the Initial Assessment Grant that enables the Borough to look at the Highlands Regional Master Plan and decide if we want to opt into their plan. Mr. Kilduff said the other (grant) is the Plan Conformance Grant which he made an application for and the Council has authorized him to proceed with the first three modules. Mr. Kilduff explained the purpose and work that goes with this grant.

Mr. Kilduff talked about COAH. Mr. Kilduff said they are looking to put a moratorium on the developer's fee. Mr. Kilduff said in the packets is a recent column from our

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planner Ken Nelson. Mr. Kilduff talked about the new Housing Plan Element that Mr. Nelson is working on.

**Plan Endorsement**

Mr. Kilduff said the Office of Smart Growth, Plan Endorsement is similar to the Plan Conformance process that the Highlands has but because of the litigation we have to do both. Mr. Kilduff explained the process of the pre-petition meeting with the Office of Smart Growth.

**CORRESPONDENCE:**

**OPEN PUBLIC SESSION:**

Mr. Kell said there is no one here from the public.

**ADJOURNMENT:** There being no further business Mrs. Bonis made a motion to adjourn the meeting of the Franklin Borough Zoning Board of Adjustment. Seconded by Mrs. Alexander. All were in favor. Meeting was adjourned at 8:12 PM.

Respectfully Submitted,

Robin Hough  
Secretary