

Franklin Borough Planning Board
Meeting Minutes for
August 17, 2015

The meeting was called to order at 7:30 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."

Mr. Dave Brady administered the Oath of Allegiance to Mr. Sean Kidd, Alternate #2 Planning Board Member.

ROLL CALL OF MEMBERS PRESENT: Mr. Christiano, Mayor Crowley, Mr. Foulds, Mr. Williams, Mr. Zydon, Mr. Cholminski, Mr. Nidelko, Mr. Kidd

ABSENT: Mr. Babcock

ALSO PRESENT: Mr. Nelson, Nelson Consulting Group
Mr. Brady, Brady & Correale, LLP

APPROVAL OF MINUTES:

Mr. Zydon made a motion to approve the **Franklin Borough Planning Board Meeting Minutes for May 28, 2015**. Seconded by Mr. Foulds.

Upon Roll Call Vote:

AYES: Christiano, Mayor Crowley, Foulds, Williams, Zydon, Cholminski

NAYS: None ABSTENTIONS: None

APPROVAL OF RESOLUTIONS:

There were no resolutions for approval.

APPLICATIONS FOR COMPLETENESS:

There were no applications for completeness.

ADJOURNED CASES:

There were no adjourned cases.

APPLICATIONS TO BE HEARD:

There were no applications to be heard.

OTHER BUSINESS:

There were no other business to discuss.

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PAYMENT OF BILLS:

Mr. Christiano questioned invoices from Nelson Consulting Group and Brady & Correale, LLP regarding Affordable Housing/COAH. The Board Planner, Mr. Nelson confirmed a meeting took place to discuss strategy with Borough Administrator, Mrs. Alison McHose. Mr. Nelson explained to the Board COAH stands for Council on Affordable Housing and it is a state agency that for the last 25 to 30 years has had the responsibility administering the Affordable Housing Program. He indicated a procedure has been established where municipalities can get protection on its affordable housing obligation and now has to go to Superior Court and request the protection. He stated his internal discussions focused on what will be in Franklin's best interest. Mr. Dave Brady, Board Attorney commented on the Mount Laurel decision of COAH and municipalities obligations. He said this year the Supreme Court said COAH is not working and is now going back to the Mt Laurel setting. Mr. Nelson indicated Franklin Borough is in relatively good shape compared to other municipalities. Board Members went back and forth discussing COAH. Mr. Nelson indicated Franklin has an adopted housing plan and said the court may say the plan needs to be updated. A conversation took place regarding COAH in other municipalities.

Mr. Foulds made a motion to approve the **Franklin Borough Planning Board Escrow Report** for August 17, 2015. Seconded by Mr. Williams.

Upon Roll Call Vote:

AYES: Christiano, Mayor Crowley, Foulds, Williams, Zydon, Cholminski, Nidelko.

NAYS: None ABSTENTIONS: None

CORRESPONDENCE:

The Board reviewed correspondence from A.V. Agovino Associates LLC (Consulting Environmental & Wetland Professionals. RE: 236 Munsonhurst Rd. regarding reconstruction of driveway/roadway.

DISCUSSION:

Route 23 Corridor and HC Zone:

Mr. Nelson gave the Board a recap on the Master Plan Reexamination process. He explained earlier this year he completed an analysis of the Route 23 Corridor which included existing development patterns and other characteristics. He said the HC Zone along Route 23 was divided into twelve sectors. He indicated his reports will include zoning on the Route 23 Corridor and possible changing the five acre

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minimum lot size requirements to one acre. He feels it's complicated and thinks reducing the minimum lot size is not at the best interest of the Borough. He said in addition to the Route 23 Corridor he will include other issues that may result in a possible zone change. He is hoping to have this completed for the October meeting.

Mr. Nelson reviewed his report dated July 8, 2015, Section B: Alternatives and issues to consider.

Item #1 (Back to the Future): He said the Route 23 Corridor was previously divided into four separate commercial zones. He indicated this a possible alternative but is not recommending the Board return to that approach.

Item #2 (Two Zones instead of One Zone): Mr. Nelson said a better alternative is to create two HC Zones one with 5 acre minimum and the other where the lot size can be reduced.

Item #3 (The HC with Changes): He indicated the HC Zone will remain but said new provisions would be aimed at encouraging appropriate development where it belongs and discouraging development where it doesn't belong.

Item #4 (Bonus Strategy): He said the primary reason the five acre minimum was established was to force developers to assemble smaller lots into larger lots. He said this has not happened and he does not expect it to. He talked about zoning regulations and bonuses to developers if they can assemble smaller lots into larger lots.

Item#5 (New Residential): Mr. Nelson indicated another variation that needs to be discussed is whether or not it is advisable to include a residential component as part of the Route 23 Corridor where residential development doesn't currently exist. He said it will be complicated and in some locations will change the characteristics of the commercial corridor. He talked about a mixed use development in locations where commercial and residential exist. A discussion took place on mixed use, increase in traffic, and the town population. Mayor Crowley said more residential properties would create an increase in population, taxes, and create more students in our schools. Mr. Williams pointed out properties around the Iron Deli and the old lumber yard property. Mr. Cholminski added flexibility is needed and feels more people are renting instead of buying homes. Mr. Nelson asked Board Members to keep in mind we are not writing the zoning regulations we will be amending the Master Plan and establishing a foundation for future zone changes. Mr. Cholminski commented on the process and talked about ordinances. Mr. Nelson feels there are two types of residential/commercial properties the small scale mixed use and the larger scale. He commented on the acres needed on some properties.

Item#6 (Existing Residential): Mr. Nelson pointed out the existing residential on Route 23 is considered small scale residential property.

Item #7(Redevlopment Area Studies): Mr. Nelson indicated redevelopment studies were done on three areas of Route 23 including the Super Walmart, Franklin Diner, and the Auto Zone project which is no longer available. Also, the fourth area

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proposed is the Lumber Yard property and he said the property is part of a proposed redevelopment area that would extend from Route 23 and up to the Zinc Mine Property. He talked about the Lumber Yard property and the Zinc Mine property. He said the concept at one time was the Lumber Yard property was needed to bring a road in from Route 23 and into the Zinc Mine property. He indicated this was recommended to the Council and the Council never acted on it. Mr. Cholminski talked about the importance of offering flexibility to builders.

Item#8 (Variance Applications): Mr. Nelson said one of the planning goals of the Borough is to connect properties along the Route 23 Corridor and hope it would help with traffic issues. He commented on the Borough's goal to create a road from Route 23 where it meets Route 517. He talked about areas behind the Hardyston School and the Super Walmart Site. He indicated the traffic studies that have been done are part of the Master Plan which is now several years old and no recommendations have been worked on. He suggested Planning Board Members review the traffic study. A discussion took place on several traffic areas problems along Route 23 Corridor. Board members discussed the potential road development by Weis Markets and talked about the Super Walmart Plans. Mr. Williams described the area where the potential Super Walmart was planned and suggested Board Members walk around the properties and review the site.

Mr. Nelson recommends the Planning Board consider Item#2, two HC Zones instead of one HC Zone. Mr. Williams suggested creating more than two HC Zones and commented on developers combining two lots and talked about the lots between Advanced Auto Parts and TD Bank. Board Members went back and forth and discussed the different lot sizes. Mr. Nelson agreed three HC Zones may work but thinks we can accomplish the same thing with two HC Zones. Board Members discussed and expressed their opinion on how many HC Zones they feel should be along the Route 23 Corridor. They talked about given developers more flexibility. Mr. Cholminski suggested two or three HC Zones will work. Mr. Kidd indicated two zones will fit but feels three HC Zones will be better. Mr. Zydor said three zones because there is a lot of diversity of lot sizes. Mayor Crowley indicated two zones are fine and feels multiple zones will give developers flexibility. Mr. Foulds stated many lots are undersized. Board Members commented on the improvements along the Route 23 Corridor. Mr. Christiano suggested three HC Zones and possible a fourth zone with mixed use. He also commented on the commercial traffic effecting residential areas. A discussion took place regarding mixed uses along the Route 23 Corridor.

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Sign Ordinance:

Mr. Cholminski informed Board Members funds are available to proceed with the sign ordinance. He said the next step will be for the Board Planner and Board Attorney to move forward.

Mr. Williams made a motion to **Authorize Two Thousand Dollars for the Planner and Attorney to Develop a Sign Ordinance to present to the Planning Board for approval and if approved to be presented to the Mayor and Council for Approval.** Seconded by Mr. Nidelko.

Upon Roll Call Vote:

AYES: Christiano, Mayor Crowley, Foulds, Williams, Zydon, Cholminski, Nidelko.

NAYS: None ABSTENTIONS: None

OPEN PUBLIC SESSION:

The meeting was not open to the public. No one from the public was present.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 8:42 PM on a motion by Mr. Christiano. Seconded by Mr. Foulds. All were in favor.

Respectfully submitted,

Karen Osellame
Board Secretary