

Franklin Borough Planning Board
Meeting Minutes for
February 21, 2017

The meeting was called to order at 7:32 PM by the Chairman, Mr. Nathan Foulds, who then led the assembly in the flag salute.

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

ROLL CALL OF MEMBERS: Mr. John Christiano (Present)
Ms. Dawn Fantasia (Present)
Mr. Nathan Foulds, Chairman (Present)
Mr. Nick Giordano, Mayor (Present)
Mrs. Louise Murphy, Vice-Chairwoman (Present)
Mr. Glen Soules (Present)
Mr. Wes Suckey (Present)
Mr. Jim Williams (Present)
Mr. Steve Zydon (Present)
Mr. Jim Nidelko, Alternate # (Present)
Mr. Floy Estes, Alternate #2 (Absent)
Mr. Sean Kidd, Alternate #3 (Absent)
Mr. Richard Knop, Alternate #4 (Present)

ALSO PRESENT: Mr. Dave Brady, Board Attorney
Mr. Ken Nelson, Board Planner

APPROVAL OF MINUTES:

Mr. Zydon made a motion to **Approve Franklin Borough Planning Board Meeting Minutes for January 17, 2017**. Seconded by Mr. Williams. All were in favor.

Mayor Giordano made a motion to **Approve Franklin Borough Planning Board Meeting Minutes for February 1, 2017**. Seconded by Mr. Suckey. All were in favor. Ms. Fantasia and Mrs. Murphy abstained.

APPROVAL OF RESOLUTION:

Walmart Real Estate Business Trust, Amended Site Plan Approval, Dimensional Variances for New Signage, Block 1101 Lot 2, Application PB-12-16-1.

Board Attorney, Mr. Dave Brady indicated a change on Page #3, Paragraph #9. The "Outdoor Living" sign changed to read "Lawn & Garden" with an area of 63.89 square feet. He also said changes have been discussed with the Applicant's Attorney. Board Members agreed with the changes and had no further comments.

Mr. Williams made a motion to **Approve Resolution for Walmart Real Estate Business Trust, Amended Site Plan Approval, Dimensional Variances for New**

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Signage, Block 1101 Lot 2, Application PB-12-16-1. Seconded by Mayor Giordano.

Upon Roll Call Vote:

AYES: Foulds, Giordano, Suckey, Williams, Zydon

NAYS: None ABSTENTIONS: None

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:

Board Attorney, Mr. Dave Brady commented on the Planning Board Application Fee Schedule. He said the only issue he sees is that Franklin Borough imposes a Fee/Escrow charge for each variance on an application. He indicated these charges can be very costly for a residential application if several variances are needed. He reported a letter has been issued indicating his recommendations.

Mr. Brady also discussed sidewalk installation along the new Advanced Auto site. He talked about the Department of Transportation policies on sidewalks and discussed the potential liability to property owners. He said commercial properties have an obligation under State Law to remove snow from their sidewalks. Also, D.O.T has a consent form that requires property owner to sign before they will allow the installation of a sidewalk in the right-a-way. He indicated the property owner south of the Advanced Auto site will not consent to these requirements and therefore D.O.T will not issue the permit allowing the installation. He said the applicant may have to amend the site plan and delete the sidewalk. Mr. Brady reported he will discuss this further with Borough Attorney, Mr. Thomas Prol. Chairman, Mr. Nate Foulds discussed why the Board encourages applicants to install sidewalks. Mr. Brady said he will contact D.O.T. and further investigate. Borough Administrator, Alison McHose added, Tom Knutelsky is working with Applicants Engineer on the matter. Board Members discussed the benefits of sidewalks along the Route 23 Corridor and Mrs. McHose said she will report next meeting if she has any further information.

PAYMENT OF BILLS:

Mr. Zydon made a motion to **Approve Franklin Borough Planning Board Escrow Report for February 21, 2017.** Seconded by Mrs. Murphy. All were in favor. Ms. Fantasia and Mr. Giordano abstained.

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DISCUSSION:

Former Franklin Hospital Site, Designation of a Proposed “Non Condemnation Area in Need of Redevelopment”.

Board Planner, Mr. Ken Nelson addressed the Board and referred to his letter dated February 14, 2017. Mr. Wes Suckey pointed out on Paragraph #2 the date 11/14/16 should read 11/14/17. He also commented on documents not included with Appendix A, B, and C of the report. Mr. Nelson said the purpose of the meeting tonight is to authorize him to move ahead with the advertising for a public hearing and said the documents for Appendix A, B, and C will be completed for the public hearing. Mr. Suckey commented on a recent email he received. Mr. Nelson apologized for the late email and the length of material and indicated the property owner will discuss it further. Mr. Suckey was concerned about the confidentiality of the email and Mr. Nelson replied Mr. William Askin, Attorney representing the property owner will discuss the email further. Mr. Nelson said there are certain criteria a Designated Redevelopment Area needs to meet and felt the ownership history is important to understand why the property has not redeveloped.

Mr. William Askin, Esq. from Askin & Hooker located in Sparta stepped forward. He represents Franklin Acquisition LLC., owner of the Hospital property. He indicated his client bought the property almost three years ago. He discussed ownership history and value of the property. He said his client bought the mortgage and the note from Boiling Springs Bank in 2014. He commented on the prior application, (Rainmaker Capital), indicating 111 high end condominium units was approved by the Board. He talked about how the economy has changed residential and commercial properties. He said Boiling Springs Bank took a huge economic loss and his client is looking to make the property useful and economically viable. He agreed with Ken Nelson’s idea of putting together a new study for the potential designation of a Redevelopment Area. He indicated the property is unique and challengeable and his client has no concrete plans at this time, but hopes to develop a plan that will benefit the Borough of Franklin. He explained Documents/Email Board Members received and indicated the documents are public records and were sent to show the history and value of the property. Mr. Nelson talked about a Redevelopment Area and discussed the process.

Mr. Foulds commented on the Preliminary Investigation Report known as “Area D” and discussed advantages of a Redevelopment Area. Mr. Nelson pointed out the Hospital property has met the ten year vacancy requirement and is suitable for residential use. He recommended to move forward with the public hearing. Mr. Foulds asked Board Members if they required further information on Redevelopment. Mr. Nelson briefly discussed the Redevelopment Process and advised Board Members to contact him with any further questions.

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OPEN PUBLIC SESSION:

Mr. Williams made a motion to **Open to the Public**. Seconded by Mrs. Fantasia. All were in favor.

No one from the public came forward.

Mr. Williams made a motion to **Close to the Public**. Seconded by Mr. Soules. All were in favor.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 8:19 PM on a motion by Mr. Williams, seconded by Mrs. Murphy. All were in favor.

Respectfully submitted,

Karen Osellame
Planning Board Secretary