

**Franklin Borough Planning Board**  
**Meeting Minutes for**  
**March 20, 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 (Absent)  
Mrs. Louise Murphy, Vice-Chairwoman (Present)  
Mr. Glen Soules (Absent)  
Mr. Wes Suckey (Present)  
Mr. Jim Williams (Present)  
Mr. Steve Zydon (Present)  
Mr. Jim Nidelko, Alternate #1 (Present)  
Mr. Floy Estes, Alternate #2 (Present)  
Mr. Sean Kidd, Alternate #3 (Present)  
Mr. Richard Knop, Alternate #4 (Present)

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

Mr. Jim Nidelko, Alternate #1 and Mr. Floy Estes, Alternate #2 sat in for absent members.

**APPROVAL OF MINUTES:**

Mr. Zydon made a motion to approve the **Franklin Borough Planning Board Meeting Minutes for February 21, 2017**. Seconded by Mr. Suckey.

Upon Roll Call Vote:

AYES: Christiano, Fantasia, Foulds, Murphy, Suckey, Williams, Zydon

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.

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**PUBLIC HEARING:**

**Designation of a Proposed, “Condemnation Area in Need of Redevelopment”,  
Known as the Former Franklin Hospital Site, Block 1504, Lots 13 and 44.**

Board Planner, Mr. Ken Nelson gave a brief presentation. He indicated the Preliminary Investigation Report dated February 28, 2017 is on file at the Borough Hall for public inspection and discussed the contents of the report. He reported Lot 13 is unimproved vacant land and Lot 44 contains a unoccupied resident. He commented on the history and ownership of the property. Also, talked about a number of statutory criteria that determines a property can be designated as an area in need of redevelopment. He said the Board can make a recommendation to Council if they feel the property qualifies as a potential redevelopment area. He discussed statutory redevelopment area criteria and recommended the property qualifies under criteria “C” which is specified on Page #12 of his report. Mr. Nelson stated criteria “C” reads the following: “Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be develop through the instrumentality of private capital”.

Mr. Foulds commented on the length of time the property has been vacant and Mr. Nelson said he is confident the property meets the redevelopment requirements. Mr. Christiano commented on the access, topography, and length of time property has been vacant. Mr. Nelson indicated the property has a unique topographic and commented on some of the access issues. Mr. Christiano remarked on other parcels in town that are not fully developed and asked Mr. Nelson if redevelopment could apply to those parcels. Mr. Nelson said the intent is to apply redevelopment powers to properties that should have developed a long ago but didn't for a variety of reasons. Mr. Christiano and Mr. Suckey discussed other properties that may apply and meet criteria for redevelopment. Mr. Foulds talked about the designation of a “Condemnation Area and Non-Condemnation Area. Mr. Nelson said the Borough does not have any interest in using its eminent domain powers. Ms. Fantasia reported, Council decision for a “Condemnation Area” was also based on the fact that the property is vacant. She said if the Board recommends a change to a “Non-Condemnation Area” then the Council will discuss and that could slow up the process. Mr. Brady said the property owner and the borough will negotiate and discuss a redevelopment plan.

**OPEN PUBLIC SESSION:**

**Designation of a Proposed, “Condemnation Area in Need of Redevelopment”,  
Known as the Former Franklin Hospital Site, Block 1504, Lots 13 and 44.**

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

No one from the public came forward.

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

**PUBLIC HEARING: CONTINUED**

**Designation of a Proposed, “Condemnation Area in Need of Redevelopment”, Known as the Former Franklin Hospital Site, Block 1504, Lots 13 and 44.**

Mr. Williams made a motion to **Recommend to Council, Former Franklin Hospital Site, Block 1504 Lots 13 and 44, “A Condemnation Area in Need of Redevelopment”**. Seconded by Mr. Zydon.

Upon Roll Call Vote:

AYES: Foulds, Murphy, Williams, Zydon, Nidelko, Estes

NAYS: Christiano, Suckey ABSTENTIONS: Fantasia

**OTHER BUSINESS:**

Ms. Fantasia briefly discussed the “2017” Financial Budget. She indicated water and sewer increased approximately \$2,300.00 and collections are slightly down. She commented on the current funds and said there will be no increase in municipal taxes this year. She discussed uncollected taxes and indicated the past two years the Borough has been at 97.4% and this year is 97.4%. Also, capital improvements are greater than 2016 and the credit rating stayed at a strong AA3. The average house in Franklin is valued at 174,734.00 and strong financial planning has allowed the Borough to keep the debt ratio the same. She said this year there will be some increases and reported \$10,000.00 was set aside for a grant writer and additional funds may be needed for engineering and legal fees. She indicated the Borough is expecting the Planning Board application volume to increase and also reported the Police Department may require new equipment.

**PAYMENT OF BILLS:**

Mr. Christiano questioned bills from Harold E. Pellow and Associates on D.R. Horton Homes/Estell Manor. Mr. Suckey commented on the JCM Investors bills regarding Munsonhurst Road. Ms. Fantasia reported that Alison McHose held a concept meeting regarding development land on Munsonhurst Road.

Mrs. Murphy made a motion to approve the **Franklin Borough Planning Board Escrow Report for March 20, 2017**. Seconded by Mr. Zydon.

Upon Roll Call Vote:

AYES: Christiano, Foulds, Murphy, Suckey, Williams, Zydon, Nidelko, Estes

NAYS: None ABSTENTIONS: Fantasia

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**DISCUSSION:**

**Affordable Housing: Ken Nelson PP/AICP, Planning Consultant**

Mr. Ken Nelson, Board Planning Consultant discussed his memo dated March 14, 2017 on Affordable Housing Issues. He does not recommend the Borough move on this and indicated he is very familiar with the time, costs and energy needed to obtain judicial certification. He said the Borough has done a lot in the past on Affordable Housing and COAH certification process. He indicated based on current numbers the Borough may have a perspective need obligation of 385 units and reported credits received from rental units could reduce the number. He talked about updating the Housing Plan and suggested any new residential projects include an Affordable Housing component. Mr. Christiano asked what determines how many units need to be built. Mr. Nelson responded, fifteen to twenty percent of the total number of units should be affordable. Board Members had a brief discussion on Affordable Housing and COAH. Mr. Nelson pointed out that the 385 unit requirement comes from a study done by the Fair Share Housing Center and explained how the percentage rate is determined. He reported there is no obligation on commercial development and indicated the primary reason to seek judicial certification is to obtain legal protection from lawsuits. A brief conversation took place on litigations. Mr. Nelson was doubtful that the Borough would be the subject of any litigation but suggested new residential projects include an Affordable Housing component. Mr. Christiano commented on a litigation newspaper article and recommended the Borough continue a path of caution observation. Mr. Nelson said he would look into the Borough's unit obligations.

**CORRESPONDENCE:**

Mr. Dave Brady discussed his memo dated February 7, 2017 concerning the Planning Board Fee Schedule. He reported that Council is reviewing his recommendations.

Mr. Brady also commented on sidewalk installation on the new Advance Auto site. He reported the Department of Transportation requires a consent from land owners when sidewalks are installed curb cut to curb cut. He indicated Board Engineer, Tom Knutelsky and Borough Attorney, Tom Prol agreed the Developers Agreement will require escrow money for those sidewalks to be installed in the future.

**OPEN PUBLIC SESSION:**

Renee Hennings resident of Taylor Road came forward. She is interested in starting a community garden in town. Mr. Brady suggested she talk to Borough Administrator, Alison McHose and Borough Council on the matter.

The meeting was closed to the public.

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**ADJOURNMENT:**

There being no further business to come before the Board, the meeting was adjourned at 8:36 PM on a motion by Mr. Williams, seconded by Mrs. Murphy. All were in favor.

Respectfully submitted,

Karen Osellame  
Board Secretary