

Franklin Borough Planning Board
Meeting Minutes for
December 15, 2014

The meeting was called to order at 7:30 PM by the Chairman, Mr. 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."

ROLL CALL OF MEMBERS PRESENT: Mr. John Christiano
Mayor Paul Crowley
Mr. Nathan Foulds
Mr. Nicholas Giordano
Mr. Jim Williams
Mr. Steve Zydon
Mr. John Cholminski
Mr. James Nidelko
Mr. John Friend

ABSENT: Mr. James Kilduff, Plng. & Comm. Dev. Dir.

ALSO PRESENT: Mr. Ken Nelson, Nelson Consulting Group

APPROVAL OF MINUTES:

Mr. Foulds made a motion to approve the **Franklin Borough Planning Board Meeting Minutes for** October 20, 2014. Seconded by Mr. Williams.

Upon Roll Call Vote:

AYES: Christiano, Crowley, Foulds, Giordano, 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.

OTHER BUSINESS:

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PAYMENT OF BILLS:

Mr. Christiano made a motion to approve the **Franklin Borough Planning Board Escrow Report for December 15, 2014**. Seconded by Mr. Williams.

Upon Roll Call Vote:

AYES: Christiano, Foulds, Williams, Zydon, Cholminski

NAYS: None ABSTENTIONS: Mayor Crowley, Mr. Giordano

DISCUSSION:

Mr. Ken Nelson from the Nelson Consulting Group addressed the Board regarding his Master Plan Re-examination Proposal. Mr. Nelson referred to his memo dated 10/13/14 and his Master Plan Re-Examination Report Proposal dated 12/08/14. Mr. Nelson explained if you do an ordinance amendment and it's not a subject of the Master Plan Re-Examination Report then you have the burden of notifying everyone within the zone of the change and everybody within 200 feet. He also explained if a re-examination report is done and adopted by the Planning Board then you're relieved of that notification requirement. Mr. Nelson said his proposal is to do an abbreviated re-examination report not to exceed \$4,000.00 but if it gets more extensive than just the HC Zone then the cost will be higher around \$7,500.00.

Mr. Nelson stated the HC Zone is a very complex area and reducing the lot size from five acres to one acres may attract more developers but it may also create some problems for joining residents. Mr. Nelson asked Board Members what changes they would like to see in the HC Zone. Mr. Cholminski discussed the traffic on the HC Zone and felt larger lot sizes could connect businesses and create less traffic.

Mr. Cholminski asked Mr. Nelson what is the process of a modified Master Plan. Mr. Nelson said the Municipal Land Use Law has four steps and since a report was done in 2009 he can reference sections from that report. He said his report will focus mainly on the HC Zone.

Mr. Cholminski commented his biggest concern is the modification issues and said notices cost time and money. Mr. Nelson commented there are no legal notification requirements that the Planning Board has to deal with until you get to the adoption stage. Mr. Nelson said this will take several meetings and over that period of time it could be publicized on what the planning board is working on. Mr. Cholminski commented on the cost. Mr. Nelson stated his proposal included several meetings and if it goes beyond several meetings than there will be additional cost for his time. Board Members had a discussion on the cost. Mr. Cholminksi indicated to the Board we may need legal advice and engineering advice along the way which is not included in the cost. Mr. Nelson said he got an estimate from Mr. Knutelsky for mapping and estimated it will be \$1,500.00 to \$1,600.00 and Mr. Brady the Board Attorney may be another \$1,000.00 to \$1,200.00 for meeting times.

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Mr. Cholminski said he estimates the cost to be around \$10,000.00. He also said the engineer is always involved in the recommendations and discussions. Mr. Williams commented if we do make changes in the HC Zone and spend \$10,000.00 and have more businesses come into Franklin then it can make Franklin more business friendly. Mr. Williams talked about several locations along the HC Zone. Mr. Nelson stated that on the five acres minimum back in 2003 or 2004 the idea was to hope that developers would come in and assemble undersized lots into five acres partials but this did not happen. Mr. Cholminski commented that one size doesn't fit all along Route 23 and it is going to take work to come up with ordinance requirements and setbacks that will work. Mr. Williams said look at the problem the Borough had with Recreational vehicles. Mr. Cholminski commented that was the biggest problem I saw too and one size did not fit all in that ordinance either. Mr. Nelson stated he discussed with Mr. Kilduff about the possibility of the Economic Development Committee getting involved and help establish a base line on what's out there.

The Board Members are in agreement that they need to take action on the HC Zone along Route 23. Board Members went back and forth and discussed the amount of money to ask the Council. Mr. Cholminski asked Mayor Crowley if the money is budgeted and Mayor Crowley responded no. The Board members had a discussion with Mr. Nelson regarding the cost of the Master Plan Re-Examination Report.

Mr. Giordano commented it pays to spend a little more to notify people so in the future you don't have problems. Mr. Cholminski thinks Mr. Giordano is confused and asked him to explain in the past what we didn't do correctly. Mr. Giordano said he is a person that believes in notification and if you are changing something that will impact the community then send it out to the community. Mr. Cholminski confirmed with Mr. Nelson if we do a Master Plan Evaluation the requirement is to hold public meetings. He also indicated that in the past we had plenty of public meetings including the fire house where places were packed so he believes there was plenty of communication then.

Mr. Cholminski stated he would like to do the re-examination and do it right and would like to make sure its transparent but needs to know if we have the money and support. He also said are people not knocking down our doors to build because of our zoning. The Board Members had a discussion on the positive and negatives of changing zones and the cost. Mr. Williams suggested to ask for a sum of money not to exceed a certain amount.

Mr. Nelson stated the redevelopment areas that we studied were larger than most developers these days want to get involved in. Mr. Nelson said Mr. Maino is talking about getting things on a smaller scale and he has been very successful with two projects in Franklin and another project in Hamburg. Mr. Nelson said the re-examination report will be required to look at those redevelopment areas again and make some recommendations.

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Mr. Cholminski said that he read one problem of redevelopment is towns can force people out of their property. Mr. Nelson commented the law has been amended and there is another category that you can do a redevelopment study under and designate an area as a redevelopment area minus the domain power. Mr. Nelson said the change occurred about a year ago.

Mr. Cholminski stated the next step is to send a letter to the council stating that the planning board is in agreement to support a study of a Master Plan Re-examination report on the HC Zone. The Board Members had a lengthy discussion on the cost of the Re-Examination Report. Mr. Williams suggested a study of the HC Zone not to exceed \$12,000.00. Mr. Nelson cleared with the Board Members the primary focus of the study will be the HC Zone. Mr. Cholminski clarified the motion for the record and request Mr. Kilduff submit a letter to Mayor and Council.

Mr. Williams made a motion to Authorize the Re-Examination Study of the Route 23 HC Zone not to exceed 12,000. Seconded by Mr. Foulds.

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS: None

Mr. Cholminski said he discussed with Mr. Kilduff and the Executive Session on the agenda does not have to go into Executive Session. The purpose of the discussion will be the evaluation of the professional's contracts. Mr. Cholminski stated the evaluations are all excellent and recommend no changes. Board members had a discussion on the professional's contracts. Mayor Crowley indicated that if an applicant is on the Agenda and Professionals are present they will be paid by applicants escrow account. He also said we are below what the surrounding towns are paying.

Mr. Foulds made a motion to **Approve the Professional Contracts**. Seconded by Mr. Williams.

Upon Roll Call Vote:

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

NAYS: Giordano ABSTENTIONS: None

CORRESPONDENCE:

There were no correspondence.

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OPEN PUBLIC SESSION:

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

No one came forward.

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

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 8:31PM on a motion by Mr. Christiano. Seconded by Mr. Williams. All were in favor.

Respectfully submitted,

Karen Osellame
Secretary