

Franklin Borough Planning Board
Meeting Minutes for
October 19, 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."

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

ABSENT: Mr. Babcock

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

APPROVAL OF MINUTES:

Mayor Crowley made a motion to approve the **Franklin Borough Planning Board Meeting Minutes for September 21, 2015**. Seconded by Mr. Foulds.

Upon Roll Call Vote:

AYES: Christiano, Mayor Crowley, Foulds, Williams, Zydun, Nidelko, Kidd

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.

PAYMENT OF BILLS:

Mr. Cholminski indicated Escrow Report for October 19, 2015 totals \$3,980.70.

Mr. Zydun made a motion to approve the **Franklin Borough Planning Board Escrow Report for October 19, 2015**. Seconded by Mr. Williams.

Upon Roll Call Vote:

AYES: Christiano, Mayor Crowley, Foulds, Williams, Zydun, Cholminski, Nidelko

NAYS: None ABSTENTIONS: None

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DISCUSSION:

Sign Ordinance

Board Attorney, Mr. Dave Brady discussed an Ordinance Amending, Chapter 161, "Land Development" and Chapter 281, "Signs" distributed to Board Members for review. He has reviewed other towns sign ordinances and the draft presented to the Board has been reviewed by Board Planner, Ken Nelson and Board Engineer, Tom Knutelsky. He indicated Mr. Knutelsky is looking into measurements to clarify a formula and the ratio from 1 to 20 is recommended by Mr. Knutelsky to be deleted. He stated if the Board agreed with the changes he will then forward to Council for review.

Mr. Christiano commented on Page #4, (Wall Signs). He said it should be changed to state the sign has to be within the dimension of the wall. He is concerned the sign may stick out of the side of a building and possibly torn off by the wind. Mr. Brady said he will check into the definition of wall signs and will add language if needed to clarify that.

Mr. Zydon commented on the signs brightness levels. Mr. Brady referred to page #7, section D. He commented on technical requirements for electronic changeable copy signs. He indicated signs require a dimmer control and a photocell which will automatically adjusts the intensity of the display. He commented on the default mechanism that will turn black if there is a problem and said he will talk to Mr. Knutelsky regarding measuring nits. Mr. Kidd said you can calculate nits with a foot candle meter based on the distance away from the foot candle. Mr. Brady discussed foot candles over ambient light levels and said it needs to be calibrated and certified that the sign is complying with requirements. He suggested if the Borough receives a complaint on the brightness level of a sign then it will need to be tested and certified. Mr. Foulds asked if a time frame will be given to comply with the requirements. Board Members went back and forth and discussed their opinion on the time frame. It was decided ten business days will be added to comply with the requirements. Mr. Christiano commented on signs displaying emergency messages. Mayor Crowley feels emergency messages may be displayed in the future.

Board Members had no further comments or questions regarding the Amended Sign Ordinance.

Mr. Foulds made a motion to **Pass the Sign Ordinance with changes discussed to Mayor and Council for Approval.** Seconded by Mr. Williams.

Upon Roll Call Vote:

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

NAYS: None ABSTENTIONS: None

Master Plan Re-Examination

Board Planner, Mr. Ken Nelson addressed the Board and discussed Master Plan Re-Examination Report Draft #1 dated October 13, 2015. He indicated the Board needs to be comfortable with the Re-Exam Draft before proceeding to the public hearing and he commented on the time table. He said there are potential applicants waiting on the Final Re-Exam Report and Zoning changes. Mr. Nelson discussed the Master Plan Re-Exam process and said once the Master Plan Re-Exam is adopted then Council can prepare ordinance changes if needed.

Mr. Nelson gave a brief recap on the Master Plan process and commented on the 2009 Master Plan. He indicated a year ago there was a concern whether certain zoning was creating problems with future development and redevelopment along Route 23. He said one concern was the minimum lot size requirement and he feels it could be a potential concern to the Borough. He discussed sub division of large lots into smaller lots and the fragmentation of the development pattern along Route 23. He said a detailed look was taken on the Route 23 Corridor including lot sizes, existing land uses, environmental conditions and physical conditions. Mr. Nelson discussed zoning changes along Route 23. He talked about his meeting with the Sub Committee and discussed a number of tentative decisions.

Mr. Nelson referred to his letter on Suggested HC1 and HC 2 Standards. He commented on the HC1 Zone and discussed minimum lot size requirements. The HC1 Zone will have a minimum lot size of 4 acres and also allow the minimum lot size of 2 acres for single use businesses. He discussed the consolidation of under size lots and said the HC1/HC2 bonus provisions will help increase density and encourage consolidation of lots.

Mr. Cholminski commented on the new Mayor and Council and the timing of the Master Plan approval. Mr. Nelson said part of the amendments could be done before the end of the year.

Mr. Nelson discussed Bonus provisions and said the concept is to have an incentive for developers to consolidate lots. He commented on the proposed uses, lot sizes and discussed residential zones. He talked about allowing Home Occupation on properties along Route 23 which is currently not allowed in the HC Zone. He clarified home occupation will include a professional office within a residential zone.

Mr. Nelson commented on Main Street and Zinc Mine Property. He said there has been discussion with developers regarding the Hospital property and internal discussions on

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the MAAH Zone (Munsonhurst Rd). He indicated discussions with potential developers on removing the age restriction requirement. Mr. Nelson commented on building coverage requirements and discussed ordinances amendments and commented on the electronic sign ordinance.

Mr. Nelson referred to the map displayed and discussed properties he recommends to be removed from Commercial Zoning. He said there has been internal discussion on the site being appropriate for multifamily residential. He talked about the Meenan Oil site property and the application that is pending with the Board of Adjustments. He also discussed properties in the redevelopment areas. He indicated the committee also discussed removing Super Walmart Site from the redevelopment area but he feels it should remain. Mr. Nelson said there has been a request that a portion of the Weis property adjacent to the Super Walmart site be included in the redevelopment area. He said this is problematic because it's a designated redevelopment area that exist and if amended it needs to go thru the legal steps to expand the redevelopment area and said it involves Council decision.

Mr. Cholminski asked Mr. Nelson what is needed from the Planning Board to proceed. Mr. Cholminski was concerned the new Mayor and Council will have adequate time, experience and knowledge of the planning process. He commented on the timing of the Master Plan Amendment and ordinances. Mr. Nelson said the Master Plan Re-Examination Report is solely reviewed by the Board and once it's adopted by the Planning Board it gets sent to Council for informational purposes. He said the council can choose or decide that there are portions of the Master Plan Re-examination Report and Amendments that can be carried thru into ordinances and others that they choose not to. He commented on the new Mayor and Town Council coming aboard and commented on the Publics input in November's meeting.

Mr. Nelson pointed out we are nearing the upper limits of the budget and it is up to the Board on how they want to proceed. Board Members went back and forth and discussed their opinion on how to proceed and commented on when Board Members terms will expire. Mayor Crowley discussed member's appointments that will expire at the end of the year. He said the next Council meeting in November the election will be over and there will be an official Mayor elect. Mr. Cholminski commented on their attendance to the November meeting. A discussion took place on how to proceed with the Master Plan Re-examination Report. Mr. Nelson said he will talk to Alison McHose and discuss the Master Plan Re-Exam budget balance. Mr. Cholminski commented on the goal and time frame and suggested to proceed with the Public Hearing at Novembers scheduled Planning Board Meeting. Board Members agreed.

Mr. Cholminski discussed trends and feels many owners want to convert commercial properties into apartments. Mr. Nelson commented on how the retail market is changing. Mr. Christiano indicated there is not a lot of multifamily residential properties.

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Mayor Crowley feels the trend is not individual housing or new housing and commented on the Sterling Plaza application approved by the Zoning Board to convert the building into residential apartments. He said residential rentals is becoming the trend and said it's a way to bring the population back. Discussion took place on the Main Street properties and the Hospital Site. Mr. Cholminski talked about residential rentals and age restricted properties. He pointed out high density commuters can bring more traffic to Route 23.

A discussion took place on the Public Hearing in November and Board Members feel the public input is very important. Mr. Cholminski indicated the Board will proceed with the open public meeting on November 16, 2015.

OPEN PUBLIC SESSION:

Mr. Christiano made a motion to **Open to the Public**. Seconded by Mayor Crowley. All were in favor.

Linda Ellwein resident of 27 Route 15 in Hardyston stepped forward. Her occupation is economic development and planning. She indicated she is representing Dr. JP Bonnet owner of the Skylands Medical Building. She asked the Board to look at the possibility of considering the building a redevelopment area. She said the building has been vacant for many years and discussed plans for the vacant areas but indicated work was on hold due to things they were not aware of in the plans. She said Habitat for Humanity was planning on occupying the property. Mr. Nelson commented on conversations with JP Bonnett regarding the property. He indicated there is a site plan approved for the building and the site may not meet the criteria for a redevelopment area. A discussion took place on redevelopment. Mayor Crowley commented on the contingencies approved for the site. Mr. Cholminski stated the owner will have to return to the Board and modify the site plan. A discussion took place on amending the site plan.

Mr. Dick Durina resident of 23 Auché Road stepped forward. He acknowledged Chairman, John Cholminski for his 25 years of service. He is pleased with the Boards meeting tonight and their willingness to work with Council. He said the town needs to create a community that works together and is very pleased with the intelligence from Planning Board Members. He discussed traffic on the HC Zone and commented on left hand turns along Route 23. He said planning along Route 23 is very important and advised the Board to look into any future plans for the road.

There were no further comments from the public.

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

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Mr. Ken Nelson asked the Board to email him any further comments they may have regarding the Master Plan Re-Examination Report.

ADJOURNMENT: