

Franklin Borough Planning Board
Meeting Minutes for
November 20, 2018

The meeting was called to order at 7:30 PM by the Chairman, Mr. John Christiano, who then led the assembly in the flag salute.

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

ROLL CALL OF MEMBERS: Mr. Wes Suckey, Chairman (Absent)
Mr. John Christiano, Vice – Chairman (Present)
Mr. Nick Giordano, Mayor (Absent)
Mr. Stephen Skellenger, Councilman (Absent)
Mr. Floy Estes (Present)
Mr. Jim Nidelko (Present)
Mr. Jim Williams (Present)
Mr. John Friend (Present)
Mr. Richard Knop (Present)
Mr. Ted Bayles, Alternate #1 (Present)
Mr. Michael Raperto, Alternate #2(Absent)
Mr. Stephen DeFinis, Alternate # 3 (Present)
MS. Sharon Schultz, Alternate #4 (Present)

ALSO PRESENT: Mr. Robert Correale, Board Attorney

APPLICATIONS FOR COMPLETENESS:

Prestige lawn maintenance, PB# 09-18-02, Block 2702, Lot 20, 7 RT. 23 Use variance in a HC-2 zone.

Mr. Christiano read from Mr. Knutelsky's report explaining that the applicant was looking to receive a waiver granted for checklist item 25 as explained in Mr. Knutelsky's report. The applicant's position is since there is no soil disturbance proposed the applicant is asking for a waiver for this check list item. The applicant has agreed to provide a soil erosion and sediment control plan if the board deems it necessary Mr. Christiano and the board members agreed.

Mr. Correale explained that the board could go ahead with a completeness vote. Explaining that when hearing the application and getting further into the application the board can ask for a more detailed and elaborate plan for checklist item 25 as discussed in Mr. Knutelsky's

Mr. Christiano asked for approval to deem the application complete and asked for a motion. Mr. Friend made the motion to deem the application complete. Seconded by Mr. Estes. All were in favor.

APPROVAL OF MINUTES:

Mr. Nidelko made a motion to approve the **Franklin Borough Planning Board Meeting Minutes for September 17, 2018**. Seconded by **Mr. Knop** .

Upon Roll Call Vote:

AYES: Friend, Nidelko, Estes, Williams, Knop, Christiano

NAYS: None ABSTENTIONS:

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PAYMENT OF BILLS:

Mr. Friend made a motion to approve the **Franklin Borough Planning Board Escrow Report** for November 20, 2018. Seconded by Mr. Nidelko. All were in favor.

APPROVAL OF RESOLUTIONS:

-F&R Associates, LLC, PB – 06- 18-01 Block 1302, Lot 6

Mr. McGee addressed the board on behalf of F & R associates. Mr. McGee stated that the proposed resolution looks good to them. The only reason why he appeared tonight is to see if the deed proposed can be signed this evening after the resolution passes. Mr. Correale explained there would be no way for that to happen this evening due to Mr. Knutelsky, the town engineer, not being present this evening.

Mr. McGee understood and said he would follow up on his end at a later date.

Mr. Christiano asked if the members had any questions or concerns in regards to the resolution. There were no questions or concerns and Mr. Christiano asked for a motion to memorialize the resolution. Mr. Friend made a motion to memorialize the resolution for F&R associates. Seconded by Mr. Estes.

Voting Eligibility: Friend, Skellenger, Giordano, Estes, Knop, DeFinis

Upon Roll Call Vote:

AYES: Friend, Estes, Knop, DeFinis

NAYS: None ABSTENTIONS:

-VBM Investments, INC PB- 06-18-02 Block 1010, lot 9

Mr. Christiano asked if the board members had any questions or concerns regarding the resolution for VBM Investments.

The board did not have any questions or concerns and Mr. Christiano asked for a motion to memorialize the resolution for VBM Investments. **Mr. Nidelko** made a motion to memorialize the resolution for VBM Investments. Seconded by **Mr. Friend**

Voting Eligibility: Friend, Nidelko, Estes, Knop, Suckey,

Christiano, Bayles, Raperto, DeFinis

Upon Roll Call Vote:

AYES: Friend, Nidelko, Estes, Christiano, Bayles

NAYS: DeFinis ABSTENTIONS:

Mr. Christiano went on to state that the next resolution, the third resolution this evening is in reference to the Historic Main Street Redevelopment Plan. Mr. Christiano explained to the board that he spoke with Mr. Nelson earlier in the day and that Mr. Nelson explained to him that he was leaving it up to the board on whether or not they wanted to take a vote on moving forward with the Main Street Redevelopment Plan. Mr. Christiano went on to explain that the only issue he sees in the plan is on page 34 and he quotes the specific sentence that he is referring to. "This plan temporarily supports leaving the existing MZ zone in place in order to determine if the development of the site can be developed for residential purposes can proceed as first envisioned many years ago." Mr. Christiano went on to explain that many years ago the board rezoned that particular property for five hundred and some odd residential units in a single high rise building. Over the years there has been some interest here and there however, over the years the zoning has not benefited the borough at all. Mr. Christiano goes on to state, during the meetings I have had with Wes Suckey and Ken Nelson there has been long discussions about rezoning the lower portion of the zinc property to an industrial zone. The lack of sewer service down there would not adversely affect an industrial zone. An industrial zone in the lower portion of the property

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could also benefit from the railroad service that is currently in service in that zone. Mr. Christiano stated that when speaking with Ken earlier today he told Mr. Nelson that the board may ask to have that paragraph in the document re worded with stronger wording. Making the document more force full before taking the vote and proceeding with passing it on to the town council. Over all the wording in the document needs to boldly state that the lower portion of the property needs to be re zoned for industrial only. Mr. Christiano stated that being said, at this time in his opinion, Mr. Christiano does not see the board taking a vote on this matter tonight and not passing it on to the town council tonight. Mr. Christiano did ask if the board members had comments or concerns that they wanted to discuss at this time. Mr. Estes asked how this effects the land owner, will the property owner have the opportunity to speak at the hearing. Mr. Christiano replied, by stating the change in zoning would be at a public hearing. The land owner would then be able to state his case and put in his input at that time. Ms. Schultz asked wasn't there questions on how much of that area was build-ability and the safety of building in that particular area. Mr. Christiano answered by stating there has always been question of the build-ability in that area. Because of the remaining foundations from the old zinc processing plant, potential issues of contamination, etc. There is no sewer service in that area and being in an industrial zone and not being in the sewer service would not effect that zone. Industrial zones would be able less impacted with those issues and would not have the population or traffic to need to be in the sewer system. Industrial zones would be able to make due with septic systems. Mr. Correale intervined by stating if the board members remember at the last meeting there was a discussion and a suggestion made by Mr. Correale to ask Mr. Brady to draft a resolution. Mr. Brady has not drafted the resolution because he is engaged and wants to continue to be engaged with the town council. Mr. Correale suggested that the board does not go ahead with voting on this matter tonight. Mr. Christiano stated that was what the board planned on doing. Mr. Correale and Mr. Christiano agreed that the board would carry this vote to the December 17th 2018 meeting. Mr. Christiano stated again that he would be in touch with Mr. Nelson and would explain to him about making the re zoning of the lower portion of the property to be re zoned to an industrial zone only and make it plain and clear not allowing any room for error. Mr. Williams also agreed and explained how clear the planning board needed to be on making sure that this particular location is rezoned. Make it very clear to the planner that the wording needs to be strong and forceful and clear that particular area needs to be rezoned to an industrial zone only. The board was in agreement and Mr. Christiano stated that they would table this discussion and vote on this matter at the December 17th meeting. Mr. Correale stated that he was also in agreement. Mr. Correale also stated that perhaps at the next meeting there would also be a resolution that the board would be able to discuss, mark up and work on as well.

OTHER BUSINESS:

Mr. Christiano stated as long as we are on the topic of the Main Street redevelopment he would like to discuss and bring to the board members attention that the Town Council is working on a few resolutions they have been approved but they are being looked at and worked on. Mr. Christiano passed around the rendering of the proposed neighborhood house. There are a few resolutions that the town council is working on. One is to change the master plan to be in conformance to the Highlands Act. Mr. Christiano asked the board secretary to make copies and to send to the planning board members as soon as she can. Mr. Christiano explaining that it is something that the planning board needs to have. Mr. Christiano went on to say that he and the board members were not invited by the town council to come listen to the presentation by the Highlands Council. Mr. Christiano and the

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board members had a discussion on what the Highlands Act is and what it means to Franklin Borough. Mr. Williams stated that he is not sure why the town council is pursuing this right now. Mr. Williams and Mr. Christiano briefly discussed their concerns referring to the rendering that was being passed around to the members. Mr. Williams and Mr. Christiano's concern were in regards to Parker Street. Mr. Williams was concerned that the rendering shows that some of the proposed neighborhood house would go across Parker Street. Mr. Williams briefly stated his concerns. Mr. William's also stated that it was his understanding that Mr. Christiano and Mr. Suckey along with Mr. Zydon did not want to close off Parker Street for many reasons. One and the most important one being for safety reasons and emergency vehicles not being able to access the building safely and more importantly a timely manner. Mr. Williams also touched on the Borough's parking lot directly across from the right side of the property. That parking area is for the Main Street residents and other town residents that need additional parking. The residents pay the borough a fee to be able to park there. Where would these residents park if we eliminated that parking area? There are a lot of questions and things that need to be ironed out. Mr. Christiano agreed and went on to say that when you receive the resolutions and rendering via email from the board secretary note that the council has not acted on these resolutions. The council has tabled these resolutions until we can sit down with them and have a discussion.

APPLICATIONS TO BE HEARD:

There were no applications to be heard.

ADJOURNED CASES:

There were no adjourned cases.

DISCUSSION:

CORRESPONDENCE:

There are no correspondence

OPEN PUBLIC SESSION:

Mr. Christiano opened **the meeting to the Public**. Mr. Christiano stated not seeing anyone coming forward I will close the meeting to the public at this time.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 8:02 PM on a motion by Mr. Estes, seconded by Mr. Nidelko All were in favor.

Respectfully submitted,

Michelle Babcock
Planning Board Secretary