

**Franklin Borough Planning Board**  
**Meeting Minutes for**  
**March 18, 2019**

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

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

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

ALSO PRESENT: Mr. Dave Brady, Board Attorney

**Approval of Minutes:**

**Franklin Borough Planning Board Meeting Minutes for February 19, 2019**

Motion made by **Mr. Friend**. Seconded by **Mr. Nidelko**.

**Upon Roll Call Vote:**

AYES: **Friend, Nidelko, Williams, Christiano, Raperto, DeFinis,**

NAYS: None                      ABSTENTIONS: **Mr. Skellenger, Mr. Estes.**

**Approved**

**Franklin Borough Planning Board Executive Session Minutes for February 19, 2019**

Motion made by **Mr. Friend**. Seconded by **Mr. Raperto**.

**Upon Roll Call Vote:**

AYES: **Friend, Nidelko, Williams, Christiano, DeFinis**

NAYS: None                      ABSTENTIONS: **Mr. Estes, Mr. Skellenger,**

**Approved**

**PAYMENT OF BILLS:**

**Mr. Christiano** made a motion to except the escrow report for March 18, 2019.

**Seconded by Mr. Estes.**

**All Were in favor.** Mr. Skellenger – abstained

**Franklin Borough Planning Board**  
**Meeting Minutes for**  
**March 18, 2019**

**APPLICATIONS OF COMPLETENESS:**

None

**APPLICATIONS TO BE HEARD:**

None

**APPROVAL OF RESOLUTIONS:**

None

**CORRESPONDENCE:**

None

**NEW BUSSINESS:**

Memo from Clerk to review and discuss Ordinance 03-2019 reference to the parking of commercial vehicles. Mr. Suckey read the current ordinance and stated that the current states the weight limit is 7, 000lbs. The new ordinance if adopted would be raised to 19,500lbs. Mr. Estes stated that he believes that a class C would be more then sufficient. Mr. Estes explained and as a homeowner Mr. Estes is not 100% convinced that he would be ok with looking at his window or door at his house and seeing a bucket truck or any other kind of truck of that size in his neighborhood. Mr. Estes went on to explain that the roads and houses in some areas in town are so small and close together, it would be hard to park that size vehicle let alone navigate that size vehicle around our town's roads. Mr. Williams agreed with Mr. Estes and stated that he also thought that 19,500lbs was entirely to much of a jump from the current weight of 7,000lbs. Mr. Williams went on to explain why he believed that the increase in weight was a good idea, However Mr. Williams is not in agreement with the significant increase. Mr. Williams went on to explain that in most cases these larger vehicles are diesel and would need to be stared and run for a few minutes. Mr. Williams went on to say that that would bring up another issue and complaints from neighbors. Mr. Estes states that all though he does believe there should be a little flexibility in the ordinance. Mr. Estes explains that there are different factors that go into revamping the ordinance. Mr. Estes stated especially the location of where these vehicles would be parked. Mr. Estes explained that there are areas in town that would be more flexible and open minded to these larger vehicles.

Mr. Brady explained to the members on what exactly the planning boards function is in regards to this ordinance change. Mr. Brady explained that because this ordinance falls under the zoning code. The council has to send it to the planning board for their comments, concerns and any recommendations the planning board may have to give to the council. Mr. Brady explained that he would draft a letter with comments and recommendations on what the planning board discusses. Mr. Brady explained that there are a few different options for the planning board to think about and discuss. Mr. Brady stated it is not just trying to figure out what the vehicle weight should be, its more in depth then that. Mr. Estes asked if everyone on the board was in agreement with the weight increase being to high. Mr. Estes stated that the current weight is 7,000lbs. The

**Franklin Borough Planning Board**  
**Meeting Minutes for**  
**March 18, 2019**

proposed new ordinance would allow up to 19,500lb. Mr. Christiano stated that the planning board is in the same predicament that they were in a few years back. Mr. Christiano explained that there were a few different scenarios they came across that made the issue so complicated that we didn't discuss it any further. Mr. Christiano went on to state that it is not as easy as it appears to be. Mr. Christiano explained that the committee started asking questions about lot sizes, does the homeowner have a driveway, a garage, how close to the neighbors was the vehicle going to be parked. Mr. Christiano explained it got really complicated really quick.

Mr. Nidelko agreed and stated that there are too many variables. Mr. Christiano agreed and stated if we are going to address this and seriously dig into all of this the board will need more time. Mr. Christiano stated that there is a lot of research that needs to be done when addressing this very complexed issue.

Mr. Raperto asked if the weight was physical weight or what the vehicle is registered at. Mr. Suckey stated that it was not registered weight. It is gross weight. The weight it was when bought at the dealership. Mr. Brady explained that again there are many different factors that needs to be looked at. There are residents that bring home their work trucks. Mr. Brady also explained that trucks are getting bigger and bigger.

Mr. Suckey stated the strange part is that the ordinance fits under article five for zoning 161-32 accessory structures and uses. Mr. Suckey also explains that there is no glossary or definition on what is considered a mechanism piece of equipment in the ordinance. Mr. Suckey went on to explain that the existing ordinance states that there should not be more than one commercial vehicle, not to include commercial tractors or trailers. Mr. Suckey stated however, it does not give a definition of what a commercial vehicle is considered. Mr. Suckey stated that nor does the proposed ordinance.

Mr. DeFinis stated that he believes if we as a board let this go residents will abuse it and push the limits and something bad might happen.

Mr. DeFinis stated that the roads were made so long ago that they were not made for these size trucks, large equipment. Mr. Friend said that there would also be limited sight distance. Mr. Friend stated that this is another issue that was brought up the last time the committee tried to come up with a reasonable compromise.

Mr. Suckey stated that there are a few different options we have as a board right now. One, we can pass it as it is and give it back to the council. Two, the board can deny it and tell the council we do not agree with this change. Third, Mr. Brady can write the council a letter explaining that the planning board would like to give the ordinance to the planning board ordinance committee to have them look at and research. Giving solid, factual recommendations back to the council.

Mr. Brady stated that the letter would state that it needed further study and why it needs further study. Mr. Suckey suggested that the letter also suggest the council put a moratorium on giving out summons on this particular issue until both the planning and council can come up with some sort of agreement on this ordinance. Mr. Suckey stated that the planning board needs more information from the council on why they want the weight of the vehicles changed and why that weight specifically.

Mr. Suckey asked for a motion on any of the three options that he just explained.

**Franklin Borough Planning Board**  
**Meeting Minutes for**  
**March 18, 2019**

**Mr. Raperto** made a motion to advise Mr. Brady to write a letter to the council of what the planning board needs to do to research this matter. Allowing the planning board committee to research. Along with suggesting placing a moratorium on giving out summons in reference to this violation.

**Seconded by Mr. Estes.**

**All in Favor –**

Mr. Skellenger – abstained

**Motion approved**

**Powers, Responsibilities and Procedures of the Franklin Planning Board**

Mr. Suckey stated that he would have Mr. Brady better explain this in greater detail.

Mr. Brady explained that he has drafted up similar documents to the different boards.

Mr. Brady drafted one for the zoning board once and now that the two boards are combined, Mr. Brady and Mr. Suckey were discussed updating the documents making it into one now that the zoning board is combined with the planning board. Mr. Brady thought it would also be helpful for the new members. Mr. Brady explained that the members could use it as a reference, something to look back on. Mr. Brady stated that it does not go into details and does not reference cases. Mr. Brady stated that it is just a quick resource when you hear some of the vocabulary and you want to make sure you know what to ask or to listen for when hearing an application.

Mr. Suckey explained that although members attend the mandatory land use class. That class is five hours long and they try and give you all the information at once and test you at the end of the class. Mr. Suckey states its impossible to retain all the information at once. Mr. Suckey explained this document Mr. brady drafted should be helpful for a quick reference.

Mr. Suckey mentioned that there are some members who are attending the class on March 30<sup>th</sup>. Mr. Suckey stated that it is by law that all new members complete the class within the first year of the member being appointed to the board. If a board member does not attend that class within the first year that member would no longer be able to sit on the board.

Mr. Suckey asked for the members to read the document over very carefully from now until the next meeting which will be April 15<sup>th</sup>. At that meeting we will vote on approve and have Mr. Brady finalize the document. All the members were in agreement.

**OPEN PUBLIC SESSION:**

Mr. Suckey opened the meeting to the public.

Dawn Rowe 140 Munsonhurst Road – Thanked the planning board for looking into this ordinance and really considering both sides. Ms. Rowe stated that she was at that particular council meeting when they discussed this ordinance. Ms. Rowe stated that there were residents who spoke on behalf of the residents and neighbors of residents that have work trucks, larger trucks parked in their neighborhoods. Ms. Rowe stated not only did the residents complain that it was an “eye sore “to look at. Mr. Williams made a

**Franklin Borough Planning Board**  
**Meeting Minutes for**  
**March 18, 2019**

good point explaining that most larger trucks are diesel and would be loud in the am or pm disturbing neighbors.

Ms. Rowe stated that at the council meeting Mr. Zydon gave a presentation. Ms. Rowe stated that it was done on a laptop so she was not able to receive much information on the presentation.

Ms. Rowe stated in closing, that she would also like to thank the planning board for having the joint workshop meeting with the council. Ms. Rowe stated that she thought it was fascinating and very educating. Ms. Rowe thanked the board for conducting the meeting.

Mr. Suckey thanked Ms. Rowe and asked if there were any other members from the public who would like to address the board. Mr. Suckey stated not seeing anyone coming forward. Mr. Suckey closed the meeting to the public.

**ADJOURNMENT:**

Mr. Suckey asked for a motion to adjourn. **Mr. Nidelko** made a motion to adjourn the meeting. Seconded by **Mr. Skellenger**.

**All were in favor.**

Respectfully submitted,

Michelle Babcock  
Planning Board Secretary