

Franklin Borough Planning Board
Meeting Minutes for
July 20, 2020
Via Phone Conference

The meeting was called to order at 7:35 PM by the Chairman, Mr. Wes Suckey, who then stated if there were no objections, he would suspend 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. John Sowden, Mayor (Present)
Mr. John Postas, Council liaison (Absent)
Mr. Floy Estes (Present)
Mr. Jim Nidelko (Present)
Mr. Jim Williams (Present)
Mr. John Friend (Present)
Mr. Richard Knop (Present)
Mr. Michael Raperto, Alternate #1(Absent)
Mr. Stephen DeFinis, Alternate # 2 (Present)
Ms. Sharon Schultz, Alternate #3 (Present)

ALSO, PRESENT:

Mr. Brady, Planning board attorney

APPROVAL OF MINUTES:

Mr. Suckey asked for approval for the **June 15, 2020** meeting minutes with corrections added.

Mr. Nidelko made a motion to accept the meeting minutes as written.

Seconded by **Mr. Williams**

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Estes, Williams, Knop, Suckey, Christiano, DeFinis, Schultz**

NAYS: None ABSTENTIONS:

Approved

PAYMENT OF BILLS:

Mr. Williams made a motion to approve the escrow report for **July 20, 2020**.

Seconded by **Mr. Friend**

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Estes, Williams, Knop, Suckey DeFinis, Schultz**

NAYS: None ABSTENTIONS:

Approved

APPLICATIONS FOR COMPLETENESS:

There are no applications for completeness

APPLICATIONS TO BE HEARD:

There are no applications to be heard

APPROVAL OF RESOLUTIONS:

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OLD BUSINESS:

Proposed recommendations for the RV ordinance

Mr. Suckey stated that everyone should have received the draft for the proposed RV ordinance.

Mr. Suckey stated that he hopes everyone had chance to read and review the document.

Mr. Suckey asked if any of the board members had any questions or concerns.

Mr. Suckey stated hearing none he would take a motion to approve the recommendations and send the document to the Borough Council's ordinance committee.

Mr. Christiano made the motion. Seconded by Mr. Williams.

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Estes, Williams, Knop, Suckey, Christiano, DeFinis, Schultz**

NAYS: None ABSTENTIONS:

Approved

Proposed recommendations for the fence ordinance

Mr. Suckey stated that the council's ordinance committee has asked the planning board to look at the fence ordinance and give them recommendations on updating and making changes to the current ordinance.

Mr. Suckey explained that when the sub committee met Mr. Brady was present and reviewed the fence ordinance and came to the conclusion that the current ordinance was extremely outdated and a lot of the wording was antiquated and, in some areas, no longer meets code.

Mr. Suckey explained that the best thing to do was to rewrite the ordinance using the old ordinance as a reference but going through every line and updating it significantly.

Mr. Suckey stated that the fence ordinance was addressed at the last meeting and concerns and questions were considered when drafting the new proposed ordinance.

Mr. Suckey stated that he feels that the revised drafted proposed ordinance that was distributed to the members checks off all the boxes as far as making sure the Ts are crossed and I s dotted and covers all the legalities.

Mr. Suckey stated that he feels confident that the proposed document does not leave any room for questions or uncertainties.

Mr. Suckey asked Mr. Brady if he had anything to add.

Mr. Brady stated that Mr. Suckey did a great job of summarizing and explaining the reason for and the changes made to the current ordinance.

Mr. Brady stated the only item Mr. Suckey did not mention was that the ordinance is broken down into two separate parts one being for residential and one for commercial.

Mr. Brady stated that both are very similar and deal with the same concerns and issues.

Mr. Brady asked if the members would like to go through the document section by section or just address anyone's questions or concerns.

Mr. Estes stated his concerns for the 4ft height restrictions and explained why he felt that 4ft would not work in cases where property owners' homes were located on hills and one part of a retaining wall may be only 2 ft at one section of the wall and it may go up to 4ft in another section. Mr. Estes stated having a 4ft restriction is not being fair to those property owners who happen to live in sections of town that are on a hill.

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Mr. Brady stated that the committee discussed all the different factors and understands the points Mr. Estes is trying to make but at the same time believes this is the fairest number without getting to involved with all the different types of property layouts.

Mr. DeFinis also stated that he felt that the 4ft restriction was to limiting.

Mr. DeFinis stated the reasons why he felt that the 4ft should be a higher number.

Mr. DeFinis stated that he agrees with Mr. Estes and the points that he made about property owners in different parts of town who are not on a flat piece of property and would have higher retaining walls which would only allow them to use 2ft or 4ft of fencing.

Mr. Brady stated that a property owner who needs their fence to be higher than the 4ft restriction will need to come forward with an application before the board asking for a variance.

Mr. DeFinis stated that he just knows that there are so many different parts of Franklin where property owners where their property has a different grade and variations in their front or side yard from even their backyard.

Mr. Suckey stated that the committee considered this and stated that they would not allow a side fence or a backyard fence to be higher than 6ft due to the fact of adjoining neighbors for the sole reason of not wanting a neighbor to have to look at an unsightly fence.

Mr. Brady stated and not only that if we get into higher fencing its starts to look like a medieval prison and no one wants to look at that.

Mr. DeFinis suggested that the board should at least be flexible and allow anyone who lives in those higher hillier parts of town to be able to come to board with plans and plead their case as to why they may need a higher retaining wall or fence on their property and explain why.

Mr. Suckey stated that they are not being locked out of this option.

The resident would just need to come forward and apply for a variance.

Mr. Williams stated that the application would be a lot of money on top of a large amount of money for escrow as well.

Mr. Estes stated that he did not agree with that option as to the amount of money that the resident would have to put into presenting an application to the board would ultimately be more then the fence that the resident would be putting up.

Mr. Brady also agreed that he did not foresee a pouring out cry from the town's residents who were going to need this type of variance.

Mr. Brady suggested that he would have a conversation with Mr. Knutelsky about the possibility of Mr. Knutelsky getting involved if a resident would so happen to need leeway on fencing and having a difficult being able to stay within the ordinance.

Mr. Brady stated that maybe in those unique circumstances Mr. Knutelsky could do a field change.

Mr. Brady stated that he can also edit the proposed ordinance and change the minimum of 2ft opposed to the 4t leaving more room for the height.

Mr. Suckey stated that he liked the idea of giving Mr. Knutelsky some lead way and allowing Mr. Knutelsky to make a field change in such unique circumstances.

Mr. Brady said he would edit the suggestions as discussed.

Mr. Suckey stated that the sub- committee did their best to keep the proposed recommendations as fair and as modern as they could be to fit in the present time.

Mr. Suckey asked if any of the members had any questions or if anyone had anything else to discuss as far as this proposed ordinance was concerned.

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Mr. Brady asked Mr., Christiano if he was satisfied with what Mr. Brady came up with for the IVT and the Electric fence portion of the ordinance.

Mr. Christiano stated that it was fine.

Mr. Suckey stated with everything being addressed and discussed this evening do you think we can get an approval of this document with Mr. Brady's edits from tonight's discussion.

Mr. Brady stated he would like to send this document to the town council ordinance committee for their review.

Mr. Friend made the motion. Sounded by Mr. Williams.

Upon Roll Call Vote:

AYES: **Friend, Nidelko, Williams, Knop, Suckey, Christiano, Schultz**

NAYS: None ABSTENTIONS: **Estes, DeFinis**

Approved

Mr. Suckey asked if there was any other old business to be addressed.

Mr. Suckey stated not hearing any he would like to move forward with the agenda.

NEW BUSINESS:

Mr. Suckey stated that its more of an FYI then it is new business.

Mr. Suckey stated that the next ordinance that the sub- committee will be addressing is the solar ordinance

OPEN PUBLIC SESSION:

Mr. Suckey stated that there was no public present on the conference call.

DISCUSSION:

Mr. Suckey stated that the new dates and time have been released by the NJPO (New Jersey Planning Officials) for the new member class that every new planning board member must take within the first year of being appointed to the planning board.

Mrs. Babcock confirmed that currently every member on the planning board has attended the mandatory new planning board members class.

ADJOURNMENT:

Mr. Christiano made a motion to adjourn.

Seconded by **Mr. Nidelko**

All were in Favor.

The meeting adjourned at 8:12 P.M

Respectfully submitted,
Michelle Babcock
Planning Board Secretary