

**FRANKLIN TOWNSHIP LAND USE BOARD
WORK SESSION MEETING MINUTES**

March 10, 2009, 7:30 pm

CALL TO ORDER and PUBLIC NOTICE

This is a meeting of the Land Use Board of the Township of Franklin. Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act.

ROLL CALL

Present: Philippe Aubry, Scott Bauman, Ted Blew, Paul Dahan, David Dallas, Linda Jacukowicz, Philip Koury, James Stryker, Lisa Wood and Jennifer Fisher.

Absent: Kurt Fischer and Roger Soltys.

Also present, Rick Roseberry of Maser Consulting.

APPROVAL OF MINUTES

Meeting of February 24, 2010 motion made by David Dallas seconded by Paul Dahan and approved by voice vote with no discussion. Abstaining were Phil Aubry, James Stryker, Linda Jacukowicz and Scott Bauman.

RESOLUTIONS

Natural Resource Inventory (NRI) - Motion to approve as written by Paul Dahan, seconded by Phil Koury. Roll call vote has all 10 members present in favor of the resolution. This will be distributed to the Township Committee.

PRESENTATION COUNTY WMP

Rick Roseberry is here to report to the board on the county build out analysis for the wastewater management plan. This is at a point where the county is looking for comment from the municipalities. The county utilized state calculations based on geographic and hydrological studies, not municipal boundaries, the criteria is applied on a watershed basis. Areas on the map are marked by color, green for environmental constraints, white for non-developable, red for already developed, and blue for areas considered developable. Franklin Township is almost all septic, very few areas are serviced by sewer or ever will be serviced by sewer. There are two watershed areas, divided by north and south. According to the state nitrate dilution studies we have larger lot sizes than required. Other municipalities zoning may be affected by the county build out plan in that they would have to increase their lot sizes to decrease the nitrate dilution. Rick does not believe the county would require Franklin Township to reduce their zoning. The study does indicate that in the north there exists the potential for 486 more units and 336 in the south.

The board members point out a number of inconsistencies with the county map and actual geographic features in the community. They are also concerned that we have been very proactive in protecting our water resources and may have negative consequences as other municipalities have not. Mr. Dallas points out that this leaves the door open for a builder to come in and argue against the larger lot sizes as the state recommends minimum zoning. Our 7 acre lots should be 6

by state standards. Mr. Blew states that he believes preserved farmland should be considered separately as protected and not just environmentally constrained. Mr. Dahan adds that 2 parts per million nitrate dilution would make it very difficult to farm anywhere. Chairman Stryker questions the states calculations as the board had considered 10 parts per million when deciding on 7 acre zoning. The state, using a lesser number came up with not larger lots, but smaller lot sizes.

Mr. Dallas questions why 100 year flood zones do not appear to be considered environmentally constrained. Mr. Stryker objects to the label of environmentally constrained as it is essentially the taking of land by reducing its use and value, and the township has had no representation in this design.

Mr. Roseberry will be taking the board's comments to Ken Bogner for the county. Mr. Stryker asks for an update in 30 days.

COMMUNICATIONS

Chairman Stryker advises the board that he has drafted a comment and concern outline of the school construction project to be forwarded to the state and local school officials. The clerk will email a copy of the final letter to the board.

FACILITIES

The board is still looking to upgrade the sound system in the meeting room. Linda expresses some concern that the costs should be divided. Mr. Bauman asks if the chairman has come up with board requests. Mr. Stryker indicates that he is working on this but has not has sufficient time to complete the task.

SUB COMMITTEE REVIEW

Ted Blew comments on the draft solar panel ordinance. The board had requested input from the fire department, and has had no response. There are concerns about firefighters having to deal with live panels. Chairman Stryker questions if the board should not allow roof mount systems other than by variance. Lisa Wood asks how the board can make a decision without adequate facts or technical information. Mr. Bauman comments that permitting doesn't open us up to liability. Mr. Dahan suggests that anything on the roof go to the land use board, not just solar panels. Mr. Blew will incorporate these comments into the draft ordinance.

Mr. Bauman will reintroduce the lighting ordinance to the Township Committee.

NEW BUSINESS

There follows comment on the townships introduced ordinance 2010-03, which more clearly defines the need for storm water management plans under Right to Farm. Mr. Dahan questions the need for an ordinance to remind people that they have to follow state regulations.

Mrs. Jacukowicz points out that this ordinance was drafted by the township attorney and the board's attorney Mr. Thompson to enforce the township's position. Mr. Dahan states that this will have to be reviewed by the Agricultural Advisory Committee. Linda will ask Ursula to forward the ordinance to them and can carry the matter at the April 8th Township Committee meeting. The Land Use Board will review the ordinance at their April 14th meeting to determine consistency with the master plan.

Chairman Stryker asks if anyone is familiar with a program that offers homeowners an energy evaluation, supposedly a \$1,500 value for \$300. Some community had purchased 5 of these, and gave them to a test group in order to obtain testimonials. Mr. Dallas supposes this could be through JCP&L. Linda thinks this is through Sustainable Community grants. The chairman is looking at interest in a test program.

ADJOURNMENT

Motion to adjourn by Phil Aubry, second by David Dallas and approved by voice vote. Meeting adjourns at 9:10 pm.

Minutes approved March 24, 2010



Jean A. Beischer, Clerk