

MINUTES THE MEETING OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKFORD HELD ON FEBRUARY 6, 2007.

The meeting was called to order by Mayor Kristensen with the opening statement that the meeting had been duly advertised and met all the requirements of the Sunshine Law. Also present were: Committeeman Hahn, Committeeman McDowell, Attorney Laemers, Deputy Clerk Patricia Bussow and Municipal Clerk Louanne Cular.

ROLL CALL:

SALUTE THE FLAG:

COAH – EXECUTIVE SESSION: Richard Clark, Attorney – The committee went into executive session with a motion made by McDowell and seconded by Hahn, to discuss the COAH situation. All in favor. Motion carried.

1. **COAH Regional Contribution Agreement** – A motion was made by Hahn to approve the COAH Regional Contribution Agreement, seconded by McDowell. All in favor. Motion carried.
2. **Contract for the Administration of Affordable Rental Housing Units** - A motion was made by McDowell to approve the contract for the Administration of Affordable Rental Housing Units, seconded by Hahn. All in favor. Motion carried.
3. **Development Fee Spending Plan** - A motion was made by Hahn to approve the Development Fee Spending Plan, seconded by McDowell. All in favor. Motion carried.
4. **Ordinance 2006-08 – 2nd Reading – An ordinance adding a growth share section to the land development ordinance as well as amending the township’s fee ordinance chapter ____.** A motion was made by Hahn to postpone this ordinance until further notice, seconded by McDowell. All in favor. Motion carried.

=====

CONSENT AGENDA: ALL MATTERS LISTED BELOW ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.

Minutes: Regular Meeting Minutes of 1-16-07.
Executive Session Meeting Minutes of 1-16-07.

Licenses: Raffle – SC Association
Fireworks Permits – 9 for Skyhawks

Resolutions: None

A motion was made by Hahn to approve the consent agenda, seconded by McDowell. All in favor. Motion carried.

PUBLIC PORTION: A motion was made by Hahn to open the meeting to the public, seconded by McDowell. All in favor. Motion carried. Public commented on High Ridge signs being put out on weekends at the intersection of Losey Road and County Route 565. The committee advised the complainant to see the Zoning Officer and to report same to the County of Sussex. Laurie Walsh was present as well as several other residents regarding the Claws Rescue Association and a request to purchase the property at 28 Pelletown Road. The committee will take this matter under advisement and will give them an answer at a later date. Rich Pumphrey reported that they are in the process of doing mark outs for the Storm Water Management Plan. A motion was made by

MINUTES THE MEETING OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKFORD HELD ON FEBRUARY 6, 2007.

McDowell to close the meeting to the public, seconded by Hahn. All in favor. Motion carried.

COMMITTEE REPORT: Committeeman McDowell reported that the Park Commission had met and they will need assistance with posting of signs regarding dogs at the Park. Mayor Kristensen reported that the contract is in for Morris Land Conservancy but the Open Space Committee wanted an additional paragraph inserted into contract. Mayor Kristensen read the changes and a motion was made by Hahn to approve the contract with the changes, seconded by McDowell. All in favor. Motion carried.

ORDINANCES:

1ST READING: Ordinance No. 2007 - 01

AN ORDINANCE TO AMEND CHAPTER XVI OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FRANKFORD, BEING THE ZONING CHAPTER

WHEREAS, the Land Use Board has recommended that the Agricultural Residential District (AR) be amended to ensure rational, safe and orderly development as envisioned in the Township Master Plan; and

WHEREAS, the Frankford Township Committee has determined that it is in the best interest of the health, safety and welfare of the Township to adopt this revision to the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Frankford, that Chapter XVI Zoning, Section, of the General Ordinances of the Township of Frankford, shall be and is amended as follows:

Section 1. Section 16-2, Definitions shall be amended to read as follows:

“Qualifying Map” shall mean a conceptual development plan showing the number of lots which would have been created had the same tract been developed in a conventional manner, taking into consideration such factors as terrain, shape of the tract, environmentally sensitive areas, bulk area and lot standards, and other customary considerations.

Section 2. Section 1032.1.a.2 “Environmental Preservation Constraints Option (EPCO)” shall be amended to read as follows:

Gross Density: One (1) unit per five (5) acres as shown on a qualifying map prepared by the applicant as defined herein.

- a. *Minimum Lot Size = 2½ acres, with environmental sensitive area calculations.*
- b. *Lot Frontage = 225 feet.*
- c. *Front Yard Setback = 75 feet.*
- d. *Side Yard Setback = 40 feet.*
- e. *Rear Yard Setback = 75 feet.*
- f. *Minimum Lot Depth = 250 feet.*

MINUTES THE MEETING OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKFORD HELD ON FEBRUARY 6, 2007.

- g. *Minimum Contiguous Developable Land = 20,000 square feet.*
- h. *Maximum Impervious Coverage = 10% of lot area.*
- i. *Maximum Building Height (Feet) = 35.*
- j. *Minimum Lot Width at Setback Line = 225 feet.*

Section 3. *Section 1032.1.a.3 “Open Space/Agricultural Preservation Option (clustering/lot averaging)” shall be amended to read as follows:*

Gross Density: One (1) unit per five (5) acres as shown on a qualifying map prepared by the applicant as defined herein. Minimum Tract Size – 40 acres.

- a. *Minimum Lot Size = 1½ acres and no greater than 2½ acres with an overall average of 2 acres per lot with environmental sensitive area calculations.*
- b. *Lot Frontage = 175 feet.*
- c. *Front Yard Setback = 75 feet.*
- d. *Side Yard Setback = 40 feet.*
- e. *Rear Yard Setback = 75 feet.*
- f. *Minimum Lot Depth = 250 feet.*
- g. *Minimum Contiguous Developable Land = 20,000 square feet.*
- h. *Maximum Impervious Coverage = 15% of lot area.*
- i. *Maximum Building Height (Feet) = 35.*
- j. *Minimum Lot Width at Setback Line = 175 feet.*
- k. *A minimum of 45% of the tract shall be deed restricted as open space under a homeowners’ association or preserved farmland under the clustering option only. Preserved farmland under the lot averaging option may have one or two of the permitted dwelling units consisting of the main and farmland related tenant residences.*
- l. *80% of lots must be adjacent to or directly across the street from open space. None of the open space shall be isolated from or noncontiguous with the majority open space (clustering option).*
- m. *25% of open space land must be non-environmentally sensitive area (clustering option).*
- n. *The design must first identify the portions of the tract to be preserved including open spaces, treed areas, steep slopes, flood plains, wetlands, and scenic vistas. Residential lots shall be located secondarily in the consideration of the options of the tract to be preserved.*
- o. *Raised septic systems shall be appropriately tapered and shall not have any exposed wall enclosures.*

Section 4. *Should any section, paragraph, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid for any reason, by a court of competent jurisdiction, such provision(s) shall be deemed severable, and the remaining portions of this Ordinance shall remain in full force and effect.*

Section 5. *All ordinances or parts of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.*

Section 6. *This Ordinance shall take effect after publication and passage according to law.*

MINUTES THE MEETING OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKFORD HELD ON FEBRUARY 6, 2007.

A motion was made by McDowell to approve Ordinance 2007-01 on first reading, seconded by Hahn. All in favor. Motion carried.

ORDINANCES:

2nd READING: None

APPOINTMENTS:

SWAC and PAC - A motion was made by McDowell to appoint Gregory Andres to both positions, seconded by Hahn. All in favor. Motion carried.

OLD BUSINESS:

- A. Guide Rail Request** – The committee will take no further action on this matter and the committee requested that a letter be sent to the complainant.
- B. Coded Systems – Land Use Ordinances** - This matter will be carried to the next meeting.
- C. Tax Sale Certificate – Scandia Spa** – A motion was made by Hahn to reject their proposal to pay a lesser amount than due, seconded by Kristensen. All in favor with McDowell abstaining.
- D. Lower North Shore – Speed Limits** – Engineer Harold Pellow was authorized to do the survey. Clerk will follow up.
- E. Meadow Ridge Builders – Bond** – Rich Pumphrey has issues with some items and this matter will again be carried.
- F. Mileage Reimbursement - \$.485** – A motion was made by McDowell to continue with the same mileage, seconded by Hahn. All in favor. Motion carried.
- G. Pelletown Road House** – The committee received many comments from the Claws Rescue group who is interested in purchasing the house for a rescue facility. The committee will review all comments and carry this matter.
- H. Gypsy Moth Spraying** – Patti Bussow gave the committee new figures on the acreage and a motion was made by McDowell to approve a single application contingent upon the attorney reviewing the contract, seconded by Hahn. All in favor. Motion carried.

NEW BUSINESS:

- A. Revised School Funding Formula** – A motion was made by Hahn to post the petition on the web site, make it available in the Municipal Office, and support requesting the Governor to revise the school funding formula, seconded by McDowell. All in favor. Motion carried.
- B. Vehicle Proposal** – A motion was made by Hahn to approve the purchase of a 4 wheel drive vehicle for the construction department providing that the money is available in their budget, seconded by McDowell. All in favor. Motion carried.
- C. Proposal Salary Resolution** – A motion was made by Hahn to approve the salary of the violations clerk from hourly to annual at \$13,000, seconded by McDowell. All in favor. Motion carried.

MINUTES THE MEETING OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF FRANKFORD HELD ON FEBRUARY 6, 2007.

- D. Court Agreement - 2007** – A motion was made by McDowell to approve the new agreement, seconded by Hahn. All in favor. Motion carried.
- E. Resolution supporting renewal of the Garden State Preservation Trust** - A motion was made by McDowell to approve the resolution and to send to all persons listed, seconded by Hahn. All in favor. Motion carried.
- F. Sussex County Economic Development partnership – request for donation** – The committee already donates \$300 so the donation requesting \$500 was denied.
- G. Complaint – Zoning Violation** – Since there is a conflict with Bill Paterson, Sharon Tufaro will be taking over this complaint. This matter will be carried.
- H. Bond Reduction – Oliver** – A motion was made by McDowell to reduce the bond per the engineers recommendation, seconded by Hahn. All in favor. Motion carried.

CORRESPONDENCE: The following items were pulled for discussion: #46 –the committee will be supporting the birding and nature festival in Sussex County.

BILLS TO BE PAID - A motion was made by McDowell to pay the bills as presented, seconded by Hahn. All in favor. Motion carried.

EXECUTIVE SESSION: A motion was made by Hahn to go into executive session, seconded by McDowell. All in favor. Motion carried.

PUBLIC PARTICIPATION: A motion was made by McDowell to open the meeting for public comment, seconded by Hahn. All in favor. Motion carried. Mayor Kristensen requested a plaque for an Eagle Scout and also requested that a letter be sent to the Frankford Township Board of Education nominating Ed Risdon Sr. for a sign on Recognition Drive.

5 Member Township Committee – Mayor Kristensen made a motion to move forward on a 5 man committee, seconded by Hahn. All in favor. Motion carried.

A motion was made by Hahn to close the meeting for public comment, seconded by McDowell. All in favor. Motion carried.

ADJOURNMENT: A motion was made by Kristensen to adjourn, seconded by McDowell. All in favor. Motion carried.

Attest:

Louanne Cular
Municipal Clerk

