



TOWNSHIP OF FRANKLIN
County of Gloucester
State of New Jersey
1571 Delsea Drive
Franklinville, New Jersey 08322
(856) 694-1234

TOWNSHIP OF FRANKLIN ZONING BOARD OF ADJUSTMENT MEETING – MINUTES
January 6, 2026

Meeting was called to order by the Secretary.

Pledge of Allegiance.

Notice of this meeting has been given as required by the Open Public Meetings Act in the Annual Notice of Meetings. A copy was posted on the Township Website and notice of this meeting was sent to the Sentinel, the South Jersey Times and a copy was posted at the Franklin Township Municipal Building.

Roll Call: Mr. Gaetano: Present – 7:05pm Mr. Leo: Absent Mr. Ketcham: Present
Mr. Garofalo: Present Mr. DeCesari: Present Mr. Hammel: Present
Mr. Taraska: Present Mr. Iglesias: Present Mr. Gravenor: Absent

The Secretary asked for nominations for the Zoning Board Chairman. Mr. DeCesari nominates Mr. Gravenor; Second: Mr. Garofalo. No further nominations. Close nominations: All in Favor Unanimous

Open nomination for Vice Chairman: Motion: Mr. DeCesari nominates Mr. Iglesias Second: Mr. Garofalo. No further nominations. Close nominations: All in Favor Unanimous

Open nomination for Solicitor: Motion: Mr. DeCesari nominates the Law Office of B. Michael Borelli; Second: Mr. Iglesias. No other nominations. Close nominations: All in Favor: Unanimous.

Open nomination for Board Secretary: Motion: Mr. DeCesari nominates: Christina Mulford; Second: Mr. Iglesias: All in Favor: Unanimous. No other nominations.

Open nomination for Engineer and Planner: Motion: Mr. DeCesari nominates: Schaeffer Nassar Scheidegg Consulting Engineers, LLC; Second: Mr. Garofalo; All in Favor: Unanimous. No other nominations.

Motion to approve Newfield National Bank as Official Depository of 2026: Motion: Mr. DeCesari; Second: Mr. Garofalo; All in Favor: Unanimous

Motion to Approve the Calendar Meeting Dates for 2026 with no July meeting. Motion: Mr. DeCesari; Second: Mr. Garofalo; All in Favor: Unanimous

Motion to Approve the Sentinel and South Jersey Times as the Official Newspapers to advertise for 2026: Motion: Mr. DeCesari; Second: Mr. Garofalo; All in Favor: Unanimous

Professionals Present:

- B. Michael Borelli, Esquire – Law Office of B. Michael Borelli
- David Scheidegg, PE, PP, CME, CPWM, CFM Zoning Board Engineer/Planner – Schaeffer Nassar Scheidegg Consulting Engineers, LLC

Minutes: 12-02-2025 Motion: Mr. DeCesari; Second: Mr. Garofalo; All in Favor: Unanimous

Will seat Mr. Taraska and Mr. Hammel for Mr. Gravenor.

Presentations:

- **ZB25-11 - Anthony & Dana Rusciano**, Block 7101, Lots 67 - 1796 Main Road Franklinville 08322. The applicant seeks a Use Variance approval to construct and operate a dog kennel. The applicant proposes new construction on the existing concrete pad, a parking area, and a septic system. The remainder of the property will continue to be used for residential and agricultural purposes.

Mr. Kosylo, Esq. present the application. Mr. Rusciano – applicant and owner is sworn in. Subject property 1796 Main Road. Mr. Rusciano explains he lives and currently uses the barn for his horses. Applicant requests approval for an 8 x 48-foot addition to enclose the lean to of the barn for 12 kennels. Applicant stated it will primarily be his dogs and possibly some outside dogs. Applicant stated he will not be training or breeding dogs, washing of the dogs located on the premises. Applicant stated only 1 employee: himself.

Mr. Scheidegg stated the application before the board tonight is for 12 kennels. Asked if any of those 12 kennels be used for commercial operation? Mr. Rusciano responded: Yes. Mr. Scheidegg stated the application is for a conditional use for a kennel. Kennels are a permitted conditional use in the zone but need board approval. Also, a D Variance for more than one principal use on a property (house, ag, horse, private dog and comm kennel). Mr. Scheidegg asked with the commercial kennel, boarding other people’s dogs. Do you offer other services related to other people’s dogs. Mr. Rusciano stated he will wash the dogs on the premises.

Mr. Hammel asked about dog training and Mr. Rusciano stated no, absolutely not.

Mr. Scheidegg asked when and how often would visitors would come? Mr. Rusciano stated by appointment only, no more than one visitor at a time. Monday thru Saturday 9:00 am – 4:00 pm.

Mr. Scheidegg asked if there will be any signage requests for operation. Mr. Rusciano replied no.

Mr. Scheidegg stated Pinelands requires lot 68.01 have to be deed restricted for septic dilution. Mr. Rusciano said the lots have already been consolidated.

No comments or questions from board members.

Open Public: Motion: Mr. DeCesari; Second: Mr. Garofalo; All in Favor: Unanimous

- Ralph Travaglione: 802 Marshall Mill Road Franklinville 08322. Questions if this a home occupation, Mr. Scheidegg says the overriding factor is the use variance for multiple uses on the site.
- Mindy Curran: 71 Edgewood Avenue Malaga 08328. Questions google maps shows a very active grooming operation and a link to the website is dog breeding. Mr. Rusciano explains he created the website and posted his own reviews.

Close Public: Motion: Mr. DeCesari; Second: Mr. Garofalo; All in Favor: Unanimous

Motion to approve ZB25-11: Mr. DeCesari; Second: Mr. Garofalo

Mr. Kosylo asked the approval be for the conditional use and the multiple uses of the property, with the conditions as discussed.

Roll Call: Mr. Gaetano: Yes
 Mr. Ketcham: Yes
 Mr. Garofalo: Yes
 Mr. DeCesari: Yes
 Mr. Hammel: Yes, with 12 dogs

Mr. Taraska: Yes

Mr. Iglesias: Yes

Motion granted with seven (7) votes in favor and none (0) votes opposed.

- **ZB25-06 - Copart, Inc.**, Block 2102, Lot 13 - Delsea Drive at Unnamed Road (Shea Lane) Franklinville 08322. The applicant proposes to develop an auto auction storage yard with associated parking. This application is for Use Variance relief and Preliminary and Final Major Site Plan approval.

Daniel Markind, Esq. Flaster Greenberg, Attorney for applicant. Mr. Markind stated applicant is asking for a use variance and preliminary and final site approval.

Swore in: Ed Davidheiser – Copart Regional Manager
Brian Shropshire – Traffic Analysis, Shropshire Associates
Dave Fleming – Engineer, Marathon Engineering and Environmental Services
Paul Gleitz, PP, AICP – Planner, L & G Planning LLC

Mr. Markind stated the applicant chooses to present the whole presentation.

Mr. Iglesias states 11 o'clock is the cut-off.

Mr. Borelli clarifies this is a use variance and preliminary and final site plan. The use variance will be voted on first because different set of standards and requires 5 affirmative votes. If the use variance is granted, the application will proceed with the site plan, if denied will move on to the site plan.

Mr. Davidheiser, Regional Operations Manager for NJ, PA and OH and provides a general operational scope of the facility. Mr. Davidheiser explains Copart is a salvage auto auction, 90 – 95% of business is from insurance company based on total loss vehicle. Once deemed total loss the vehicles are brought to the Copart facility. The vehicles then go through an inventory process (photographs), then placed into storage area in one of their yards. At that point the back-end title process begins and the salvage title from the DMV is received and the vehicle becomes eligible for sale. Process is about 4 – 6-week turnaround in NJ. Once available for sale; it is an online sale, bidding is online. Appointments are scheduled to pick up the vehicle; they are not first come, first serve. The Franklinville location is unique as it is as needed basis. It is an over flow facility, not a direct dispatch facility. Environmental aspects of a salvage vehicle facility, Copart has a spill response program, FM186 solution which neutralizes carbon. The area will be documented and mapped; the contaminated area will then be dug out and removed in a special containment unit. The vehicles coming to this location have already been through the inventory process and sitting at another location. This facility is an as needed facility and dependent on needs. If using estimating cars have been sitting over 30 days from other locations. If activated it would be about 100 – 150 vehicles per day. When load-outs (sales) are scheduled, it is also about 100 – 150 vehicles per day.

When not in use they will do their best to keep the area neat and clean, maintained, landscaped, etc. There will be 24/7 security camera monitoring.

Mr. Markind asked Mr. Davidheiser to discuss the online bidding process. If a purchaser wants to preview a car, the vehicles is geo-located and a Copart employee will escort them.

Mr. Iglesias asks if the property will be fenced? Mr. Davidheiser answers, Yes – proposal is for an 8-foot fence that will go around the property and will be discussed later by the professional.

Mr. Scheidegg asked the maximum amount of vehicles they expect this facility to hold. Mr. Davidheiser that could be packed in there is about 5,000 cars.

Mr. Hammel asks how much traffic will be going up and down Shae Avenue. Mr. Davidheiser responds if active maybe 100 a day in and 75 out, 5 days a week 8-5. Averaging 500 in and 500 out per week when active.

Mr. Ketcham asked if they would be car haulers? Mr. Davidheiser said the incoming would be 5 car trailers, pick up could be anything – u-haul trailer, 9-car, any equipment the buyer suggests using.

Mr. Iglesias asks about weekend operation, Mr. Davidheiser said only if the state declares an emergency. Generally, it is Monday – Friday 8-5 operation.

Dave Fleming from Marathon Engineers walked through the essentials of the property. He describes the map; the yellow area is the tax lot, its 77.8 acres. The property is bisected by a 350-foot PSE&G right-of-way easement. Access to the site is off of Shae Avenue. The receiving area is fenced. The grey area are the storage areas

surrounded by gravel access. The white area is the perimeter access ways for single designated locations. The aqua area is stormwater management, in accordance with NJDEP regulations.

The second graphic is a blow up of the receiving area. The dark grey area represents the paving; light grey is the existing conditions. As you enter off of Delsea Drive from the East there are 19 parking spaces, a 10 x 40 office trailer, the loading and unloading area. Also, a 10 x 10 pad for potential fuel tank. Not shown is a well. Noted the Fire Marshal's comment needed for servicing the site.

The entrance / servicing yard is fenced and there is no access to the vehicle storage yard, the area is fenced; only Copart employees can access. The fencing is set back 100-feet from the property lines.

DEP rules and SIC rules for this particular use – it is not a high due to vehicles are not being driven only moved. There is an active LOI. Will have a hazardous permit with NJDEP. The Township Engineer will review the stormwater.

Mr. Marking asked to explain why the access if from Shae Avenue. Mr. Flemming explained the other access is impacted by wetlands and also by the PSE&G. Its not practical or possible.

Mr. Ketcham asked if the vehicles are non-operational, is heavy machinery needed? Mr. Davidheiser explains if this property goes into operation, it would be 8-5 Monday – Friday. Probably 5 or 6 machines, front end loaders with forks approaching from the front of the vehicle.

Mr. Iglesias asks what the property consists of now. Mr. Flemming said PSE&G easement and woods. It is 77 acres and 36 acres would be disturbed.

Mr. DeCesari said the cars coming in are safe, right? What about the electric cars? What are you going to do about the batteries before they come here? Mr. Davidheiser said they have a separate are for the true EV, not the hybrid.

Mr. DeCesari asked if they would be brought here, Mr. Davidheiser responded Sure.

Mr. DeCesari asked is the basin large enough to carry 40,000 gallons of runoff? Mr. Fleming meets the NJ Stormwater criteria. Mr. DeCesari states his concern is not the runoff, it's the batteries. Mr. Fleming states those vehicles are segregated. Mr. Davidheiser said they are checked before they leave the originating yard and again once here.

Mr. Hammel asked about the fuel tank on site. Does not see it on the plans. Mr. Fleming said in the storage are there is a small pad site for above ground fuel tank storage. Mr. Davidheiser said it is a double wall 50-gallon tank.

Mr. Ketcham asked about tree disturbance. Mr. Fleming responded removing about ½.

Mr. Iglesias asked is it would be stoned. Mr. Fleming responded, yes – DGA about 10" thick.

Mr. Marking then asked Mr. Shropshire to present his traffic analysis. They used a short-term traffic count completed by Delsea Drive from the Delaware Valley Regional Planning Commission. Based on the Annual Background Growth Table prepared by NJDOT with data based from 3 other Copart facilities the trip generation analysis generated about 21 trips during peak am travel and 30 trips during peak pm travel.

Mr. Iglesias asked that at peak time a vehicle wanting to turn left on to Delsea Drive would take up to 25 seconds to complete the turn.

Mr. Iglesias said being presumptuous, assuming they would try to keep from making left turns. Mr. Shropshire said his assumption based on the data vehicles would make right turns out and left turns in.

Mr. Markind asked Mr. Paul Gleitz to come forward to be sworn in. Mr. Gleitz addresses the use variance and some bulk variances as necessary. Mr. Gleitz states it is an interesting lot in the sense that it has frontage on Shea Avenue but acts as an isolated lot being tucked behind the other lots. The Master Plan focuses a lot on agriculture and preservation of agriculture. This application does forward RA purpose J - to conserve the municipality's rural character, and to minimize perceived density, by minimizing views of new development from existing roads.– due to the location and access this intent is met. The permitted uses, accessory uses and conditional uses were listed, the existing use is vacant. The second distinctive aspect about this property is the huge utility right of way easement that bisects the site. It does not allow any development and has to be maintained clear of vegetation that could interfere the operation of utility transfer. It is a difficult site to develop. The proposed use is wholesale motor vehicle distribution facility, a salvage pool / auto auction whose primary business is the sale of total loss vehicles on behalf of the insurance companies.

Mr. Gleitz describes the uses surrounding this property.

Mr. Gleitz stated the application is for Preliminary and Final Site Plan approval as well as D1 Variance for the wholesale motor vehicle distribution / auto auction, 2 variances (1) impervious coverage and (2) fence height and a design waiver for curb and sidewalk.

In preparation for this application, Mr. Gleitz reviewed the 2024 MP Reexamination Report and spoke on points: Goal 1, assumption 2, assumption 3, and assumption 4 and goal 4 - to provide a safe and efficient transportation network to provide access and connectivity to the greater region, while respecting the Township's desire to protect open spaces and limit development to appropriate locations – Mr. Gleitz thinks this is key point, since this is on a state route. Assumption 5 goal 5 and further objectives - encourage economic development and industrial growth in those areas of the Township that would have minimal impacts on residential communities, encourage redevelopment on lands that are no longer economically productive Mr. Gleitz states that is an important note when you look at this property. Assumption 6, objective A, assumption 7. Mr. Gleitz describes each and how he feels this is an appropriate location for this use.

Mr. Gleitz states the main focus tonight is the D1 Use Variance. This proposed use on this site does promote the general welfare of the public under MLUL purpose: g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens - this proposal provides a use needed by NJ residents. Purpose J to promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land – This development of the site is a lower impact development. Purpose M. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land – this use can be accessed with a few access drives. Purpose O. – Mr. Gleitz thinks right on point - To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs, this proposed use gives these vehicles a second life. Another proof of the D1 variance is site suitability. Mr. Gleitz thinks the fact that there is direct access to the regional highway is an appropriate location for this proposed use. Parking vehicles under this huge utility right of way is a good use of this property.

Negative – Does promote general ware. The storage area is concealed or buffered from public view. Copart does strict protocols to meet DEP compliance. Minimal traffic impact based on the study. No noise, dust, glare or lighting to impact the neighbors.

It promotes some purposes of the Master Plan and maintains the existing character. The property would be available for re-use at a later date. It is also compliant for buffer and parking.

Bulk variances meet the C2 test. Analysis under C2 is same as D1.

Mr. Gleitz commented he could not find the impervious coverage 15% limitation.

Mr. Gleitz stated the fence height was unclear.

Mr. Gleitz also commented there is case law for use variance the states you can subsume the bulk variances into the use variance because the zoning code wasn't anticipating the bulk variances. All analysis holds true from the use variance as it applies to the bulk variance.

Mr. Ketcham asked if an impact study has been performed for the impact of the residents on Shea Avenue. Mr. Shropshire addressed.

Mr. Gleitz introduced exhibit A1. A1 is the current site (5 aerial photos) and 4 other Copart sites, on the reverse are 8 photos from the Trenton facility in 2023.

Mr. Markind closed direct testimony.

Mr. Scheidegg's understanding is considering the D1 use variance. Board will need to decide if this is appropriate use in the RA zone. Maximum impervious coverage and fence height will be discussed during the site plan.

Open Public: Motion: Mr. DeCesari; Second: Mr. Garofalo; All in Favor: Unanimous

- John Damiani – 2749 Delsea Drive Franklinville 08322 – opposes
- Dave Marshall – 67 New Road Malaga 08328 – opposes
- Nick DeSilvio – 698 Grant Avenue Franklinville 08322– opposes
- Chris Konawel – 207 Cedar Grove Road South Harrison Township 08039 – opposes

- Fred & Nora Svoboda– 2832 Delsea Drive Franklinville 08322 – opposes
- Chris Konawel Jr – Glassboro 08028 – opposes
- Donna Damiani – 2749 Delsea Drive Franklinville 08322 – opposes
- Cheryl Beck -1609 Hall Avenue Franklinville 08322 – in favor
- Kathy Layton – 2887 Delsea Drive Franklinville 08322 – opposes
- Kevin Kelton – 286 Nicholas Drive Malaga 08328 – opposes
- Harry Kennedy – 1578 Fries Mill Road Franklinville NJ 08322 – opposes
- Theodore Fischer – 3034 Delsea Drive Franklinville 08322 – opposes
- Thomas Cummins – 2986 Delsea Drive Franklinville NJ 08322 – opposes
- Rachel Hess – 47 Shea Avenue Franklinville NJ 08322 – opposes
- Mindy Curran – 71 Edgewood Avenue Malaga 08328 – opposes
- Paula McCurdy – 1019 Washington Avenue Franklinville 08322 – opposes
- Margaret Duerr – 1806 Flora Road Vineland 08360 – opposes
- Janeen Hamill – 716 Grant Avenue Franklinville 08322 – opposes
- Michael Ramsey – 104 Dutch Row Road Monroeville 08343 - opposes
- Chris – 253 Daisy Avenue Monroeville 08343 - opposes
- Barbara Halpern – 2466 Harding Highway Franklinville 08322 - opposes
- Louis Pacich – 36 Shea Avenue Franklinville 08322 - opposes

Close Public: Motion: Mr. DeCesari; Second: Mr. Garofalo; All in Favor: Unanimous

Mr. Markind responds to the public comments. Doesn't dispute any of the comment made, he has good faith in the people here, he's glad they are out because it is important that they participate in something like this. But if you think you get any sort of development (irregardless of what it is) and there will be no opposition, would suggest that is an incorrect statement. The other issues, they are under the obligation to follow State rules, DEP, Fire Marshal rules. Appreciates the importance of the rural area but your gonna have to make a decision as to what is the future of the Township. It's up to you; you are the ones making the decision and I will leave it in your hands.

Mr. Borelli stated they are dealing the use variance first and that requires 5 affirmative votes. In order to overcome the burden, they have to show promotes general welfare, show site suitability and reconcile while the Governing Body chose to keep it residential and not allow this use to listed as a use. If they can carry the burden in regards to those 3 things they can have their use variance granted, if they haven't then they should not be granted.

Motion to Deny ZB25-06: Mr. DeCesari denied do to the fact it is zoned residential, there is places in the township zoned commercial to possibly put the business; Second: Mr. Garofalo

Roll Call: Mr. Gaetano: Yes – no outdoor storage
 Mr. Ketcham: Yes – if in the right spot, not sure this town, would be ok
 Mr. Garofalo: Yes -
 Mr. DeCesari: Yes – reason stated in the motion
 Mr. Hammel: Yes – Shae Avenue will never work, concern of fire activity
 Mr. Taraska: Yes – traffic into Delsea Drive and impact on Shea Avenue
 Mr. Iglesias: Yes – Inappropriate site; bodies of water. Uncertain number of cars.

Use Variance is denied with seven (7) votes in favor and none (0) votes opposed and will not move to the site plan.

Memorialization of Resolutions: None

Other Business: None

Closed Session: None

Adjourn: Motion: Mr. DeCesari; Second: Mr. Gaetano; All in Favor: Unanimous

These minutes are a brief summary of the proceedings that took place on January 6, 2026 and should not be taken as verbatim testimony.

Respectfully Submitted,

Christina Mulford