

TOWNSHIP OF

FRANKLIN O-16-16

**ORDINANCE AMENDING CHAPTER 253-3, LAND DEVELOPMENT
DEFINITIONS FOR THE PURPOSE OF CLARIFYING THE DEFINITION OF
A MINOR SUBDIVISION**

WHEREAS, it has been recommended by the Franklin Township Planning Board that the Mayor and Township Committee review Chapter 253-3, Land Development/Definitions and more specifically the definition of Minor Subdivision for the purpose of clarifying the definition of a Minor Subdivision by eliminating any ambiguity as to how many lots constitute a minor subdivision; and

WHEREAS, it has been recommended by the Franklin Township Planning Board that it is in the Township's best interest, from a planning perspective, to have the definition of a Minor Subdivision to permit up to three (3) new lots plus the remainder lot (for a total of no more than four lots);

NOW THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey that Chapter 253-3, Land Development/Definitions – "Minor Subdivision" is hereby amended to read as follows:

Section 1. SECTION 253-3 LAND DEVELOPMENT – DEFINITIONS

MINOR SUBDIVISION

A subdivision of land that does not involve:

- (1) **The creation of more than four lots, including the remainder of the original lot, that has not been the subject of minor subdivision approval(s) creating four lots within five years of the date of application.**
- (2) A planned development.
- (3) A lot or lots fronting on a street which would require the Zoning Officer to issue a denial of a permit pursuant to § [253-31D](#) of this chapter.
- (4) The extension of any off-tract improvement, the cost of which is to be prorated pursuant to N.J.S.A. 40:55D-42. An adverse effect to future development of the remainder of the parcel or adjoining property.
- (5) Any conflict with any provision or portion of the Franklin Township Master Plan or this chapter.

Section 2. Repealer

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

Section 3. Severability

Each section of this Ordinance is an independent section, and the holding of any section or part thereof to be unconstitutional, void or ineffective, shall not be deemed to affect the validity or constitutionality of any other sections or parts hereof.

BE IT FURTHER ORDAINED, that if any section, sentence, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not effect or impair any other section, sentence, clause, provision or portion of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately

upon its final passage, adoption and publication provided by law.

Attest:

Township of Franklin

Barbara Freijomil, Clerk

Sheryl Neely, Mayor

CERTIFICATION

I, Barbara Freijomil, Clerk of the Township of Franklin, County of Gloucester, do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the Township Committee of the Township of Franklin, County of Gloucester, State of New Jersey held on December 7, 2016 and thereafter duly advertised in the legal newspaper of the Township at least ten (10) days proper to it being considered for final passage and adoption at a subsequent meeting to be held on December 28, 2016, at which time any person interested therein will be given an opportunity to be heard.

Barbara Freijomil, Clerk

Introduced December 7, 2016:

Name	Yes	No	Abstain	Absent
Vacant				
Mr. Gonzalez	x			
Ms. Vassallo	x			
Mr. Krevetski	x			
Mayor Neely	x			

Adopted _____:

Name	Yes	No	Abstain	Absent
Vacant				
Mr. Gonzalez				
Ms. Vassallo				
Mr. Krevetski				
Mayor Neely				