

ORDINANCE
TOWNSHIP OF FRANKLIN
AMENDING OF CHAPTER 253 TO PROVIDE FOR CERTAIN “GRANDFATHERING” OF LOTS,
SITE DENSITIES, DESIGNS AND OTHER CHANGES
O-17- 07

WHEREAS, the Township Committee is desirous of amending Chapter 253 of the Code of the Township of Franklin to better regulate the development of land throughout the Township; and

WHEREAS, the Franklin Township Planning Board has reviewed the proposed amendments and recommends the following amendments be adopted by the Township Committee; and

WHEREAS, after due deliberation and consultation with the Planning Board, Land Use Committee, Engineer, Planner and Solicitor, the Township Committee has determined that the following revisions and amendments to Chapter 253 of the Franklin Township Code are necessary and appropriate.

NOW, THEREFORE, the Township Committee of the Township of Franklin, in Gloucester County, New Jersey, does hereby adopt and enact the following amendments to Chapter 253 of the Township’s Code:

ARTICLE XIII, ENTITLED “R-A RESIDENTIAL AGRICULTURAL DISTRICT”

§253-104.1 shall be added and shall read as follows:

Any real property which is not located within the R-A zone as shown on the Official Zoning Map adopted with this ordinance shall not be affected by this ordinance and shall continue to be governed by the zoning standards in effect immediately prior to the passage of this ordinance. Furthermore, any legally existing residential lots located in the R-A zone as set forth on the Zoning Map shall be governed by the bulk standards in effect for said lot or lots in effect immediately preceding the passage of this Ordinance 2004-13 on September 14, 2004. Furthermore, all residential lots which have been granted preliminary subdivision approval shall be protected from the application of this ordinance in accordance with the provisions of NJSA 40:55D-49 including any extensions which may be granted by the Planning Board or Board of Adjustment as the case may be.

§253-105, A. (5) is hereby repealed.

§253-106. D. (1) is hereby repealed.

§253-109, (D) shall be added to this section and shall read as follows:

(D) All residential subdivisions shall utilize a three step design process as follows:

(1) Open Space Design: All potential Primary and Secondary conservation areas are identified using the Site Analysis Plan. Primary areas include wetlands, floodplains, slopes over 25% and Secondary areas include sensitive natural, scenic and cultural resources;

(2) House Site Location: House sites should be located not closer than 100 feet from the Primary conservation areas, but may be situated within 50 feet of Secondary conservation areas;

(3) Street and Lot Layout: Proposed streets shall be located in a way that avoids or at least minimizes adverse impacts on both Primary and Secondary conservation areas. Street connections should be utilized wherever possible to minimize the number of new cul-de-sacs. Where cul-de-sacs are unavoidable, those serving 15 or more lots should be designed with a central island containing indigenous trees and shrubs, either conserved or planted. Single loaded streets should be considered to provide scenic views of the preserved open space.

§253-110. A. (1) shall be amended to read as follows:

Conservation of open land in its natural state (for example, woodland, or managed meadow); provided, however that if open space land to be dedicated for open space purposes is wooded at the time of said dedication it shall remain wooded and shall only be cleared at the discretion and with the approval of the Planning or Zoning Board as appropriate or may include harvesting of trees in accordance with an approved woodland management permit as set forth herein;

BE IT FURTHER ORDAINED, Any Ordinance or parts of ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon passage and publication in accordance with the laws of the State of New Jersey.

Introduced: July 24, 2007

	MATTEI	FERRUCCI	SCAVELLI	GALLAGHER	SCAPELLATO
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YES					
NO					
ABSTAIN					
ABSENT					
	MATTEI	FERRUCCI	SCAVELLI	GALLAGHER	SCAPELLATO
YES					
NO					
ABSTAIN					
ABSENT					

NOTICE

The above ordinance was introduced and passed on first reading at the meeting of the Township Committee of the Township of Franklin in the County of Gloucester held on the 24th day of July, 2007 and will be considered for final passage at a meeting to be held by the Township Committee at 7:00 p.m. on the August 28, 2007 at which time and place any person interested will be given an opportunity to be heard.

ATTEST:

TOWNSHIP OF FRANKLIN

Carol J. Coulbourn, Clerk

Peter Scapellato, Mayor

CERTIFICATION

I, CAROL COULBOURN, 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 of Franklin held on Tuesday, July 24, 2007, and thereafter duly advertised in the legal newspaper of the Township at least 10 days prior to it being considered for final passage and adoption at a subsequent meeting to be held on Tuesday, August 28, 2007, at which time any person interested therein will be given an opportunity to be heard.

CAROL J. COULBOURN, Clerk