

**FRANKLIN TOWNSHIP PLANNING BOARD
RESOLUTION NO. PB 22-03**

WHEREAS, Joseph Komito and Andrew Komito have applied to the Planning Board of the Township of Franklin seeking minor subdivision approval to divide 1 parcel into 2 lots each with 25.37 ft. of frontage where 150 ft. is required; and

WHEREAS, the property in question is located on Franklin Street, Lot 17, Block 1306 on the tax map of the Township of Franklin, said property being in an RA zone; and

WHEREAS, the Planning Board of the Township of Franklin, has had an opportunity to review the application submitted and determined that such application substantially complies with the requirements of the Township of Franklin Ordinance and is deemed complete; and

WHEREAS, all notices of the public meeting were properly served in compliance with New Jersey State Statute and the Franklin Township Land Use Ordinance and a public hearing having been held; and

WHEREAS, the Township of Franklin Planning Board has made the following factual findings:

1. The applicants are the owner of a vacant parcel of property consisting of approximately 16 acres and currently under farm use. Access to the parcel is by way of Franklin Street, a 50 ft. wide municipal street which ends at the lot line and is unimproved leading up to the lot line.
2. The applicants propose subdividing the parcel into 2 lots, each consisting of approximately 8 acres. Each intends upon constructing a one single family dwelling on each lot for their personal use.
3. The applicants propose to improve Franklin Street to municipal standards up to the lot line. At the lot line, the roadway will be equally split with each lot having 25.37 ft. of frontage which will be utilized for construction of a driveway from the lot line to the single family dwellings.
4. The applicants testified that the remainder of the lots will continue to be farmed.

5. The Board considered the review letter of April 14, 2022 prepared by Planning Board Engineer and Planner, CME Associates. Professional Engineer and Professional Planner, Steve Filippone presented testimony on behalf of the applicants.

6. No one from the public appeared in opposition to the application.

7. The application submitted by the applicant substantially complies with the requirements of the Township of Franklin Land Use Ordinance. The request by the applicant can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Township of Franklin Land Use Ordinance or Master Plan.

8. Because of the nature and configuration of the property in question, failure to grant the requested variance will result in a peculiar and exceptional practical difficulty on the applicants.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Franklin Planning Board this 17th day of May, 2022, confirming action heretofore taken, that the application of Joseph Komito and Andrew Komito seeking minor subdivision approval to divide 1 parcel into 2 lots each with 25.37 ft. of frontage where 150 ft. is required is hereby granted, subject to the following conditions:

1. The applicants shall obtain any other applicable governmental approvals which the applicant may be required to obtain from any local, county, state, or federal governmental agency or body.

2. The applicants shall satisfy all outstanding fees and escrows prior to the granting of construction permits or issuance of a Certificate of Occupancy.

3. This approval shall expire in 190 days unless the applicant files a plat or records deed within such time pursuant to the statute.

4. The applicants shall be responsible for the payment of any and all development fees due pursuant to Franklin Township Ordinance, Chapter 138 within the time required by the Ordinance.

5. Franklin Street will be extended with a minimum cartway width of 18 ft. to the applicants' property line at which point the roadway extension will transition to a driveway access for each lot. Franklin Street will be improved to the municipal standards. Curbing and sidewalk will not be required.

6. A certificate of occupancy shall not be issued for either lot until the roadway improvements have been completed to municipal standards. In the event the

homes are completed prior to completion of the roadway, the applicants shall post a bond or letter of credit as a performance guarantee that the improvements will be completed.

7. All trash, recycling and school bus pick-up and drop-off shall take place at the intersection of Franklin Street and Nelson Avenue.

8. Subdivision deeds shall be submitted for review by the Planning Board Solicitor and Engineer.

FRANKLIN TOWNSHIP PLANNING BOARD

JOSEPH PETSCH, Chairman

ATTEST:

**ROSEMARY FLAHERTY, Zoning Officer/
Secretary**