

**FRANKLIN TOWNSHIP PLANNING BOARD
RESOLUTION NO. PB23-12**

WHEREAS, Kevin Pidliskey has applied to the Planning Board of the Township of Franklin seeking minor subdivision approval consisting of a lot-line adjustment without the creation of any new lots; and

WHEREAS, the property in question is located on Catherine Court and Lakeview Avenue, Block 404, Lot 1, Block 301.03, Lot 8 and Block 301.07, Lot 19 on the tax map of the Township of Franklin, said property being in a Residential Agricultural (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 applicant is the contract purchaser of Lot 19 where he intends to construct a single family dwelling for use as his personal residence. The owners of all three lots have provided their consent to this application. The applicant presented the testimony of James A. Sassano, Professional Land Surveyor. Lot 1 with frontage on Lakeview Avenue is presently improved with a single family dwelling. Lot 8 fronting on Catherine Court is improved with a single family dwelling. Lot 19 fronting on Catherine Court is presently vacant. Portions of Lot 19 will be added to Lots 1 and 8. A small portion of Lot 8 will also be granted to Lot 19. As a result, the area of Lot 1 will increase from .56 acres to 1.87 acres with the frontage to remain at 238 feet. Lot 8 will increase from .95 acres to 1.06 acres with frontage to be reduced from 200 feet to 155.5 feet. Lot 19 will be reduced from 5.22 acres to 3.8 acres with an increase in frontage from 66 feet to 110 feet.

2. Variances are required for minimum lot area, minimum lot frontage, front yard setback and side yard setback. Each of these conditions are either improving as a result of this subdivision or will remain unchanged. Waivers are required for sidewalks, curbing, and driveway setback. These are all preexisting conditions that will not change as a result of this subdivision. A 50-foot agricultural buffer is required and will be provided. The Board carefully considered the review letter of November 2, 2023 prepared by Planning Board

Engineers and Planners, CME Associates. No one from the public appeared in opposition to the application.

3. 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.

4. 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 applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Franklin Planning Board this 19th day of December, 2023, confirming action heretofore taken, that the application of Kevin Pidliskey seeking minor subdivision approval consisting of a lot-line adjustment without the creation of any new lots is hereby granted, subject to the following conditions:

1. The applicant 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 applicant shall satisfy all outstanding fees and escrows prior to the granting of construction permits, signing of subdivision deeds, 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 applicant 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. Agricultural buffers as shown on a revised plan to be submitted shall be provided and described by metes and bounds in the subdivision deeds.

6. The following variances and waivers are granted:

- a. 1.06 acres where 1.5 acres is required for Lot 8,
- b. 110 feet of frontage where 150 feet is required for Lot 19,
- c. A 56.2-foot front yard setback where 75 feet is required for Lot 8,

