

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF FRANKLIN
GRANTING MINOR SUBDIVISION TO DIVIDE A +/- 29.55 ACRE FARM PARCEL,
SPECIFICALLY 609 WILLOW GROVE ROAD, KNOWN AS BLOCK 2703, LOT 39,
INTO TWO LOTS WITHIN THE TOWNSHIP OF FRANKLIN, COUNTY OF
GLOUCESTER, STATE OF NEW JERSEY**

WHEREAS, the Applicant, Rachel L. Weber, along with property owners, Henry J. Weber, III, and Sandra L. Weber, in the Township of Franklin, County of Gloucester, State of New Jersey, as to property located at 609 Willow Grove Road, and designated as Block 2703, Lot 39, on the Tax Maps of the Township of Franklin, has filed an application for a minor subdivision approval with no variances.

WHEREAS, after a public hearing held on November 19, 2024, the following initial findings of facts were made, to wit:

1. The Applicant has proposed to subdivide a +/- 29.55-acre preserved farm parcel at the intersection of Willow Grove Road and Royal Avenue into 2 (two) lots.
2. This division would result in a 1.5-acre severable exception lot and the remainder as the preserved farm lot.
3. No variances or design waivers are required of this application.
4. The application was recommended to be considered complete as of November 15, 2024, per letter of the same date by CME Associates ("CME") although CME noted that there were items missing from the minor subdivision application pursuant to §253-33D, to wit, (a) All existing structures and wooded areas within 200 feet of said parcel are not shown; (b) Soil types do not appear to be provided; (c) The plans do not identify whether any abutting land is assessed as farmland; and (d) Soil types do not appear to be plotted on the plans, only noted in the chart. Per CME, a submission waiver was appropriate as to missing items as the Applicant submitted sufficient information to the Board that would allow it to make an informed decision.
5. The taxes on the subject property are current as verified by the Planning Board secretary and the Applicant.
6. The Applicant was represented by William L. Horner, Esq., of the law firm of Horner & Horner, LLC. Counsel for the Applicant submitted an explanation of the application to the Planning Board for its consideration along with the application.
7. In support of the application, the Applicant introduced the testimony of the following people:
 - a. Rachel L. Weber, Applicant.
 - b. Henry J. Weber, III, Co-Owner of the Property
8. The subject property is located in the R-A Residential Agricultural Zoning District where single family homes and agricultural uses are permitted as principal uses in the district.
9. A complete list of the materials submitted by the Applicant in support of its application is set forth on page 5 of the review letter dated November 15, 2024, issued by Christopher Dochney, P.P., Planning Board Planner, and Edward F. D'Armiento, PE, CFM, of CME Associates, the Planning Board Engineer.

10. Christopher Dochney, P.P., AICP, of CME Associates, the Planning Board Planner, and Edward F. D'Armiento, P.E., of CME Associates, the Planning Board Engineer, submitted a review letter dated November 15, 2024. Said letter is on file with the Planning Board secretary and is incorporated by reference herein.
11. The Planning Board considered the testimony of Christopher Dochney, P.P, the Planning Board Planner, and Edward F. D'Armiento, P.E., CFM, CME, the Planning Board Engineer. Both testified with regard to and consistent with their respective review letters.
12. There was no public notice required for this application as it conforms to all zoning requirements and involves no variance requests.

WHEREAS, William L. Horner, Esq., attorney for the Applicant, Rachel L. Weber, introduced the application and presented the Application to the Board. Mr. Horner offered two (2) main witnesses, the Applicant, Rachel L. Weber, and one of the property owners, her father, Henry J. Weber, III. Finally, Mr. Horner represented that the Applicant will comply with all of the comments and conditions contained in the review letter prepared by CME Associates dated November 15, 2024.

WHEREAS, the Applicant, Rachel L. Weber, testified that she conducts farm operations at the property. She further testified that the current farmhouse on the property is in poor condition and no one currently resides within same. It was acknowledged that the property is subject to a farmland preservation deed of easement, which DOE was attached to the Applicant's application and is on file with the application, and which allows for the replacement of the dilapidated farmhouse with a new single-family dwelling on the preserved portion of the land. Applicant testified that she was seeking approval to sub-divide the 1.5 acre severable exception from the 28.04 acre preserved remainder lot so that she can have the existing farmhouse demolished and a new single family dwelling constructed on the remainder lot where she plans to reside. She further testified that she would continue her farming operations on the preserved remainder lot. As provided by her application, Ms. Weber testified that she is not requesting any waivers or variances. As requested by CME's letter, Ms. Weber clarified that the shed on the property is only being used for farming equipment (and may also be used for ordinance-compliant residential accessory storage), and that the re-build of the new single-family home on the 1.5-acre lot will fully conform to all setbacks and standards for single family homes as opposed to the existing dwelling which presently is non-conforming as to setbacks.

WHEREAS, the Applicant, Rachel L. Weber, further provided proofs that she has gone in front of the Gloucester County Agriculture Development Board ("GCABD") and the New Jersey State Agriculture ("SADC") and that they have both approved the applicant's proposed replacement dwelling on the preserved portion of the property. The Resolutions of the GCADB and the SADC were attached to the Applicant's application, dated September 07, 2023, and September 28, 2023, respectively.

WHEREAS, the Property Co-Owner, Henry J. Weber, III, appeared and supported the applicant's request for subdivision. He also provided testimony regarding the condition of the farmhouse and the farming activities.

WHEREAS, the Applicant, Rachel L. Weber, through her attorney testified that her surveyor, Henry V. Engel, III, P.L.S., has visited the site in connection with his preparation of the minor subdivision plan and all pertinent databases and is satisfied that there are no streams, brooks, lakes, watercourses, drainage structures, or drainage ditches in the area to be subdivided or within 300 feet of the proposed subdivision.

WHEREAS, Board Member Ralph Travaglione commented on the thorough Application, with supporting documents, as submitted by Applicant's counsel and Applicant as it facilitated an easy review.

WHEREAS, the development plans have been reviewed by the Planning Board Professionals (whose findings and reports are incorporated herein and made a part hereof) and have been found to be in compliance with the Development Regulations of the Township.

WHEREAS, no members of the public had any comment as to this application.

NOW, THEREFORE, based upon the foregoing findings of facts and conclusions of law, including all of the testimony and evidence presented at the public hearing, BE IT RESOLVED by the Planning Board of the Township of Franklin that the Application by Rachel L. Weber, for Minor Subdivision approval with no associated bulk variances and design waivers is hereby GRANTED by a vote of 5 (five) in favor and none (0) opposed, for the reasons set forth on the record in this matter and subject to the following terms and conditions:

1. The Applicant *shall be bound by all agreements and/or representations made by or on behalf of the Applicant as set forth at the hearing in this matter* and the Applicant shall be bound by all exhibits introduced, all representations made and all testimony given on its behalf before the Planning Board, except as otherwise noted on the record.
2. The Applicant shall satisfy all outstanding fees and escrows.
3. The Applicant shall provide all Planning Board professionals with an electronic copy of the files with each submission.
4. 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, including, but not limited to:
 - a. Gloucester County Planning Board (prior to Chair/Secretary signature of M.S. deeds)
 - b. Gloucester County Soil Conservation District
 - c. Gloucester County Health Department
 - d. Township of Franklin Fire Marshall
 - e. Township of Franklin Police Department
 - f. Gloucester County Utilities Authority

Evidence of these approvals must be submitted to the Planning Board Secretary, Planning Board Planner, Planning Board Engineer, and Planning Board Attorney prior to the issuance of any building permits for home construction on either lot.

5. The Applicant shall address all issues and comments raised in the review letters as prepared by the Board's professional planner and engineer.
6. The Applicant shall provide the Township with all plans showing proposed development including all required materials for the proposed water service and sanitary facilities at the time of her application for construction permits as it concerns the replacement single family dwelling.
7. The subdivision plan shall be revised to provide a note for horizontal datum used for the plan.
8. There will be included a Notice and Agricultural Buffer Strip within the subdivision deeds as required by the Franklin Township's Right to Farm Ordinance, code 253-101.
9. Applicant shall submit a plan of minor subdivision drawing which has been signed by a licensed surveyor or engineer and any and all final drawings provided shall be signed by appropriate professionals.
10. All conditions of approval must be satisfied by the Applicant prior to the beginning of site construction and prior to any permits.
11. The failure of the Applicant to comply with any of the conditions contained in this Resolution will permit the Planning Board, at its sole option, to rescind the approvals being granted by this Resolution and/or to advise the Townships to revoke any permits which have been issued to the Applicant.

BE IT FURTHER RESOLVED that Notice of Decision of this Resolution will be published by the Planning Board Secretary within ten (10) days of the date of the adoption of this Resolution in the South Jersey Times or the Sentinel of Gloucester County, which are designated as the official newspapers of publication of the Township of Franklin Planning Board.

ROLL CALL VOTE

THOSE IN FAVOR: 4

THOSE OPPOSED: 0

THOSE ABSTAINING: 0

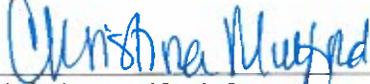
Adopted at a regular meeting of the Planning Board of the Township of Franklin held on November 19, 2024.

TOWNSHIP OF FRANKLIN PLANNING BOARD



JOSEPH PETSCH, CHAIRMAN

ATTEST:

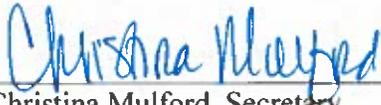


Christina Mulford, Secretary

CERTIFICATION

I hereby certify that this foregoing Resolution is a true memorialization resolution, as adopted by the Planning Board of the Township of Franklin in accordance with its decision at a regular meeting held on November 19, 2024.

DATED: December 17, 2024



Christina Mulford, Secretary
TOWNSHIP OF FRANKLIN PLANNING BOARD