

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF FRANKLIN
GRANTING MINOR SUBDIVISION (LOT LINE ADJUSTMENT) ON HANCOCK
AVENUE, GRANT AVENUE AND TUCKAHOE ROAD, KNOWN AS BLOCK 601, LOTS
55 AND 4 WITHIN THE TOWNSHIP OF FRANKLIN, COUNTY OF GLOUCESTER,
STATE OF NEW JERSEY**

WHEREAS, the Applicants, Samuel DiMeo, owner, in the Township of Franklin, County of Gloucester, State of New Jersey, as to property located at, and designated as Block 601, Lot 55 and 4, on the Tax Maps of the Township of Franklin, has filed an application for a minor subdivision (lot line adjustment) with associated bulk variances for approval of to adjust the shared lot line between the two lots to provide access to Lot 55 from Hancock Avenue to create a flag lot configuration ultimately to construct a single-family home.

WHEREAS, after a public hearing held on February 18, 2025, the following initial findings of facts were made, to wit:

1. The Applicant to adjust the common lot line between the two parcels, Lot 4, a 4.82-acre and Lot 55, a 5.55 acre lot which is landlocked, so that the landlocked parcel will have some frontage on Hancock Avenue. Proposed Lot 55 would be a flag lot located in the rear of the site, with 100 feet of frontage on Hancock Avenue.

2. As a result of the proposed minor subdivision, Lot 4 will have 200 feet of frontage on Hancock Avenue.

3. No construction is proposed at this time for Lot 55; however, a new single-family home will be constructed at some time in the future.

4. The property is located within the PRR Pinelands Rural Residential District.

5. The application was considered complete as per the CME Associates January 3, 2025, review letter which recommended granting submission waivers for certain required items not provided.

6. The Applicant has requested variances and design waivers pursuant to N.J.S. A. 40:55D-70C (2) for the following relief:

a. **§253-157.B Lot Frontage** - The minimum required lot frontage is 125 feet, where Lot 55 will have a proposed frontage of 100 feet.

b. **§253-101.D Farm Buffer** - Buffers of 50 feet for side yards and 100 feet for rear yards are required for any subdivision that will abut Q-farm properties. No buffers are shown on the plans, where the parcel to the north is noted to be farm assessed.

c. **§253-98.A(4) Lot Clustering** - Within the PRR district, any development of 2 or more dwellings is required to be a 'cluster development' where the minimum lot size is 1.0 acre, and the average lot size shall not exceed 1.1 acres. No clustering is proposed for this subdivision and potential development.

7. The Applicant represented that the taxes on the subject property are current.

8. The Applicant was not represented by Counsel.

9. In support of the application, Mr. DiMeo testified.

10. A complete list of the plans and documents submitted by the Applicant in support of its application is specified on page 7 of the review letter dated January 3, 2025, issued by Christopher Dochney, P.P., Planning Board Planner, and Edward F. D'Armiento, PE, CFM, of CME Associates, the Planning Board Engineer.

11. Christopher Dochney, P.P., AICP, of CME Associates, the Planning Board Planner, submitted a comprehensive review letter dated January 3, 2025. Additionally, Edward F. D'Armiento, P.E., of CME Associates, the Planning Board Engineer, submitted his comments within the same review letters as indicated herewith. Said letters are on file with the Planning Board Secretary and are incorporated by reference herein.

12. 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.

13. Public notice of the hearing was provided in accordance with the requirements of the Municipal Land Use Law, N.J.S.A. 40:55D-12.

WHEREAS, the Applicant was the first and only witness to testify. Samuel DiMeo was duly sworn and testified. Mr. Dimeo testified that he is the owner of lots 4 and 55 which are the subject of the application he testified that lot 55 is landlocked and that it is his intention should the application be granted, to construct a single family home on lot 55. He further testified that lot 55 abuts, lot 4 to the rear and is an undeveloped lot having no frontage on any public right of way. He testified that the parcels are located in the Pinelands Management area and that he has filed an application for the proposed development with the New Jersey Pinelands Commission. The applicant testified that the purpose of the lot line adjustment was to allow lot 55 to have frontage and access on Hancock Ave. He testified that lot 4 is already developed with a single family home. As a result, the development plan would create one new single family home. He further testified that it is not his intention that the circular driveway existing on lot 4 will not be shared with lot 55, and that existing curb cuts would be utilized. Mr. DiMeo agreed that to the extent the lots share access to the street cross easements will be granted. Mr. DiMeo testified that the variances would not have a substantial detrimental impact on the public good and in fact would result in not cutting down any trees, because existing cleared space will be used and that it would not impair the intent and purpose of the zoning plan. Further, the benefits of allowing the variance would outweigh any detrimental impact.

WHEREAS, the Applicant addressed the issues raised by the Township Planner including the access, and use of the existing driveway.

WHEREAS, the Board Planner, Chris Dochney, P.P. AICP, testified consistent with his review letter. Mr. Dochney indicated he took no exception to the testimony provided by the Applicant.

WHEREAS, the Board Engineer, Edward F. D'Armiento, PE, CFM, CME, testified consistent with his review letter. The Engineer addressed several of the comments raised in the

review letter and the issues were addressed with the Applicant further testifying that they would comply with all items raised in the review letter.

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, except as noted previously where variances or waivers were requested,

WHEREAS, no residents and members of the public appeared at the public hearing on 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 property owner, Samuel DiMeo, for Minor Subdivision with associated bulk variances for approval of a flag lot in the rear of the site which will have a fifty foot agricultural buffer, and with a waiver of the requirements of §253-98.A(4) Lot Clustering and 253-157.B Lot Frontage as described herein is hereby GRANTED by a vote of eight (8) 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, which shall include but not be limited to:
 - a. Gloucester County Planning Board
 - 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
 - g. Franklin Township Tax Assessor
 - h. New Jersey Pinelands CommissionEvidence 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 permits.
5. Applicant will draft deed documents with meets and bounds descriptions and submit to the Planning Board Secretary, Planning Board Planner, Planning Board Engineer, and Planning Board Attorney for review.
6. Applicant will revise the subdivision plat to provide at least three (3) coordinate values around the tract.

7. Applicant, prior to the development of the proposed lots, shall submit a grading and drainage plan for approval through the Township Engineer prior to the issuance of a building permit.
8. The Applicant shall address all issues and comments raised in the review letters as prepared by the Board's professional planner and engineer and agrees to comply with any and all recommendations.
9. The Applicant shall submit for approval subdivision deeds within 190 days from the date of approval.
10. All conditions of approval must be satisfied by the Applicant 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: 8

THOSE OPPOSED: 0

THOSE ABSTAINING: 0

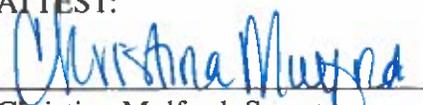
Adopted at a regular meeting of the Planning Board of the Township of Franklin held on March 18, 2025.

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 March 18, 2025.

DATED: March 18, 2025



Christina Mulford, Secretary
TOWNSHIP OF FRANKLIN PLANNING BOARD