

**TOWNSHIP OF FRANKLIN  
PLANNING BOARD  
PB24-08**

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF FRANKLIN  
GRANTING MINOR SUBDIVISION AND PROPOSED LOT CONSOLIDATION ON  
MAIN ROAD, KNOWN AS BLOCK 5801, LOTS 50 AND 51 WITHIN THE TOWNSHIP  
OF FRANKLIN, COUNTY OF GLOUCESTER, STATE OF NEW JERSEY**

WHEREAS, the Applicants, Paul Garofolo, Jr., owner of Lots 50 and 51, in the Township of Franklin, County of Gloucester, State of New Jersey, which two parcels (Lots 50 and 51) are together 8.46 acres in area, with 445.56 feet of frontage on Main Road. Lot 50 is currently developed with a single-family home, while Lot 51, the larger of the two lots, consists of a single-family home, several accessory shed structures, and a farm in the rear of the tract.

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

1. The Applicant is proposing to *remove* the existing boundary between the two parcels and to subdivide a 1.58 acre portion of the tract into a new lot. The result would be that Lot 50 would be a 6.88 acre lot and include the existing home on the southern end of the lot along with the existing farm area. Lot 51 would be a 1.58-acre lot and include the existing home on the northern side of the lot, and the majority of the accessory structures currently on the tract.

2. The subject site is located on Main Road just north of the intersection with Dutch Mill Road, and within the Pinelands. The site is made up of two parcels (Lots 50 and 51) that are together 8.46 acres in area, with 445.56 feet of frontage on Main Road. Lot 50 is currently developed with a single-family home, while Lot 51, the larger of the two lots, consists of a single-family home, several accessory shed structures, and a farm in the rear of the tract.

3. It does not appear that any improvements or alterations are proposed for either lot at this time, other than the lot consolidation and subdivision.

4. The proposed lot line adjustments will not result in any new development or increased density, only that home associated with the farm lot would switch from Lot 50 to 51, and the single-family home on its own freestanding lot would switch from Lot 51 to Lot 50.

5. The property is located within PAP Pinelands Agricultural Production District.

6. The application was considered complete as per the CME Associates February 11, 2025, review letter following receipt of certificate of filing with the Pinelands Commission.

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

a. **§253-159.A Lot Area - The minimum required lot area is 5 acres, where a lot of 1.68 acres is proposed.**

b. **§253-159.C(S) Setback- The minimum required setback for accessory structures is 10 feet, where an accessory trailer will be approximately 7 feet from the rear lot line on Lot 51.**

**c. §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, and existing structures will encroach into these required buffer areas on Lot 51.**

**d. §253-97.B(1) Pinelands Lot Area - Single family residences in the Pinelands are required to have a minimum lot area of 3.2 acres unless the lot was in existence prior to 1979.**

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

7. The Applicant was not represented by Counsel.

8. In support of the application, Paul Garofolo Jr. testified.

9. A complete list of the plans and documents submitted by the Applicant in support of its application is specified on page 6 of the review letter dated February 11, 2025, 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, submitted a comprehensive review letter dated February 11, 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.

11. The Planning Board considered the testimony of Christopher Dochney, P.P, the Planning Board Planner, who testified with regard to and consistent with his respective review letters.

12. 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. Paul Garofolo, Jr., was duly sworn and testified. Mr. Garofolo testified that he owns Lots 50 and 51 which is part of a family estate that he must liquidate. He testified that he wants to keep part of 51 and consolidate it with Lot 50 which is improved with his home, a single-family structure and several accessory sheds. He testified that no new construction is currently planned and that the existing structures will go with the sale. The applicant testified that the lot line adjustment does not create a new parcel it merely shifts part of the larger lot to the smaller lot. The applicant demonstrated that the proposed conditions are a preferable alternative, and that variance can be granted without substantial detriment to the public good as there is no new density, and without substantially impairing the intent and purpose of the zoning plan. The applicant further testified that the application is pending before the Pinelands Commission.

WHEREAS, the Applicant addressed the issues raised by the Township Planner including positive and negative criteria.

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, was excused.

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 testified 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 owners, Paul Garofolo, Jr., for Minor Subdivision and lot consolidation with associated bulk variance for approval **§253-159.A Lot Area, §253-159.C(S) Setback, §253-101.D Farm Buffer, and §253-97.B(1) Pinelands Lot Area** as described herein is hereby GRANTED by a vote of five (5) 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 may 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. 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.
8. The Applicant shall submit for approval subdivision deeds within 190 days from the date of approval.
9. All conditions of approval must be satisfied by the Applicant prior to any permits.
10. 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: 5  
THOSE OPPOSED: 0  
THOSE ABSTAINING: 0

Adopted at a regular meeting of the Planning Board of the Township of Franklin held on April 15, 2025.

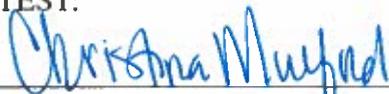
TOWNSHIP OF FRANKLIN PLANNING BOARD



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JOSEPH PETSCH, CHAIRMAN

ATTEST:



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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 April 15, 2025.

DATED: April 15, 2025



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Christina Mulford, Secretary  
TOWNSHIP OF FRANKLIN PLANNING BOARD