

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF FRANKLIN
GRANTING MINOR SUBDIVISION TO DIVIDE A 2.86 ACRE PARCEL,
SPECIFICALLY 805 STANTON AVENUE, KNOWN AS BLOCK 1101, LOT 122.01,
INTO TWO PARCELS WITHIN THE TOWNSHIP OF FRANKLIN, COUNTY OF
GLOUCESTER, STATE OF NEW JERSEY**

WHEREAS, the Applicants, Michael P. and Susan A. Costello, owners, and their son, Kevin Costello, in the Township of Franklin, County of Gloucester, State of New Jersey, as to property located at 805 Stanton Avenue, and designated as Block 1101, Lot 122.01, on the Tax Maps of the Township of Franklin, has filed an application for a minor subdivision with associated bulk variances for approval of a flag lot in the rear of the site that would contain space for a new single-family home.

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 the 2.86-acre lot into two (2) properties, with proposed Lot 122.01 to be 1.5 acres and to contain the existing home and driveway in the front of the site. Proposed Lot 122.02 would be a flag lot located in the rear of the site, with 22.6 feet of frontage on Stanton Avenue and a flag pole depth of 452 feet, and occupying a total of 1.36 acres.
2. No construction is proposed at this time for either lot; however, a new single-family home will be constructed at some time in the future.
3. The property is located within the RA Residential Agricultural District.
4. The application was considered complete as per the CME Associates September 12, 2024, review letter which recommended granting submission waivers for certain required items not provided.
5. The Applicant has requested variances pursuant to N.J.S. A. 40:55D-70C (2) for the following relief:
 - a. 253-107(B)(2), Lot Area: The minimum required lot area is 1.5 acres, where proposed Lot 122.02 is proposed to have an area of 1.36 acres.
 - b. 253-107(B)(3), Lot Frontage: The minimum required lot frontage is 150 feet, where proposed Lot 122.02, is proposed to have a frontage of 22.6 feet and Lot 122.01 would have a frontage of 83.01 feet.
 - c. 253-91C, Accessory Structure: Accessory structures are required to be setback a minimum of 10 feet from any side or rear property line, where a shed structure on Lot 122.01 will be setback approximately 5 feet from the new lot line.
6. The Applicant has requested relief from the following design standards of the Township Code:
 - a. 253-50.A(37) Lot Depth/Width: The depth of the lot shall not exceed 2.5 times the lot width, where both lots will exceed this ratio.
 - b. 253-50.A (2), Sidewalks: All site developments and major subdivisions shall have sidewalks. No sidewalks are existing or proposed along Stanton Avenue.

7. The Applicant represented that the taxes on the subject property are current.
8. The Applicant was represented by Kristopher Facenda, Esq.
9. In support of the application, Mr. Facenda introduced the testimony of the following people:
 - a. Joseph Maffei, P.E., P.P., Engineer;
 - b. Kevin Costello and
 - c. Michael Costello
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 September 12, 2024, issued by Christopher Dochney, P.P., Planning Board Planner, and Edward F. D'Armiento, PE, CFM, of CME Associates, the Planning Board Engineer.
11. The Applicant marked the following exhibits in evidence at the public hearing in this matter:

A1: Proposed Minor Subdivision Plan, Sheet 11, Block 1101, Lot 122.01, as prepared by Ewing Associates Engineers and Surveyors, Erik F. Valentin, dated 07-09-2024.
12. Christopher Dochney, P.P., AICP, of CME Associates, the Planning Board Planner, submitted a comprehensive review letter dated September 12, 2024. 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.
13. 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.
14. 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, Kristopher Facenda, Esq., attorney for the Applicants, Michael and Sue Costello, introduced the application and represented to the Board that there would be three (3) main witnesses. Finally, Mr. Facenda represented that the Applicant will comply with all of the comments and conditions contained in the review letter prepared by CME Associates, dated September 12, 2024.

WHEREAS, the Applicant's first witness, Joseph Maffei, PE, was sworn in and testified. He was qualified and accepted as an expert in the field of engineering by the Board. Mr. Maffei gave testimony as to the application and addressed the positive and negative criteria in connection to the several variances which were requested by Applicant. Mr. Maffei testified that the variances would not have a substantial detrimental impact on the public good 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 Applicants and their professional addressed the issues raised by the Township Planner including the existing shed structure, access to the new lot and use of the existing driveway.

WHEREAS, Applicant testified that they would seek approval from the fire department as to access to the proposed subdivided lot. Further, Applicant agreed to the dimensions of 14 ft height and 15 ft width as to overhang for the proposed driveway to Stanton and that they would relocate utilities, if necessary, with approvals of outside agencies. Further, Mr. Costello testified that the shed could be removed if required although the hope is to maintain it. The reason for the subdivision according to Mr. Costello is to facilitate the use of the property by their son, Kevin Costello, as he would like to build a 2,000 square foot single family home on the flag lot.

WHEREAS, the Board Planner, Chris Dochney, P.P. AICP, testified consistent with his review letter and commended the Applicant on its presentation. Mr. Dochney indicated he took no exception to the testimony provided by the Applicant's professionals regarding the variances and waivers.

WHEREAS, the Board Engineer, Edward F. D'Armiento, PE, CFM, CME, testified consistent with his review letter. The Engineer noted that the plans have been revised by Applicant to address most, if not all, of the concerns raised in 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, residents and members of the public appeared at the public hearing on this application and asked questions regarding the subdivision. Specifically, Cindy Alliano and Stacey Cane appeared at the hearing and reviewed the proposed Minor Subdivision plan specifically requesting to see ingress/egress and asking what driveway would be utilized. There was a third member of the public who did not ask any questions but who stood to view the plan. No further comment was made after the plans were reviewed.

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, Michael and Susan Costello, along with their son, Kevin Costello, for Minor Subdivision with associated bulk variances for approval of a flag lot in the rear of the site that would contain space for a new single-family home 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 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 AssessorEvidence 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 maintain a clear span of 15 feet in width and 14 feet in height along the driveway to allow for emergency access to the rear lot.
6. 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.
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

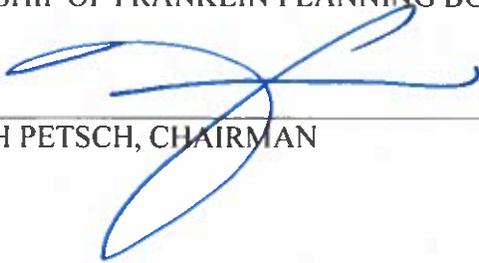
THOSE IN FAVOR: 5

THOSE OPPOSED: 0

THOSE ABSTAINING: 0

Adopted at a regular meeting of the Planning Board of the Township of Franklin held on 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 December 17, 2024.

DATED: December 17, 2024



Christina Mulford, Secretary
TOWNSHIP OF FRANKLIN PLANNING BOARD