



TOWNSHIP OF FRANKLIN
Board of Adjustment
Agenda
Thursday, May 7, 2026

SUNSHINE LAW

ROLL CALL

MINUTES

Regular Meeting - March 05, 2026

APPROVED

[BOA - 3-5-2026.doc](#)

Regular Meeting - April 02, 2026

APPROVED

[BOA - 04-2-2026.doc](#)

RESOLUTION

DISCUSSION

HEARINGS

UKRAINIAN ORTHODOX CHURCH OF U.S.A / ZBA-25-00008

Minor Subdivision w/D(2) Variance in which the applicant is proposing to subdivide the existing lot into two new parcels at 135 Davidson Avenue in zone B-I

DL 05/31/2026

<https://www.franklintwpnj.org/committees-commissions/zoning-board-of-adjustment/application-material/ukrainian-orthodox-church-of-u-s-a-zba-25-00008/-fsiteid-1#!/>

CARRIED to JUNE 18, 2026 – with no further notification needed

This meeting will be held @ 7:00pm at the Franklin Township Municipal building at 475 DeMott Lane, Somerset, NJ.

D&R 09.18.25.pdf
historic report 09.11.25 ok.pdf
FTSA report 05.09.25 ok.pdf
TRC report 07.08.25.pdf
Police report #2 06.17.25 ok.pdf
Planner report 05.27.25 ng.pdf
Fire prevention report 05.15.25 ok.pdf
Health Department report 05.09.25 ok.docx
EC report 05.08.25 ng.docx
SCPb 04.29.26.pdf

UKRAINIAN ORTHODOX CHURCH OF U.S.A / ZBA-25-00007

D(2) Use Variance, Preliminary & Final Site Plan w/C Variances in which the proposal consists of site modifications associated with the retention of certain existing (church and seminary) facilities at 135 Davidson Avenue, Somerset; Block 469 Lot 1.06 in zone B-I

DL 05/31/2026

<https://www.franklintwpnj.org/committees-commissions/zoning-board-of-adjustment/application-material/ukrainian-orthodox-church-of-u-s-a-zba-25-00007/-fsiteid-1#!/>

CARRIED to JUNE 18, 2026 – with no further notification needed

This meeting will be held @ 7:00pm at the Franklin Township Municipal building at 475 DeMott Lane, Somerset, NJ.

Engineer report #3 03.02.26 ng.pdf
D&R 09.18.25.pdf
SCPb 07.14.25.pdf
FTSA report 05.08.25 ng.pdf
Police report #2 09.22.25 ok.pdf
Health Department report #2 09.02.25 ok.docx
Fire Prevention report #2 08.25.25 ok.docx
Planner report #2 08.14.25 ng.pdf
EC report 05.08.25 ng.docx
historic report 09.11.25 ok.pdf

SYRACUSE 1950 EASTON AVENUE OWNER LLC / ZBA-25-00009

D(1) Use Variance, Preliminary & Final Site Plan w/C Variances in which the applicant intends to build a 258,150sqft warehouse at 135 Davidson Avenue, Somerset; Block 469 Lot 1.06 in zone B-I

DL 05/31/2026

[https://www.franklintwpnj.org/committees-commissions/zoning-board-of-adjustment/application-material/syracuse-1950-easton-avenue-owner-llc-zba-25-00009/-fsiteid-1#/#/](https://www.franklintwpnj.org/committees-commissions/zoning-board-of-adjustment/application-material/syracuse-1950-easton-avenue-owner-llc-zba-25-00009/-fsiteid-1#/)

CARRIED to JUNE 18, 2026 – with no further notification needed

This meeting will be held @ 7:00pm at the Franklin Township Municipal building at 475 DeMott Lane, Somerset, NJ.

Engineer (DM) report #3 03.01.26 ng.pdf
D_R__09.15.25.pdf
SCP__06.24.25.pdf
Police report #3 09.22.25 ok.pdf
Health Department report #2 09.02.25 ok w-comm.docx
Fire Prevention report #2 ok.docx
Planner report #2 08.15.25 ng.pdf
FTSA report 05.09.25 ng.pdf
EC report 04.08.25 ng.docx

**TOWNSHIP OF FRANKLIN
ZONING BOARD OF ADJUSTMENT
COUNTY OF SOMERSET, NEW JERSEY**

**REGULAR MEETING
March 5, 2026**

This Regular Meeting of the Township of Franklin Zoning Board of Adjustment was held at 7:00pm at the Franklin Township Board of Education Campus at 2301 Route 27, Somerset, NJ. and was called to order by Chairman Thomas at 7:30 p.m. The Sunshine Law was read, and the roll was called as follows:

PRESENT: Cheryl Bethea, Richard Procanik, Vaseem Firdaus, Alan Rich, Gary Rosenthal, Michael Dougherty, Kunal Lakhia and Chairman Thomas

ABSENT: Robert Shepherd and Kunal Lakhia

ALSO PRESENT: Eric Bernstein, Special Counsel, Mark Healey, Planning Director, and Christine Woodbury, Planning & Zoning Secretary

MINUTES:

- **Regular Meeting – January 8, 2026**

Mr. Rosenthal made a motion to approve the Minutes, as submitted. Ms. Firdaus seconded the motion, and the roll was called as follows:

FOR: Mr. Procanik, Ms. Firdaus, Mr. Rosenthal, Mr. Dougherty, and Chairman Thomas

AGAINST: None

HEARINGS:

- **UKRAINIAN ORTHODOX CHURCH OF U.S.A / ZBA-25-00008**

Mr. Peter U. Lanfrit, Esq., Attorney, appeared before the Board on behalf of the applicant, Ukrainian Orthodox Church of U.S.A. Minor Subdivision w/"D(2)" Variance in which the Applicant was proposing to subdivide the existing lot into two (2) new parcels at 135 Davidson Avenue in the Business & Industry (B-I) Zone - **CARRIED FROM JANUARY 22, 2026 – with no further notification required.**

- **UKRAINIAN ORTHODOX CHURCH OF U.S.A / ZBA-25-00007**

Mr. Peter U. Lanfrit, Esq., Attorney, appeared before the Board on behalf of the applicant, Ukrainian Orthodox Church of U.S.A. He added that they were seeking D(2) Use Variance, Preliminary & Final Site Plan w/"C" Variances in which the proposal consisted of site modifications associated with the retention of certain existing (church and seminary) facilities at 135 Davidson Avenue, Somerset; Block 469, Lot 1.06, in the Business & Industry (B-I) Zone - **CARRIED FROM JANUARY 22, 2026 – with no further notification required.**

- **SYRACUSE 1950 EASTON AVENUE OWNER LLC / ZBA-25-00009**

D(1) Use Variance, Preliminary & Final Site Plan w/"C" Variances in which the Applicant intended to build a 258,150 sq. ft. warehouse at 135 Davidson Avenue, Somerset; Block 469, Lot 1.06, in the Business & Industry (B-I) Zone - **CARRIED FROM JANUARY 22, 2026 – with no further notification required.**

Mr. Lanfrit explained that the testimony given that evening would be inclusive of all three Applications that were being heard simultaneously.

Mr. Lanfrit asked if all the Board members in attendance that evening had been to both previous meetings or listened to the tapes of the hearings so that they have seven (7) members. Ms. Woodbury confirmed that all members present that evening had either been to both hearings or had viewed the videotape of the hearings.

Mr. Lanfrit then asked Mr. Bernstein, Special Counsel, who the person was in the back of the room recording the proceedings that evening. The person who was recording from the back of the room came forward and stated that he was with Portrait of Freedom, New York, NY, which was a public organization.

Mr. Peter McArthur, Esq., Attorney with Peter McArthur Law, 75 Layne Road, Suite 204, Fairfield, NJ, came forward stating that he was there that evening on behalf of Svitanok NYC, Inc.

Mr. Lanfrit then explained that they had had two (2) previous meetings in the past, one (1) on September 18, 2025 and the other on November 6, 2025. On September 18, 2025, he noted that they presented the testimony of Josh Zeman who was a representative of the warehouse developer who indicated his background and his company's background in the warehouse industry. He went on to state that Mr. Zeman presented photographs of projects that his company had developed. Mr. Lanfrit then added that they presented testimony of Dan Meola, who was their Site Engineer, and that testimony was mostly focused on church property. He went on to state that at the November 6, 2025 meeting, Mr. David Lonsky, Esq., Attorney, appeared on behalf of the church and presented testimony concerning the church's right to sell the property, the contract that was entered into, and a little bit of history of the church. Mr. Lanfrit went on to state that they went back to Mr. Meola, who presented the rest of the Site Plan testimony concerning the warehouse that evening.

Mr. Lanfrit then indicated that he intended to call three (3) witnesses, to include Scott Winger, their architect, Mr. Alan Lothian, their traffic consultant, and Shawn Morowsky, who was their

planner. In addition, Mr. Lanfrit indicated when they had the first meeting, he had informed the Board that, based on the staff reports that were issued, that they would not be seeking Final Site Plan approval because the Township Engineer had requested additional topographical information and additional soil testing. Since it had been 5 months, they were able to accomplish all of that testing and had submitted all of the paperwork to the Township Engineer and he thought that if the Board were to act favorably on these applications, they would be in a position to grant not only Preliminary Site Plan approval but also Final Site Plan approval, but the Board could confirm that with the Township Engineer.

Secondly, since the last hearing, Mr. Lanfrit indicated that he has provided to the Board, by way of a submission, documents concerning the Church's authority to sell the property and were now part of the record since he submitted them consistent within the 10-day submission timeline in advance of the hearing.

Lastly, if the Board recalled, the IDI hearing which was a warehouse on the other side of Executive Drive, the Board imposed a condition upon them to seek vacation of Executive Drive from the Township Council and were supposed to provide an easement to Mr. Lanfrit's client for access to our site through their property. He went on to state that at that time, they had put that report Mr. Lanfrit stated that the Township introduced an ordinance last year to vacate Executive Drive. He added that they put that on hold since they had not reached an easement agreement with IDI. Mr. Lanfrit stated that he was happy to report that they had reached that agreement with IDI so they would have an easement through their property to gain access and so that Executive Drive will be vacated. At the present time, they had two (2) variances they were requesting because of Executive Drive. Mr. Lanfrit then stated that since Executive Drive would be vacated, those variances would go away, but as of that evening, they still exist and Mr. Lanfrit stated he would provide testimony concerning those variances, but as soon as he notified the Council to vacate Executive Drive, those variances would no longer exist.

Mr. Wayne Scott Winger, Regional Technical Director, employed with Nelson Architecture Interiors, came forward and was sworn in. The Board accepted his qualifications. Mr. Winger indicated that he and his firm prepared the floor plans and architectural plans. Mr. Winger then showed the larger scale overall plans prepared by Langan for the site plan by the Site Engineer, marked into the record as Exhibit A-1, and noting that it was comprised of 228,000 sq. ft., 790.5 feet long and approximately 330 ft. 8 inches in its depth, with 158 car parking spaces, 15 trailer positions, 34 exterior docks, and the building will be made solar ready. He then showed an exhibit showing the four (4) building façade elevations of the proposed building and an enlarged version of what would be indicative of what the façade would look like along Davidson Avenue. This exhibit was marked into evidence as Exhibit A-2, noting the insulated pre-cast panels with vertical reveals (+/- 44 ft. above grade) that would be the product covering the outside of the building, with them stepping down about a foot at the corners of the building for office zones and a canopy over the front entrance being 24 ft. above grade. Mr. Winger then added that clearance side space was about 35 to 38 ft. clear for the facility and several water detention areas proposed for around the site. He then noted that the building was set back about 50 ft. from Davidson Avenue, allowing for a buffer of shrubs and trees, meeting the request of the Historic Commission, while softening the eastern edge of the property. He explained that the use of color and varying panel sizes break down the façades in a rhythmic fashion, allowing the building façade to be viewed as segments, and lessening the impact of the length of the facades. The rhythmic patterning of the façades was

similar to that of a piano keyboard in a vertical orientation. He added that the elevations included also incorporated vertical shading devices at the windows, which enhanced the elevations throughout the day, and casting varying degrees of shadow about the façade. He then noted that the corners consisted of metal panels and lots of glass. He described the lighting mounted to the façade of the building would be strategically shrouded to control the impact of the illumination of the site. He then discussed the wall near Davidson Avenue by the truck bays to help shield the trucks from view. Mr. Winger then stated that rooftop mechanicals would be set back to the center of the building for less impact to the street view, and they would have one bay dedicated for refuse from the facility.

Mr. Winger then stated that the building was planned to be a multiple user, with the four corners being able to be used as office areas for different tenants.

Mr. Alan Lothian, Associate Principal and specializing as a Traffic Engineer, employed by Langan Engineering, came forward and was sworn in. The Board accepted his qualifications. Mr. Lothian was tasked with analyzing the changes to the parking layout on the site that would be retained by the church, which was one (1) parking space for every seat in the church and there were no requirements in the ordinance for the other uses on the site, including the St. Sophia Seminary, the chapel and the history and education center and museum. He indicated that they were looking to the Board to make a determination on what was required based on what they already submitted and his testimony that evening. In undertaking the analysis, Mr. Lothian stated that he discussed the anticipated and current operations of the site with church leadership as well as visited the site numerous times. He went on to discuss the current parking of the church, including 20 spaces, with the cultural center included was 375 and just under 400 parking spaces in total. Mr. Lothian then added that the 20 spaces currently serve the employees and visitors coming to the facilities that included the history and education center and chapel. In the future, he stated that the anticipated demand for the site was for the office/museum employees (10, with 6 on-site at any given time). Mr. Lothian then indicated that the parking for the chapel visitors included the residents of the seminary who did not have vehicles for themselves and were already on-site and up to five (5) visitors per day for the chapel, with five (5) parking spaces provided. He did mention that on holy days, four (4) times per year, there were likely to attract up to 50 visitors in the chapel, assuming 2-3 people per car would require 15-20 occupied spaces for a total of 25 spaces provided. Mr. Lothian then discussed the parking for the museum, which he indicated operated 9-5 and anticipated approximately 10 visitors on a typical day, to include 10 parking spaces. He did note that the museum operated when there were no services at the chapel because they were conducted earlier in the day. During special events that occur a few times throughout the year and on Saturdays, when there was no other activity on the site, would include 40-50 guests at those events and up to 100 guests at larger events that would require 30-50 parking spaces required. On a typical day, Mr. Lothian testified that they were looking at 25 occupied spaces. He then discussed that they were providing 82 spaces and that it would be more than enough to provide enough parking for the typical demands and to accommodate the larger events at the museum.

Mr. Lothian then had a discussion regarding the parking circulation on-site and operation for the proposed warehouse. He indicated that Mr. Meola, the Applicants' Engineer, went over access, circulation, and was very detailed relating to the site plan, so he would discuss these very generally. He went on to state that access to the site was currently via one (1) signalized driveway on Davidson Avenue and one (1) very infrequently utilized driveway on Easton

Avenue. He added that they were proposing one (1) unsignalized access on Davidson Avenue to serve passenger vehicles for the warehouse and the activity on the church site. He noted that that driveway was generally in the same location it was currently, but that they just shifted it a little bit further away from the Easton Avenue intersection. He then spoke of the access that was currently out to Easton Avenue would be closed off and for emergency vehicles only. Mr. Lothian added that they would have access to Executive Drive, which currently was a Township roadway but would be vacated and be a private access road for the trucks and come into the warehouse site at the signal and would not utilize the unsignalized entrance. He then stated that they had proposed improvements at the signalized intersections to facilitate turning movements of the trucks, to upgrade the signal to provide pedestrian accommodations that do not exist today. Mr. Lothian testified that they had designed those improvements and were part of the packet submitted to the Township. He then stated that those improvements would maintain operations as they were today with their access out to Executive Drive and the IDI traffic next door.

Mr. Lothian then discussed the site circulation, including truck movements on the property and vehicle movements to avoid any conflicts between them. He indicated that the site had been designed to accommodate all vehicles specifically for the Davidson Avenue driveway and the parking lot in the front and the church parking lot was designed to accommodate passenger vehicles, emergency vehicles, refuse trucks, and smaller delivery vehicles. He then indicated that the Executive Drive access was designed to accommodate any of those vehicles as well in addition to the tractor trailers. He then told the Board that there were 150 parking spaces were required, based on the ordinance, on the warehouse site and 151 were provided.

Mr. Lothian then explained that they did a Traffic Impact Study for both sites combined because they do share access. He noted that they did traffic counts in October, 2025, and looked at extended peak hours (6-9 a.m. peak hours and 3-6 p.m. peak hours) as well as collected a week's worth of data with ATRs to see what was happening along Davidson Avenue and to identify the peak hours. He indicated that the a.m. peak hours were between 7:45 a.m. and 8:45 a.m. and between 5:00 p.m. and 6:00 p.m. Mr. Lothian then told the Board that they then projected "no-build" volumes by including a background growth rate and the IDI trip generation from the site next door based upon their approved Traffic Impact Study. He then added that they generated trips for the warehouse based on language code 150 (warehousing) from the Institute of Traffic Engineers (ITE) Trip Generation Manual (11th Edition). He noted that their calculations were 57 a.m. trips and 59 p.m. trips, which was significantly less than 100 trips which was considered by the NJ Dept. of Transportation and ITE as a significant increase in trips from a site. He noted that the 12th Edition of the ITE Trip Generation Manual actually had a lower rate for this size warehousing. Using the background growth of the development, their conservative trip generation, looked at the Easton Avenue and Davidson Avenue intersection and looked at the "build" and "no-build" scenarios and noted that they used a conservative estimate, showing that there was no significant impact and would operate at a level "C". He then added that the Davidson Avenue and Executive Drive intersection would operate at level service "B", utilizing the "build" and "no-build" scenarios, with no change. He noted that the site driveway had a little bit more constrained operations exiting the site and had a level service "E" in the a.m. and an "F" in the p.m., but explained that it was low delays with the higher trip generation that they estimated and equated to a queue of about two (2) vehicles exiting the site and would not affect the traffic flow along Davidson Avenue. He added that it was just people waiting on-site to make a left

or a right out of the driveway. He noted that there were signals on both sides that did create gaps to help facilitate movements

Mr. Sean Moronski, Senior Project Planner, employed with Langan Engineering and Environmental Services, 300 Kimble Drive, Parsippany, NJ, came forward and was sworn in. The Board accepted his credentials. Mr. Moronski entered into the record as Exhibit 3A, Creation Partial Site Plan, a colorized rendering of the warehouse lot that showed the layout of the proposed warehouse to include the building, the parking, the loading areas, the landscaping, along with the lot lines. He discussed the history of the site, speaking of various approvals in the past that included a Use Variance for the cemetery in 1999, a variance extension and site approval in 2000. He then discussed the approved uses in the Business & Industry (B-I) Zone, and noted that they were requesting a D(1) Use Variance for the warehouse. He then discussed the surrounding land uses, to include the Delaware & Raritan Canal State Park and Raritan River, office buildings, hotels and a previously approved warehouse site, Rte. 287, light industrial and office uses as well as the St. Andrew Ukrainian Orthodox Cemetery and an R-10 residential zone beyond that. He noted that the rear of the proposed warehouse was at least 800 feet away from the residential area. He then discussed the request for the Minor Subdivision to create two (2) lots, with no variances related to that and stated that they were also requesting a D(2) variance for the proposed church area lot because they were reducing the size of the lot, they were technically expanding the non-conforming use with the use now being on a smaller lot than was previously permitted. He then indicated that they were requesting a D(1) variance for the warehouse site because it was not permitted in the B-I Zone. Additionally, he stated that they were requesting several "C" variances, two (2) of which involve Executive Drive in which the front yard did not permit any loading area and was within the 20 ft. front yard setback. Mr. Moronski stated that they were also requesting a "C" variance for maximum driveway width and a minimum loading depth.

He then started the discussion with the D(2) variance for the church, speaking toward the fact that a church was an inherently beneficial use. He then discussed the "seek a balance" test and the four (4) related uses, noting that reducing the site size would allow the church to continue its use and removing the cultural center and parking lot did not change the inherently beneficial use of the site as the core functions would remain. He then discussed the potential detrimental effects of the use, to include reducing the parking space would limit the church's ability to address demand and referred to Mr. Lothian's testimony as to the people who would be coming to the site, including employees, visitors to the chapel and museum/library, holy day observance increase in visitors and a few events throughout the year. He noted that the parking would be able to accommodate those uses on-site. He then discussed reasonable conditions to mitigate the effects, and he noted that the easement on the warehouse lot would provide the access between the buildings to remain and to Davidson Avenue. He added that since visitors would be able to use the driveway along Davidson Avenue, they would be able to limit the driveway use on Easton Avenue for emergency use only, and gated as such. He added that when the Cultural Center building was removed, the events would be relocated to the social building next to St. Andrews Church, northwest of the site and non-church activities would no longer be offered on the site. Mr. Moronski then the final test was to weigh the positive and negative criteria to see if granting the variance would cause substantial detriment. He then stated that the Applicant was providing 82 parking spaces with sufficient circulation and capacity to address the parking needs and that reducing the lot size did not intensify the use. He added that removing the larger Cultural Center building and ending non-

church activities was appropriate for the new lot area because it did not affect the core functions of the church site.

With regards to the D(1) Use Variance for the warehouse, Mr. Moronski testified that the site was particularly suited with convenient access to Interstate 287 and the highway network without travelling through residential areas. The uses along Davidson Avenue included light industrial, warehouse, and office uses. He noted that adjacent to the church site, Executive Drive provided access for trucks, was not a through road and will only have warehouse uses on it. He added that a substantial portion of the church property had already been developed with the Cultural Center and the parking lot. Mr. Moronski then discussed several purposes of zoning, such as purpose A, purpose G, purpose H, and purpose I. He then stated that he did not believe there was any substantial detriment to the public good as was reviewed by the Delaware & Raritan Canal Commission (DRCC), with comments administrative in nature, and the Historic Commission (approved). He added that the new site had less impervious coverage while still addressing parking needs and that the traffic counts during peak hours fell well below the level that NJ DOT would consider the need for further review. He then noted that the intersection improvements were a positive at the intersection of Davidson Avenue and Executive Drive as well as the landscaping along Davidson Avenue and the building meeting the setback requirements, as well as being a significant distance away from residential areas and screening the loading area from Davidson Avenue. Mr. Moronski then indicated that the development would assist the church in continuing their core functions. He then added that there was no substantial detriment to the zone ordinance or zone plan and then summarized the B-I Zone's purpose. Mr. Moronski stated that the project addressed the standards as noted in the Master Plan and Land Use goal #2 was carried forward from the 2016 Re-Examination report to encourage commercial and industrial development areas with access to major regional highways in established areas with language related to warehouses.

With regard to the "C"-Variances, Mr. Moronski felt that they could all be granted under the "C-2" criteria where the overall benefits of the project outweigh any potential detriments. The first one was the front yard along Executive Drive, which as of that day, still existed where part of the loading area was within the front yard setback. He noted that the warehouse building was within 20 ft. of the Executive Drive lot line, without specifically the loading that was proposed. He noted that Executive Drive was not a through street and would only be used by warehouses. He then stated that the 20 ft. they were providing included landscaping along the lot line while placing the loading in the appropriate location to include a screen to block the views of the loading area from Davidson Avenue and surrounding uses. He then addressed the maximum driveway width was 36 ft. and they were proposing 66 ft. to allow for sufficient turning radius between the site and Executive Drive and noted that the turning templates in the plans do show that. He stated that he felt that the 36 ft. maximum was too low for the type of truck traffic that would be utilizing the driveway and that 66 ft. width was more appropriate. Mr. Moronski then addressed the minimum loading area depth, where the Township required 2X the maximum truck length, and in this case, it would be 73.5 ft. which would translate to 147 ft. and they were proposing 130 ft. He explained that the truck circulation plan allowed that the largest truck was able to circulate in and out of the loading spaces. He then stated that the loading spaces were 60 ft. deep and that gave 70 ft. for circulation. Mr. Moronski indicated that he believed that the variances further the purposes of zoning that he had outlined in the D (1) Use Variance, which was appropriate since the "C" variances were related to the warehouse development. In terms of the negative criteria, he stated that there would be no substantial detriment to the public good because the circulation design allowed

for more efficient movement of vehicles and parking. He added that the 20 ft. front yard setback along Executive Drive allowed for a substantial landscaped area and it was not a through road so concerns of mitigating any activity from a lower intensity use could be allayed. Mr. Moronski indicated that there was no substantial impairment to the zoning ordinance or zone plan. He noted that buffering and screening was defined as natural and man-made elements to shield lower intensity uses from higher ones. Mr. Moronski then stated that he believed that the landscaping was effective in terms of providing an adequate buffer screen from viewing the loading area.

Mr. Lanfrit then spoke with Mr. Moronski relating to the history of the inclusion of warehouses in the B-I Zone, then recent action by the Council removed them from that zone. He referenced Mr. Moronski's statement that, recently, that the recommendation to Council was to amend the Master Plan to now call for warehousing to be put back into the zone based on some of the conditions that he testified to in his testimony that evening. They discussed that should the zoning be amended and be consistent with the Master Plan, the proposed warehouse would be a conforming facility, and Mr. Moronski agreed with that statement.

Mr. Moronski then stated that the variance for the loading area being within 50 ft. of the front yard would not be needed once Executive Drive was vacated, the 20 ft. setback variance would disappear because it would become a side yard.

Mr. Darren Mazzei, Township Engineer, asked Mr. Lothian that while the Davidson Avenue Driveway would also be the entrance to the church, would there be an easement put in place there for church access. Mr. Lanfrit stated that there would be permanent easements put in place, as a condition of approval, which was recommended in both Mr. Mazzei's report as well as Mr. Healey's Planning report. Mr. Mazzei stated that with that easement, was there any intention for the church to use the warehouse area parking for overflow. Mr. Lanfrit indicated that, in discussing this with his client, there was no formal agreement for the church to use the warehouse parking, but if there was available space, it would accommodate the church to provide that parking if it became necessary.

Mr. Dougherty then asked about peak travel time in the morning hours asking whether they approximate how many trucks would be entering and leaving during that peak hour of 7:45 a.m. to 8:45 a.m. Mr. Lothian indicated that they looked at it based upon conservative estimates and looked at five (5) trucks entering and 11 trucks exiting the warehouse site during the peak morning hour, for a total of 16 truck trips. Mr. Lothian indicated that they did take a conservative approach, and the numbers he just quoted typically occur during the middle of the day and truck trips during the peak hours, it was more like four (4) trucks entering and four (4) trucks exiting.

Mr. Rosenthal then asked about whether they took into consideration the inclusion of handicap parking. Mr. Lothian stated that ADA accessible parking spaces were included in the calculations.

Mr. Healey then stated that he had a question for the Planner. He referred Mr. Moronski to his comment regarding the Master Plan Re-Examination regarding the B-I Zone, which had been adopted, but in the Appendix there was a draft ordinance that was proposed. He reminded Mr. Moronski that he had indicated in his direct testimony in response to Mr. Lanfrit that the proposal would be entirely compliant with the standards that were in there. For the

record, Mr. Healey stated he wanted to correct Mr. Moronski's testimony by stating that for medium intensity uses, they had to be within one road mile of Rte. 287, which the proposed warehouse clearly was, but said that the second part of that stated that "it shall not abut a residential zone". Mr. Healey reminded Mr. Moronski that the proposed warehouse did abut a residential zone and would not be consistent with the proposed ordinance. Mr. Moronski replied that he would reconcile his testimony with that statement by saying the location of the proposed warehouse was a rather large site and mentioned earlier in his testimony that the rear of the property was over 800 ft. away from any residential zone. He added that none of the traffic was going to be using residential streets. He added that every other standard set was met by the Applicant. Mr. Lanfrit also brought up the fact that even though the closest "residential zone" property was a cemetery and that the property could not be used as a residential property as such. He added that the cemetery property was between the first actual residential property that was over 800 ft. away.

Special Counsel, Mr. Bernstein, then asked Mr. Healey what the status was of the proposed ordinance they were speaking of. Mr. Healey replied that the Planning Board was done and adopted the Master Plan Re-Examination and in it was an Appendix with the draft ordinance that was currently been forwarded to Council for their consideration. He added that Counsel had not taken any action or adopted it at that time.

Mr. Healey addressed the Applicant's Architect, confirming that they went through the Township's Historic Commission and the DRCC and that he was present at those meetings. The architect indicated that he was not present at those meetings. Mr. Healey then asked if he was aware of what comments either of those bodies offered regarding the architecture. He indicated that he was aware of some of the comments related to landscaping. Mr. Healey then asked if either body made any comments on the architecture of the warehouse. Mr. Lanfrit indicated that his office was at those meetings, and there were three (3) comments from the Historic Commission, but none about the architecture. He also confirmed that the biggest discussion was about landscaping and screening and approved and liked the landscaping plan at the last meeting with them. He explained that there were some fairly extensive plantings along Davidson Avenue on the church site which would further block the view of the warehouse from the canal. Mr. Healey then asked if the comments made by either body were incorporated into the plans that the Board was reviewing that evening. Mr. Lanfrit answered in the affirmative and that the DRCC was now waiting for an approval from Franklin Township and Somerset County in order to approve the project. He stated that they had satisfied all of their comments.

Mr. Peter McArthur, Esq., Attorney with Peter McArthur Law, 75 Layne Road, Suite 204, Fairfield, NJ, and representing the objectors, came forward stating that he was there that evening on behalf of Svitanok NYC, Inc.

Mr. McArthur asked the Architect what the height was of the warehouse, in terms of feet and stories. Mr. Winger replied that he believed he stated that it was +/- 44 ft. tall in a single-story building. Mr. McArthur asked if the air conditioning unit being proposed on the roof going to be behind a parapet. Mr. Winger stated that the parapet was intended to be low and the equipment was proposed to be located central to the building footprint, which would allow minimal to no sight lines from Davidson Avenue. They then discussed how far away from Davidson Avenue the air conditioning unit would be placed, and Mr. Winger explained that

should the units be visible from Davidson Avenue that they would shield those, both from a visual aspect to a noise aspect.

Mr. McArthur then asked questions of the Traffic Engineer, Mr. Lothian. Mr. McArthur then referred to Mr. Lothian's Executive Summary on page 1 and used the 11th Edition of the ITE Trip Generation Manual. Mr. McArthur asked about whether what previously took place at the Cultural Center would now take place at a social building by St. Andrew's Church. Mr. Lothian stated that the church activities would relocate to a social building by St. Andrew's church. He then added that there would be no external activities on the site as there were today, noting that the Cultural Center could be rented out currently. They had a discussion regarding the square footage of both of those buildings, with Mr. Lothian stating that he had not been inside either building and was not aware of their layouts. Mr. Lothian also stated that it was the intention, as he knew of it, that the social building would now be utilized for church activities, but did not know if it were a suitable replacement. Mr. McArthur then asked, to his knowledge, if the museum inside the chapel building on Lot 106 close if the Application were granted. Mr. Lothian indicated that the museum would remain open in the chapel building. A discussion ensued about the width of the emergency driveway at Easton Avenue, and Mr. Lothian indicated that it was approximately 24 ft. wide internal to the site and possibly a bit wider up to 30 ft. He then indicated that that driveway would be gated and used for emergency purposes only and accessed possibly by a knox box. Referring to the Land Use Code 150, Mr. McArthur asked if the 12th edition of the ITE Trip Generation Manual considered the site as less trip generated than the previous edition (11th edition), and Mr. Lothian agreed. A discussion ensued, with Mr. Lothian explaining that it was based on different data sets that were provided to the ITE and incorporate them into their model, whereby the numbers could go up or go down depending on what the trends were. Mr. McArthur then brought up Mr. Zeman's testimony at the last hearing about there being four (4) other warehouse developments that he had in the NY/NJ area and asked Mr. Lothian if he was aware of those other locations. Mr. Lothian answered in the negative. A discussion ensued regarding Mr. Lothian or one of his colleagues being involved in those other warehouse developments. Mr. Lothian stated he did not recall if he was involved and that there was a possibility that one of his colleagues might possibly have been involved. He stated that he evaluated the proposed warehouse development based on what traffic a warehouse of similar size would generate based on ITE, which he indicated was the standard of his profession. He added that the ITE data was based upon actual warehouse traffic counts. He added that he relied upon ITE data because there was no specific data to utilize as the proposed warehouse was not operating and that there was not a specific tenant in mind as yet. Mr. McArthur then asked that utilizing Land Use Code 150, were they speaking of a long-term storage facility. Mr. Lothian stated that there was a wide variety of uses that went into Land Use Code 150, which was typical warehouse and distribution activities. Mr. McArthur then asked if he had considered using Land Use Code 154, which was high-cube transload short-term storage warehouse. Mr. Lothian stated that the trip generation for Land Use 154 was typically less than Land Use Code 150. They then discussed Land Use Code 155, the high filament center warehouse, with Mr. Lothian indicating that that was not the type of warehouse they were looking at here, and a discussion ensued regarding their larger size, higher parking demands and more loading dock doors. Mr. McArthur then discussed Land Use Code 156 warehouse types, and Mr. Lothian stated it was not appropriate for the proposed warehouse and that the site would have to be designed differently because that warehouse type was for FEDEX, UPS utilizing that type of van coming in and out of the facility to deliver to homes and would have higher trip generation numbers, but not what was

anticipated for the subject site. They then discussed Land Use Code 157, and Mr. Lothian explained that that type of warehouse was not anticipated to be considered with the proposed warehouse. They then spoke of the previous testimony regarding the a.m. and p.m. peak hours and coinciding with the a.m. and p.m. commuting hours. Mr. Lothian then stated again that the truck traffic typically would occur during off-peak hours, with the warehouse having 35 truck bays. Mr. Lothian could speak to Mr. McArthur's question related to how many trucks would be on-site at one (1) time utilizing trip generation numbers, specifically about 55 trucks coming in and out of the site in one (1) day. They then discussed the need for 35 truck bays, with Mr. Lothian indicating that each bay could be turned over multiple times per day. Mr. Lothian indicated that WB-67, Title 39 sized trucks were anticipated to be the size truck coming to the site, which he indicated were the largest trucks that were legally allowed in New Jersey with the truck bays designed to accommodate them. They then discussed the Land Use Code 150 that incorporated office space into the square footage of the building in their trip generation analysis. He added that they utilized the data of activity coming into and out of the site related to Land Use Code 150 that incorporated office space into the overall square footage calculations. He then spoke of the trip generations for a church for the report, and Mr. Lothian testified that they continued to utilize the activity that was entering and exiting the site today during the peak hours. He noted that the Seminary did not generate any traffic related to the church and all of the uses for the church were incorporated into the analysis. He and Mr. McArthur then discussed utilizing a 1.0 growth factor to incorporate into the analysis for Easton Avenue and a 1.75 growth factor was used on Davidson Avenue consistent with the NJ Dept. of Transportation Background Growth Rates for Somerset County. Mr. McArthur then drew Mr. Lothian's attention to the intersection of Easton Avenue and Davidson Avenue, asking if a W67, in the exclusive left-hand turn lane on Easton Avenue heading down Davidson Avenue, be able to turn into Davidson Avenue in the left hand lane on Davidson Avenue, sitting at the light, without encroaching on traffic for eastbound Davidson Avenue sitting at the light in the dedicated left-hand turn lane. Mr. Lothian indicated that they did not evaluate truck turns at the County controlled Davidson Avenue/Easton Avenue intersection, but that trucks currently utilizing that intersection on a daily basis. Mr. McArthur noted that there would be even more trucks with the new warehouse site, but Mr. Lothian indicated that there would be slightly more trucks as a result of the new warehouse activity. Mr. McArthur then asked if Mr. Lothian looked at whether there would be any encroachment of traffic stopped at a light with a WB67. Mr. Lothian explained that part of the reason they were doing the improvements at the signalized intersection of Davidson Avenue and Executive Drive was to facilitate truck turning movements because in the existing condition, trucks did not have enough room to turn into and out of the site. He stated that they were opening up the radii to allow that to occur without conflict and a discussion ensued. They then spoke about a traffic impact statement for Executive Drive prepared by Dolan & Dean related to the IDI matter, recognizing that their statement would include traffic from an already existing 200,000+ warehouse development. Mr. McArthur then spoke about their Traffic Capacity analysis on Table 3, page 9, related to Davidson Avenue and the site driveway, specifically, a southbound left right turn during a evening weekday hour and seeing a 23.1 second delay in a no build scenario (level of service C). He added that it increased to a 61.2 second delay on that turning movement. Mr. Lothian agreed with that statement when trucks were exiting the site. He also stated that his testimony was that the exiting traffic would have an anticipated queue of approximately two (2) vehicles where there was room for three (3) vehicles worth of storage before you would get to the first parking space. He added that with the inclusion of the conservatively higher trip generation they used on the intersection, they would not have a significant impact on-site and would not impede traffic on the free flow on Davidson Avenue.

He explained that going from a level C of service to an E would be internal to the site and not on Davidson Avenue.

Chairman Thomas then stated that they would take a 5-minute break for Mr. McArthur to speak with one (1) of his experts.

Mr. McArthur then directed his questioning to Mr. Moronski, the Applicant's Planner. He asked him if he looked at the 2006 Master Plan, 2007 amendment and two amendments in 2008. Mr. Moronski testified that he looked at the 2006 Master Plan, the 2016 Re-Examination report and the 2026 Re-Examination report that was under review at the time and had since been adopted by the Planning Board per Mr. Healey. He added that he also looked at the 2023 amendment regarding the prohibition of warehouses as well as the zoning ordinance and checked all the schedules, parking requirements, landscape buffer and land use table. Mr. McArthur then asked if his testimony was that the property planned for warehouse could not be adopted for any of the permitted uses in the zone. Mr. Lothian answered in the negative and repeated his testimony of the particular suitability of the warehouse for the proposed site. Mr. Moronski also repeated his testimony of the surrounding uses in the area to include office use, including the office building on the corner of Davidson Avenue and Easton Avenue. Mr. McArthur asked if the alleviation of economic hardship is not by itself a special reason, and Mr. Moronski stated that he questioned the relevance of that statement as it was not brought up in his testimony. Mr. Moronski went on to state that his testimony was that the removal of the cultural center and the parking lot did not take away from the core functions of the church use. Mr. McArthur asked if wedding celebrations, concerts, storage of historic artifacts from the USSR and books going back in history regarding the church were not core values. Mr. Moronski indicated that the remaining aspects of the church, i.e., the chapel, museum, and seminary, were still remaining and that the removal of the Cultural Center meant that there would not be any non-church related events on the site. A discussion ensued related to the size of the Cultural Center and associated parking area vs. the warehouse which was much larger in size. They they discussed the definition of an inherently beneficial use, which Mr. Moronski stated that it was a use that served a greater purpose than most uses and promoted the general welfare that he included in his previous testimony. Mr. McArthur then read the definition of an inherently beneficial use from the Municipal Land Use Law and that the Board should consider the effect the proposed warehouse would have on the area. Mr. Moronski agreed and indicated that he included in that his testimony. They then discussed all the uses that were permitted in the zone, including warehouses, prior to 2023. Mr. McArthur brought up open space in the area, and Mr. Moronski stated that the warehouse was not affecting anything surrounding the property that included a stream, a cemetery and the land that they were proposing for a warehouse was not currently open space. He answered Mr. McArthur's question about the acreage the subdivision would provide for the warehouse to include 17.7 acres that would accommodate the 258,000 sq. ft. for the footprint of the warehouse and impervious coverage of 55.99%, roughly 9 acres. He added that they were meeting the impervious coverage requirement for the zone for what they were proposing. Mr. McArthur then asked if the change in the proposed use of that land changed the character of the neighborhood. Mr. Moronski answered in the negative because the character was not just the space it occupied, but the type of use and the design of the site related to Mr. Meola's testimony about the measures that were taken to deal with storm water and drainage and that there was less impervious coverage on the church site. Mr. Moronski stated that the subdivision did not create any variances, and that they were able to go up to 60% lot coverage on that lot. Mr.

McArthur brought up the fact that the completed Application was submitted after the effective date of Ordinance #4391-22 which eliminated warehouse use as a conditionally permitted use in the B-I Zone where a D (I) Use Variance was now required. He added that the Applicant must now show an enhanced quality of proof by clear and specific rulings where the Applicant's proof and the Board's findings must reconcile the proposed Use Variance with the zoning ordinance's omission of the use permitted in the zoning district. Mr. McArthur then drew the Board's attention to the purpose of the B-I Zone as listed in the Planner's report, indicating that it was updated in 2023. Mr. Moronski stated that what Mr. McArthur was reading regarding the exponential addition of warehouses between 2018 and 2023 was included in his report. Mr. Moronski then added that what Mr. McArthur failed to mention was the requirement for Applicants to achieve proper site design, which they believe they have addressed in testimony from their witnesses. He also added that the 2026 Re-Examination of the Master Plan, which was adopted, included the reconsideration of recommending warehouses as a permitted use under certain criteria most of which they were consistent with except one (1), but believed that they could reconcile that with the warehouse at that location. Mr. Healey then confirmed that the 2026 Re-Examination was adopted. Mr. McArthur stated that it was not an amendment to the Master Plan, just a re-examination and did not change what the Township did in 2023 in which they removed any reference of warehouses in the B-I Zone. Mr. Healey stated that it was an ordinance that was approved in 2023 and remained on the books, however, the Planning Board adopted a Master Plan Re-Examination about a month ago which made recommendations to amend the ordinance again. A discussion ensued regarding the use of the neighboring property to the south to remove the existing three (3) office buildings and replace it with a warehouse (IDI site). Mr. Moronski agreed with Mr. McArthur's discussion of the 2023 ordinance to not allow warehouses, but he believed that one would also have to include the recent recommendation by the Planning Board to amend the ordinance again to include them with a D-1 Use Variance to prove why the subject site was particularly suited. They then discussed some of the language in Mr. Moronski's Planning report to include the cessation of events that had been occurring at the Cultural Center that included outside parties renting the space gained during discussions with the Applicant and their team, while preparing his testimony. Mr. McArthur then moved on to the justification for particular suitability for the warehouse lot that included convenient access to Rte. 287 and that trucks did not have to travel through residential zones. A discussion ensued about other uses in the zone. He then drew the Board's attention to Mr. Moronski's discussion in his report regarding a more efficient design and asked how it would be a more efficient design when there was more lot coverage on-site. Mr. Moronski stated that it would be more efficient in the site circulation and were meeting the imperious coverage standard for the district. Mr. Moronski also added that the new storm water design improved the storm water management situation on the site from its currently state. Mr. McArthur reminded Mr. Moronski that he mentioned a desirable visual environment as a land use purpose in his testimony and asked if he thought that a 44 ft. high building was an aesthetic improvement over what was there now. Mr. Moronski replied by saying that he believed a building that met the standards, in terms of height and design for the type of use that was intended in that area was certainly an improvement over a decaying parking lot that had no defined spaces and a building several feet set back from the street. Mr. McArthur mentioned that Mr. Moronski made reference to that in the 2016 re-examination, but asked if that had been overridden with the 2023 amendment. Mr. Moronski stated that with the warehouse, it was overridden, but that the general theme about encouraging commercial and industrial development in areas with access to major regional highways remained the same. He then mentioned the B-I (Business & Industry zone) purpose where it spoke to appropriate locations, included light

industrial uses such as manufacturing, office, laboratory, hotel, etc. and described the general theme he was speaking about. He then spoke about the warehouses that were removed from the B-I Zone as a permitted use and expanded on the need to have proper attention to site design, proper ingress and egress, architectural design, etc. Mr. McArthur then asked Mr. Moronski if they were applying for a variance for the maximum driveway width, and he answered in the affirmative. Mr. McArthur asked to confirm that 36 ft. width was the maximum allowable and 66 ft. was proposed, and Mr. Moronski answered again in the affirmative as that larger width was needed to allow the trucks to enter the site. Mr. McArthur then cited Kaufman case law related to bulk variances of which Mr. Moronski stated he was aware. Mr. McArthur indicated that the Kaufman case spoke to the need for a better zoning alternative in order to grant the variance, and Mr. Moronski agreed that there needed to be a public benefit. They spoke about it being only for the benefit of the Applicant so that they could get the biggest truck into their site, but Mr. Moronski stated that what it actually did was to allow for more efficient circulation and to be able to make the turns to avoid having situations where you may have more accidents. He noted that having a 66 ft. wide driveway allowed for these truck movements.

Mr. McArthur stated that he had at least two (2) witnesses to put forward, with one providing planning testimony. The other witness would be speaking about the Cultural Center, what it has been used for and its important to the community. Mr. Lanfrit indicated that he would object to Mr. McArthur providing any planning testimony because Mr. Bernstein, Special Counsel, clearly stated at a prior hearing to counsel that any planning testimony being provided would have to have written report provided to the Board. He then told the Board and Mr. McArthur that it was his understanding that no report had been provided and asked that no testimony of any kind by a planner should be allowed.

Chairman Thomas stated that since they had a policy of no new testimony being presented after 10:00 p.m., they would like to put Mr. McArthur's witnesses off until the next hearing and would be open to the public for the remainder of the meeting to ask questions concerning the testimony that was presented that evening. The Chairman then gave the public the guidelines and parameters that needed to be followed, including only asking questions of the Architect, the Traffic Engineer or the Planner that provided testimony that evening. The Chairman also stated that they would only hearing public questions up until 10:00 p.m. and would continue with public questioning at the next hearing.

Mr. Eric Bernstein, Special Counsel, also instructed the public that they would be asked a question as to whether they were already being represented by the objector's counsel or not. If anyone was already being represented by the objector's counsel, then you will not be able to also get up and ask your own questions since you were already represented by the objector's attorney.

Mr. McArthur then asked whether they would have to provide a planner's report and whether he could get a future date for the next hearing so that he can make sure his planner would be available. Mr. Bernstein stated that the planner did have to provide a report and that it had to be no later than 10 days prior to the next scheduled hearing. Mr. Bernstein also indicated that before the evening ended, the next future date for the next hearing would be determined.

Mr. Igor Khreptyk, 17 Majestic Drive, Freehold, NJ, came forward. Mr. Khreptyk had questions for the Traffic Engineer. He wanted to know if Mr. Lothian had personally seen the

traffic in the area around the subject property on a daily basis. Mr. Lothian testified that he was very familiar with the area and had been to the site multiple times during different times of day, including the weekends. Additionally, Mr. Lothian stated that they did traffic counts on Davidson Avenue for a week straight and have those counts for each of the seven (7) days of the week. Mr. Lothian answered Mr. Khreptyk's concern regarding the additional traffic that would be brought to the area with the IDI warehouse by stating that they did account for the traffic from the IDI approved development from their approved study in their analysis for their no-build condition.

Mr. Mark Anthony Datz, 4 Fairview Drive, North Caldwell, NJ, came forward. Mr. Datz spoke to Mr. Lothian, the Traffic Engineer, stating that he did not include a large event that occurred on the church property since the cemetery had been open related to parking. He noted that about a week after the Orthodox Easter, which could vary from the Roman Catholic Easter, the faithful who have their departed family members in the cemetery gather at St. Andrews so the Cultural Center parking lot was very important for that because there was probably close to 1,000 people come through there. He added that the busses picked people up from the parking lot by the Cultural Center, which was stated could hold up to 400 cars, with the people being driven across the road down Davidson Avenue onto Easton Avenue and into the cemetery proper to visit the graves. He then noted that the cemetery could not handle that amount of cars and he stated that he noticed that that was not in the Traffic Study and thought that need to be added. Mr. Lothian stated that they were not in the study and there were discussions regarding extremely large events that happen once per year. He went on to state that they were told was that, similar to today, if there was a need, they would coordinate with local businesses to find parking and use shuttles as Mr. Datz described.

Ms. Olana Sharvan, 14 South Locust Avenue, Edison, NJ, came forward. Ms. Sharvan state, for the record, that she had parents who reside in Franklin Township on 66 Grough Avenue, Somerset, NJ so she had an interest in this community and the impact the development would have. Ms. Sharvan asked Mr. Lothian how they collect the day for the Traffic Study, and he explained that they contract a company to go out and collect the data that included turning counts using video, and the week-long data was collected using pneumatic tubes across the roadway. She then asked how parking requirements were calculated, and Mr. Lothian indicated that the parking requirements were based upon the anticipated operations as provided by the church ownership/leadership. Ms. Sharvan then asked if he had considered any other source for information related to parking. She asked Mr. Lothian that if he did not utilize any other source of information that was based on verified facts, did it make his study incomplete. Mr. Lothian indicated that he based his calculations on the information that was provided. She then discussed the different elements of the remaining church property that would include the library, museum and chapel, referring to Mr. Lothian's earlier testimony that the parking provided met the requirements and that there would be employees, visitors to the library, museum and existing chapel would be utilizing the parking spaces. She then focused on Mr. Lothian's testimony regarding the number of people visiting the museum being 5-10 on a typical day. Mr. Lothian stated that they looking at the library and museum as one (1) facility. Ms. Sharvan then spoke about another museum space that was being renovated on the property, with Mr. Lothian indicated that it was part of the site, as a whole. Mr. Lothian indicated that it was his understanding that the museum was to incorporate things that were presently in the Cultural Center. Ms. Sharvan then asked Mr. Lothian if the larger museum space having more artifacts would have more visitors than 5-10 per day, and he answered that it was not necessarily so. Mr. Lothian indicated that they had a surplus of 35 parking

spaces for larger events. A discussion ensued, and Mr. Lothian explained that they anticipated the use of 25 of the 35 surplus parking spaces would fulfill the parking needs even if everyone was on the site at the same time. Mr. Lothian stated that even if there were double the amount of parking needed, there would still be enough parking for the site as a whole. Ms. Sharvan then asked what data was used to calculate how many trucks would be on the site on a given day. Mr. Lothian stated that the trips were calculated by data contained in the Institute of Traffic Engineers Trip Generation Manual, where it broke down total vehicles and trucks. Mr. Lanfrit interjected that Ms. Sharvan knows nothing of how long trucks stay in bays and other information related to the data surrounding their activity, so her questioning was making assumptions.

Ms. Sharvan then had questions for the Planner. Ms. Sharvan asked where her information came from with the core functions of the church, and Mr. Moronski stated that it came from church leadership. Ms. Sharvan asked Mr. Moronski if he was aware that there was a functioning, Saturday school as a part of the Cultural Center that was occurring up until October of 2025. Mr. Moronski stated that he did not remember if that was mentioned, specifically, or not as he was working on this project for well over a year now. He added that he asked what functions were going on at the property and utilized that information in his report.

The Applicant and Board agreed that the meeting would be **CARRIED TO MAY 7, 2026, with no further notification required.** The public portion would continue at the next meeting.

Mr. Rosenthal made a motion to carry the hearing to May 7, 2026, with no further notification required, and Ms. Bethea seconded the motion. The roll was called as follows:

FOR: Ms. Bethea, Mr. Procanik, Ms. Firdaus, Mr. Rich, Mr. Rosenthal, Mr. Dougherty, and Chairman Thomas

AGAINST: None

DL – 5/31/26

Ms. Bethea made a motion to adjourn the meeting at 10:00p.m. The motion was seconded, and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
April 23, 2026

**TOWNSHIP OF FRANKLIN
ZONING BOARD OF ADJUSTMENT
COUNTY OF SOMERSET, NEW JERSEY**

**REGULAR MEETING
April 2, 2026**

This Regular Meeting of the Township of Franklin Zoning Board of Adjustment was held at the Municipal Building at 475 DeMott Lane, Somerset, NJ. and was called to order by Chairman Thomas at 7:30 p.m. The Sunshine Law was read, and the roll was called as follows:

PRESENT: Cheryl Bethea, Richard Procanik, Vaseem Firdaus, Robert Shepherd, Kunal Lakhia and Chairman Thomas

ABSENT: Alan Rich, Gary Rosenthal, and Michael Dougherty

ALSO PRESENT: Brian Hak, Board Attorney, Mark Healey, Planning Director, and Christine Woodbury, Planning & Zoning Secretary

MINUTES:

- **Regular Meeting – February 5, 2026**

Ms. Bethea made a motion to approve the Minutes, as submitted. Vice Chair Shepherd seconded the motion, and the roll was called as follows:

FOR: Ms. Bethea, Mr. Procanik, Vice Chair Shepherd, and Chairman Thomas

AGAINST: None

- **Regular Meeting – February 19, 2026**

Ms. Bethea made a motion to approve the Minutes, as submitted. Ms. Firdaus seconded the motion, and the roll was called as follows:

FOR: Ms. Bethea, Mr. Procanik, Ms. Firdaus, Mr. Lakhia, and Chairman Thomas

AGAINST: None

RESOLUTIONS:

- **Thirukumaran Velayudhan / ZBA-24-00002**

Ms. Bethea made a motion to approve the Resolution, as submitted. Vice Chair Shepherd seconded the motion, and the roll was called as follows:

FOR: Ms. Bethea, Mr. Procanik, Vice Chair Shepherd, and Chairman Thomas

AGAINST: None

- **JC IOS Acquisitions, LLC / ZBA-25-00020**

Ms. Bethea made a motion to approve the Resolution, as submitted. Mr. Procanik seconded the motion, and the roll was called as follows:

FOR: Ms. Bethea, Mr. Procanik, Vice Chair Shepherd, and Chairman Thomas

AGAINST: None

HEARINGS:

- **PSE&G / ZBA-26-00003**

Preliminary & Final Major Site Plan w/"C" & "D" Variances in which the Applicant is proposing improvements to include the demolition of the existing feeder rows and control house and install six (6) rows of 13kV sheltered aisle switchgear with 12 13kV circuits; new 69kV breaker to expand the existing ring bus to an even breaker ring bus, new 230/69kV transformer, expansion of the existing 69kV control house that will store 13kV relaying and communication equipment, demo of existing lattice tower and installation of a new monopole and double A-frame structure and construction of a new stormwater bio-retention basin at 160 South Middlebush Road, Somerset; Block 84.03, Lots 1, 2.02 & 2.10, in the Agricultural (A) and R-40 Zones - **CARRIED TO JUNE 18, 2026 – with no further notification required.**

DL- 6/4/2026

- **SOMERSET BIBLE BAPTIST CHURCH / ZBA-25-00004**

Mr. Frank Guagliardi, Esq., Attorney, appeared on behalf of the Applicant, Somerset Bible Baptist Church. Mr. Guagliardi indicated that they were seeking "C" & "D" Variances in which the Applicant was asking permission to build a one (1)-story, 35 ft. tall, 8,640 sq. ft. gymnasium at 42 Cedar Grove Lane, Somerset; Block 424.02, Lot 12.02, in an R-40 Zone - **CARRIED FROM FEBRUARY 05, 2026 – with no further notification required.**

Mr. Guagliardi stated that the Application being heard that evening was a bifurcated application and were only seeking variance approvals and would seeking Site Plan approval at a later date. He noted that houses of worship were considered conditional uses within the R-40 Zone. He then stated that the Applicant was seeking D-3 Use Variance approval for failure to meet all conditions of the Township's Conditional Use Ordinance. He added that they were also seeking a "C" variance for off-street parking, indicating that the current plan proposed 100 parking spaces, while the minimum required was 123. He then discussed the mention of impervious coverage variances, but that the actual impervious coverage count for the conditional use was 40% and the current proposed impervious coverage was 26.6% so they were under that threshold. He then stated that there was a variance for the current buffer because the buffer did not meet the required double- and triple-staggered rows of 6 ft. high evergreen trees or solid fencing, however, there were substantial wooded areas buffering the lot itself.

Pastor Brian Fisher, Representative of the Applicant, came forward and was sworn in. Pastor Fisher then went through the operations of the church, the parishioners and the intent behind seeking the Use Variance. The Pastor indicated that he was with the church in Somerset about 27 years and that they were a congregation of roughly between 150-200 people on average on Sundays, with services at night including about 75-80 people and another service mid-week on Wednesdays with roughly the same attendance with 60-80 people in attendance. Pastor Fisher indicated that they had a school of about 75 students this year from Kindergarten through High School (35 children from Kindergarten through 6th grade and another 35 children attending 7th through 12th grade). He then spoke about the addition that they were requesting approval for that would only be utilized as a gymnasium for the school and the church and testified that they would not be renting the space to anyone nor have they ever rented their spaces to anyone. He added that the current design of the property was approved prior by the Planning Board and that included the parking counts and everything else and dated back to 1985.

Ms. Elizabeth Dolan, Traffic Engineer, Dolan & Dean Consulting, 181 West High Street, Somerville, NJ, came forward and was sworn in. The Board accepted her qualifications. Ms. Dolan indicated that she had prepared a brief letter report, dated June 11, 2025. She indicated that it basically explained what the Pastor just described. She stated that it summarized the school time periods, the services on Sundays and did go out and take some counts even though they knew that the project would not generate any more traffic as it was supposed to serve the existing church and school. She then spoke about their results, with Sunday being their busiest with a total of 76 driveway movements from 9:00 a.m. to 10:00 a.m. compared with during the school peaks of 49, which was the maximum driveway movements they got at the school. She added that there were two (2) driveways now and were both two (2)-way. Ms. Dolan added that the Board would be hearing from their Engineer and he would be speaking about proposing a one (1)-way circulation pattern because they were going to be adding some parking and a looped roadway in the back to connect the rear portion of the property. In speaking with the Pastor, their school had always been on the order of 75-80 enrolled students and the congregation and the service times were not going to be changing. She then told the Board that the proposal was for an ancillary space so they do not have to rent spaces for fellowship or activities associated with the school, especially with any recreational activity. At the time she wrote her report, Ms. Dolan indicated that they were not proposing any additional parking spaces, but we met with staff and that the Board was going to see the plan shortly that introduced an additional 26 parking spaces. She testified

that there were 74 parking spaces there now for the school and the church. By ordinance, 90 were required for the school and church, so they were going to add the 26 for a total of 110 parking spaces. She then stated that with the addition of the gymnasium addition, they would also need another 33 parking spaces, so the future requirement with the gymnasium would be 123 parking spaces. Ms. Dolan indicated that they had a 13-space shortage or variance for parking, but because the gymnasium would not be generating any traffic or additional parking demands, it seemed to me that that parking variance could be granted. Ms. Dolan stated that if they were approved for the use, they would be back before the Board for Site Plan approval and would imagine that it would be appropriate at that time to revise the report, not only to reflect the modified Site Plan, but also to give the Board an analysis of the revised driveway configuration because they would be going from two (2) two-way driveways to one (1) ingress and one (1) egress driveway. Mr. Healey then asked for testimony related to why they felt that the gymnasium would not increase any traffic on the site and would not going to add parking demand either. Ms. Dolan indicated that she based that on consultation with the pastor and his testimony indicating that this would be going to serve the existing school and the church for some sports activity. In consultation with the church, Ms. Dolan stated that it was indicated that they do not have large crowds that were brought to any events because they were a small school who would be playing against another small school and do not draw very large crowds. Ms. Dolan also stated that it was her understanding that all three buildings would not be utilized at the same time. She also stated that there were no plans to have classes fit into the gymnasium space and not intended to grow the population or enrollment of the school or the congregation. They also discussed the gymnasium only hosting games with other small schools and that it would take place after school and not during the weekends when church was in session. Mr. Healey then questioned the number of total parking spaces being provided, and Ms. Dolan indicated that there would be 100 and not 110 total parking spaces, with a deficit of 23 parking spaces.

Vice Chair Shepherd asked for clarification regarding the testimony of the parking. Ms. Dolan then noted that the original plan did not provide any additional parking and the church was comfortable with that because the parking supply of 74 spaces that exists had satisfied the school and the church activity since 1990 and now they were adding 26 parking spaces.

Chairman Thomas then asked if the church had considered future growth, and Ms. Dolan stated that the school had been pretty steady with the maximum they had ever had was 80 students.

Mr. Procanik then asked about what appeared to be 5-6 tractor trailers on-site in an aerial photograph. Mr. Guagliardi stated that those were busses, and in the newer plan they have proposed two (2) bus parking spaces adequately preserve certain buses, but a lot of the busses would be moved from the property. Mr. Healey asked how the students arrive at school and how did that differ from what would happen in the new plan. Ms. Dolan stated that she believed that the students arrive with their parents/guardians dropping them off and the bus that was parked there she believed was someone who was part of the church. He added that the church had been letting him park the bus there. They then discussed the looped driveway, but that parents/guardians could go out of the site utilizing the driveway in the front of the building.

Mr. Anthony Gallerano, Engineer/Planner, employed with Harbor Consultants, 320 North Avenue East, Cranford, NJ. The Board accepted his qualifications. Mr. Gallerano then went

through the revised plans, noting the existing conditions and stating what they were proposing for the variance. Mr. Gallerano brought up a Google image of the site and surrounding area that was a zoomed-out version, giving an overall picture of where the site was located. Mr. Gallerano then marked the Google aerial image as Exhibit A-1 and then a zoomed in version that was marked into evidence as Exhibit A-2 and showed the existing church, the parking area, and surrounded by wooded areas. He then described the located for the gymnasium which he stated would go to the rear of the church building. Mr. Gallerano then showed the Site Plan as it was submitted with the Application. He then pointed out the located of where the gymnasium would go on the property and shown in the shaded area and was a 72 ft. wide x 120 ft., 35 ft. high structure and would most likely be a pre-engineered metal building with a total square footage of 8, 640 sq. ft. The description of the interior is that it would be an open space with some bleachers and two (2) locker rooms. He again stated that there would be no classrooms or additional program space being proposed, except for the open area, which would be primarily used for recreation, i.e., basketball, etc. He then told the Board that the existing parking was located on either side of the building as was previously approved. He added that the parking lanes currently were two (2)-way and each dead end and that they were proposing to convert those to one (1)-way circulation and provide an area on the back so the cars could circulate around the building. Mr. Gallerano then explained that they would also be providing two (2) parking spaces for two (2) busses in that rear area as well as some additional parking in the rear which would be set up for some additional parking. He added that they were going to relocate the dumpster to the rear and was currently located on the side of the building. As a result, they would be increasing the parking from 74 parking spaces to 100 spaces where 123 parking spaces were required. He reminded the Board that the hearing that evening was going to be bifurcated and that additional detail would be required at some point if they were able to get to a Site Plan.

He told the Board that the property was located in the R-40 Zone where houses of worship were permitted conditionally. Mr. Gallerano then zoomed in on their zoning table showing all of the requirements of the zone. He added that since they did not meet all the requirements of the zone, they were before the Board that evening for the D-3 Conditional Use Variance. He noted that one (1) condition that was not met was that the majority of the parking needed to be in the front yard and they had the majority in the side yards. He noted that it is an existing condition that was previously approved that way and not looking to alter that except for pushing the drive isle in the back for circulation and to provide some additional overflow parking. Additionally, they were also seeking the variance for the overall parking as he mentioned they were providing 100 parking space where 123 was required. With the exception of those conditions, they did meet all of the other requirements of the zone. Mr. Gallerano did mention that there was a question as to whether the buffer met the actual requirement because there was a requirement to have a staggered row of evergreens which do not currently exist; however, it was wooded around the perimeter of the site. Mr. Gallerano stated that he did feel that that was sufficient to buffer and screen the area and the building was set back a considerable distance from the property line and did not feel it would have any negative impact. With respect to the parking variance, they were considering that there was essentially three (3) things going on at the site, but not all at the same time (the church, the school and the gymnasium).

Mr. Gallerano then provided the proofs for the positive and negative criteria and the positive included the fact that houses of worship and schools were considered inherently beneficial. Mr. Gallerano stated that he did not see any negative impacts because it was an existing

facility, with the gymnasium being proposed to serve the current church community and school and would not be adding additional parking demand to the site. He also stated that it would not create any nuisance to the area and would not have a negative impact on the surrounding area either. He then testified that he believed that the variances could be granted without any substantial detriments to the surrounding area or have any negative impact on the zone plan or Master Plan.

Vice Chair Shepherd asked if they had any picture of the gymnasium on the site after construction was completed to see how the church and gymnasium fit on the property, particularly with regard to the variance that was being requested for the parking. Mr. Gallerano then pulled up the Site Plan drawings showing the gymnasium on the property directly behind the church and was approximately the same width and height as the church. Mr. Guagliardi then stated that they did not have a picture of the finished condition; however, it was a bifurcated application. The Vice Chair told the Applicant that it was difficult to determine whether he should vote to give them the variance when he could not see how the gymnasium addition would sit on the property. Mr. Gallerano then showed an elevation view of the proposed gymnasium building that would be a pre-engineered metal building. He noted that the color had not been selected yet, but that it would be of a neutral tone. The Vice Chair then asked how far the church was from Cedar Grove Lane to get an idea of the placement of the buildings on the property. Mr. Gallerano stated that the front yard setback for the church was 70.35 ft. with the requirement being 50 ft. and that was not going to change.

Ms. Bethea asked if the gymnasium would be visible from the street, and Mr. Gallerano stated that it would not be visible from the street if one was looking at the church straight on, but would probably see part of the gymnasium if one was looking from an angle but that it was heavily wooded from the side view.

Chairman Thomas indicated that it was their right to bifurcate the hearing, but that it made it difficult to make a determination to approve or not approve the Use Variance. Mr. Guagliardi stated that even with the Use Variance approval, the site would not be built if down the road the Site Plan approval was not given. The Vice Chair agreed with the Chairman in that regard.

Mr. Procanik noted that there was an existing playground to the left of the parking lot. Mr. Gallerano stated that the area that had striping for a basketball court would be removed and that there would be parking in that location, but that there were no plans to alter the actual playground area. He then brought up the subject of the wetlands on the site, and Mr. Gallerano stated that they would have documentations and storm water calculations/mitigations during the Site Plan hearing. He then added that there were delineations on the current plan of the wetlands on the site. A discussion ensued, and a Letter of Interpretation would be applied for.

Mr. Healey wanted to preface the fact that he did not think any of the comments would affect any of the variances that were being sought that evening. He added that the Township Engineer did have a number of comments on the rear parking lot that the angles were not in a position for vehicles to make a 90-degree turn like that and would probably have to widen the radius in the back. He also stated that it would not be graveled and had a few other technical comments that would have to be addressed at Site Plan and would most likely increase the impervious coverage on the site but believed that they were way below and would not create

another variance. He then mentioned comment three (30 on pages five (5) and six (6) on the TRC report did bring up a number of Site Plan considerations and may result in some changes to the Site Plan, but did not think that any of those would result in any changes to the variances that the Board was asking for tonight.

Chairman Thomas asked Mr. Healey if this was an application that they could strongly request or condition a sidewalk be included in the plan. He stated that he thought that was the Board's call and might affect the impervious coverage. The Chairman also stated that the County would be weighing in on the proposed changes to the two (2) driveways to the site and he noted that there were three (3) schools and three (3) churches on Cedar Grove Lane within a half mile of each other that has made it a very busy street in terms of increased truck traffic because of warehousing in the area. The Chairman stated that the Applicant needed, in his opinion, address with the County the idea establishing that as a School Zone with the signs and the flashing lights while school was in session, and they might have further recommendations. Mr. Guagliani stated that he would work with the County to make sure those safety concerns were included into the site. Chairman Thomas then mentioned that there was already a left-hand turn lane there.

Vice Chair Shepherd stated that he was very curious why the busses were on the site at all since they were not used to bring the children to school. A discussion ensued, and they indicated that one (1) of the parishioners had a bus company so there were a few busses that were located on the property, but they were going to be removed. Mr. Guagliani stated that the two (2) bus parking spots were for any schools that come in for basketball games with their team, etc. Mr. Healey stated that the Township Engineer had made comments about having perpendicular spaces for the cars and then having the parallel spaces for the busses did not work. Mr. Guagliani said that they believed that there was room to expand upon that and make it more useable and more in line with the Engineer's comments. A discussion ensued.

Chairman Thomas then opened the meeting to the public to ask questions of any of the witnesses. Seeing no one coming forward, the meeting was closed to the public.

Mr. Guagliani gave his closing summation.

Vice Chair Shepherd made a motion to grant Somerset Bible Baptist Church the D-3 and parking variances necessary to build the gymnasium and add the additional parking contained in the Application. Additionally, condition the Applicant to come back before the Board for Site Plan approval as well as the testimony that was provided that evening and the comments in the TRC report. A colorized version of the Site Plan was requested when they are next before the Board for Site Plan approval.. Mr. Procanik seconded the motion, and the roll was called as follows:

FOR: Ms. Bethea, Mr. Procanik, Ms. Firdaus, Vice Chair Shepherd, Mr. Lakhia, and Chairman Thomas

AGAINST: None

- **WASH KING SOMERSET OPCO, LLC / ZBA-25-00025**

Mr. John DeLuca, Esq., Attorney, appeared before the Board on behalf of the Applicant, Wash King Somerset OPCO, LLC. Sign Variance in which the Applicant intended to put a freestanding sign at 1463 Route #27, Somerset; Block 85, Lot 39.01, in the General Business (GB) Zone – **CARRIED FROM FEBRUARY 5, 2026 – with no further notification required.**

Mr. DeLuca indicated that they were there again that evening for the same Application from February 5, 2026. He stated that they were seeking a free-standing sign setback variance, so the only relief they were seeking that night was the variance to place the sign within the required setback. The required setback in this zone for a free-standing sign was 20 ft. and they were proposing a sign that was set back 8 ft., 9 inches at its closes point to the front yard and then 9 ft., 2 inches at the base. When they were before the Board at the last hearing, the Board had some reasonable concerns regarding three (3) issues, and the reason they were proposing to place the sign where it is was because there is a retaining wall on the property which he pointed out to the Board on his Exhibit. Additionally, Mr. DeLuca stated that they also had a sewer easement area that they were encroaching upon and characterized at what he would call minimal. He added that both those issues constrained where the sign could be placed so that it was functional and useful and actually seen from the roadway. He added that the Board told them last time that they needed to clear that situation up with the Franklin Township Sewerage Authority that it was okay to not have the base encroach on the sewer but have that cone that hangs over top encroach on the sewer area. He added that the Board also wanted them to iron out the sign's proximity to power lines in the area and the sight triangles at the intersection of Route #27 and Sinclair Boulevard.

Mr. DeLuca then stated that they did have a number of new exhibits that they would be showing that evening that would hopefully assuage the Board's concern in those regards. He introduced the two (2) new exhibits that evening as Exhibit A-4 and Exhibit A-5, respectively. Exhibit A-4 was essentially the same as one (1) of the original exhibits, but was now revised.,

Mr. Clint Ehlers, Sign Manufacturer and Designer, appeared before the Board and continued to be sworn in from the previous hearing. He stated that he worked closely with a professional engineer, Mr. Taki Kawaja, to gather more information and certify that the distances and measurements taken were indeed accurate. He then showed how they placed the sign footer outside of the wall, away from the power poles and power lines and then explained how they measured the height of the wire on the street (25 ft. to the ground) and the secondary pole was 32 ft. and showed how the power lines between those poles was at 25 ft., 3 inches above ground level where the wire passes over their sign (20 ft. high), a difference of 5 ft., 9 inches away from the power line at the top of the sign.. The exhibit they were just looking at was entered into the record as Exhibit A-5, National Electrical Safety Codes for secondary power lines and the sign needed to be at least three (3) ft. from the power line and they were over five (5) ft. Mr. Ehlers then addressed the sight triangles after working with Mr. Kawaja. He then referred the Board to page 4 of what was now marked at Exhibit A-4. He then explained that the NJ code (SSD Stopping Sight Distance) asks them to be back 14 ft. and then he showed on the exhibit that they were way back from the sight triangle at the intersection. Mr. DeLuca indicated that Mr. Kawaja did sign off on the sight triangle plans. A discussion ensued and Mr. Procanik asked questions to get a better understanding of their measurements. Mr. DeLuca then stated that they did submit an application to the Sewerage Authority and they provided them with an agreement that had not yet been executive but had

been agreed to in principle. He stated that he had it with him and that they would execute it as part of the Resolution compliance and cleared it with the Sewerage Authority and could make that representation. He stated that he also gave that communication to Mr. Hak, Board Attorney and think that he would verify that. Mr. Hak then told the Board that he was the general counsel for the Sewerage Authority and prepared that agreement. Mr. Hak stated that the agreement was to allow the encroachment because anytime there was an encroachment on the sewer easement, an agreement was necessary. Mr. DeLuca then explained that even if the encroachment was over the top of the easement, the agreement noted that.

Mr. Healey stated he had a request of the Applicant to send the Township three (3) copies of that exhibit for the file. Mr. DeLuca agreed to do so. Mr. Procanik asked if a condition of approval could be made to have the Township Engineer, Mr. Darren Mazzei, review it before any permits were issued or the sign was installed.

Chairman Thomas then opened the meeting to the public. Seeing no one coming forward, the meeting was closed to the public.

Mr. DeLuca gave his closing summation.

Vice Chair Shepherd made a motion to grant Wash King Somerset OPCO, LLC the "C" variance needed to allow it to erect a sign that had been the subject of the Application. He added that the approval of the variance was subject to the execution of the agreement between the Applicant and the Franklin Township Sewerage Authority as well as the satisfactory review of the materials from this Application regarding the necessary calculations to establish the sight line and wire as compared to the sign height by the Township Engineer, Mr. Darren Mazzei with his satisfactory approval thereof.

FOR: Ms. Bethea, Mr. Procanik, Ms. Firdaus, Vice Chair Shepherd, Mr. Lakhia, and Chairman Thomas

AGAINST: None

Vice Chair Shepherd made a motion to adjourn the meeting at 8:44 p.m. The motion was seconded, and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
April 30, 2026

STAFF REPORT

PLEASE REFER TO DRCC # WHEN SUBMITTING
ADDITIONAL DOCUMENTS



DRCC #: 25-2429C

DATE: September 18, 2025

PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

Latest Submission Received: August 20, 2025

Applicant:

Ukrainian Orthodox Church of the U.S.A.
135 Davidson Avenue
Somerset, NJ 08873
uocofusa@aol.com

Engineer:

Daniel Miola, P.E.
Langan Engineering and Environmental
Services, LLC
300 Kimball Avenue
Parsippany, NJ 07054
dmiola@langan.com

Project Location:

Road	Municipality	County	Block(s)	Lot(s)
1950 Easton Avenue (Somerset County Route No. 527)	Franklin Township	Somerset	469	1.06

Jurisdictional Determination:

Zone A	Major	Nongovernmental

Subject to Review for:

Drainage	Visual	Traffic	Stream Corridors
X	X	X	X

THIS STAFF REPORT IS ISSUED AS A GUIDE TO APPLICANTS IN COMPLYING WITH DRCC REGULATIONS. IT IS NOT AN APPROVAL. NO CONSTRUCTION SHALL BEGIN UNTIL A CERTIFICATE OF APPROVAL HAS BEEN ISSUED.

PO BOX 539

STOCKTON, NJ 08559

609-397-2000

www.nj.gov/dep/drcc/

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PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

Documents Received: Site Plans (24 sheets) dated January 17, 2025, last revised July 8, 2025; Stormwater Management Report dated January 17, 2025, last revised July 18, 2025; Stream Corridor Impact Plan (1 sheet) dated February 14, 2025; Stream Corridor Use Plan (1 sheet) dated July 8, 2025; Traffic Impact Study dated January 17, 2025, last revised April 17, 2025; ALTA/NSPS Land Title Survey dated July 12, 2024, last revised February 25, 2025.

Staff comments continued below.

The application is incomplete. It is staff's opinion that the proposed project has been designed in compliance with the Commission's technical requirements. However, notice of county and municipal approvals must be submitted before the application can be deemed complete and presented to the Commission for their decision:

Existing Conditions: The project area is an approximate 1.42 million square-foot (32.76 acre) lot located west of Easton Avenue in Franklin Township, Somerset County, approximately 75 feet south and west of the Delaware and Raritan Canal and within Commission Review Zone A.

The project area is located partly in Review Zone A, with the balance of the site being located in Review Zone B. Pursuant to the definition of "Review Zone" at N.J.A.C. 7:45-1.3, if any part of a project site is within Zone A, then the entire project shall be considered to be in Zone A.



The project site is bounded by Easton Avenue followed by the Delaware and Raritan Canal to the north, Davidson Avenue to the east, the Somerset Executive Center office development that is presently proposed to be demolished and replaced by a warehouse development (See DRCC #24-6190) followed by Interstate Highway Route No. 287 to the south, and a tributary of the Raritan River followed by a large cemetery development to the west.

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In the existing condition, the project site is improved with the Ukrainian Cultural Center and the Ukrainian History and Education Center of New Jersey buildings, along with associated parking areas, landscaping, underground utility and stormwater infrastructure, and associated site amenities. In the existing condition, impervious surface coverage totals approximately 7.21 acres. Historic aerial imagery shows the cultural center under construction in 1979, while the history/education center first appears on imagery dating to 1987.

The project area lot is also the location of the Hendrick Fisher Homestead, a circa 1688 residence that is reputed to be the oldest structure in Somerset County.

The Commission received plans for a project to expand the cemetery development onto the project area lot in 2000; however, it appears that no application was submitted for the project, and no Commission staff report or approval was ever issued. Subsequently, a project application was approved by the Commission in 2001 to expand the adjacent cemetery and create 3,774 additional grave sites on the lot (DRCC #00-2429A). From the absence of any burials, it would appear this project was never implemented. In 2005, the Commission issued a certificate of approval for a project to construct an expansion to the Ukrainian History and Education Center, which resulted in the creation of approximately 1.0 acre of new impervious surface coverage (DRCC #04-2429B).

Proposed Project: The applicant proposes to subdivide the Lot 1.06 into two new lots:

Proposed Lot 1.09: This lot would be 648,907 square feet (14.9 acres) in size and encompass the existing the Ukrainian History and Education Center of New Jersey buildings and the Fisher Homestead located at the northern portion of the existing lot.

The applicant further proposes to construct additional parking for 45 passenger vehicle parking spaces to the north of the existing building and 35 passenger vehicle parking spaces to the east of the existing building, a widened access driveway from Easton Avenue, and stormwater management infrastructure on proposed Lot 1.09. Based upon the submitted application, impervious surface coverage in the proposed condition would total 7.78 acres, or an increase of 0.57 acre when compared to the existing condition. The project would also result in the disturbance of 5.13 acres of land.

Proposed Lot 1.08: This lot would be 771,281 square feet (17.7 acres) in size and encompass the existing Ukrainian Cultural Center building and associated parking area located at the southern portion of the existing lot.

Commission staff notes that a project application has been submitted by a different applicant to demolish the Ukrainian Cultural Center building and associated site improvements on proposed Lot 1.08 and construct a 258,150 square-foot warehouse building development is pending before the Commission as project DRCC #25-2429D.

Stream Corridor: The site is located within the Raritan River Lower watershed. The site bordered to the west by a tributary to the Raritan River, which is located north of the Delaware and Raritan Canal. The Raritan River does not flow into the canal. FEMA has

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delineated the 100-year floodplain for the Raritan River, and by engineering judgment, the Raritan River's floodplain is the controlling regulatory floodplain along the tributary adjacent to the site. The applicant has delineated the stream corridor as a 100-foot offset from a plotted flood hazard area design flood elevation limit. Commission staff has determined the stream corridor limit is compliant with the submission requirements of N.J.A.C. 7:45-9.2.

Most of the site's stream corridor, totaling 216,847 square feet (4.98 acres) is actively disturbed, and consists of maintained lawn along with some trees, access driveways, and parking areas. The applicant proposes to construct a sidewalk along west side of Davidson Avenue, just south of the intersection with Easton Avenue located within the stream corridor. N.J.A.C. 7:45-9.4(a)4 provides that recreational paths and road improvements along an existing access drive are a conditional use within a stream corridor of a watercourse that does not directly enter the Delaware and Raritan Canal.

Therefore, the project has been designed in accordance with the specific stream corridor impact standards of N.J.A.C. 7:45-9.

Stormwater Outfall: The project plans to discharge stormwater generated from the site toward an existing drainage system located within Easton Avenue. This system is tributary to the Delaware and Raritan Canal. Therefore, the applicant is subject to the specific requirements for an outfall at N.J.A.C. 7:45-8.3. This includes, but is not limited to, prohibiting new sources of stormwater that tie into the drainage systems discharging into the canal and providing 95 percent (%) total suspended solids (TSS) removal for the water quality design storm as described at N.J.A.C. 7:45-8.7.

Stormwater Runoff Quantity: Runoff from the developed portions of the site and undisturbed areas, totaling approximately 7.8 acres, will discharge to either Easton Avenue or the tributary to the Raritan River. The stormwater management measures have been evaluated at two points-of-analysis (POAs).

POA 1: Includes the northern portion of the development adjacent to Easton Avenue. This area includes 4.15 acres identified as A-2 and A-3. In the post-development condition, the site and stormwater management design will reduce the total drainage area tributary to the POA to 3.71 acres. The stormwater runoff created by the proposed activities will be mitigated by the construction of a permeable paving system. The applicant has provided engineering calculations verifying that for stormwater leaving the site, post-construction peak runoff rates and volumes for the 2-, 10- and 100-year storm events do not exceed the pre-construction runoff rates and volumes for the same storm events.

POA-2: Includes the area draining to the existing conveyance pipe that drains to the tributary to the Raritan River. This section of the stormwater management system will include a surface infiltration basin and a surface bio-retention system with an underdrain. The storm sewer system for each BMP will be equipped with an outlet control structure. The applicant has provided engineering calculations verifying that for stormwater leaving the site within the drainage area at the POA, the post-construction peak runoff rates for the

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2-, 10- and 100-year storm events will be no greater than 50, 75, and 80%, respectively, of the pre-construction peak runoff rates.

The submitted calculations utilized the Natural Resource Conservation Service (NRCS) Technical Release No. 55 (TR-55) hydrologic methodology, NOAA Region C unit hydrograph rainfall distribution, Standard Unit peak rate factor, and current New Jersey 24-hour rainfall frequency data for Somerset County to compute peak runoff flow rates and volumes. The post-developed peak flows were calculated by creating separate pervious and impervious hydrographs for post-developed conditions and combining to develop total post-developed hydrographs.

Based upon a review of the submitted calculations, it has been determined that the proposed stormwater management measures will provide enough peak flow attenuation to meet the specific runoff quantity standards at N.J.A.C. 7:45-8.6 and the specific outfall standards at N.J.A.C. 7:45-8.3.

Water Quality: The Commission requires that all proposed full-depth pavement, including newly constructed and reconstructed parking and access drives that are being renewed, in addition to new collection systems for existing impervious surfaces where stormwater is not currently collected, shall meet water quality standards at N.J.A.C. 7:45-8.7. This includes reduction of the post-construction load of TSS in stormwater runoff generated from the water quality design storm by a rate of 95% for POA-1 and 80% for POA-2 of the anticipated load from the developed site, expressed as an annual average.

POA-1 is tributary to the Delaware and Raritan Canal. The applicant proposes to reduce the proposed pavement area discharging toward the canal by 0.38 acre. As a result, no additional water quality is required for this analysis point.

POA-2 will discharge to the tributary to the Raritan River. Based upon the submitted application, approximately 0.81 acre of new motor vehicle surfaces is proposed onsite. The submitted stormwater report notes that the design proposes to treat for water quality by incorporating several stormwater best management practices (BMPs), which include a surface bio-retention basin and a surface infiltration basin.

Small-scale bio-retention basin systems are stormwater management facilities used to address the stormwater quality and quantity impacts of land development. The system consists of a soil bed planted with vegetation; it can be underdrained or runoff can infiltrate into the subsoil. Pollutants are treated through the processes of settling, plus uptake and filtration by the vegetation. Pollutants are also treated within the soil bed through infiltration. The TSS removal rate is 80% to 90% and dependent upon the depth of the soil bed and the type of vegetation selected.

Small-scale infiltration basin systems are stormwater management systems constructed with highly permeable components designed to both maximize the removal of pollutants from stormwater and to promote groundwater recharge. Pollutants are treated through settling, filtration of the runoff through, and biological and chemical activity within the

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PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

components. The TSS removal rate of a small-scale infiltration basin that is designed in accordance with the NJ Stormwater BMP Manual is 80%.

Therefore, Commission staff has determined the proposed stormwater quality design is in compliance with the requirements at N.J.A.C. 7:45-8.7.

Groundwater Recharge: The Commission regulations require that stormwater management measures maintain 100% of the average annual pre-construction groundwater recharge volume for the site, or that any increase of stormwater runoff volume from pre-construction to post-construction for the two-year storm is infiltrated. The submitted groundwater recharge analysis calculation (NJDEP GSR-32 spreadsheet) demonstrates that the annual groundwater recharge deficit for the entire site is 28,819 cubic feet. To infiltrate the post-development recharge deficit, a surface infiltration basin is proposed. According to the spreadsheet, this BMP will meet the annual groundwater recharge requirement.

Therefore, Commission staff has determined the proposed stormwater quality design is compliant with the groundwater recharge requirements at N.J.A.C. 7:45-8.5.

Non-Structural Methods: To determine if the development includes sufficient non-structural stormwater management strategies have been incorporated into the project site design "to the maximum extent practical," the Nonstructural Strategies Point System (NSPS) spreadsheet has been completed for this project. The NSPS results indicate that the ratio of proposed to existing site points (116%) exceeds the required site points ratio (80%).

Therefore, the project's proposed non-structural measures are adequate and the project is designed in accordance with N.J.A.C. 7:45-8.4.

Stormwater Management Maintenance Plan: The applicant has submitted a stormwater management maintenance plan for the site. The submitted plan has been prepared in accordance with the specific requirements at N.J.A.C. 7:45-8.8.

Visual, Historic and Natural Quality Impact: N.J.A.C. 7:45-10.2 directs the Commission shall review all projects in Zone A to determine if the project is in accord with the goals for the Delaware and Raritan Canal State Park as defined in the park's Master Plan. The visual, historic and natural quality impact review is intended to assure that development within Zone A is not harmful to the character of the environmental types identified in the Master Plan as comprising the park.

The proposed project is located in an Urban canal environment as described in the Master Plan. The Urban canal environment is characterized at N.J.A.C. 7:45-10.2(a) by the enclosure of the canal by dense development. The Master Plan at Page 28 notes that this section of the park, which covers an area along the western crossing of Interstate Highway Route No. 287, consists mostly of the Borough of South Bound Brook, which is enclosed in the loop made by the Raritan River and mirrored by the canal.

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The plan notes that the Lock No. 11 is the central feature of this area and provides access as well as historic interest. The Raritan River is quite close to the multiuse trail for this entire section, while homes, roads, and industry in South Bound Brook are quite close -- sometimes intrusively close -- to the canal embankment. The plan calls for improving access at both the Lock No. 11 in South Bound Brook and at Five Mile Lock, for the construction of the sanitary facilities at South Bound Brook, and for multiuse trail improvement between Main Street in South Bound Brook and Five Mile Lock. Nothing with respect to the proposed project site improvements is inconsistent with these goals. Therefore, the project is in compliance with this requirement.

The provisions of N.J.A.C. 7:45-10.3(a), which discourage major projects from certain canal environments in Zone A, and authorize the Commission to require specific compensatory measures that mitigate the project's potential for harmful impact on the park, are inapplicable to the project, which is located in an Urban canal environment.

The provisions of N.J.A.C. 7:45-10.3(b), which discourage minor projects from certain canal environments in Zone A, and authorize the Commission to require specific compensatory measures that mitigate the project's potential for harmful impact on the park, are inapplicable to the project, which is a major project.

N.J.A.C. 7:45-10.4(a) directs that projects in Zone A shall be set back from the Delaware and Raritan Canal State Park sufficiently far so that the winter visual and natural quality of the park are not adversely affected. In the Urban canal environment, there are no minimum setbacks except as may be prescribed by municipal ordinances. Therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(b) directs that projects in Zone A shall maintain a reasonable height and scale relationship to nearby structures or vegetation. For urban canal environments, the height of structures may vary according to the height of existing structures that have a visual relationship to the proposed structure. The project consists of roadway and stormwater management infrastructure improvements that do not propose the erection of any structures. Therefore, this requirement is inapplicable to the proposed project.

N.J.A.C. 7:45-10.4(c) directs that for projects in Zone A, the exterior appearances of a project shall be in keeping with the character of the Delaware and Raritan Canal State Park's individual environments. Specifically, colors used shall harmonize with the man-made or natural surroundings of the project and shall be typical of colors found in the park environment, and building materials and textures shall harmonize with the surrounding manmade and natural materials. The applicant does not propose the construction of any buildings. Therefore, this requirement is inapplicable to the proposed project.

The provisions of N.J.A.C. 7:45-10.4(d)1, which direct that electric, telephone, cable television, and other such lines and equipment shall be underground or otherwise not visible from the Delaware and Raritan Canal State Park, are inapplicable to the proposed project.

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The provisions of N.J.A.C. 7:45-10.4(d)2, which direct that exposed storage areas, out-buildings, exposed machinery service areas, parking lots, loading areas, utility buildings, and similar ancillary areas and structures shall either be completely concealed from view from the Delaware and Raritan Canal State Park or designed to minimize their visual impact on the park, are inapplicable to the proposed project.

The provisions of N.J.A.C. 7:45-10.4(d)3 and 4, respectively, which regulate the dimensions and location of commercial signs or outdoor advertising structures, are inapplicable to the proposed project, which proposes no signage.

N.J.A.C. 7:45-10.4(d)5 directs that wherever possible, natural terrains, soils, stones, and vegetation should be preserved. New vegetation, stones, and soils should be native to the environment in which they are placed. The applicant's submission indicates that a total of 35 trees are proposed to be removed, and proposes planting of 164 trees and shrubs, exclusive of those proposed for the bio-retention basin, consisting of the following species:

Scientific name	Common name	Quantity	Native
Shade Trees:			
<i>Acer rubrum</i>	Red Maple	10	DRCC
<i>Acer sacharum</i>	Sugar Maple	5	DRCC
<i>Liriodendron tulipifera</i>	Tulip Poplar	3	DRCC
<i>Quercus phellos</i>	Willow Oak	11	USDA
Ornamental Trees:			
<i>Amelanchier canadensis</i>	Canadian Serviceberry	19	DRCC
<i>Betula nigra</i>	River Birch	9	DRCC
<i>Magnolia virginiana</i>	Sweetbay magnolia	3	DRCC
<i>Cornus Florida</i>	Dogwood	7	DRCC
Evergreen Trees:			
<i>Juniperus virginiana</i>	Eastern Red Cedar	37	DRCC
<i>Pinus rigida</i>	Pitch pine	39	USDA
<i>Pinus strobus</i>	Eastern white pine	34	USDA
Deciduous Shrubs:			
<i>Clethra alnifolia</i>	Coastal sweetpepperbush	21	DRCC
<i>Clethra alnifolia</i> 'Hummingbird'	Summersweet	15	DRCC
<i>Cornus sericea</i>	Red Twig Dogwood	14	USDA
<i>Hydrangea arborescens</i>	Annabelle Hydrangea	57	No*
<i>Myrica pensylvanica</i>	Northern bayberry	6	USDA
<i>Viburnum dentatum</i>	Arrowwood viburnum	15	DRCC
Evergreen shrubs:			
<i>Ilex glabra</i>	Inkberry Holly	46	DRCC
<i>Kalmia latifolia</i>	Mountain Laurel	26	DRCC

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PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

Hydrangea arborescens, or smooth hydrangea, is generally considered native to the Eastern United States, although it is more commonly found in the Delaware River Valley and in the Appalachian Mountains. However, the New Jersey Agriculture Experiment Station does consider it native to New Jersey, and it is a ubiquitous landscape planting found throughout central New Jersey. Commission staff recommends that it be permitted in this case.

Therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(d)6 directs that projects that are located in any officially designated Federal, State, or local historic district or site shall be assessed for their impact upon that district or site. Recommendations to avoid, minimize, and/or mitigate the impacts of a project on a listed property shall be made in consultation with the New Jersey Historic Preservation Office (SHPO) and based upon the United States Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

A portion of the project site, consisting of the driveway from Easton Avenue that is proposed to be widened, is located within the boundaries of the Delaware and Raritan Canal Historic District, which encompasses the canal bed and all structures within 300 feet of the centerline of the canal. The proposed expanded parking areas and stormwater management infrastructure lie outside the district boundary.

Historical background: As noted above, the project area lot also contains the Hendrick Fisher Homestead, a circa 1688 residence that is reputed to be the oldest structure in Somerset County. The Hendrick Fisher House was built by William Dockwra and later came into the possession of a Dutch immigrant Hendrick Fisher (Anglicized from Visscher in 1721) (1697-1788). Fisher was a farmer who held several civic offices during his lifetime, first representing Somerset County in the New Jersey Colonial Assembly. He was later one of three delegates representing New Jersey at the Stamp Act Congress in New York in 1765, was elected to New Jersey's Committee of Correspondence, served as a member of the Committee of Safety, was President of the Colonial Assembly, and was the first President of the Provincial Congress of New Jersey.

By 1775, his support of American independence caused him to be labeled an arch traitor and "Enemy of the Crown." He was conspicuously excluded from a proclamation of amnesty made by British Commander-in-Chief Viscount Howe in 1776, and British troops raided and looted his farm in 1777 hoping to capture him; however, he was not at the house at the time. Fisher was present in Philadelphia at the signing of the Declaration of Independence. On July 7, 1776, Fisher read the Declaration of Independence to the inhabitants of Bound Brook, New Jersey, at the Frelinghuysen Tavern. He was also a founder and first President of the board of trustees of Queen's College (now Rutgers University).

Architectural background: Commission staff notes that the 17th century portions of the home still remain. However, the original structure has been enveloped by subsequent

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Colonial Revival additions and alterations undertaken in the early 20th century by then owner Claude Goodsell.



(undated)



(present day)

Commission staff notes that the project does not propose any alterations to the Fisher homestead but, rather, proposes to widen an existing roadway which curves around the front and side of the residence. Therefore, Commission staff determines that the project proposes no adverse impact upon the residence, and that consultation with SHPO is not warranted in this case.

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PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

Traffic Impact: N.J.A.C. 7:45-111.1 directs that the Commission shall review major projects in Zone A for their traffic impact on roads that enter the Delaware and Raritan Canal State Park or any part of Zone A. The applicant shall submit a traffic impact study that shows the amount of additional traffic generated by the project and the directions in which this traffic will move. If the Commission determines that the additional traffic will have an adverse impact on the park, the applicant shall use any feasible planning techniques that will direct any additional traffic away from the park. If the Commission is satisfied that there are no feasible planning techniques other than as set forth in the project proposal that can direct any additional traffic away from the park, the project shall be approved for traffic impact review.

The applicant has submitted the required traffic impact study, which primarily addresses the traffic impacts arising from the proposed demolition of the existing Ukrainian Cultural Center and the construction of a 258,150 square-foot warehouse building development (DRCC #25- 2429D). However, the study does include information on the traffic entering and exiting the proposed widened driveway (designated as “site driveway”) from Easton Avenue.

For the purposes of the study, the applicant assumed that all the traffic presently entering the site from Davidson Avenue was related to the Ukrainian History and Education Center of New Jersey/Fisher Homestead buildings. This traffic was rerouted to enter and exit the site from Easton Avenue. The total rerouted traffic would consist of 16 morning peak hour trips entering the site and 5 evening peak hour trips. As this is rerouted, but not additional traffic that under existing conditions enters Davidson Avenue from Easton Avenue, the proposed project would not result in additional traffic that will have an adverse impact on the park. Therefore, Commission staff determines that the project is in compliance with this requirement.

Additional Information Required:

1. Staff notes that the applicant is required to submit two copies of the Commission’s Conservation and Maintenance Agreement, with original signatures on both copies. This document is available on the Commission website:
[https://www.nj.gov/dep/drcc/pdf/DRCC%20C&M%20Agreement%20\(2020\).pdf](https://www.nj.gov/dep/drcc/pdf/DRCC%20C&M%20Agreement%20(2020).pdf)
2. The Commission requires notice of county and municipal approvals.

Staff Recommendation: Staff does not recommend approval at this time.

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DATE: September 18, 2025

PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

Sincerely,

A handwritten signature in black ink, appearing to read "John Hutchison", with a long horizontal flourish extending to the right.

John Hutchison
Executive Director

c. Somerset County Planning Board
Franklin Township Planning Board
Peter U. Lanfrit, Esq. (lanfrit@centraljerseylaw.com) (erin@landuseconsultants.net)

Re: ukrainian center

From Vincent Dominach <Vincent.Dominach@franklinnj.gov>

Date Thu 9/11/2025 1:22 PM

To Mark Healey <Mark.Healey@franklinnj.gov>

Cc Christine Woodbury <Christine.Woodbury@franklinnj.gov>

they approved last week with no conditions as came prior
Sent from my iPhone

On Sep 11, 2025, at 13:20, Mark Healey <Mark.Healey@franklinnj.gov> wrote:

Do we have a report or minutes from the historic commission?

Mark Healey, PP/AICP
Planning Director/ Senior Zoning Officer
mark.healey@franklinnj.gov
732-873-2500 x 6271

TRC: FTSA (Ukrainian Orthodox Church of U.S.A.)

From Staff Engineer <staffengineer@ftsa-nj.org>
Date Fri 5/9/2025 1:53 PM
To Christine Woodbury <Christine.Woodbury@franklinnj.gov>
Cc Staff Engineer <staffengineer@ftsa-nj.org>

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender or know the content is safe.

Hi Christine,

Regarding the Ukrainian Orthodox Church of U.S.A. Application (ZBA-25-00008), there appears to be no sewer being disturbed or proposed. The Authority holds no opinion on the matter.

Thank you,
Tom Cipas

Franklin Township Sewerage Authority
F: 732-873- 2121 ext. 306
Email: staffengineer@ftsa-nj.org
Website: www.ftsa-nj.org
Office: [70 Commerce Drive, Somerset NJ, 08873](#)



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Franklin Township

Somerset County, New Jersey

Municipal Building
475 DeMott Lane
Somerset, NJ 08873
732.873.2500
Fax: 732.873.0844
www.franklintwpnj.org

Township Technical Review Committee (TRC)

MEMORANDUM

To: Zoning Board of Adjustment

From: Technical Review Committee (TRC)

Date: July 8, 2025

Re: Ukrainian Orthodox Church – Minor Subdivision w/ D(2) Variance (ZBA-25-00008)
135 Davidson Avenue (Block 469, Lot 1.06)

Site and Project Description

The subject site is located at the southwesterly intersection of Easton Avenue (Somerset County Route 527) and Davidson Avenue. It is located within the B-I (Business & Industry) Zone which permits self-storage, data centers, manufacturing, professional offices, banquet and hotel facilities and other similar uses on minimum two-acre lots. The site is 32.60 acres in size and contains 3 large buildings and a large parking lot in the southeast corner of the site. The site has over 700' of frontage on Easton Avenue and over 1,000' of frontage on Easton Avenue. The property contains a Special Flood Hazard Area along the northwesterly property line per FEMA records and potential wetland areas per information provided by the NJDEP. Two large (16" & 20") petroleum transmission pipelines cross the property. A 24" sanitary sewer line also crosses the property. The property is generally surrounded by commercial and industrial uses. There is a cemetery to the north and residential dwellings behind that.

In support of their application the applicant has submitted:

- 2-sheet Minor Subdivision Plat prepared by Langan Engineering and Environmental Services, LLC dated October 23, 2024 and revised to January 23, 2025.
- 6-sheet ALTA/NSPS Land Title Survey prepared by Langan Engineering and Environmental Services, LLC dated July 12, 2024 and revised to November 19, 2021.

Project Information:

- The property is 32.60 acres in size and is in the B-I (Business & Industry) Zone. The minimum lot area in the zone is 2.0 acres.

- FEMA records show a Special Flood Hazard Area on a portion of the property.
- GIS information provided by the NJDEP indicates that wetland areas may exist on a portion of the property.
- The applicant is proposing to subdivide the property into two lots, fully conforming in size and all bulk requirement for the zone. A variance is required for expansion of a non-conforming use; the church and cultural center are preexisting non-conforming uses in the B-I Zone.
- It is presumed that the applicant is proposing to perfect the minor subdivision by deed filing with the County.

Review Comments

1. The applicant is proposing to subdivide the existing lot into two new parcels. Should the Board act favorably, the new lots shall be as follows:
 - Plan Lot 1.08 = New Lot 1.09
 - Plan Lot 1.09 = New Lot 1.08

Note: Lot number change is necessary in order to maintain numbering consistency with the proposed lot consolidation to the south of this property.

2. The existing main entrance to the parking areas is partially located on both proposed new lots. Will an access and maintenance agreement be created, or the access drive(s) be relocated?
3. Minor Subdivision Plan:
 - Update the proposed lot numbers in accordance with Comment #1
 - A concrete monument shall be set at the intersection of the external boundary line with the right-of-way of Easton Avenue. A monument already exists at the boundary line intersection with Davidson Avenue.
4. Subdivision Deeds with metes & bounds descriptions attached and any other deeds (access, maintenance, construction, etc.) shall be submitted for review and approval prior to filing with the Somerset County Clerk's Office.
5. Official street addresses shall be obtained from the Township 911 Coordinator.
6. All fees shall be paid by the applicant at the time of adoption of a resolution of site plan approval for the cost of making upgrades and modifications to the Tax Maps and geographic information system (GIS) (Section 112-329).

7. At the time the final plans are submitted for signature of the municipal officials, the applicant shall submit CAD-generated data files, prepared by a New Jersey licensed land surveyor, directly translatable into an identical image of the plan per the requirements of Section 112-329.

We reserve the right to make additional comments based upon the submission of revised plans or testimony presented to the Board.

Figure 1: Site Location

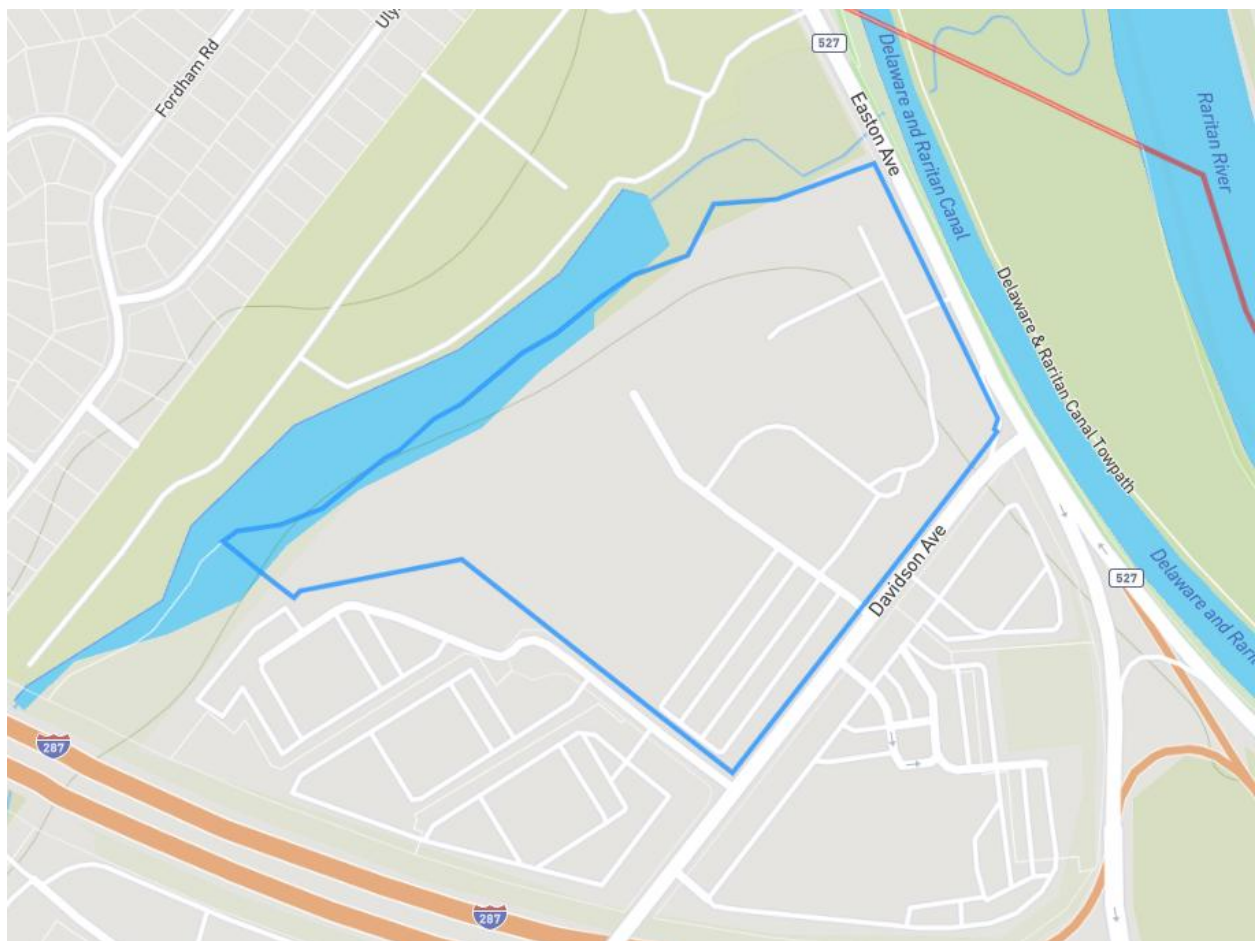


Figure 2: FEMA Special Flood Hazard Area along stream and in roadway

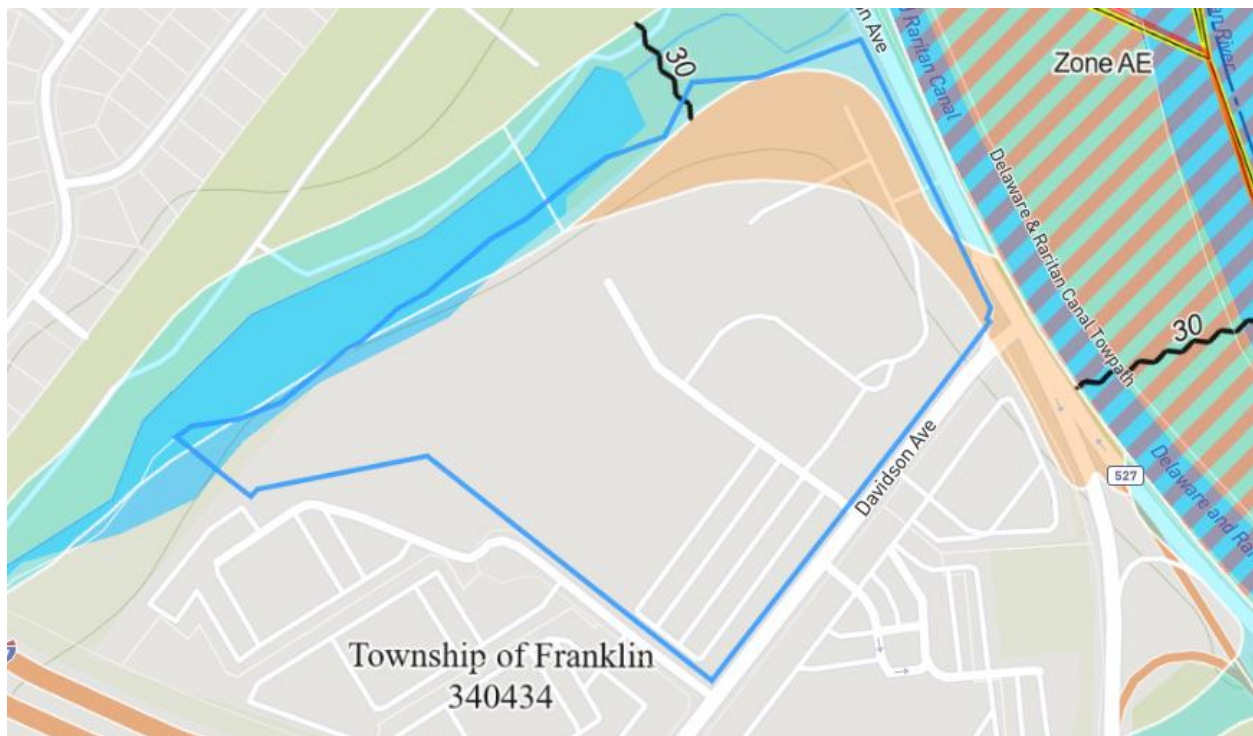


Figure 3: Potential Wetlands per NJDEP GIS information

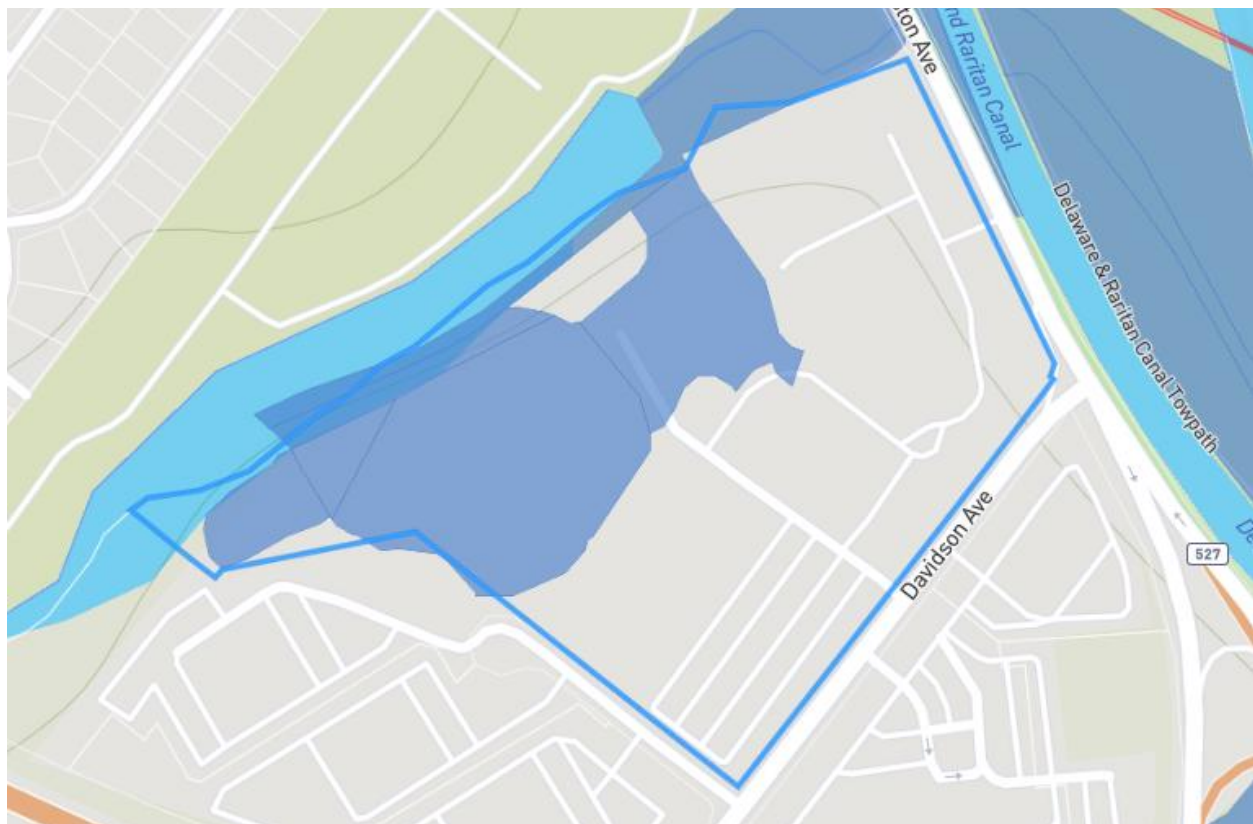


Figure 4: Site Aerial





FRANKLIN TOWNSHIP POLICE TRAFFIC SAFETY BUREAU



TO: F.T. Zoning Board

FROM: Ofc. Ryan Ellington

DATE: June 17th, 2025

SUBJECT: **ZBA-25-00008** **Ukrainian Orthodox**

1950 Easton Ave, Somerset NJ

BLOCK: 469 LOT(S): 1.06

I have reviewed the above captioned subject plans dated January 31st, 2025 and have no comments at this time.

This office reserves the right to make additional comments based on future submissions and/or testimony before the Board.

Franklin Township

Somerset County, New Jersey



DEPARTMENT OF PLANNING AND ZONING

Planning – Zoning – Affordable Housing
Planning Board – Zoning Board of Adjustment

MEMORANDUM

Municipal Building
475 DeMott Lane
Somerset, NJ 08873
732.873.2500
Fax: 732.873.0844
www.franklintwpnj.org

To: Zoning Board of Adjustment

From: Mark Healey, PP, AICP
Director of Planning/ Senior Zoning Officer

Date: May 27, 2025

RE: Ukrainian Orthodox Church of USA (ZBA-25-00008)
Minor Subdivision, D(2) Use Variance;
135 Davidson Avenue; Block 469, Lot 1.06¹

As requested, I have reviewed the application materials listed below and issue the following report for the Board's consideration:

- 2-sheet set of subdivision plans prepared by Langan Engineering NJ. LLC last revised 1/23/25
- 6-sheet survey prepared by Langan Engineering NJ. LLC last revised 11/24/24

Site Description

The overall project site is located along the westerly side of Davidson Avenue and is bounded by Executive Drive to the south and Easton Avenue to the north. The site is currently occupied by the national headquarters of the Ukrainian Orthodox Church of the USA which includes the Ukrainian History and Education Center, Saint Sophia Seminary and Library and administrative offices. The westerly portion of the site contains a stream, wetlands and associated regulated buffers. A buckeye pipeline also traverses this portion of the site. The site is located within the B-I (Business & Industry) zone.

Figures at the end of this memorandum show the location of the site as well as the nature of the surrounding area which consists of:

- *North (on the opposite side of Easton Avenue):* Delaware and Raritan (D&R) Canal State Park and the Raritan River

¹ Applicants represented by attorneys, engineers and/or architects (or other such professionals) are expected to use the video display system available in Council Chambers to project hearing exhibits. Use of the video display systems greatly improves visibility of these exhibits for the Board, the public and the Township's video broadcast of the hearing. In order to use the video display system, please bring a computing device capable of utilizing a HDMI connection. A cable is provided, however adapters are not so please make sure you have the required adaptors to connect to HDMI if necessary.

- *East (on the opposite side of Davidson Avenue):* Office building and multi-story hotel
- *South (on the opposite side of Executive Drive):* Three vacant multi-story office buildings; side of IDI Logistics LLC (ZBA-24-00010) which proposes construction of a 212,500 square foot warehouse (access proposed via Executive Drive, beyond that is I-287 and warehouse, office and light industrial uses along Davidson Avenue
- *West:* St. Andrew Ukrainian Orthodox Cemetery, beyond that is a large single-family residential neighborhood

Associated Applications

The overall project site is the subject of three applications (refer to figures at the end of this memorandum for location/context):

- ZBA-25-00009 (Warehouse Site Plan): Demolition of the Ukrainian Cultural Center and associated parking lot and redevelopment of the site with a 258,150 square foot warehouse, 162-space car parking area, a 17-space trailer parking area to the rear of the warehouse, a 35-berth loading area with access via Executive Drive. That application also involves proposed intersection and traffic signal improvements at the Davidson Avenue/ Executive Drive intersection. Review of that application is contained in another memorandum.
- ZBA-25-00007 (Church Site Plan): Site modifications (including parking lot and access modifications) associated with retention of the certain exiting church facilities (existing church and seminary). Review of that application is contained in another memorandum.
- ZBA-25-00007 (Church Site Plan): See description below.

Project Description

Subdivision of the current 32.6 site into two lots:

- *Proposed lot 1.08* (17.7 acres) upon which is proposed construction of a new warehouse under ZBA-25-00009 and
- *Proposed lot 1.09* (14.9 acres) which would contain certain existing church facilities to remain (ZBA-25-00007).

Requested/ Required Approvals

- D(2) Use Variance: Expansion of a Non-Conforming Use²
- Minor Subdivision Approval

² Places of worship are not a permitted use in the B-I zone. By law, the proposed reduction of the church site by virtue of the proposed subdivision constitutes an expansion of this non-conforming use necessitating a D(2) variance.

Review Comments³

1. The proposed subdivision plan reflects two proposed lots that significantly exceed minimal lot area and frontage requirements and comply with all applicable bulk requirements based on the existing facilities on the site. No bulk variances are required.
2. The application should address necessary coordination between the two proposed lots both with and without the proposed construction reflected on the site plans. This would include, as necessary, easements related to parking, access, utilities and/or drainage.

³ It is requested that subsequent plan submittals be accompanied by a written description of the changes made compared to the prior submission. Preferably, this would be accomplished by providing a response to each of the review comments with a description of the plan changes and where the plan changes can be found (e.g., sheet number). If the plans have not been revised in response to a comment, the reason should be provided. The number of copies of this written description should be commensurate with the number of revised plans.

Figure 1: Site Location

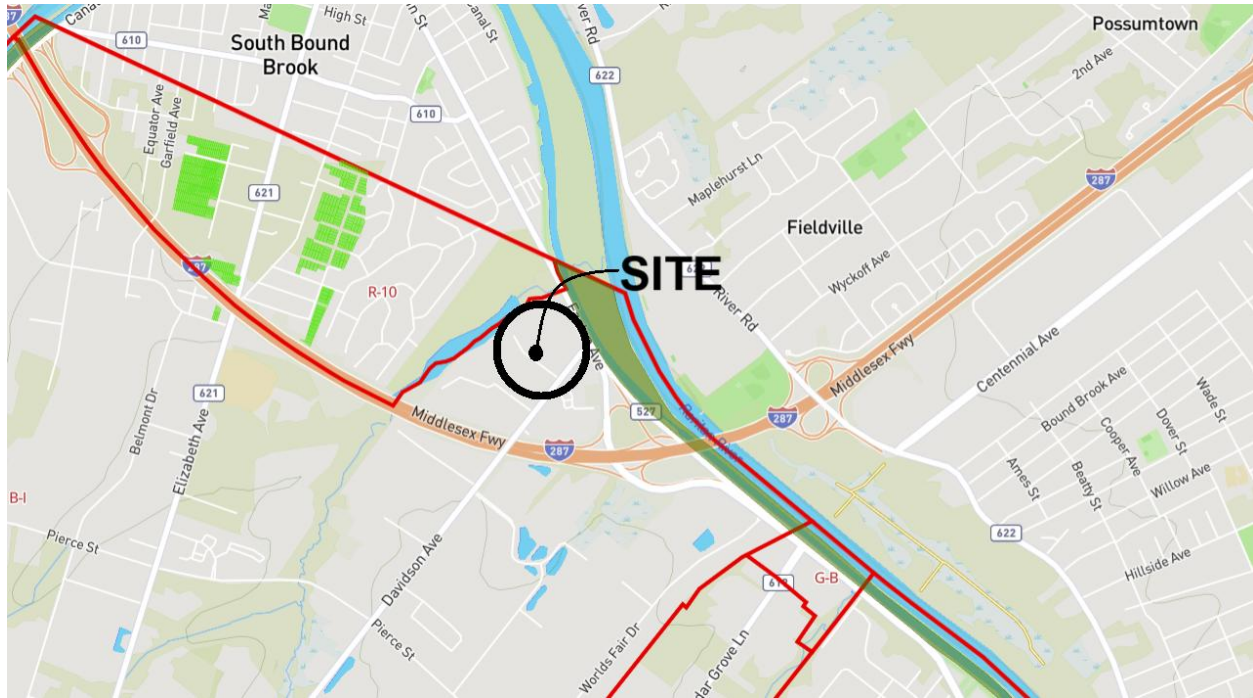


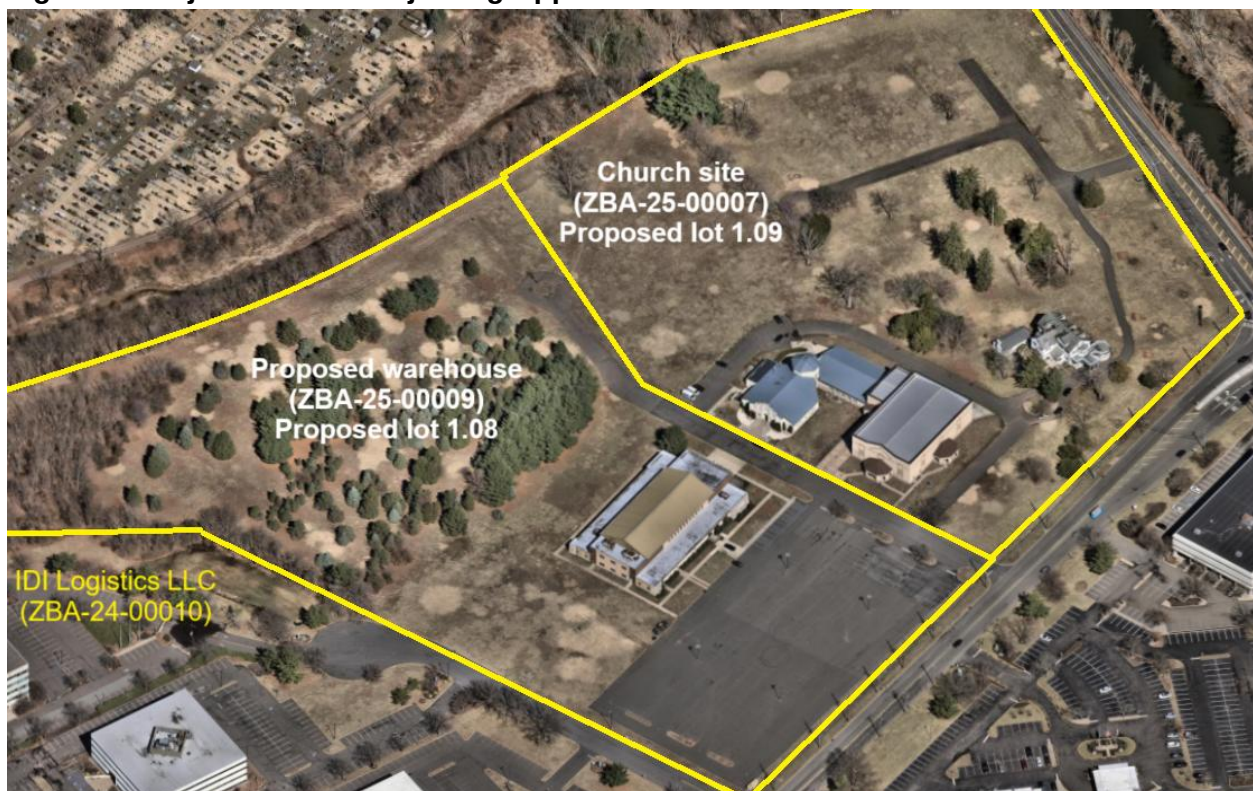
Figure 2: Site and Surrounding Area



Figure 3: Project Site and Adjoining Applications



Figure 4: Project Site and Adjoining Applications



Proposed lot 1.08
 AREA=771,281 S.F.±
 17.7062 ACRES ±

Proposed lot 1.09
 AREA=648,907 S.F.±
 14.8968 ACRES ±

DAVIDSON AVENUE
 (66 FEET WIDE PER FILED MAP #71888)
 (66 FEET WIDE PER FILED MAP #71888)
 (66 FEET WIDE PER FILED MAP #71888)

Block 469, Lot 2.01
 N/R UKRAINIAN
 ORTHODOX CHURCH
 OF USA
 DB 7444 PG 2952

Block 469, Lot 1.06
 N/R UKRAINIAN ORTHODOX
 CHURCH OF USA
 DB 1408, PG 360
 AREA = 1,420,108 S.F. ± OR
 32.6030 ACRES ±

Block 469, Lot 1.03
 N/R TORANCO
 EXECUTIVE I & II, LLC
 DB 7172 PG 1511

Block 469, Lot 1.04
 TORANCO
 E & II, LLC
 PG 2919

Block 469, Lot 1.07
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.08
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.09
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.10
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.11
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.12
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.13
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.14
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.15
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.16
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.17
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.18
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.19
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.20
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.21
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.22
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.23
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.24
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.25
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.26
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.27
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.28
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.29
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.30
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.31
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.32
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Block 469, Lot 1.76
 TORANCO
 I & II, LLC
 PG 1511

Block 469, Lot 1.77

Franklin Township

In Somerset County



OFFICE OF FIRE PREVENTION

Municipal Building

475 DeMott Lane, Somerset, NJ 08873-6704

Phone: 732-873-2500 Ext. 6303 Fax: 732-873-0804

May 15, 2025

To: Board of Adjustment

From: John Hauss, Director
Fire Prevention

Re: Docket # ZBA 25-00008
Ukrainian Orthodox Church of U.S.A.
1950 Easton Avenue
Block: 469 Lot: 1.06

Fire Prevention has no objections to this application.

We reserve the right to make additional comments based upon the submission of revised plans or testimony presented to the Board.



Director / Health Officer
HIMANSHI BHATT, MPH, MS, REHS
bhatt@co.somerset.nj.us

**COUNTY OF SOMERSET
DEPARTMENT OF
PUBLIC HEALTH & SAFETY
DEPARTMENT OF HEALTH**

27 Warren Street
P.O. Box 3000
Somerville, New Jersey 08876-1262
(908) 231-7155
Fax (908) 704-8042
www.somersetcountynj.gov/health
healthdept@co.somerset.nj.us



Deputy Director
MICHAEL T. McCARTY
mccarty@co.somerset.nj.us

Memorandum

To: Planning/Zoning Department

From: Rashida Boima, REHS, MPH-Consumer Health Coordinator

Date: May 9, 2025

Re: ZBA-25-00008-Ukrainian Orthodox Church of U.S.A.-Easton Avenue, Somerset
Block: 469, Lot: 1.06

The Health Department has no objection to this application.

- Mission Statement -

The County of Somerset is committed to excellence and innovation in public service, promoting the well-being of all residents and communities by providing effective, efficient and responsive leadership.

Somerset County Is An Equal Opportunity Employer

memo



TO: Christine Woodbury – Secretary to Franklin Township Planning and Zoning Boards

FROM: Tara Kenyon, AICP/PP – Sustainability Coordinator, Franklin Township

DATE: April 8, 2025

RE: Comments from Franklin Township Environmental Commission
Ukrainian Orthodox Church of the USA
1950 Easton Avenue, Somerset
(Block 469 – Portion of Existing Lot 1.06/Proposed Lot 1.09)
File #: ZBA-25-00008

At its regularly scheduled meeting of May 5, 2025, the Franklin Township Environmental Commission ("EC") reviewed plans and documents for the above-referenced project. The following comments are submitted for consideration by the Franklin Township Zoning Board of Adjustment:

- The FTEC recommends that the applicant replace the proposed White Pines in the bioretention basins with River Birch (*Betula Negra*) trees. These trees are better suited to bioretention basins and native to the Eastern United States.
- Pervious pavement is recommended to the maximum extent possible. This will reduce the amount of stormwater runoff and non-point source pollution loading, while also improving safety through the reduction of ponding and icing conditions created by increased stormwater runoff.
- The EC requests that the applicant provide a list of amendments made to plans and supporting documents with all future resubmissions. This will assist the EC's Site Plan Committee in its required review.

Please contact me with any questions at Tara.Kenyon@franklinnj.gov or 848-203.1857. Thank you!



COUNTY OF SOMERSET PLANNING BOARD

County Administration Building
20 Grove Street, P.O. Box 3000
Somerville, New Jersey 08876-1262
(908) 231-7021 • Fax (908) 707-1749
PlanningBd@co.somerset.nj.us
somersetcountynj.gov



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County Engineer / Director
Department of
Engineering and Planning
Board Secretary

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1st Alternate

Vacant
2nd Alternate

Adam Slutsky
County Engineer Alternate

STAFF

Samantha De Andrea
Director of Planning

Joseph DeMarco, Esq.
County Counsel

Sheli Daniels
Office Manager

April 29, 2025

Mr. Robert Thomas, Chairman
Franklin Township Zoning Board of Adjustment
475 DeMott Lane
Somerset, NJ 08873

**RE: UKRAINIAN ORTHODOX CHURCH OF U.S.A.– MINOR SUBDIVISION
BLOCK 469 – LOT 1.06
FL 618:009-25S
1950 EASTON AVENUE, COUNTY ROUTE #527**

Dear Mr. Thomas:

This office and the office of the County Engineer have reviewed information submitted for the above-referenced project. The 32.6-acre tract is located on Easton Avenue, County Route #527. The reviewed information consists of the following documents:

- “Minor Subdivision Plot, Creation Equity/135 Davidson/Franklin, Somerset, Somerset County, NJ” dated October 23, 2024, last revised January 23, 2025, and prepared by Langan Engineering.
- “ALTA/NSPS Land Title Survey, 135 Davidson Ave, Block 469, Lot 1.06, Township of Franklin, Somerset County, NJ” dated July 12, 2024, last revised November 19, 2024, and prepared by Langan Engineering.

The applicant, Ukrainian Orthodox Church of USA, seeks a minor subdivision of Block 469, Lot 1.06. The applicant is requesting minor subdivision approval from the Board of Adjustment to subdivide the property into two (2) lots: Proposed Lot 1.08 as 17.70 acres and proposed Lot 1.09 as 14.89 acres.

The comments contained in this letter shall pertain to the subdivision application only. A site plan for Lot 1.08 and Lot 1.09 have been submitted as separate applications and a review letter for the site plan applications will be issued under separate cover.

Since this application does not adversely affect a County facility, the Somerset County Planning Board approves this project.

Filed Map Requirements

Should the Township require a final plat to be filed in the Office of the County Clerk, the following items must be addressed:

- Mission Statement -

The County of Somerset is committed to excellence and innovation in public service, promoting the well-being of all residents and communities by providing effective, efficient and responsive leadership.

Somerset County Is An Equal Opportunity Employer

Ukrainian Orthodox Church – Minor Subdivision
 FL 618:009-25S
 Page 2 of 2

1. Prior to obtaining any signatures on the final plat, a copy is to be submitted for review and acceptance by the County.
2. Two paper copies of the final plat shall be provided to this office when it is presented for signature.
3. An appointment shall be made with the County Planning Board for the purpose of obtaining Planning Board signatures on the final plat. Please contact the Planning Board office at (908) 231-7021 to arrange a mutually agreeable time and date.
4. The filed map shall contain the following County Planning Board signature line with the municipal signatures:

This Plat complies with revised New Jersey Statutes 40:27-1 through 40:27-6.13

Somerset County Planning Board

Date

This report reflects comments from the County Planning Board and the office of the County Engineer (908) 231-7024. Should you have any questions, please contact the appropriate individual listed below.

Sincerely,



Nora Fekete
 Supervising Planner



Philip Kao
 Principal Engineer, Land Development Section

cc: Christine Woodbury, Board Secretary
 Franklin Township Engineer
 Ukrainian Orthodox Church of USA, PO Box 495, South Bound Brook, NJ 08880 via US mail
 Langan Engineering & Environmental Services, LLC (jfalcetano@langan.com) (dmiola@langan.com) via email
 Peter U. Lanfrit, Esq., Savo, Schalk, Corsini, Warner, Gillespie, O'Grodnick & Fisher, PA via email
 Erin Santora LaGrúa, Land Use Consultants via email

CENTER STATE ENGINEERING

481 Spotswood Englishtown Road, Monroe Township, New Jersey 08831

T 732.605.9440 F 732.605.9444

MEMO TO: Township of Franklin
Zoning Board of Adjustment

FROM:  Darren Mazzei, PE, CME
Township Engineer's Office

DATE: March 2, 2026

RE: ***Ukrainian Orthodox Church of U.S.A.
Parking Lot Improvements
Preliminary & Final Major Site Plan
Report #3
Engineering
Block 469, Proposed Lot 1.09
135 Davidson Avenue
Franklin, New Jersey
Our File: MFRZ0469.03/600.01
Application # ZBA-25-00007***

As per your request, this office has reviewed the following documents relative to the above referenced preliminary and final site plan application:

- Preliminary and Final Site Plan, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025, with a latest revision date of July 18, 2025;
- ALTA/NSPS Land Title Survey, as prepared by Langan Engineering and Environmental Services, LLC, dated July 12, 2024, with a latest revision date of July 17, 2025;
- Stormwater Management Report, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025, with a latest revision date of July 18, 2025;
- Stormwater Management Facilities Operation and Maintenance Manual, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025, with a latest revision date of July 31, 2025;
- Traffic Impact Study, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025, with a latest revision date of July 23, 2025;
- Environmental Assessment, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025, with a latest revision date of July 31, 2025;;
- Final Geotechnical Engineering Study Report, as prepared by Langan Engineering and Environmental Services, LLC, dated January 10, 2025, with a latest revision date of January 12, 2026;
- Application Forms.

The following comments are offered with regard to same:

A. PROJECT OVERVIEW

The site is located along the southeast corner of the intersection of Davidson Avenue and Easton Avenue (C.R. 527). The applicant is also before the Board to subdivide this property as part of Docket ZBA-25-00008. The proposed lot after subdivision will be 14.90 acres and is located in the B-I (Business and Industry) zone. After the subdivision, the only site driveway will be along Easton Avenue approximately 330' south of its intersection with Davidson Avenue. The subdivided site will contain an existing three (3) story frame dwelling/ existing seminary and the Ukrainian Orthodox Church of the U.S.A. The applicant is proposing to expand the existing parking lot and widen the access driveway. The existing parking lot adjacent to the Church currently contains twenty (20) parking spaces and the applicant is proposing eighty-two (82) parking spaces. The applicant is proposing the following site improvements including but not limited to one (1) bioretention basin and one (1)

infiltration basin to address NJDEP stormwater management rules, two (2) hot mix asphalt parking areas, concrete curb, sidewalk, utilities, grading, lighting and landscaping.

We defer the review of the zoning related issues to the Board Planner except where they may pertain to engineering issues.

B. GENERAL SITE IMPROVEMENTS

1. Official street address shall be obtained from the Franklin Township 911 Coordinator, if required.
2. An Engineering Cost Estimate will be required once final plans are signed-off on by the Board. Upon approval, applicant shall provide appropriate bonds and Engineering inspection fees and attend a pre-construction meeting, prior to the continuation of any site work.
3. Note: A preconstruction meeting will not be scheduled until the developer/ site contractor provides a Fire Safety During Construction Plan Demonstrating Compliance with Chapter 33 of the International Fire Code. Should the Board act favorably on this application a copy of the Township's, 'Steps to a Construction Project' will be provided.
4. All fees shall be paid by the applicant at the time of adoption of a resolution of site plan approval for the cost of making upgrades and modifications to the Tax Maps and geographic information system (GIS) (§112-329)
5. At the time the final plans are submitted for signature of the municipal officials, the applicant shall submit CAD-generated data files, prepared by a New Jersey licensed land surveyor, directly translatable into an identical image of the plan per the requirements of Ordinance §112-329.
6. Note: No soil can be imported to or removed from the site until a Soil Importation or Exportation Permit has been obtained from the Township as required by the Ordinance. Soil removal shall be in accordance with §206 of the Ordinance. Please note same on the site plan.
7. Note: An As-Built Plan prepared by a licensed Land Surveyor is to be submitted to the Township prior to any Certificate of Occupancy inspection or the release of performance bonds. Please note same on the site plan.
8. Copies of any easements, exceptions, deviations, or liens on the property should be presented to the Board.
9. In accordance with Ordinance §112-33.6.F, Bicycle parking should be incorporated into the project.
10. The applicant provided parking calculations on sheet no. 2 in accordance with Ordinance §112 – Schedule 4. The calculations note that there are 35 existing seats in the Church and twelve (12) parking spaces are required. Subsequent letters provided by the applicant's professionals indicate the church would require 34 parking spaces per the ordinance and the museum can accommodate 300 people. The site currently contains 398 spaces (this figure includes the Cultural Center, which is to be demolished). The applicant is proposing 82 parking spaces, as part of this application, for the Church's use. This office cannot confirm the parking requirements required for the project at this time. This office defers to the Board Planner with regard to the parking requirements for this application.
11. Based on the eighty-two (82) total parking spaces, four (4) barrier free spaces including one (1) van accessible parking stall is required. The applicant is proposing four (4) barrier free spaces with two (2) van accessible parking spaces. It should be noted that Accessible EVSE spaces cannot be used to address the general (UCC) accessible parking requirements. The applicant's Engineer should revise the plans for ADA parking demand compliance.
12. The site plan has complied with S-3223 (P.L. 2021, c. 171), regarding the provision of EVSE and Make-Ready parking spaces. Three (3) make ready spaces are required and three (3) are proposed.

However, site plan should be revised to delineate the proposed EVSE equipment and signage, including details, for further review. Further review of this comment will be performed after the parking requirement is finalized to the Board Planner's satisfaction.
13. This office defers to the Fire Prevention Officer as to the appropriate number of Fire Hydrants, Fire Department Connections, and their location. We defer to the Fire Prevention Officer regarding the need of 'No Parking' fire lane signage and striping.

14. In a letter from the applicant's attorney dated March 26, 2025, it is indicated that there is additional parking located adjacent to the main church, which will be connected to museum and Chapel by a footbridge, which was destroyed by hurricane Ida, and will be rebuilt prior to the completion of the museum.' The site plan does not show any footbridge improvements, and it is unclear if same will require permitting. Clarification is required.
15. The proposed sidewalk should be realigned from the Existing Seminary and create a path and ADA crossing to the 35 car parking lot. The sidewalk should continue through the ramp in the rear of the Church.
16. The applicant's engineer has responded that the existing lighting along the property line between proposed lots 1.08 and 1.09 are to be removed. Same should be clearly noted on the demolition plan.
17. A permanent access and maintenance agreement between Lots 1.08 and 1.09 is required, providing access from the Church property through the warehouse property to Davidson Avenue.
18. Portions of the proposed sidewalk along Davidson Avenue are outside of the right-of-way. A sidewalk access easement must be provided.
19. Provide a 5'x5' passing area every 200' o.c. along the Davidson Avenue sidewalk in accordance with PROWAG requirements.
20. The dumpster should be relocated to avoid being over a storm pipe. In addition, setting the pad at a location where the driveway is approximately 8% will negatively impact the use of the pad.
21. The driveway between the 3-story building and Church appears to be too narrow. By ordinance §112-90, the minimum driveway width should be 12'. A circulation plan should be provided demonstrating the proposed largest sized design vehicle can navigate the curvature. Testimony should be provided to the Board regarding the use of this driveway.

C. GRADING AND UTILITY COMMENTS

1. Show the existing service line sizes.
2. The water meter pit should be moved as close as possible to the Davidson Avenue right-of-way. The applicant's engineer should evaluate adding 45 degree bends to the existing line. No couplings or valves will be permitted before the meter pit. The size of the existing water service should be noted.
3. Should the Board act favorably, final approval from the Township Water Department is required.
4. Construction access easements will be required for proposed Lot 1.08, due to the removal of drainage, sanitary sewer and potential water services.
5. Utility access and maintenance easements will be required for the proposed storm sewer and sanitary improvements on proposed Lot 1.08.
6. The applicant should address the following general grading comments:
 - a. The applicant has provided Blowup Insets for ADA Ramps. We have the following comments:
 - ADA Inset A – A minimum slope of 0.50% is required. There is less than 0.50% slope between spot elevations 44.66 and 44.68;
 - ADA Inset B:
 - (1) A maximum cross slope of 2% is permitted in ADA parking areas. It is noted that the cross slope of both ADA spaces are 3.4%. Plan revision is required;
 - (2) Provide additional spot elevations for along the curb line. Provide both top and bottom of curb elevations. It is unclear which sections of curb are flush. Please clarify;
 - (3) Provide additional spot elevations for all sidewalk adjacent to the ADA parking areas so that landings and turnaround areas can be verified for ADA compliance;
 - (4) The running slope from the proposed 49' to 50' is approximately 25% and unacceptable. Revise the running slope to a maximum running slope of 5%.
 - ADA Inset C:
 - (1) Approval should be obtained from the Somerset County Engineer's office for this ramps;

- b. Label all top and bottom of curb elevations at all pc's and pt's including the driveway at the 3-story frame dwelling;
- c. An ADA ramp and crossing should be installed near CB-209;
- d. Label all top and bottom of wall elevations at all pc's and pt's;
- e. A maximum slope of 1:3 is permitted in all lawn areas. It appears the lawn grading in the rear of the Church near the back drive-in area is steeper than 1:3;
- f. Provide tie-in elevations for all curb, sidewalk and pavement;
- g. The sidewalk located at the parking lot high point (BC 44.11; assumed TC 44.61 and back of sidewalk 45.00) demonstrates that the cross slope of the sidewalk exceeds 2% and is not ADA compliant;
- h. The electric pad that is being reset on the west side of the building has proposed 48' contours on both sides; however, the spot elevation provided indicates it is at proposed elevation 49.0'. Clarification is required;
- i. Provide spot elevations at all 90 degree turns along the building ramp on the west side of the Church;

The grading will be reviewed further in its entirety when the above has been addressed.

D. LANDSCAPING AND LIGHTING

1. Applicant provided a tree removal plan to satisfy the requirements of Ordinance §222- Trees. This office defers to the Board Planner as to the adequacy of the tree replacement plan, as well as the adequacy of the proposed landscaping and buffering to adjacent properties, respectively.

E. STORM WATER MANAGEMENT

General

1. The Applicant proposes constructing one (1) Bioretention Basin, one (1) Infiltration Basin, and two (2) Porous pavement areas to address stormwater quantity management, water quality, and recharge.
2. The reference project has been reviewed in accordance with the Stormwater Management Rules NJAC 7:8 as amended July 17, 2023.
3. The property in question is located within the Delaware and Raritan Canal Commission (DRCC) Review zone and is subject to DRCC regulations. The work is being proposed in the DRCC stream corridor easement. Approval from DRCC will be required. A copy of the DRCC approval must be provided to this office.
4. The Applicant proposes to work in a regulated flood hazard area. A flood hazard area disturbance permit has been obtained from NJDEP for the regulated activity. A copy of the approved plans must be provided to this office. A note indicating the NJDEP file number and date of approval should be added to the overall site plan sheet (sheet CS100).
5. The applicant has received a NJDEP Letter of Interpretation (LOI) for wetlands presence/absence. A copy of the NJDEP stamped approved plan must be provided to this office.
6. The Applicant must obtain a Soil Erosion and Sediment Control Plan Certification from the Somerset-Union Soil Conservation District. A copy of the certification must be provided to this office.
7. The proposed development proposes more than 1 acre of land disturbance and must obtain a General Permit for Construction Activities from the NJDEP. A copy of the permit must be provided to this office.
8. An executed Major Development Stormwater Summary (Attachment D of the Tier A MS4 NJPDES Permit) has been submitted to this office for review and approval. This is to be reviewed upon completion of all geotechnical testing.
9. Provide a Stormwater Maintenance Agreement for the stormwater system to ensure future maintenance. A sample agreement is available from the Engineering Department.
10. A Conservation/Preservation Area shall be created in accordance with Ordinance §112-147 of the Franklin Township Land Development regulations. The Township preservation area boundary line shall be established using the most restrictive of the Stream Preservation Corridor and Wetlands Buffer. A map shall be supplied delineating the limits of the Conservation/Preservation Area with bearings and distances, and proposed

Preservation Area Marker locations. The Conservation/Preservation Area shown on sheet no. CS100 will be further reviewed once item no. E4 is addressed.

11. Provide a Conservation/Preservation Area Easement Deed, with a metes and bounds description, of the Township preservation area boundary line created by satisfying Comment #10. The deed shall be submitted for review and approval prior to filing with the Somerset County Clerk's Office.
12. Preservation Area Markers shall either be set or bonded prior to the application sign-off.

Stormwater

13. The drainage report should be updated to include a summary table listing the following for each BMP: area of BMP, depth of BMP, the number of test pits/boring/soil profiles performed for the BMP, depth of soil investigation, number of infiltration tests performed, minimum tested permeability rates, seasonal high-water table established; and the number of soil investigations required per Chapter 12 of BMP Manual.
14. The location of all test pits excavated within the limits of the proposed BMPs has been shown on the Grading and Drainage Plan. The applicant's engineer should provide the label for all test pits and the SHWT elevation on the Grading and Drainage Plan, as well.
15. The stormwater report should be updated to include a summary table of design parameters for the infiltration basin, such as inflow area, water quality volume, basin area, filtration rate of soil media, infiltration rates, separation from seasonal high groundwater table, and drain time and demonstrate compliance with NJ BMP design standards in chapter 9.8.
16. A site-specific Infiltration Basin cross-section has been provided on the plans. The section must show the elevation of the bottom of the soil bed, the elevation of the bottom of the infiltration basin, the elevation of the season-high groundwater table, the maximum water elevation for the WQ storm, 2-yr, 10-yr, 100-yr, emergency storm event, and top of berm elevation. **The SHWT elevation shown on the Infiltration Basin detail does not match the SHWT from the geotechnical data for LTP-8.**
17. Basin drain time should be noted on the subsurface infiltration basin detail. **The basin drain time has been provided but cannot be confirmed until after the permeability testing that has been performed at the most hydraulically restrictive layer is added to the drainage report.**
18. As per BMP Manual requirements, no standing water may remain in an infiltration basin 72 hours after a rain event. The drainage report should be revised to document compliance with this requirement. **The basin drain time has been provided but cannot be confirmed until after the permeability testing that has been performed at the most hydraulically restrictive layer is added to the drainage report.**
19. An access road 18 ft wide at a maximum slope of 1:4 should be provided for maintenance purposes in the infiltration basin. Construction details of the access road should be provided.
20. The infiltration basin must be equipped with an emergency spillway and should be designed to pass the 100-yr storm event, assuming the principal spillways are not working. A minimum of one ft. freeboard between the spillway design storm (100yr) water elevation and the top of the berm is required.
21. The stormwater report should be updated to include a summary table of design parameters for each bioretention basin, such as inflow area, water quality volume, basin area, filtration rate of soil media, design infiltration rates, separation from seasonal high groundwater table, drain time and demonstrate compliance with BMP design standards in NJ BMP Manual Chapter 9.7. This will be reviewed further once the BMP require soil testing has been completed in its entirety.
22. Site-specific construction detail for the bioretention basin has been provided in the plans. The detail should clearly depict all basin layers' specifications and corresponding elevations. Additionally, the detail should include the elevation of the seasonal high groundwater table, the soil bed permeability rate, and the proposed vegetation type (e.g., forested or grassed). The SHWT table noted does not match the geotechnical data.
23. As indicated in NJ BMP Manual, Plans should include inspection ports at the upstream and downstream end of the Bioretention Basin underdrain system.
24. The bioretention basin must be equipped with an emergency spillway and should be designed to pass the 100-yr storm event, assuming the principal spillways are not working. A minimum of one ft. freeboard between the spillway design storm (100yr) water elevation and the top of the berm is required.

25. In accordance with BMP Manual requirements, post-construction testing must be performed on the as-built Bioretention basins to ensure that the installed BMP functions as designed. Whereas-built testing shows a longer drain time than design drain time; corrective action must be taken, and the basin should be retested. Post-construction testing must include a determination of the permeability rates of the soil bed. A note should be included in the site plan stating this requirement. Add the note to the construction detail, similar to the Infiltration Basin detail.
26. The infiltration basin and bioretention basin both discharge to the same outfall pipe, and their water levels are likely to influence each other. Therefore, they should be routed as interconnected basins.
27. Trash rack details should be provided for all outlet devices (orifices, weirs, overflow grates, etc.) shown on the proposed outlet structure. The trash rack should be in accordance with NJAC 7:8-5.7 and 7:8-6.2.
28. The groundwater mounding analysis indicates an 8-foot mound at the center of the infiltration basin. A single test pit, LTP-8, is located near this area. The interpreted seasonal high water elevation, measured as the end of excavation, is 37.4 feet, while the basin bottom is 35.0 feet. This suggests that the groundwater mound is higher than the basin bottom. This will be reviewed further once the additional geotechnical boring information is added to the stormwater report.
29. The site's groundwater recharge requirement is proposed to be met through the infiltration basin. An NJDEP Recharge Spreadsheet has been included in the report; however, it will be re-evaluated once the outstanding comments related to the infiltration basin design and groundwater mounding analysis have been addressed.
30. In accordance with Township ordinance §330-7.T.10, all storm sewer structures, piping, basin and BMPs shall be offset a minimum of 10' from all property and right of way lines. CB-202 is approximately nine and a half feet (9.5') deep proposed approximately 2' off of the proposed subdivision property line between Lots 1.08 and 1.09. This office would not recommend waiving this requirement without a Maintenance and Utility Easement/Agreement between proposed Lots 1.08 and 1.09.
31. MH-223 the 24" HDPE pipe run tying into Ex CB-224 will require an excavation of approximately 10' deep. While construction means and methods are ultimately to the contractor's discretion, these improvements are approximately 5' off of the Buckeye Pipeline easement. The drainage design plan sheet should provide strict guidance regarding whether excavation within the easement will be permitted, or if shoring will need to be installed to avoid disturbance in the Buckeye Pipeline Easement.
32. The Infiltration Basin Detail on drawing no. CS504 the hatched area underneath the sand layer is unnamed. Further information is required.

Operation and Maintenance Manual (O&MM)

33. As per NJDEP BMP Manual Ch. 8, the maintenance plan should include approved disposal and recycling sites and procedures for sediment, trash, debris, and other material removed from stormwater management measures during maintenance operations. This information should be added to the plan.
34. As per NJDEP BMP Manual Ch. 8, maintenance plans should include procedures and equipment required to protect the safety of inspection and maintenance personnel. This information should be added to the O&MM plan.
35. The O&MM should be revised to include a summary of design parameters for the bioretention basin, porous pavement, and infiltration basin. The information should include design detention time, drain time, and elevation of the seasonal high water table. In addition, provide the type, size, and invert elevation for each outflow device in the outlet structure. Please refer to the link below for the NJDEP template:
https://www.nj.gov/dep/stormwater/maintenance_guidance.htm

This will be further reviewed upon acceptance of the stormwater design.

Environmental Impact Statement

36. EIS should be updated to include the following documents in the appendix:
 - a. A copy of the wetlands LOI and approved plan;
 - b. A copy of the Flood Hazard Area Permit and approved plan.

F. MISCELLANEOUS

1. Revise/Add the following details based on Franklin Township standard details:

- a. Township Water Meter Pit detail is not legible on sheet no. CS502;
- b. All sanitary sewer details shall be submitted directly to the Franklin Township Sewerage Authority for review and approval – Comment Only

The Applicant is required to obtain either approvals or letter of no interest from the following agencies:

Outside Agencies:

- Delaware Raritan Canal Commission
- Somerset County Planning Board
- Somerset-Union Soil Conservation District
- New Jersey Department of Environmental Protection – **Permits issued on 2025.09.11 & 2025.09.30**
- Buckeye Pipeline

Township Departments:

- Franklin Township Fire Department
- Franklin Township Police Department
- Franklin Township Sewerage Authority
- Somerset County Health Department

Resubmittal of Application Materials. As required by the Zoning Board of Adjustment By-laws, resubmittal of application materials (e.g., plans, reports, etc.) made in response to Board and/or staff reviews and/or comments, shall be accompanied by a written description of the changes made compared to the prior submission. In the case of staff reports, this shall be accomplished by providing a response to each of the review comments with a description of the plan changes and where the plan changes can be found (e.g., sheet or page number). If the application materials have not been revised in response to any such comment, the reason for the non-change shall be provided. The number of copies of this written description should be commensurate with the number of revised plans and shall be provided in digital form (in .pdf format). The Engineering Department reserves the right to make additional comments based upon the submission of revised plans or testimony presented to the Board.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

DM/dm

cc: Zoning Board Secretary

STAFF REPORT

PLEASE REFER TO DRCC # WHEN SUBMITTING
ADDITIONAL DOCUMENTS



DRCC #: 25-2429C

DATE: September 18, 2025

PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

Latest Submission Received: August 20, 2025

Applicant:

Ukrainian Orthodox Church of the U.S.A.
135 Davidson Avenue
Somerset, NJ 08873
uocofusa@aol.com

Engineer:

Daniel Miola, P.E.
Langan Engineering and Environmental
Services, LLC
300 Kimball Avenue
Parsippany, NJ 07054
dmiola@langan.com

Project Location:

Road	Municipality	County	Block(s)	Lot(s)
1950 Easton Avenue (Somerset County Route No. 527)	Franklin Township	Somerset	469	1.06

Jurisdictional Determination:

Zone A	Major	Nongovernmental

Subject to Review for:

Drainage	Visual	Traffic	Stream Corridors
X	X	X	X

THIS STAFF REPORT IS ISSUED AS A GUIDE TO APPLICANTS IN COMPLYING WITH DRCC REGULATIONS. IT IS NOT AN APPROVAL. NO CONSTRUCTION SHALL BEGIN UNTIL A CERTIFICATE OF APPROVAL HAS BEEN ISSUED.

PO BOX 539

STOCKTON, NJ 08559

609-397-2000

www.nj.gov/dep/drcc/

DRCC#: 25-2429C

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PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

Documents Received: Site Plans (24 sheets) dated January 17, 2025, last revised July 8, 2025; Stormwater Management Report dated January 17, 2025, last revised July 18, 2025; Stream Corridor Impact Plan (1 sheet) dated February 14, 2025; Stream Corridor Use Plan (1 sheet) dated July 8, 2025; Traffic Impact Study dated January 17, 2025, last revised April 17, 2025; ALTA/NSPS Land Title Survey dated July 12, 2024, last revised February 25, 2025.

Staff comments continued below.

The application is incomplete. It is staff's opinion that the proposed project has been designed in compliance with the Commission's technical requirements. However, notice of county and municipal approvals must be submitted before the application can be deemed complete and presented to the Commission for their decision:

Existing Conditions: The project area is an approximate 1.42 million square-foot (32.76 acre) lot located west of Easton Avenue in Franklin Township, Somerset County, approximately 75 feet south and west of the Delaware and Raritan Canal and within Commission Review Zone A.

The project area is located partly in Review Zone A, with the balance of the site being located in Review Zone B. Pursuant to the definition of "Review Zone" at N.J.A.C. 7:45-1.3, if any part of a project site is within Zone A, then the entire project shall be considered to be in Zone A.



The project site is bounded by Easton Avenue followed by the Delaware and Raritan Canal to the north, Davidson Avenue to the east, the Somerset Executive Center office development that is presently proposed to be demolished and replaced by a warehouse development (See DRCC #24-6190) followed by Interstate Highway Route No. 287 to the south, and a tributary of the Raritan River followed by a large cemetery development to the west.

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In the existing condition, the project site is improved with the Ukrainian Cultural Center and the Ukrainian History and Education Center of New Jersey buildings, along with associated parking areas, landscaping, underground utility and stormwater infrastructure, and associated site amenities. In the existing condition, impervious surface coverage totals approximately 7.21 acres. Historic aerial imagery shows the cultural center under construction in 1979, while the history/education center first appears on imagery dating to 1987.

The project area lot is also the location of the Hendrick Fisher Homestead, a circa 1688 residence that is reputed to be the oldest structure in Somerset County.

The Commission received plans for a project to expand the cemetery development onto the project area lot in 2000; however, it appears that no application was submitted for the project, and no Commission staff report or approval was ever issued. Subsequently, a project application was approved by the Commission in 2001 to expand the adjacent cemetery and create 3,774 additional grave sites on the lot (DRCC #00-2429A). From the absence of any burials, it would appear this project was never implemented. In 2005, the Commission issued a certificate of approval for a project to construct an expansion to the Ukrainian History and Education Center, which resulted in the creation of approximately 1.0 acre of new impervious surface coverage (DRCC #04-2429B).

Proposed Project: The applicant proposes to subdivide the Lot 1.06 into two new lots:

Proposed Lot 1.09: This lot would be 648,907 square feet (14.9 acres) in size and encompass the existing the Ukrainian History and Education Center of New Jersey buildings and the Fisher Homestead located at the northern portion of the existing lot.

The applicant further proposes to construct additional parking for 45 passenger vehicle parking spaces to the north of the existing building and 35 passenger vehicle parking spaces to the east of the existing building, a widened access driveway from Easton Avenue, and stormwater management infrastructure on proposed Lot 1.09. Based upon the submitted application, impervious surface coverage in the proposed condition would total 7.78 acres, or an increase of 0.57 acre when compared to the existing condition. The project would also result in the disturbance of 5.13 acres of land.

Proposed Lot 1.08: This lot would be 771,281 square feet (17.7 acres) in size and encompass the existing Ukrainian Cultural Center building and associated parking area located at the southern portion of the existing lot.

Commission staff notes that a project application has been submitted by a different applicant to demolish the Ukrainian Cultural Center building and associated site improvements on proposed Lot 1.08 and construct a 258,150 square-foot warehouse building development is pending before the Commission as project DRCC #25-2429D.

Stream Corridor: The site is located within the Raritan River Lower watershed. The site bordered to the west by a tributary to the Raritan River, which is located north of the Delaware and Raritan Canal. The Raritan River does not flow into the canal. FEMA has

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delineated the 100-year floodplain for the Raritan River, and by engineering judgment, the Raritan River's floodplain is the controlling regulatory floodplain along the tributary adjacent to the site. The applicant has delineated the stream corridor as a 100-foot offset from a plotted flood hazard area design flood elevation limit. Commission staff has determined the stream corridor limit is compliant with the submission requirements of N.J.A.C. 7:45-9.2.

Most of the site's stream corridor, totaling 216,847 square feet (4.98 acres) is actively disturbed, and consists of maintained lawn along with some trees, access driveways, and parking areas. The applicant proposes to construct a sidewalk along west side of Davidson Avenue, just south of the intersection with Easton Avenue located within the stream corridor. N.J.A.C. 7:45-9.4(a)4 provides that recreational paths and road improvements along an existing access drive are a conditional use within a stream corridor of a watercourse that does not directly enter the Delaware and Raritan Canal.

Therefore, the project has been designed in accordance with the specific stream corridor impact standards of N.J.A.C. 7:45-9.

Stormwater Outfall: The project plans to discharge stormwater generated from the site toward an existing drainage system located within Easton Avenue. This system is tributary to the Delaware and Raritan Canal. Therefore, the applicant is subject to the specific requirements for an outfall at N.J.A.C. 7:45-8.3. This includes, but is not limited to, prohibiting new sources of stormwater that tie into the drainage systems discharging into the canal and providing 95 percent (%) total suspended solids (TSS) removal for the water quality design storm as described at N.J.A.C. 7:45-8.7.

Stormwater Runoff Quantity: Runoff from the developed portions of the site and undisturbed areas, totaling approximately 7.8 acres, will discharge to either Easton Avenue or the tributary to the Raritan River. The stormwater management measures have been evaluated at two points-of-analysis (POAs).

POA 1: Includes the northern portion of the development adjacent to Easton Avenue. This area includes 4.15 acres identified as A-2 and A-3. In the post-development condition, the site and stormwater management design will reduce the total drainage area tributary to the POA to 3.71 acres. The stormwater runoff created by the proposed activities will be mitigated by the construction of a permeable paving system. The applicant has provided engineering calculations verifying that for stormwater leaving the site, post-construction peak runoff rates and volumes for the 2-, 10- and 100-year storm events do not exceed the pre-construction runoff rates and volumes for the same storm events.

POA-2: Includes the area draining to the existing conveyance pipe that drains to the tributary to the Raritan River. This section of the stormwater management system will include a surface infiltration basin and a surface bio-retention system with an underdrain. The storm sewer system for each BMP will be equipped with an outlet control structure. The applicant has provided engineering calculations verifying that for stormwater leaving the site within the drainage area at the POA, the post-construction peak runoff rates for the

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2-, 10- and 100-year storm events will be no greater than 50, 75, and 80%, respectively, of the pre-construction peak runoff rates.

The submitted calculations utilized the Natural Resource Conservation Service (NRCS) Technical Release No. 55 (TR-55) hydrologic methodology, NOAA Region C unit hydrograph rainfall distribution, Standard Unit peak rate factor, and current New Jersey 24-hour rainfall frequency data for Somerset County to compute peak runoff flow rates and volumes. The post-developed peak flows were calculated by creating separate pervious and impervious hydrographs for post-developed conditions and combining to develop total post-developed hydrographs.

Based upon a review of the submitted calculations, it has been determined that the proposed stormwater management measures will provide enough peak flow attenuation to meet the specific runoff quantity standards at N.J.A.C. 7:45-8.6 and the specific outfall standards at N.J.A.C. 7:45-8.3.

Water Quality: The Commission requires that all proposed full-depth pavement, including newly constructed and reconstructed parking and access drives that are being renewed, in addition to new collection systems for existing impervious surfaces where stormwater is not currently collected, shall meet water quality standards at N.J.A.C. 7:45-8.7. This includes reduction of the post-construction load of TSS in stormwater runoff generated from the water quality design storm by a rate of 95% for POA-1 and 80% for POA-2 of the anticipated load from the developed site, expressed as an annual average.

POA-1 is tributary to the Delaware and Raritan Canal. The applicant proposes to reduce the proposed pavement area discharging toward the canal by 0.38 acre. As a result, no additional water quality is required for this analysis point.

POA-2 will discharge to the tributary to the Raritan River. Based upon the submitted application, approximately 0.81 acre of new motor vehicle surfaces is proposed onsite. The submitted stormwater report notes that the design proposes to treat for water quality by incorporating several stormwater best management practices (BMPs), which include a surface bio-retention basin and a surface infiltration basin.

Small-scale bio-retention basin systems are stormwater management facilities used to address the stormwater quality and quantity impacts of land development. The system consists of a soil bed planted with vegetation; it can be underdrained or runoff can infiltrate into the subsoil. Pollutants are treated through the processes of settling, plus uptake and filtration by the vegetation. Pollutants are also treated within the soil bed through infiltration. The TSS removal rate is 80% to 90% and dependent upon the depth of the soil bed and the type of vegetation selected.

Small-scale infiltration basin systems are stormwater management systems constructed with highly permeable components designed to both maximize the removal of pollutants from stormwater and to promote groundwater recharge. Pollutants are treated through settling, filtration of the runoff through, and biological and chemical activity within the

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components. The TSS removal rate of a small-scale infiltration basin that is designed in accordance with the NJ Stormwater BMP Manual is 80%.

Therefore, Commission staff has determined the proposed stormwater quality design is in compliance with the requirements at N.J.A.C. 7:45-8.7.

Groundwater Recharge: The Commission regulations require that stormwater management measures maintain 100% of the average annual pre-construction groundwater recharge volume for the site, or that any increase of stormwater runoff volume from pre-construction to post-construction for the two-year storm is infiltrated. The submitted groundwater recharge analysis calculation (NJDEP GSR-32 spreadsheet) demonstrates that the annual groundwater recharge deficit for the entire site is 28,819 cubic feet. To infiltrate the post-development recharge deficit, a surface infiltration basin is proposed. According to the spreadsheet, this BMP will meet the annual groundwater recharge requirement.

Therefore, Commission staff has determined the proposed stormwater quality design is compliant with the groundwater recharge requirements at N.J.A.C. 7:45-8.5.

Non-Structural Methods: To determine if the development includes sufficient non-structural stormwater management strategies have been incorporated into the project site design "to the maximum extent practical," the Nonstructural Strategies Point System (NSPS) spreadsheet has been completed for this project. The NSPS results indicate that the ratio of proposed to existing site points (116%) exceeds the required site points ratio (80%).

Therefore, the project's proposed non-structural measures are adequate and the project is designed in accordance with N.J.A.C. 7:45-8.4.

Stormwater Management Maintenance Plan: The applicant has submitted a stormwater management maintenance plan for the site. The submitted plan has been prepared in accordance with the specific requirements at N.J.A.C. 7:45-8.8.

Visual, Historic and Natural Quality Impact: N.J.A.C. 7:45-10.2 directs the Commission shall review all projects in Zone A to determine if the project is in accord with the goals for the Delaware and Raritan Canal State Park as defined in the park's Master Plan. The visual, historic and natural quality impact review is intended to assure that development within Zone A is not harmful to the character of the environmental types identified in the Master Plan as comprising the park.

The proposed project is located in an Urban canal environment as described in the Master Plan. The Urban canal environment is characterized at N.J.A.C. 7:45-10.2(a) by the enclosure of the canal by dense development. The Master Plan at Page 28 notes that this section of the park, which covers an area along the western crossing of Interstate Highway Route No. 287, consists mostly of the Borough of South Bound Brook, which is enclosed in the loop made by the Raritan River and mirrored by the canal.

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The plan notes that the Lock No. 11 is the central feature of this area and provides access as well as historic interest. The Raritan River is quite close to the multiuse trail for this entire section, while homes, roads, and industry in South Bound Brook are quite close -- sometimes intrusively close -- to the canal embankment. The plan calls for improving access at both the Lock No. 11 in South Bound Brook and at Five Mile Lock, for the construction of the sanitary facilities at South Bound Brook, and for multiuse trail improvement between Main Street in South Bound Brook and Five Mile Lock. Nothing with respect to the proposed project site improvements is inconsistent with these goals. Therefore, the project is in compliance with this requirement.

The provisions of N.J.A.C. 7:45-10.3(a), which discourage major projects from certain canal environments in Zone A, and authorize the Commission to require specific compensatory measures that mitigate the project's potential for harmful impact on the park, are inapplicable to the project, which is located in an Urban canal environment.

The provisions of N.J.A.C. 7:45-10.3(b), which discourage minor projects from certain canal environments in Zone A, and authorize the Commission to require specific compensatory measures that mitigate the project's potential for harmful impact on the park, are inapplicable to the project, which is a major project.

N.J.A.C. 7:45-10.4(a) directs that projects in Zone A shall be set back from the Delaware and Raritan Canal State Park sufficiently far so that the winter visual and natural quality of the park are not adversely affected. In the Urban canal environment, there are no minimum setbacks except as may be prescribed by municipal ordinances. Therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(b) directs that projects in Zone A shall maintain a reasonable height and scale relationship to nearby structures or vegetation. For urban canal environments, the height of structures may vary according to the height of existing structures that have a visual relationship to the proposed structure. The project consists of roadway and stormwater management infrastructure improvements that do not propose the erection of any structures. Therefore, this requirement is inapplicable to the proposed project.

N.J.A.C. 7:45-10.4(c) directs that for projects in Zone A, the exterior appearances of a project shall be in keeping with the character of the Delaware and Raritan Canal State Park's individual environments. Specifically, colors used shall harmonize with the man-made or natural surroundings of the project and shall be typical of colors found in the park environment, and building materials and textures shall harmonize with the surrounding manmade and natural materials. The applicant does not propose the construction of any buildings. Therefore, this requirement is inapplicable to the proposed project.

The provisions of N.J.A.C. 7:45-10.4(d)1, which direct that electric, telephone, cable television, and other such lines and equipment shall be underground or otherwise not visible from the Delaware and Raritan Canal State Park, are inapplicable to the proposed project.

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The provisions of N.J.A.C. 7:45-10.4(d)2, which direct that exposed storage areas, out-buildings, exposed machinery service areas, parking lots, loading areas, utility buildings, and similar ancillary areas and structures shall either be completely concealed from view from the Delaware and Raritan Canal State Park or designed to minimize their visual impact on the park, are inapplicable to the proposed project.

The provisions of N.J.A.C. 7:45-10.4(d)3 and 4, respectively, which regulate the dimensions and location of commercial signs or outdoor advertising structures, are inapplicable to the proposed project, which proposes no signage.

N.J.A.C. 7:45-10.4(d)5 directs that wherever possible, natural terrains, soils, stones, and vegetation should be preserved. New vegetation, stones, and soils should be native to the environment in which they are placed. The applicant's submission indicates that a total of 35 trees are proposed to be removed, and proposes planting of 164 trees and shrubs, exclusive of those proposed for the bio-retention basin, consisting of the following species:

Scientific name	Common name	Quantity	Native
Shade Trees:			
<i>Acer rubrum</i>	Red Maple	10	DRCC
<i>Acer sacharum</i>	Sugar Maple	5	DRCC
<i>Liriodendron tulipifera</i>	Tulip Poplar	3	DRCC
<i>Quercus phellos</i>	Willow Oak	11	USDA
Ornamental Trees:			
<i>Amelanchier canadensis</i>	Canadian Serviceberry	19	DRCC
<i>Betula nigra</i>	River Birch	9	DRCC
<i>Magnolia virginiana</i>	Sweetbay magnolia	3	DRCC
<i>Cornus Florida</i>	Dogwood	7	DRCC
Evergreen Trees:			
<i>Juniperus virginiana</i>	Eastern Red Cedar	37	DRCC
<i>Pinus rigida</i>	Pitch pine	39	USDA
<i>Pinus strobus</i>	Eastern white pine	34	USDA
Deciduous Shrubs:			
<i>Clethra alnifolia</i>	Coastal sweetpepperbush	21	DRCC
<i>Clethra alnifolia</i> 'Hummingbird'	Summersweet	15	DRCC
<i>Cornus sericea</i>	Red Twig Dogwood	14	USDA
<i>Hydrangea arborescens</i>	Annabelle Hydrangea	57	No*
<i>Myrica pensylvanica</i>	Northern bayberry	6	USDA
<i>Viburnum dentatum</i>	Arrowwood viburnum	15	DRCC
Evergreen shrubs:			
<i>Ilex glabra</i>	Inkberry Holly	46	DRCC
<i>Kalmia latifolia</i>	Mountain Laurel	26	DRCC

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Hydrangea arborescens, or smooth hydrangea, is generally considered native to the Eastern United States, although it is more commonly found in the Delaware River Valley and in the Appalachian Mountains. However, the New Jersey Agriculture Experiment Station does consider it native to New Jersey, and it is a ubiquitous landscape planting found throughout central New Jersey. Commission staff recommends that it be permitted in this case.

Therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(d)6 directs that projects that are located in any officially designated Federal, State, or local historic district or site shall be assessed for their impact upon that district or site. Recommendations to avoid, minimize, and/or mitigate the impacts of a project on a listed property shall be made in consultation with the New Jersey Historic Preservation Office (SHPO) and based upon the United States Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

A portion of the project site, consisting of the driveway from Easton Avenue that is proposed to be widened, is located within the boundaries of the Delaware and Raritan Canal Historic District, which encompasses the canal bed and all structures within 300 feet of the centerline of the canal. The proposed expanded parking areas and stormwater management infrastructure lie outside the district boundary.

Historical background: As noted above, the project area lot also contains the Hendrick Fisher Homestead, a circa 1688 residence that is reputed to be the oldest structure in Somerset County. The Hendrick Fisher House was built by William Dockwra and later came into the possession of a Dutch immigrant Hendrick Fisher (Anglicized from Visscher in 1721) (1697-1788). Fisher was a farmer who held several civic offices during his lifetime, first representing Somerset County in the New Jersey Colonial Assembly. He was later one of three delegates representing New Jersey at the Stamp Act Congress in New York in 1765, was elected to New Jersey's Committee of Correspondence, served as a member of the Committee of Safety, was President of the Colonial Assembly, and was the first President of the Provincial Congress of New Jersey.

By 1775, his support of American independence caused him to be labeled an arch traitor and "Enemy of the Crown." He was conspicuously excluded from a proclamation of amnesty made by British Commander-in-Chief Viscount Howe in 1776, and British troops raided and looted his farm in 1777 hoping to capture him; however, he was not at the house at the time. Fisher was present in Philadelphia at the signing of the Declaration of Independence. On July 7, 1776, Fisher read the Declaration of Independence to the inhabitants of Bound Brook, New Jersey, at the Frelinghuysen Tavern. He was also a founder and first President of the board of trustees of Queen's College (now Rutgers University).

Architectural background: Commission staff notes that the 17th century portions of the home still remain. However, the original structure has been enveloped by subsequent

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PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

Colonial Revival additions and alterations undertaken in the early 20th century by then owner Claude Goodsell.



(undated)



(present day)

Commission staff notes that the project does not propose any alterations to the Fisher homestead but, rather, proposes to widen an existing roadway which curves around the front and side of the residence. Therefore, Commission staff determines that the project proposes no adverse impact upon the residence, and that consultation with SHPO is not warranted in this case.

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PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

Traffic Impact: N.J.A.C. 7:45-111.1 directs that the Commission shall review major projects in Zone A for their traffic impact on roads that enter the Delaware and Raritan Canal State Park or any part of Zone A. The applicant shall submit a traffic impact study that shows the amount of additional traffic generated by the project and the directions in which this traffic will move. If the Commission determines that the additional traffic will have an adverse impact on the park, the applicant shall use any feasible planning techniques that will direct any additional traffic away from the park. If the Commission is satisfied that there are no feasible planning techniques other than as set forth in the project proposal that can direct any additional traffic away from the park, the project shall be approved for traffic impact review.

The applicant has submitted the required traffic impact study, which primarily addresses the traffic impacts arising from the proposed demolition of the existing Ukrainian Cultural Center and the construction of a 258,150 square-foot warehouse building development (DRCC #25- 2429D). However, the study does include information on the traffic entering and exiting the proposed widened driveway (designated as "site driveway") from Easton Avenue.

For the purposes of the study, the applicant assumed that all the traffic presently entering the site from Davidson Avenue was related to the Ukrainian History and Education Center of New Jersey/Fisher Homestead buildings. This traffic was rerouted to enter and exit the site from Easton Avenue. The total rerouted traffic would consist of 16 morning peak hour trips entering the site and 5 evening peak hour trips. As this is rerouted, but not additional traffic that under existing conditions enters Davidson Avenue from Easton Avenue, the proposed project would not result in additional traffic that will have an adverse impact on the park. Therefore, Commission staff determines that the project is in compliance with this requirement.

Additional Information Required:

1. Staff notes that the applicant is required to submit two copies of the Commission's Conservation and Maintenance Agreement, with original signatures on both copies. This document is available on the Commission website:
[https://www.nj.gov/dep/drcc/pdf/DRCC%20C&M%20Agreement%20\(2020\).pdf](https://www.nj.gov/dep/drcc/pdf/DRCC%20C&M%20Agreement%20(2020).pdf)
2. The Commission requires notice of county and municipal approvals.

Staff Recommendation: Staff does not recommend approval at this time.

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DATE: September 18, 2025

PROJECT NAME: 1950 Easton Avenue -- Ukrainian Orthodox Church Improvements

Sincerely,

A handwritten signature in black ink, appearing to read "John Hutchison", with a long horizontal flourish extending to the right.

John Hutchison
Executive Director

c. Somerset County Planning Board
Franklin Township Planning Board
Peter U. Lanfrit, Esq. (lanfrit@centraljerseylaw.com) (erin@landuseconsultants.net)



COUNTY OF SOMERSET PLANNING BOARD

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1st Alternate

Vacant
2nd Alternate

Adam Slutsky
County Engineer Alternate

STAFF

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Director of Planning

Joseph DeMarco, Esq.
County Counsel

Sheli Daniels
Office Manager

July 14, 2025

Mr. Robert Thomas, Chairman
Franklin Township Zoning Board of Adjustment
475 DeMott Lane
Somerset, NJ 08873

**RE: UKRAINIAN ORTHODOX CHURCH – PARKING EXPANSION
BLOCK 469 – LOT 1.09, 1.06 (portion)
FL 618:010-25S
EASTON AVENUE, COUNTY ROUTE 527**

Dear Mr. Thomas:

This office and the office of the County Engineer have reviewed information submitted for the above-referenced project. The reviewed information consists of the following documents:

- "Preliminary and Final Major Site Plan Application for Proposed Church Improvements, 135 Davidson Avenue, Block 469, Lot 1.06, Township of Franklin, Somerset County, NJ" dated January 17, 2025, and prepared by Langan Engineering.
- "ALTA/NSPS Land Title Survey, 135 Davidson Ave, Block 469, Lot 1.06, Township of Franklin, Somerset County, NJ" dated July 12, 2024, last revised November 19, 2024, and prepared by Langan Engineering.
- "Environmental Assessment for 135 Davidson Avenue, Block 469, Lot 1.06, Franklin, Somerset County, NJ, prepared for Syracuse 1950 Easton Avenue Owner" dated January 17, 2025 and prepared by Langan Engineering.
- "Stormwater Management Report for 135 Davidson Avenue – Church Improvements, Block 469, Lot 1.06, Franklin, Somerset County, NJ, prepared for Syracuse 1950 Easton Avenue Owner" dated January 17, 2025 and prepared by Langan Engineering.
- "Stormwater Management Facilities Operation and Maintenance Manual for 135 Davidson Avenue – Church Improvements, Block 469, Lot 1.06, Franklin, Somerset County, NJ, prepared for Syracuse 1950 Easton Avenue Owner" dated January 17, 2025 and prepared by Langan Engineering.
- "Final Geotechnical Engineering Study Report for 135 Davidson Avenue Redevelopment, Township of Franklin, Somerset County, NJ, prepared for Syracuse 1950 Easton Avenue Owner" dated January 10, 2025 and prepared by Langan Engineering.
- "Traffic Impact Study for 135 Davidson Avenue, Township of Franklin, Somerset County, NJ, prepared for Ukrainian Orthodox Church of USA" dated January 17, 2025 and prepared by Langan Engineering.

The applicant proposes to expand the parking area and widen portions of the driveways. The plan includes the construction of 45 parking spaces to the north of the existing building and 35 spaces to the east.

- Mission Statement -

The County of Somerset is committed to excellence and innovation in public service, promoting the well-being of all residents and communities by providing effective, efficient and responsive leadership.

Somerset County Is An Equal Opportunity Employer

The comments contained in this letter shall pertain to the site plan application for Lot 1.09 only. A site plan for proposed Lot 1.08 has been submitted as a separate application and a review letter for the site plan application will be issued under separate cover.

The Somerset County Planning Board deems this application incomplete until the following requirement has been satisfactorily addressed:

Title Sheet Requirements

The Somerset County Engineering Acceptance block shall be added to title sheet. The acceptance block detail is attached for your reference. The detail shall include the following note under the block:

“These plans are NOT ACCEPTED FOR CONSTRUCTION unless this block has an acceptance stamp and is initialed by a staff member of the County Engineering Division. The acceptance of these plans expires two (2) years from the date of acceptance.”

Stormwater Management Requirements

It appears that runoff from the site ultimately drains to County Bridge No. K0701 and runoff from the proposed impervious cover will potentially affect County facilities.

Since the applicant has stated they will need to apply for a Flood Hazard Area (FHA) Individual Permit with the NJDEP, copies of all correspondence from the NJDEP, including all review reports and approval letters associated with the approval of the proposed stormwater management plan are to be forwarded to this office. The County intends to perform its stormwater management review once confirmation is received from NJDEP indicating that the stormwater management plan for this application is acceptable to the State. However, should the County have Stormwater Management review comments prior to the NJDEP permit approval, they will be provided to the applicant.

All review reports and approval letters from the Delaware and Raritan Canal Commission (DRCC) associated with the approval of the proposed stormwater management plan are also to be forwarded to this office.

Performance Guarantee and Inspection Fee

Pending the finalization of the plans, the applicant's engineer shall submit a cost estimate for all work to be performed within the County right-of-way. The estimate must reflect the County's unit price list. The performance guarantee and inspection fee will be calculated from the estimate.

Pre-construction Requirements

Prior to the commencement of any construction or disturbance in the County right-of-way, the following issues must be addressed.

1. The performance guarantee and inspection fee for the improvements under County jurisdiction must be submitted.

2. Two complete sets of construction plans that have been embossed with the County's acceptance stamp must be on file in the County Engineer's office. The County's acceptance stamp must be on the title page.
3. The contractor must be in possession of a Road Opening Permit issued by the County Department of Public Works. In the event that the County road in the area of the proposed improvements has been resurfaced and/or reconstructed, the applicable moratorium for road openings will be enforced by Somerset County. It is solely the applicant's responsibility to properly coordinate the installation of utilities, roadway improvements and road closures with any pending County projects.
4. A separate road-opening permit is required for the utility connections in the County right-of-way.
5. A pre-construction meeting must be arranged with the County Department of Public Works.
6. The acceptance of traffic control plans and detour plans is not included as part of the County Planning Board processing of this application. All traffic control measures to be implemented in connection with improvements under County jurisdiction must be reviewed and accepted by the appropriate entities prior to construction.

This report reflects comments from the County Planning Board and the office of the County Engineer (908) 231-7024. Should you have any questions, please contact the appropriate individual listed below.

Sincerely,



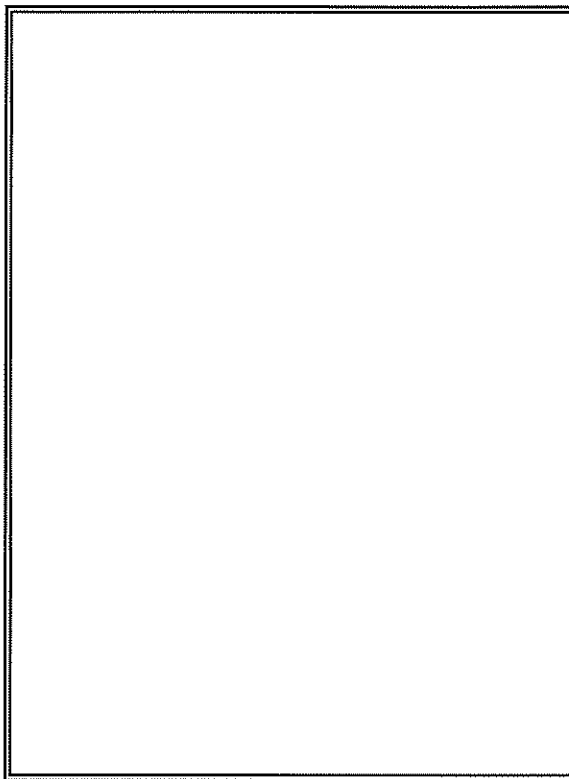
Nora Fekete
Supervising Planner



Philip Kao
Principal Engineer, Land Development Section

cc: Christine Woodbury, Board Secretary via email
Franklin Township Engineer via email
Ukrainian Orthodox Church of the USA, PO Box 495, South Bound Brook, NJ 08880 via US mail
Langan Engineering & Environmental Services, LLC, via email (jfalcetano@langan.com, dmiola@langan.com) (with attachment)
Peter U. Lanfrit, Esq., Savo, Schalk, Corsini, Warner, Gillespie, O'Grodnick & Fisher, PA via email
Erin Santora – LaGrua, Land Use Consultants via email

SOMERSET COUNTY
ACCEPTANCE STAMP



THESE PLANS ARE NOT ACCEPTED FOR
CONSTRUCTION UNLESS THIS BLOCK IS STAMPED
"ACCEPTED AS SUBMITTED" BY A STAFF MEMBER OF
THE SOMERSET COUNTY ENGINEERING DIVISION.
BIDS FOR CONSTRUCTION SHOULD NOT BE BASED ON
THESE PLANS UNTIL THE PLANS ARE ACCEPTED BY
THE COUNTY.

ACCEPTANCE OF THESE PLANS EXPIRE TWO (2)
YEARS FROM THE STAMPED DATE.

NOTE: THIS BLOCK SHALL BE A MINIMUM OF 4" X 3"



FRANKLIN TOWNSHIP SEWERAGE AUTHORITY

70 Commerce Drive, Somerset, NJ 08873-3470

Tel: (732) 873-2121 • Fax: (732) 873-2038 • www.ftsa-nj.org

May 8, 2025

Project Applicant: Ukrainian Orthodox Church of U.S.A.

Project Location: 135 Davidson Avenue, Township of Franklin, NJ

Block: 469; Lot: 1.06

Docket #: ZBA-25-00007

Plan Type: Preliminary & Final Major Site Plan

The Applicant is proposing to service an existing church/cultural center building. The Project site occupies Lot 1.06 of Block 469 and is located west of the intersection of Davidson Avenue and Easton Avenue. The property currently consists of an existing church building, cultural center, and single family dwelling.

The Applicant is proposing to service the existing building with a 6" diameter gravity sanitary sewer lateral connecting to the existing on-site sanitary sewerage facilities that ultimately discharge to the Authority's existing gravity collection system located west of the subject property.

The estimated Average Daily Flow to be generated by the proposed facility has not yet been provided by the Applicant.

The following Preliminary documents have been received with respect to the proposed Project:

- Preliminary and Final Major Site Plan, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025;

Based upon our preliminary review of the submitted documents, the Applicant is to provide the following items required for submission of an Application and subsequent approval for connection to the Authority's sanitary sewerage system:

- Applicant is to submit a complete Application for Approval of Sewerage Facilities in accordance with the FTSA Rates, Rules and Regulations (Appendix A-5 thru A-6).
- Application Fee to be posted in the amount of \$500.00 in accordance with Appendix F.
- The formal Application submission is to be accompanied with sufficient Application Initial Review Escrow in accordance with Application Section 14. The FTSA's review process will not commence until such time that sufficient escrow is posted with the Authority.
- Applicant is to submit a complete Impact Fee Determination Request Form in accordance with the FTSA Rates, Rules and Regulations (Appendix A-8).
- Impact Determination Fee to be posted in the amount of \$500.00 in accordance with Appendix F.
- All Application Fees and Review Escrow shall be submitted (via separate checks) made payable to "The Franklin Township Sewerage Authority".
- The Application is to include a Signed and Sealed Engineer's Report in support of the proposed sanitary sewer improvements including, but not limited to, a summary of the sanitary improvements, existing flow conditions, proposed average daily flow

calculation, proposed peak flow calculation, sewage velocity calculation, pipe capacity analysis, etc.

- Application to include Signed and Sealed Sanitary Sewer Construction Specs in accordance with Appendix C.
- Please provide a Signed and Sealed Sanitary Sewer Construction Cost Estimate reflecting all proposed sanitary sewer improvements for the Project utilizing, at a minimum, all applicable items and unit prices listed in Appendix F of the Authority's Rates, Rules and Regulations.
- Application to include a full set of Signed and Sealed Plans including all applicable FTSA Standard Construction Details in accordance with Appendix D.
- Submission of an electronic version (PDF) of the Site Plan, Sanitary Sewer Analysis, Engineers Report and Sanitary Sewer Specification to: Staffengineer@ftsa-nj.org.

A full review of the proposed sanitary facilities will be performed upon receipt of the above referenced documents. The Applicant is required to maintain full compliance with the FTSA's Rates, Rules and Regulations throughout the duration of the Application process. The Authority reserves the right to make additional comments based upon the submission of any revised plans and/or documents.

Should you have any questions, please do not hesitate to contact our Office.

Very Truly Yours,



William E. Korosec, PE
Consulting Engineer's Office

WK/tc

cc: Joseph Danielsen – FTSA Executive Director / Special Project Manager
Scott Nocero – FTSA Operations Manager / Licensed Operator



FRANKLIN TOWNSHIP POLICE TRAFFIC SAFETY BUREAU



TO: F.T. Zoning Board

FROM: Ofc. Ryan Ellington

DATE: September 22nd, 2025

SUBJECT: **ZBA-25-00007** **Ukrainian Orthodox**
Easton Ave, Somerset NJ

BLOCK: 469 LOT(S): 1.09

I have reviewed the above captioned subject plans and have no comments at this time.

This office reserves the right to make additional comments based on future submissions and/or testimony before the Board.



Director / Health Officer
HIMANSHI BHATT, MPH, MS, REHS
bhatt@co.somerset.nj.us

**COUNTY OF SOMERSET
DEPARTMENT OF
PUBLIC HEALTH & SAFETY
DEPARTMENT OF HEALTH**

27 Warren Street
P.O. Box 3000
Somerville, New Jersey 08876-1262
(908) 231-7155
Fax (908) 704-8042
www.somersetcountynj.gov/health
healthdept@co.somerset.nj.us



Deputy Director
MICHAEL T. McCARTY
mccarty@co.somerset.nj.us

Memorandum

To: Planning/Zoning Department

From: Rashida Boima, REHS, MPH-Consumer Health Program Coordinator

Date: September 2, 2025

Re: ZBA-25-00007-Ukrainian Orthodox Church-Easton Ave.

Block: 469, Lot: 1.09

The Health Department has no objection to this application.

- Mission Statement -

The County of Somerset is committed to excellence and innovation in public service, promoting the well-being of all residents and communities by providing effective, efficient and responsive leadership.

Somerset County Is An Equal Opportunity Employer

Franklin Township

In Somerset County

OFFICE OF FIRE PREVENTION

Municipal Building

475 DeMott Lane, Somerset, NJ 08873-6704

Phone: 732-873-2500 Ext. 6303 Fax: 732-873-0804

August 25, 2025

To: Board of Adjustment

From: John Hauss, Director
Fire Prevention

Re: Docket # ZBA 25-00007
Ukrainian Orthodox Church of U.S.A.
Easton Avenue
Block: 469 Lot: proposed 1.09

The revised plans satisfactorily address our previous comments.

We reserve the right to make additional comments based upon the submission of revised plans or testimony presented to the Board.

Franklin Township

Somerset County, New Jersey



DEPARTMENT OF PLANNING AND ZONING

Planning – Zoning – Affordable Housing
Planning Board – Zoning Board of Adjustment

MEMORANDUM

Municipal Building
475 DeMott Lane
Somerset, NJ 08873
732.873.2500
Fax: 732.873.0844
www.franklintwpnj.org

To: Zoning Board of Adjustment

From: Mark Healey, PP, AICP
Director of Planning/ Senior Zoning Officer

Date: August 14, 2025

RE: Ukrainian Orthodox Church of USA (ZBA-25-00007)
D(2) Use Variance; Preliminary and Final Site Plan, "c" Variances
135 Davidson Avenue; Block 469, Lot 1.06 (proposed lot 1.09)¹

As requested, I have reviewed the application materials listed below and issue the following report for the Board's consideration:

- 25-sheet set of site plans prepared by Langan Engineering NJ. LLC revised 7/18/25
- 6-sheet survey prepared by Langan Engineering NJ. LLC last revised 11/24/24
- Letter from Langan Engineering dated 3/15/25 regarding required parking
- Letter from Savo Schalk dated 3/26/25 regarding required parking
- Letter from Langan Engineering dated 7/31/25 addressing prior review comments

Site Description

The overall project site is located along the westerly side of Davidson Avenue and is bounded by Executive Drive to the south and Easton Avenue to the north. The site is currently occupied by the national headquarters of the Ukrainian Orthodox Church of the USA which includes the Ukrainian History and Education Center, Saint Sophia Seminary and Library and administrative offices. The westerly portion of the site contains a stream, wetlands and associated regulated buffers. A buckeye pipeline also traverses this portion of the site. The site is located within the B-I (Business & Industry) zone.

¹ Applicants represented by attorneys, engineers and/or architects (or other such professionals) are expected to use the video display system available in Council Chambers to project hearing exhibits. Use of the video display systems greatly improves visibility of these exhibits for the Board, the public and the Township's video broadcast of the hearing. In order to use the video display system, please bring a computing device capable of utilizing a HDMI connection. A cable is provided, however adapters are not so please make sure you have the required adaptors to connect to HDMI if necessary.

Figures at the end of this memorandum show the location of the site as well as the nature of the surrounding area which consists of:

- *North (on the opposite side of Easton Avenue):* Delaware and Raritan (D&R) Canal State Park and the Raritan River
- *East (on the opposite side of Davidson Avenue):* Office building and multi-story hotel
- *South (on the opposite side of Executive Drive):* Three vacant multi-story office buildings; side of IDI Logistics LLC (ZBA-24-00010) which proposes construction of a 212,500 square foot warehouse (access proposed via Executive Drive, beyond that is I-287 and warehouse, office and light industrial uses along Davidson Avenue
- *West:* St. Andrew Ukrainian Orthodox Cemetery, beyond that is a large single-family residential neighborhood

Associated Applications

The overall project site is the subject of three applications (refer to figures at the end of this memorandum for location/context):

- *ZBA-25-00008 (Subdivision)*: Subdivision of the current 32.6 site into two lots: proposed lot 1.08 (17.7 acres) upon which is proposed construction of a new warehouse under ZBA-25-00009 and proposed lot 1.09 (14.9 acres) which would contain certain existing church facilities to remain (ZBA-25-00007. Review of that application is contained in another memorandum.
- *ZBA-25-00009 (Warehouse Site Plan)*: Demolition of the Ukrainian Cultural Center and associated parking lot and redevelopment of the site with a 258,150 square foot warehouse, 151-space car parking area, a 17-space trailer parking area to the rear of the warehouse, a 35-berth loading area with access via Executive Drive. That application also involves proposed intersection and traffic signal improvements at the Davidson Avenue/ Executive Drive intersection. Review of that application is contained in another memorandum.
- *ZBA-25-00007 (Church Site Plan)*: See description below.

Project Description

The proposal consists of site modifications (including parking lot and access modifications including 82 parking spaces) associated with retention of the certain exiting church facilities (existing church and seminary). Associated site modifications include proposed area lighting, landscaping, grading and drainage modifications (including construction of two small-scale infiltration basins). A sidewalk is proposed along the site's Davidson Avenue frontage.

Requested/ Required Approvals

- D(2) Use Variance: Expansion of a Non-Conforming Use²
- Preliminary and Final Site Plan Approval

Review Comments³

1. *Required Parking*. I offer the following:

- a. The site plan indicates a *total parking requirement of 12 spaces* based on 35 seats in the worship area of the chapel which is proposed to remain. However, as reflected on the site plan and addressed in the 3/26/25 letter from the applicant's attorney, Savo Schalk, and the 3/15/25 letter from the project engineer: the site will continue to contain a museum, which is currently under construction, that will be open for educational programs cultural events, or exhibits and which can *accommodate 300 people*.⁴ The Langan Engineering letter indicates the need for parking for 10 full-time employees.

The Savo Schalk letter indicates that the museum was previously-approved "with no specific parking requirements." Assuming this true it was likely determined at that time that the museum was accessory to the significantly larger cultural center which was served by a nearly 400-space parking lot.

However, with the removal of the cultural center and the nearly 400 space parking lot associated with it, it is not reasonable or appropriate to base the parking requirement for the site moving forward *solely* based on the 510 square foot chapel (particularly when the museum can accommodate many times more people than the chapel).

² Places of worship are not a permitted use in the B-I zone. By law, the proposed reduction of the church site by virtue of the proposed subdivision constitutes an expansion of this non-conforming use necessitating a D(2) variance.

³ It is requested that subsequent plan submittals be accompanied by a written description of the changes made compared to the prior submission. Preferably, this would be accomplished by providing a response to each of the review comments with a description of the plan changes and where the plan changes can be found (e.g., sheet number). If the plans have not been revised in response to a comment, the reason should be provided. The number of copies of this written description should be commensurate with the number of revised plans.

⁴ Schedule 4 of the Township ordinance would require 100 spaces (1 per 3 persons of occupancy) for similar uses (auditoriums and theaters).

In light of the above, the applicant has indicated in the 7/31/25 Langan letter that they intend to address this by requesting that the Board establish a parking requirements for the use. The following is noted:

- *The Board can establish a parking requirement for the site.* Footnotes 3 and 4 of Schedule 4, Parking Requirements, allow the Board to establish parking requirements for uses not specifically indicated in the Schedule.

Note 3: In the case of a use not specifically mentioned in the parking schedule, the requirements of off-street parking facilities for a use most similar, compatible or consistent with the use that is mentioned shall apply.

Note 4: In the event that there is no similar, compatible or consistent use, off-street parking requirements shall be determined by the Board, based upon accepted industry standards.

In my opinion, the bottom line is that the applicant needs to sufficiently address the practical parking demand for the site and demonstrate that the site plan will satisfy those demands.

- b. The Savo Schalk letter indicates that there is “additional parking located adjacent to the main church, which will be connected to the museum and Chapel by a footbridge, which was destroyed by hurricane Ida, and which will be rebuilt prior to the completion of the museum.” The site plan does not address this thus I am not aware of the location of this footbridge or path nor the proximity of the parking lot adjacent to the main bridge (is it reasonable to assume that anyone would park at the main church and walk over to the museum?). Would re-construction of the footbridge require certain environmental permitting? The applicant should address the above through testimony and appropriate exhibits.
2. *Historic Preservation Corridor.* The property is located along Easton Avenue – across the street from the D&R Canal thus review by the Township Historic Commission is required. The applicant should testify to the proceedings before the Historic Commission and what, if any, recommendations the Historic Commission made with respect to this application. Similarly, the applicant should address whether a review has been conducted by the staff of the D&R Canal Commission and whether their staff has made any recommendations regarding the application.
 3. *Tree Planting/ Replacement Requirements.* The plan complies with Schedule 6 (which requires 1 tree for every 2,000 square feet of paved surface) and the tree replacement requirements of Chapter 222.
 4. As a place of worship, the development is exempt from collection of Non-Residential Development Fees.

Figure 1: Site Location

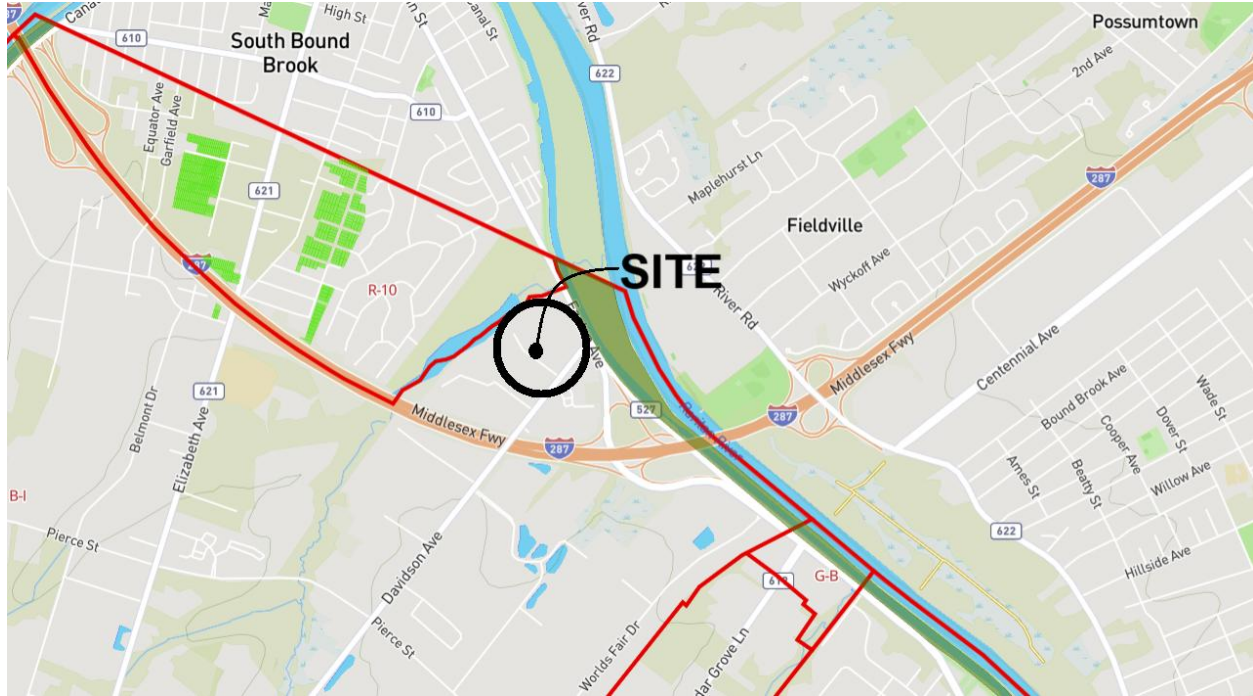


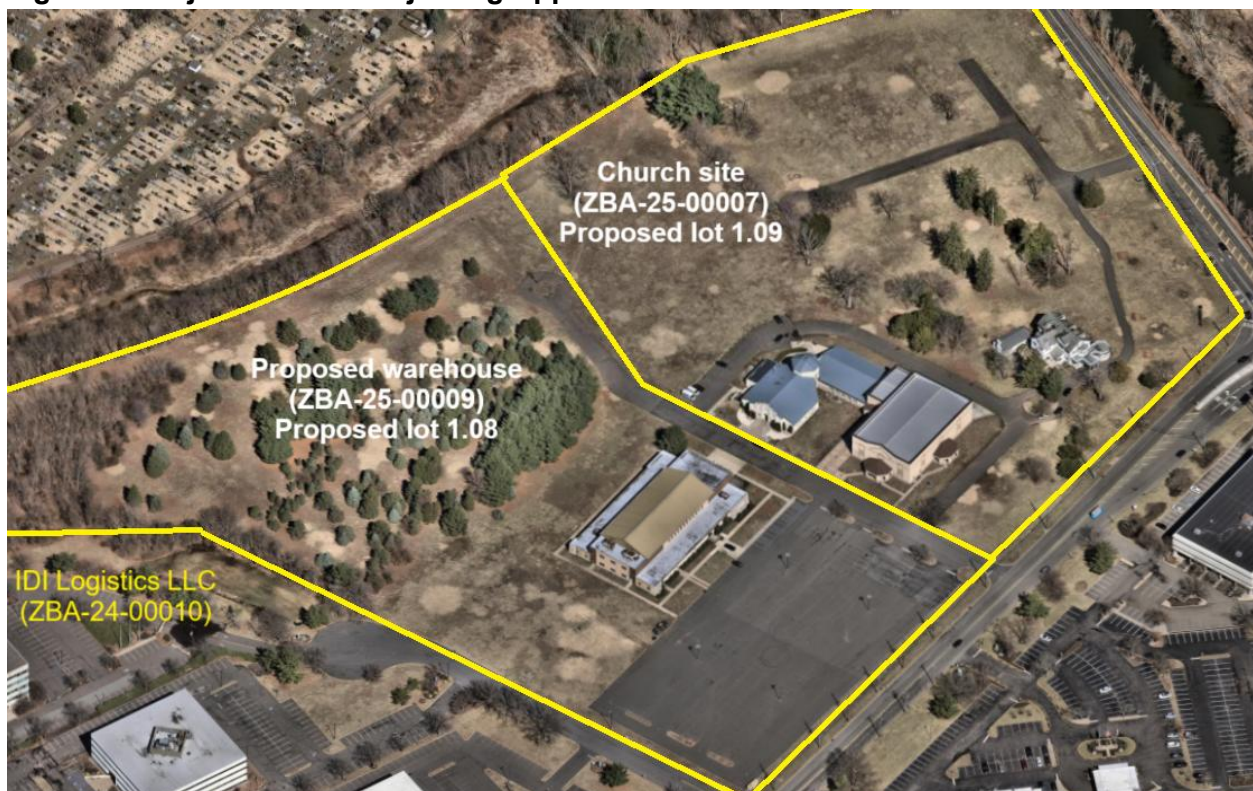
Figure 2: Site and Surrounding Area



Figure 3: Project Site and Adjoining Applications



Figure 4: Project Site and Adjoining Applications



[illegible]

memo



TO: Christine Woodbury – Secretary to Franklin Township Planning and Zoning Boards

FROM: Tara Kenyon, AICP/PP – Sustainability Coordinator, Franklin Township

DATE: April 8, 2025

RE: Comments from Franklin Township Environmental Commission
Ukrainian Orthodox Church of the USA
1950 Easton Avenue, Somerset
(Block 469 – Portion of Existing Lot 1.06/Proposed Lot 1.09)
File #: ZBA-25-00007

At its regularly scheduled meeting of May 5, 2025, the Franklin Township Environmental Commission ("EC") reviewed plans and documents for the above-referenced project. The following comments are submitted for consideration by the Franklin Township Zoning Board of Adjustment:

- The FTEC recommends that the applicant consider implementing a solar canopy for the parking lot. This will not impact parking but will provide a significant amount of solar energy generation on the property.
- It is recommended that EV Charging Stations and Make-Ready parking spaces alternate by one parking space throughout the parking lot (example: parking space #1, #3, and #5 are prepared as Make-Ready parking spaces, or have an EV Charging Station installed. Parking spaces #2, #4, and #6 are not prepared for EV charging). This will allow multiple users to easily use the chargers without having to wait for a long period of time.
- Pervious pavement is recommended to the maximum extent possible. This will reduce the amount of stormwater runoff and non-point source pollution loading, while also improving safety through the reduction of ponding and icing conditions created by increased stormwater runoff.
- The EC requests that the applicant provide a list of amendments made to plans and supporting documents with all future resubmissions. This will assist the EC's Site Plan Committee in its required review.

Please contact me with any questions at Tara.Kenyon@franklinnj.gov or 848-203.1857. Thank you!

Re: ukrainian center

From Vincent Dominach <Vincent.Dominach@franklinnj.gov>

Date Thu 9/11/2025 1:22 PM

To Mark Healey <Mark.Healey@franklinnj.gov>

Cc Christine Woodbury <Christine.Woodbury@franklinnj.gov>

they approved last week with no conditions as came prior
Sent from my iPhone

On Sep 11, 2025, at 13:20, Mark Healey <Mark.Healey@franklinnj.gov> wrote:

Do we have a report or minutes from the historic commission?

Mark Healey, PP/AICP
Planning Director/ Senior Zoning Officer
mark.healey@franklinnj.gov
732-873-2500 x 6271

CENTER STATE ENGINEERING

481 Spotswood Englishtown Road, Monroe Township, New Jersey 08831

T 732.605.9440 F 732.605.9444

MEMO TO: Township of Franklin
Zoning Board of Adjustment

FROM:  Darren Mazzei, PE, CME
Township Engineer's Office

DATE: March 2, 2026

RE: ***Syracuse 1950 Easton Avenue Owner, LLC
Preliminary & Final Major Site Plan
Report #3
Engineering
Block 469, Proposed Lot 1.08
Davidson Avenue
Franklin, New Jersey
Our File: MFRZ0469.05/600.01
Application # ZBA-25-00009***

As per your request, this office has reviewed the following documents relative to the above referenced preliminary and final site plan application:

- Preliminary and Final Major Site Plan, as prepared by Langan Engineering and Environmental Services, LLC, dated January 18, 2025, with a latest revision date of July 18, 2025;
- ALTA/NSPS Land Title Survey, as prepared by Langan Engineering and Environmental Services, LLC, dated July 12, 2024, with a latest revision date of November 19, 2024;
- Proposed Facility Architectural Floor Plan, as prepared by Nelco Architecture, Inc., dated January 8, 2025, with no revisions;
- Building Elevations Plan, as prepared by Nelco Architecture, Inc., dated January 15, 2025, with no revisions;
- Stormwater Management Report, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025, with a latest revision date of July 18, 2025;
- Stormwater Management Facilities Operation and Maintenance Manual, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025, with a latest revision date of July 29, 2025;
- Intersection and Traffic Signal Improvements Davidson Avenue and Executive Drive plan, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025, with a latest revision date of July 23, 2025;
- Final Geotechnical Engineering Study Report, as prepared by Langan Engineering and Environmental Services, LLC, dated January 10, 2025, with a latest revision date of January 12, 2026;
- Traffic Impact Study, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025, with a latest revision date of July 23, 2025;
- Environmental Assessment, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025, with a latest revision date of July 31, 2025;
- Application Forms.

The following comments are offered with regard to same:

A. PROJECT OVERVIEW

The site is located in the northwest corner of the tee intersection of Davidson Avenue and Executive Drive. The applicant is also before the Board to subdivide this property as part of Docket ZBA-25-00008. The proposed lot after subdivision will be 17.71 acres and is located in the B-I (Business and Industry) zone. The proposed lot contains the Ukrainian Cultural Center and 398 vehicle parking lot. The Cultural Center, parking lot and all site features are proposed to be removed. This application is currently proposing to construct a 258,150 sf building (253,150 sf warehouse and 5,000 sf office space), with 35 truck docks and truck court to the south, 17 trailer parking spaces, and a parking lot totaling 162 spaces, with a passenger car access driveway along Davidson Avenue and a truck driveway entrance along Executive Drive. The applicant is proposing the following site improvements including but not limited to three (3) small-scale Bioretention Basins, two (2) large-scale Bioretention Basins, two (2) Pervious pavement areas with underdrain, and one (1) Pervious pavement area with infiltration to address NJDEP stormwater management rules, one (1) hot mix asphalt parking area, concrete curb, sidewalk, utilities, grading, lighting and landscaping.

We defer the review of the zoning related issues to the Board Planner except where they may pertain to engineering issues.

B. GENERAL SITE IMPROVEMENTS

1. Official street address shall be obtained from the Franklin Township 911 Coordinator.
2. An Engineering Cost Estimate will be required once final plans are signed-off on by the Board. Upon approval, applicant shall provide appropriate bonds and Engineering inspection fees and attend a pre-construction meeting, prior to the continuation of any site work.
3. Note: A preconstruction meeting will not be scheduled until the developer/ site contractor provides a Fire Safety During Construction Plan Demonstrating Compliance with Chapter 33 of the International Fire Code. Should the Board act favorably on this application a copy of the Township's, 'Steps to a Construction Project' will be provided.
4. All fees shall be paid by the applicant at the time of adoption of a resolution of site plan approval for the cost of making upgrades and modifications to the Tax Maps and geographic information system (GIS) (§112-329)
5. At the time the final plans are submitted for signature of the municipal officials, the applicant shall submit CAD-generated data files, prepared by a New Jersey licensed land surveyor, directly translatable into an identical image of the plan per the requirements of Ordinance §112-329.
6. Note: No soil can be imported to or removed from the site until a Soil Importation or Exportation Permit has been obtained from the Township as required by the Ordinance. Soil removal shall be in accordance with §206 of the Ordinance. Same should be noted on the site plan.
7. Note: An As-Built Plan prepared by a licensed Land Surveyor is to be submitted to the Township prior to any Certificate of Occupancy inspection or the release of performance bonds. Same should be noted on the site plan.
8. Copies of any easements, exceptions, deviations, or liens on the property should be presented to the Board.
9. Warehouses are not a permitted use within the B-I zone. The applicant is before the Zoning Board for a use variance.
10. In accordance with Ordinance §112-104.A, the length of the loading berth shall be at least 48 feet or shall be a length such that the horizontal distance from the front of a dock for back-in parking to the limiting boundary of the loading and unloading area shall not be less than twice the overall length of the longest vehicle expected to use the facility. The applicant's engineer indicated a Tractor Trailer WB-67, which has a length of 73.5 feet, is proposed for use at the facility; therefore, the length of the loading berth shall be 147 feet. The applicant is proposing a length of 130 feet. A variance is required for same.

The applicant provided a circulation plan demonstrating NJ Title 39 vehicle can make the turning movements without crossing over the adjacent dock parking stalls. The detail for the NJ Title 39 vehicle should be revised to indicate the length of the vehicle.

The Board has previously granted this variance on other applications; however, past applications did not include a driveway that enters the truck court head-on. The throat of the driveway is only approximately 30' so if trucks are utilizing the truck court this leaves the potential of trucks queuing in the Executive Drive right-of-way. This office recommends that Executive Drive be vacated since the driveway will only be servicing this warehouse application and IDI Logistics, LLC, Docket ZBA-24-00010. A shared driveway between the two applications is recommended. This will eliminate any concerns of trucks queuing within the public right-of-way.

11. A variance is required for the truck court being in the 50' wide front yard area. The applicant is proposing the truck court 20' off of the front yard setback. The driveway lack of depth for the access driveway is due to the truck court (which requires a variance for length from 147' to 130', as noted in comment no. 11) being located in the front yard in conjunction with this variance request.
12. A variance is required for the maximum width of the driveway. The maximum driveway width permitted is 36'; the applicant is proposing a 66' wide driveway.
13. This office defers to the Fire Prevention Officer as to the appropriate number of Fire Hydrants, Fire Department Connections, and their location. We defer to the Fire Prevention Officer regarding the need of 'No Parking' fire lane signage and striping.
14. Sidewalk should be provided connecting the proposed ADA accessible ramps at the signalized intersection of Executive Drive and Davidson Avenue. The proposed 1:3 slope proposed in the northwest corner of the intersection is unacceptable because it will prevent the installation of a sidewalk. **The retaining wall around the bioretention basin should be raised further to a minimum of the first floor elevation of the proposed warehouse. The Township does not want such a severe 'bowl' in this area.**
15. The applicant should perform a guide rail warrant analysis along the proposed retaining north of the warehouse, head on parking area to the north where the grade is 3:1, and the driveway aisle and basin to the west, to confirm clear zone requirements are satisfied.
16. Revise the site plan to show the parking lot improvements proposed on the neighboring property, being proposed as part of Docket No. ZBA-25-00007, as this application's site driveways are based upon the coordinated projects.
17. A permanent access and maintenance agreement between Lots 1.08 and 1.09 is required, providing access from the Church property through the warehouse property to Davidson Avenue.
18. Provide a guide rail for the head-on vehicle parking at the proposed retaining wall.

C. GRADING AND UTILITY COMMENTS

1. Existing Stormwater Management System within Executive Drive should be removed.
2. The fire service and water service should be split directly after the meter pit. In addition, valves should be supplied just after the split so both lines can operate independently.
3. Should the Board act favorably, final approval from the Township Water Department is required.
4. The traffic signal plan should be reviewed with the Township Water Department as the proposed traffic signal equipment/ foundations are proposed over an existing water main along the Davidson Avenue right-of-way.
5. The applicant is proposing a utility room with a booster pump. It is unclear if the fire service line will be fed off of this pump. Clarification is required. Typically, the Fire Prevention Director does not permit fire service lines being fed by a pump due to excessive pressure. Clarification and approval from the Fire Prevention Director will be required. This comment will be considered satisfied once approval from the Fire Prevention Director is obtained.
6. The applicant is proposing a 4' wall around Basin B2E with a top of wall elevation of 52'. The slopes to the basin from the intersection is 3:1 creating a 'bowl' with a proposed grade differential in excess 9'. **The top of wall elevation should be raised. Should the applicant's engineer not intend to comply with this request then testimony should be provided to the Board justifying their position.**

7. The utility pole relocation in the northwest corner of Executive Drive and Davidson Avenue shown on Drawing No. CU101 is unacceptable. The pole should be offset from the back of curb to avoid potential conflicts with trucks turning right into Executive Drive while traveling south along Executive Drive. **While this office defers to PSE&G for final location, typically 18" minimum separation is provided.**
8. Additional separation is required between parallel water lines entering the building. Revise plans as required.
9. The Grading & Drainage Plan and Utility Plan should be revised to provide a utility crossing table. The applicant should provide in table format all sewer mains/ utility crossings (including lateral crossings) with corresponding clearances to reflect the avoidance of conflicts with other underground utilities. If the applicant's engineer chooses to display this information on the profiles, then dimensions should be provided noting the clearances and should indicate whether concrete cradles are required.
10. Construction access easements will be required for proposed Lot 1.09, due to the removal of drainage, sanitary sewer and potential water services.
11. Utility access and maintenance easements will be required for the proposed storm sewer and sanitary improvements on proposed Lot 1.09.
12. The applicant should address the following general grading comments:
 - a. The applicant has provided Blowup Insets for ADA Ramps. We have the following comments:
 - Inset B
 - 1) Provide top of curb elevations. The curb transitions should be further reviewed by the applicant's engineer. If the proposed dark line represents flush curb then the sidewalks at the ADA parking spaces are not ADA compliant, i.e. back of sidewalk is G 54.97, TDC? 54.42 makes the cross slope 9.17%. Additional information is required;
 - 2) Delineate all signage and EV station.
 - Inset C
 - 1) Delineate all signage.
 - Inset D
 - 1) Provide top of curb elevations. The curb transitions should be further reviewed by the applicant's engineer. If the proposed dark line represents flush curb then the sidewalks at the ADA parking spaces are not ADA compliant, i.e. back of sidewalk is G 54.97, TDC? 54.42 makes the cross slope 9.17%. Additional information is required;
 - 2) Delineate all signage.
 - Inset E
 - 1) Handrails should be provided for the proposed steps and for the proposed ramp due to the proposed slope of 7.50%;
 - 2) Provide the dimension of the ramp. It is unclear if curb is proposed on the outside of the ramp;
 - 3) 5' x 5' turning areas exclusive of handrails shall be provided.
 - Inset F
 - 1) Drainage arrows at the turning space from the on-site walkway are point in the wrong direction;
 - 2) Cast-in-place detectable warning surfaces are required at the driveway curb ramps at Davidson Avenue;
 - 3) Provide additional spot elevations along the curb line for further tie-in review;
 - 4) Label spot elevations at each corner of the 5' x 5' landings required at the top and bottom of each ramp;
 - 5) Curb ramps should start at the back of curb, where the detectable warning surface will be proposed in accordance with PROWAG guidelines.
 - b. Label all top and bottom of wall elevations at all pc's and pt's;
 - c. Provide tie-in elevations for all curb, sidewalk and pavement;
 - d. Show existing spot elevations, delineated on the Title Survey, on the grading plan;
 - e. Delineate the existing contours on Lot 1.07 so that the proposed grading contour tie-ins can be confirmed;
 - f. ADA Ramp Detail A shown on Drawing No. KT103 0102, notes that the cross slope of the proposed of the ramp along Davidson Avenue 2.5% which is not ADA compliant. The cross slope should be reduced to a maximum slope of 2.0%; Revise the design accordingly;
 - g. ADA Ramp Detail F shown on Drawing No. KT103 0102, notes that the cross slope of the proposed of the ramp along Davidson Avenue 3.2% which is not ADA compliant. The cross slope should be reduced to a maximum slope of 2.0%; Revise the design accordingly;
 - h. All ADA Ramp Details on Drawing No. KT103 0102 should be revised to show existing grading contours spot elevations so grading tie-ins can be further reviewed. The site plan for the warehouse proposes a 1:3 slope which should be delineated on the intersection improvement plan, for further review;

- i. Proposed grading contours are missing along the sidewalk tying into the existing grading along Davidson Avenue.

The grading will be reviewed further in its entirety when the above has been addressed.

D. LANDSCAPING AND LIGHTING

1. Applicant provided a tree removal plan to satisfy the requirements of Ordinance §222- Trees. This office defers to the Board Planner as to the adequacy of the tree replacement plan, as well as the adequacy of the proposed landscaping and buffering to adjacent properties, respectively.

E. TRAFFIC

1. The Applicant's Engineer indicated that the Overall Levels of Service for the existing signalized intersection of Easton Avenue and Davidson Avenue are expected to be C or better for both the AM and PM Peak Hours under the No-Build and Build Conditions.
2. The Applicant's Engineer indicated that the Overall Levels of Service for the existing signalized intersection of Davidson Avenue and Executive Drive are expected to be C or better for both the AM and PM Peak Hours under the No-Build and Build Conditions.
3. The Applicant's Engineer indicated that the Levels of Service for the existing unsignalized intersection of Easton Avenue and the eastern site driveway are expected to be C or better for both the AM and PM Peak Hours under the No-Build and Build Conditions.
4. The Applicant's Engineer indicated that the Level of Service for the southbound site driveway at the unsignalized intersection of Davidson Avenue and the south site driveway is expected to be an E under Build Conditions during the PM Peak Hour. The Applicant's Engineer should provide testimony on this issue.
5. The Applicant's Engineer proposes to construct improvements at the signalized intersection of Davidson Avenue and Executive Drive. It should be noted that approval and implementation of improvements at this signalized intersection should be a prerequisite condition prior to obtaining a Certificate of Occupancy for the proposed warehouse.
6. The Applicant's Engineer calculates 150 parking spaces are required per ordinance § 112 Attachment 4. The applicant proposes 151 physical parking spaces are proposed; therefore, the parking demand has been met.

The Applicant's Engineer requires 6 ADA parking spaces with 1 of the 6 being van accessible, and 6 ADA parking spaces with 1 of the 6 being van accessible are shown. The ADA Parking demand has been met.

The Applicant's Engineer indicates that 7 make-ready parking spaces (including 1 accessible space) are required and that 7 are provided (including 1 accessible space). The EVSE parking demand has been met. However, locations of the EVSE equipment and signage should be provided demonstrating that the sidewalks will not be blocked. Details for the EVSE equipment, pavement markings and signage should be provided.

7. The Applicant's Engineer proposes a traffic signal easement on the construction plans for the intersection of Davidson Avenue and Executive Drive, but there appears to be work proposed outside of that easement. The Applicant's Engineer should pursue additional easements as necessary for that work.
8. The Applicant's Engineer indicates a W9-2(L) sign lane is a Left Lane Ends sign. The description notes that the sign is 'Lane Ends Merge Left'. Coordination is required. The signage should comply with the latest edition of the MUTCD.
9. The Applicant's Engineer does not propose pedestrian pushbuttons or pedestrian pushbutton signs for the crosswalk across Executive Drive. The Applicant's Engineer should confirm that the walk symbol activates on every Davidson Avenue green phase.
10. The Applicant's Engineer should review the lateral distance between proposed traffic signal heads 1 and 2 and the lateral distance between proposed traffic signal heads 4 and 5 as these distances appear to be shorter than 8 feet. The lateral distance between each of these traffic signal heads should be at least 8 feet as specified in the current MUTCD. The Applicant's Engineer should review the lateral distances of the

proposed traffic signal heads and revise the plans, as necessary. Provide additional dimensions for the renumbered traffic signal heads.

11. The design and placement of all traffic signs and striping shall follow the requirements specified in the latest "Manual on Uniform Traffic Control Devices for Streets and Highways," (MUTCD) published by the U.S. Department of Transportation and adopted by the N.J. Department of Transportation.
12. Fire lanes and striping are subject to the approval of the Fire Subcode Official.
13. Preemption should be included in the traffic signal design. Equipment will be specified by the Township. Should the Board act favorably on this application then Township Staff will review the preemption system specified for compliance with Township standards.
14. Add a stop bar and stop sign at the driveways where the Church traffic intersects with the warehouse traffic.
15. Relocate the 'No Parking – Fire Lane' signage on the other side of the staircase along the western side of the building.
16. Should the Board act favorably, final approval from the Township Department of Public Works is required for the Davidson Avenue and Executive Drive traffic signal improvements.

F. STORM WATER MANAGEMENT

General

1. The Applicant proposes constructing three (3) small-scale Bioretention Basins, two (2) large-scale Bioretention Basins, two (2) Pervious pavement areas with underdrain, and one (1) Pervious pavement area with infiltration to address stormwater quantity management, water quality, and recharge.
2. The reference project has been reviewed in accordance with the Stormwater Management Rules NJAC 7:8 as amended July 17, 2023.
3. The property in question is located within the Delaware and Raritan Canal Commission (DRCC) Review zone and is subject to DRCC regulations. The work is being proposed in the DRCC stream corridor easement. Approval from DRCC will be required. A copy of the DRCC approval must be provided to this office.
4. The Applicant proposes to work in a regulated flood hazard area. A flood hazard area disturbance permit has been obtained from NJDEP for the regulated activity. A copy of the approved plans must be provided to this office. A note indicating the NJDEP file number and date of approval should be added to the overall site plan sheet (sheet CS100).
5. The applicant has received a NJDEP Letter of Interpretation (LOI) for wetlands presence/absence. A copy of the NJDEP stamped approved plan must be provided to this office.
6. A NJDEP Freshwater Wetlands permit has been obtained for the proposed disturbance. A copy of the NJDEP Approved Stamped plans must be provided to this office.
7. The Applicant must obtain a Soil Erosion and Sediment Control Plan Certification from the Somerset-Union Soil Conservation District. A copy of the certification must be provided to this office.
8. The proposed development proposes more than 1 acre of land disturbance and must obtain a General Permit for Construction Activities from the NJDEP. A copy of the permit must be provided to this office.
9. An executed Major Development Stormwater Summary (Attachment D of the Tier A MS4 NJPDES Permit) has been submitted to this office for review and approval. This will be reviewed upon completion of all geotechnical testing.
10. Provide a Stormwater Maintenance Agreement for the stormwater system to ensure future maintenance. A sample agreement is available from the Engineering Department.
11. A Conservation/Preservation Area shall be created in accordance with Ordinance §112-147 of the Franklin Township Land Development regulations. The Township preservation area boundary line shall be established using the most restrictive of the Stream Preservation Corridor and Wetlands Buffer. A map shall be supplied delineating the limits of the Conservation/Preservation Area with bearings and distances, and proposed

Preservation Area Marker locations. The Conservation/Preservation Area shown on sheet no. CS100 will be further reviewed once item no. E4 is addressed.

12. Provide a Conservation/Preservation Area Easement Deed, with a metes and bounds description, of the Township preservation area boundary line created by satisfying Comment #11. The deed shall be submitted for review and approval prior to filing with the Somerset County Clerk's Office.
13. Preservation Area Markers shall either be set or bonded prior to the application sign-off.
14. According to ordinance §330-7.T.(10), all storm sewer structures, including piping, basins, scour holes, rip-rap, and best management practices (BMPs), must be located at least 10 feet away from all property lines and right-of-way lines. **TD-101 and CB-102 must be relocated to comply with the ordinance.** Improvements between proposed Lots 1.08 and 1.09 will be permitted contingent on a 20' wide maintenance and access easement being provided benefitting both properties.

Stormwater

15. The location of all test pits excavated within the limits of the proposed BMPs should be shown on the Grading and Drainage Plan. The applicant's engineer should provide the label for all test pits and the SHWT elevation on the Grading and Drainage Plan, as well.
16. The construction detail for Pervious pavement on sheet CS503 must be revised to be site-specific and indicate the thickness of all layers and the size of the underdrains.
17. Each Pervious pavement area must include at least two inspection ports, with a removable cap, in the storage bed, with its location shown on the plan. The inspection ports must be placed at least three feet from any edge and extend down 4 – 6 inches into the subsoil, and the depth of runoff for the water quality design storm must be marked upon each structure and its level included in the drainage report and the maintenance manual. The locations of inspection ports must be shown on the Drainage plan.
18. Details of Pervious pavement inspection ports must be provided on construction plans and be traffic-rated.
19. Per BMP Manual requirements, no standing water may remain in a Pervious pavement area 72 hours after a rain event. **The basin drain time has been provided but cannot be confirmed until after the permeability testing that has been performed at the most hydraulically restrictive layer is added to the drainage report.**
20. Pervious pavement basin B2C utilizes a design infiltration rate of 0.5 inches per hour. To justify the use of this rate, permeability testing must be conducted within the proposed footprint of the basin, and the test results must be provided for review.
21. The stormwater report has been updated to include a summary table of design parameters for each Bioretention Basin, such as inflow area, water quality volume, basin area, filtration rate of soil media, separation from seasonal high groundwater table, drain time and demonstrate compliance with BMP design standards in NJ BMP Manual Chapter 9.7 or 10.1. **This table should be updated once additional geotechnical testing has occurred demonstrating compliance with Chapter 12 of the BMP.**
22. Site-specific construction detail for all Bioretention Basins has been provided in the plans. The detail should clearly depict all basin layers' specifications and corresponding elevations. Additionally, the detail should include the elevation of the seasonal high groundwater table, the soil bed permeability rate, and the proposed vegetation type (e.g., forested or grassed). The detail should be revised to include the SHWT determined in accordance with Chapter 12 of the BMP. As previously noted, a calculated SHWT will not be accepted. In addition, the underdrain invert elevation and bottom of stone elevation appear to be incorrect for all Bioretention Basins. Revise accordingly.
23. NJ BMP Manual indicates that plans should include inspection ports at the upstream and downstream end of the Bioretention Basin underdrain system.
24. The Bioretention Basin must be equipped with an emergency spillway and should be designed to pass the 100- year storm event, assuming the principal spillways are not working. A minimum of one ft. freeboard between the spillway design storm (100-year) water elevation and the top of the berm is required. **The spillway calculations could not be found in the stormwater report.**
25. In accordance with BMP Manual requirements, post-construction testing must be performed on the as-built Bioretention basins to ensure that the installed BMP functions as designed. Where as-built testing shows a

longer drain time than design drain time; corrective action must be taken, and the basin should be retested. Post- construction testing must include a determination of the permeability rates of the soil bed. A note should be included in the site plan stating this requirement.

26. The basin routings for Bioretention basin B1A should account for tailwater from the Unknown tributary of the Raritan River located west of the property. **Remove all warnings from the routings for Bioretention basin B1A. This comment will be reviewed further upon the comment above being resolved.**
27. Trash rack details should be provided for all outlet devices (orifices, weirs, overflow grates, etc.) shown on the proposed outlet structure. The trash rack should be in accordance with NJAC 7:8-5.7 and 7:8-6.2.
28. The retaining wall around the Bioretention Basin must be waterproof. Same is noted on the construction detail. There is a note on the detail stating that there are additional details in the Geotechnical Report regarding the waterproofing. Our office did not find additional information in the Geotechnical Report regarding same. Please clarify.
29. The stormwater conveyance system profiles should be revised to show the proposed retaining wall around the Bioretention Basins.
30. The submitted groundwater mounding analysis indicates an 8-foot groundwater mound at the center of the porous pavement. Seven (7) test pits (LTP-1, FTP-11, FTP-12, FTP-13, FTP-14, LTP-3 and LTP-4), located within this area show interpreted seasonal high water elevations based on the excavation depth elevation between 40.8 feet and 45.8 feet, respectively, while the proposed porous pavement bottom elevation is 43.00 feet. These elevations suggest that the modeled groundwater mound extends above the basin bottom. Additional geotechnical borings and supporting data have been performed. This office will evaluate same once the additional information is added to the site plan and drainage report.
31. The site's groundwater recharge requirement is proposed to be met through the infiltration basin. An NJDEP Recharge Spreadsheet has been included in the report; however, it will be re-evaluated once the outstanding comments related to the infiltration basin design and groundwater mounding analysis have been addressed.
32. In accordance with Township ordinance §330-7.T.10, all storm sewer structures, piping, basin and BMPs shall be offset a minimum of 10' from all property and right of way lines. **Trench drain TD-101 should be relocated outside of the Davidson Avenue right-of-way. Council approval would be required for this structure; which will not be recommended by this office.**
33. Approval from Buckeye pipeline is required for the 36" HDPE that is crossing the 16" Buckeye Petroleum Transmission Pipe Line and the 20" Buckeye Petroleum Transmission Pipe Line, respectively.
34. Revise the Pervious Paver System With Infiltration detail on sheet no. CS506 to eliminate the impermeable liner around all sides. Filter fabric should be installed in accordance with the BMP requirements.
35. The applicant submitted a Pervious Paver System With Infiltration detail. The projected 10 year storm WSE appears to be incorrect. A full site specification detail is required including thickness of pervious asphalt, thickness of choker stone, top/bottom elevations of choker stone, top elevation of pervious asphalt. Per the BMP filter fabric is permitted along the sides of the storage bed; however, fabric is not permitted along the bottom of the storage bed. List the range of the storage bed thickness on the detail.
36. The water quality storm elevations listed on the porous pavement details are inconsistent with the stormwater report. Document coordination is required.
37. The grate elevation for OCS-209, OCS-219, OCS-223 and OCS-231 are not consistent between the drainage plan, construction detail and stormwater report. Plan coordination is required.

Operation and Maintenance Manual (O&MM)

38. As per NJDEP BMP Manual Ch. 8, the maintenance plan should include approved disposal and recycling sites and procedures for sediment, trash, debris, and other material removed from stormwater management measures during maintenance operations. This information should be added to the plan.
39. As per NJDEP BMP Manual Ch. 8, maintenance plans should include procedures and equipment required to protect the safety of inspection and maintenance personnel. This information should be added to the O&MM plan.

Environmental Impact Statement

40. EIS should be updated to include the following documents in the appendix.
- A copy of the wetlands LOI and approved plan;
 - A copy of the Flood Hazard Area Permit and approved plan.

G. MISCELLANEOUS

1. Revise/Add the following details based on Franklin Township standard details:
- Township Water Meter Pit detail is not legible on sheet no. CS505;
 - The ADA Accessible Ramp detail is noted as a 'Franklin Township Detail'. It is not a standard Township detail. In addition, the detectable warning surface should be installed adjacent to the flush curb;
 - Revise the Accessible Parking Stall Detail to indicate whether a bollard mounted sign is proposed. If a bollard mounted sign is not proposed then a concrete bumper block protecting the signage is required;
 - All sanitary sewer details shall be submitted directly to the Franklin Township Sewerage Authority for review and approval – Comment Only

The Applicant is required to obtain either approvals or letter of no interest from the following agencies:

Outside Agencies:

- Delaware Raritan Canal Commission
- Somerset County Planning Board
- Somerset-Union Soil Conservation District
- New Jersey Department of Environmental Protection – **Permits issued on 2025.09.11 & 2025.09.30**
- Buckeye Pipeline

Township Departments:

- Franklin Township Fire Department
- Franklin Township Police Department
- Franklin Township Sewerage Authority
- Somerset County Health Department

Resubmittal of Application Materials. As required by the Zoning Board of Adjustment By-laws, resubmittal of application materials (e.g., plans, reports, etc.) made in response to Board and/or staff reviews and/or comments, shall be accompanied by a written description of the changes made compared to the prior submission. In the case of staff reports, this shall be accomplished by providing a response to each of the review comments with a description of the plan changes and where the plan changes can be found (e.g., sheet or page number). If the application materials have not been revised in response to any such comment, the reason for the non-change shall be provided. The number of copies of this written description should be commensurate with the number of revised plans and shall be provided in digital form (in .pdf format). The Engineering Department reserves the right to make additional comments based upon the submission of revised plans or testimony presented to the Board.

Should you have any questions regarding this matter, please do not hesitate to contact this office.

DM/dm

cc: Zoning Board Secretary

STAFF REPORT

PLEASE REFER TO DRCC # WHEN SUBMITTING
ADDITIONAL DOCUMENTS



DRCC #: 25-2429D

DATE: September 15, 2025

PROJECT NAME: 1950 Easton Avenue -- Proposed Warehouse

Latest Submission Received: May 16, 2025

Applicant:

Syracuse 1950 Easton Avenue Owner LLC

1200 North 52nd Street

Phoenix, AZ 85008

joshz@creationequity.com

Engineer:

Daniel Miola, P.E.

Langan Engineering and Environmental
Services, LLC

300 Kimball Drive

Parsippany, NJ 07054

dmiola@langan.com

Project Location:

Road	Municipality	County	Block(s)	Lot(s)
1950 Easton Avenue (Somerset County Route No. 527)	Franklin Township	Somerset	469	1.06

Jurisdictional Determination:

Zone A	Major	Nongovernmental
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Subject to Review for:

Drainage	Visual	Traffic	Stream Corridors
X	X	X	X

THIS STAFF REPORT IS ISSUED AS A GUIDE TO APPLICANTS IN COMPLYING WITH DRCC REGULATIONS. IT IS NOT AN APPROVAL. NO CONSTRUCTION SHALL BEGIN UNTIL A CERTIFICATE OF APPROVAL HAS BEEN ISSUED.

PO BOX 539

STOCKTON, NJ 08559

609-397-2000

www.nj.gov/dep/drcc/

DRCC#: 25-2429D

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DATE: September 15, 2025

PROJECT NAME: 1950 Easton Avenue -- Proposed Warehouse

Documents Received: Site Plans (30 sheets) dated January 17, 2025, last revised July 18, 2025; Stormwater Management Report dated January 17, 2025, last revised February 14, 2025; Stream Corridor Impact Plan (1 sheet) dated May 14, 2025; Stream Corridor Use Plan dated July 8, 2025; Traffic Impact Study dated January 17, 2025, last revised April 17, 2025; prepared by Langan Engineering and Environmental Services, LLC; Architectural Plans (3 sheets) dated May 15, 2025; prepared by Nelson Architecture & Interiors Inc. and Premier Design & Build Group.

Staff comments continued below.

The application is incomplete. It is staff's opinion that the proposed project has been designed in compliance with the Commission's technical requirements. However, notice of county and municipal approvals must be submitted before the application can be deemed complete and presented to the Commission for their decision.

Existing Conditions: The project area is an approximate 1.42 million square-foot (32.76 acre) lot located west of Easton Avenue in Franklin Township, Somerset County, approximately 75 feet south and west of the Delaware and Raritan Canal and within Commission Review Zone A.



The project area lot is located partly in Review Zone A, with the balance of the site being located in Review Zone B. Pursuant to the definition of "Review Zone" at N.J.A.C. 7:45-1.3, if any part of a project site is within Zone A, then the entire project shall be considered to be in Zone A.

The project site is bounded by Easton Avenue followed by the Delaware and Raritan Canal to the north, Davidson Avenue to the east, the Somerset Executive Center office development that is presently proposed to be demolished and replaced by a warehouse development (See DRCC #24-6190) followed by Interstate Highway Route No. 287 to the

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DATE: September 15, 2025

PROJECT NAME: 1950 Easton Avenue -- Proposed Warehouse

south, and a tributary of the Raritan River followed by a large cemetery development to the west.

In the existing condition, the project site is improved with the Ukrainian Cultural Center and the Ukrainian History and Education Center of New Jersey buildings, along with associated parking areas, landscaping, underground utility and stormwater infrastructure, and associated site amenities. In the existing condition, impervious surface coverage totals approximately 7.21 acres. Historic aerial imagery shows the cultural center under construction in 1979, while the history/education center first appears on imagery dating to 1987.

The project area lot is also the location of the Hendrick Fisher Homestead, a circa 1688 residence that is reputed to be the oldest structure in Somerset County.

The Commission received plans for a project to expand the cemetery development onto the project area lot in 2000; however, it appears that no application was submitted for the project, and no Commission staff report or approval was ever issued. Subsequently, a project application was approved by the Commission in 2001 to expand the adjacent cemetery and create 3,774 additional grave sites on the lot (DRCC #00-2429A). From the absence of any burials, it would appear this project was never implemented. In 2005, the Commission issued a certificate of approval for a project to construct an expansion to the Ukrainian History and Education Center, which resulted in the creation of approximately 1.0 acre of new impervious surface coverage (DRCC #04-2429B).

Proposed Project: The applicant proposes to subdivide the Lot 1.06 into two new lots:

Proposed Lot 1.08: This lot would be 771,281 square feet (17.7 acres) in size and encompass the existing Ukrainian Cultural Center building and associated parking area located at the southern portion of the existing lot (See “project area” denoted in red in the aerial image below):



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DATE: September 15, 2025

PROJECT NAME: 1950 Easton Avenue -- Proposed Warehouse

The applicant proposes to demolish the Ukrainian Cultural Center building and associated site improvements on proposed Lot 1.08 and construct a 258,150 square-foot warehouse building development, along with 162 car parking spaces, 35 loading docks and 17 trailer parking spaces, access driveway, a stormwater management facility, and other associated infrastructure. Based upon the submitted application, the total proposed impervious surface area coverage onsite will increase by 5.7 acres to 11.39 acres in the proposed condition. The project would also result in the disturbance of 13.67 acres of land.

Proposed Lot 1.09: This lot would be 648,907 square feet (14.9 acres) in size and encompass the existing Ukrainian History and Education Center of New Jersey buildings and the Fisher Homestead located at the northern portion of the existing lot. Commission staff notes that a project application has been submitted by a different applicant to construct 45 passenger vehicle parking spaces to the north of the existing building and 35 passenger vehicle parking spaces to the east of the existing building, a widened access driveway from Easton Avenue, and stormwater management infrastructure (See project DRCC #25-2429C).

Stream Corridor: The site is located within the Raritan River Lower watershed. The site is bordered to the west by a tributary to the Raritan River, which is located north of the Delaware and Raritan Canal. The Raritan River does not flow into the canal. FEMA has delineated the 100-year floodplain for the Raritan River, and by engineering judgment, the Raritan River's floodplain is the controlling regulatory floodplain along the tributary adjacent to the site. The applicant has delineated the stream corridor as a 100-foot offset from a plotted flood hazard area design flood elevation limit. Commission staff has determined the stream corridor limit is conservative when compared to the submission requirements of N.J.A.C. 7:45-9.2.

The onsite stream corridor consists of a mixture of woods and actively disturbed lawn, with some trees. The applicant proposes to reconstruct one outfall and construct a new outfall parallel to the existing one located along the tributary to the Raritan River. Pursuant to N.J.A.C. 7:45-9.4(a)6., an outfall structure associated with a stormwater management facility is considered to be a conditional use within a stream corridor of a watercourse that does not directly enter the Delaware and Raritan Canal. Therefore, the project has been designed in accordance with the specific stream corridor impact standards at N.J.A.C. 7:45-9.

Stormwater Outfall: The project proposes to discharge stormwater generated from the site toward an existing drainage system within Davidson Avenue, which is tributary to the Delaware and Raritan Canal. Therefore, the applicant is subject to the specific requirements for an outfall set forth at N.J.A.C. 7:45-8.3. This includes, but is not limited to, prohibiting new sources of stormwater that tie into the drainage systems discharging into the canal and providing 95 percent (%) total suspended solids (TSS) removal for the water quality design storm as described at N.J.A.C. 7:45-8.7.

Stormwater Runoff Quantity: Runoff from the developed portions of the site and undisturbed areas, totaling approximately 13.67 acres, will discharge to either Davidson

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PROJECT NAME: 1950 Easton Avenue -- Proposed Warehouse

Avenue or the aforementioned tributary to the Raritan River. The stormwater management measures have been evaluated at two points-of-analysis (POAs).

POA-1: Includes the eastern portion of the development adjacent to Davidson Avenue. This area includes 0.66 acres identified as A-1 and A-4. In the post-development condition, the site and stormwater management design will reduce the total drainage area tributary to the POA to 0.44 acres. The applicant has provided engineering calculations verifying that for stormwater leaving the site, post-construction peak runoff rates and volumes for the 2-, 10- and 100-year storm events do not exceed the pre-construction runoff rates and volumes for the same storm events.

POA-2: Includes the area draining to the existing conveyance pipe that drains to the tributary to the Raritan River. This section of the stormwater management system will include five surface bio-retention systems with underdrains and multiple pervious paving systems. The storm sewer system for each best management practice (BMP) measure will be equipped with an outlet control structure. The applicant has provided engineering calculations noted in the table below verifying that for stormwater leaving the site within the drainage area at the POA, the post-construction peak runoff rates for the 2-, 10- and 100-year storm events will be no greater than 50, 75 and 80%, respectively, of the pre-construction peak runoff rates.

The submitted calculations utilized the Natural Resource Conservation Service (NRCS) Technical Release No. 55 (TR-55) hydrologic methodology, NOAA Region C unit hydrograph rainfall distribution, Standard Unit peak rate factor, and current New Jersey 24-hour rainfall frequency data for Somerset County to compute peak runoff flow rates and volumes. The post-developed peak flows were calculated by creating separate pervious and impervious hydrographs for post-developed conditions and combining to develop total post-developed hydrographs. Based upon a review of the submitted calculations, it has been determined that the proposed stormwater management measures will provide enough peak flow attenuation to comply with the specific runoff quantity standards at N.J.A.C. 7:45-8.6 and the specific outfall standards at N.J.A.C. 7:45-8.3.

Water Quality: The Commission requires that all proposed full-depth pavement, including newly constructed and reconstructed parking and access drives that are being renewed, in addition to new collection systems for existing impervious surfaces where stormwater is not currently collected, shall comply with water quality standards at N.J.A.C. 7:45-8.7. This includes reduction of the post-construction load of TSS in stormwater runoff generated from the water quality design storm by a rate of 95% for POA-1 and 80% for POA-2 of the anticipated load from the developed site, expressed as an annual average.

POA-1 is tributary to the Delaware and Raritan Canal. The applicant proposes to reduce the proposed pavement area discharging toward the canal by 0.15 acre. As a result, no additional water quality is required for this analysis point.

POA-2 will discharge to the tributary to the Raritan River. Based upon the submitted application, approximately 2.86 acres of new motor vehicle surfaces are being proposed onsite. The submitted stormwater report notes that the design proposes to treat for water

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quality by incorporating several stormwater BMP measures, which consist of five surface bio-retention basins and multiple pervious paving systems.

A pervious paving system is a stormwater management facility used to address the impacts of land development. The system consists of a durable, permeable surface course, which allows stormwater runoff to move through it; this surface course is placed over a transition layer and a storage bed of open-graded (i.e., devoid of fine particles) aggregate. There are two types of systems: underdrained systems and systems designed to infiltrate into the subsoil. When designed in accordance with this chapter, the TSS removal rate is 80%.

Small-scale bio-retention basin systems are stormwater management facilities used to address the stormwater quality and quantity impacts of land development. The system consists of a soil bed planted with vegetation; it can be underdrained or runoff can infiltrate into the subsoil. Pollutants are treated through the processes of settling, plus uptake and filtration by the vegetation. Pollutants are also treated within the soil bed through infiltration. The TSS removal rate is 80% to 90%, and dependent upon the depth of the soil bed and the type of vegetation selected.

Therefore, Commission staff has determined the proposed stormwater quality design is in compliance with the requirements at N.J.A.C. 7:45-8.7.

Groundwater Recharge: The Commission regulations require that stormwater management measures maintain 100% of the average annual pre-construction groundwater recharge volume for the site, or that any increase of stormwater runoff volume from pre-construction to post-construction for the two-year storm is infiltrated.

A groundwater recharge analysis calculation (NJDEP GSR-32 spreadsheet) has been submitted, which demonstrates that the annual groundwater recharge deficit for the entire site is 165,521 cubic feet. To infiltrate the post-development recharge deficit, 25,000 square feet of pervious pavement is proposed between the proposed warehouse and the most northerly surface bio-retention basin. According to the spreadsheet, this BMP will exceed the annual groundwater recharge requirement.

Therefore, Commission staff has determined the proposed stormwater quality design is compliant with the groundwater recharge requirements at N.J.A.C. 7:45-8.5.

Non-Structural Methods: To determine if the development includes sufficient non-structural stormwater management strategies have been incorporated into the project site design "to the maximum extent practicable," the Nonstructural Strategies Point System (NSPS) spreadsheet has been completed for this project. The NSPS results indicate that the ratio of proposed to existing site points (118%) exceeds the required site points ratio (80%). Therefore, the project's proposed non-structural measures are adequate, and the project is designed in accordance with N.J.A.C. 7:45-8.4.

Stormwater Management Maintenance Plan: The applicant has submitted a stormwater management maintenance plan for the site. The submitted plan has been prepared in accordance with the specific requirements at N.J.A.C. 7:45-8.8.

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Visual, Historic & Natural Quality Impact: N.J.A.C. 7:45-10.2 directs the Commission shall review all projects in Zone A to determine if the project is in accord with the goals for the Delaware and Raritan Canal State Park as defined in the park's Master Plan. The visual, historic, and natural quality impact review is intended to assure that development within Zone A is not harmful to the character of the environmental types identified in the Master Plan as comprising the park.

The proposed project is located in an Urban canal environment as described in the Master Plan. The Urban canal environment is characterized at N.J.A.C. 7:45-10.2(a) by the enclosure of the canal by dense development. The Master Plan at Page 28 notes that this section of the park, which covers an area along the western crossing of Interstate Highway Route No. 287, consists mostly of the Borough of South Bound Brook, which is enclosed in the loop made by the Raritan River and mirrored by the canal.

The plan notes that the Lock No. 11 is the central feature of this area and provides access as well as historic interest. The Raritan River is quite close to the multiuse trail for this entire section, while homes, roads, and industry in South Bound Brook are quite close -- sometimes intrusively close -- to the canal embankment. The plan calls for improving access at both the Lock No. 11 in South Bound Brook and at Five Mile Lock, for the construction of the sanitary facilities at South Bound Brook, and for multiuse trail improvement between Main Street in South Bound Brook and Five Mile Lock. Nothing with respect to the proposed project site improvements is inconsistent with these goals. Therefore, the project is in compliance with this requirement.

The provisions of N.J.A.C. 7:45-10.3(a), which discourage major projects from certain canal environments in Zone A, and authorize the Commission to require specific compensatory measures that mitigate the project's potential for harmful impact on the park, are inapplicable to the project, which is located in an Urban canal environment.

The provisions of N.J.A.C. 7:45-10.3(b), which discourage minor projects from certain canal environments in Zone A, and authorize the Commission to require specific compensatory measures that mitigate the project's potential for harmful impact on the park, are inapplicable to the project, which is a major project.

N.J.A.C. 7:45-10.4(a) directs that projects in Zone A shall be set back from the Delaware and Raritan Canal State Park sufficiently far so that the winter visual and natural quality of the park are not adversely affected. In the Urban canal environment, there are no minimum setbacks except as may be prescribed by municipal ordinances. The project is located approximately 688 feet from the Delaware and Raritan Canal. Therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(b) directs that projects in Zone A shall maintain a reasonable height and scale relationship to nearby structures or vegetation. For urban canal environments, the height of structures may vary according to the height of existing structures that have a visual relationship to the proposed structure. The applicant has submitted architectural

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plans which indicate that the maximum height of the proposed warehouse building would be 44 feet above existing grade.

Commission staff observes that the proposed warehouse development at 1-3 Executive Drive (DRCC #24-6190), adjacent to and south of the project area, would be 45 feet in height. Commission staff further observes that the existing hotel development located on Block 467, Lot 1.04, and approximately 200 feet from the project site is 120 feet in height (See DRCC #98-2437). Additionally, the office building located on Block 467, Lot 1.02, is three stories in height. Commission staff, therefore, determines that the proposed warehouse building height is similar to the heights of nearby buildings that have a visual relationship to the proposed building, and that the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(c) directs that for projects in Zone A, the exterior appearances of a project shall be in keeping with the character of the Delaware and Raritan Canal State Park's individual environments. Specifically, colors used shall harmonize with the man-made or natural surroundings of the project and shall be typical of colors found in the park environment, and building materials and textures shall harmonize with the surrounding man-made and natural materials.



The applicant has submitted architectural plans which indicate that the proposed warehouse building would be constructed of precast concrete panels with aluminum storefront framed glass windows, while the building canopies would be constructed from steel. Additionally, the building features Trespa® high pressure laminate soffit panels at the corners of the east and west elevations. With regard to colors, the building exterior panels would be a combination of several shades of Sherwin-Williams® gray paint, with some white, yellow and black accents. The anodized aluminum storefront windows would be black in color with “solar blue” glazing. The proposed soffit panels would be brown in color.

Commission staff determines that the proposed materials and colors are typical of other warehouse projects located in the Review Zone and that they harmonize with the man-

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made or natural surroundings. Therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(d)1 directs that electric, telephone, cable television, and other such lines and equipment shall be underground or otherwise not visible from the Delaware and Raritan Canal State Park. The project area is located approximately 710 feet from the nearest boundary of the park, and is screened by vegetation, Easton Avenue, and the existing Ukrainian History and Education Center of New Jersey buildings. Therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(d)2 directs that exposed storage areas, out-buildings, exposed machinery service areas, parking lots, loading areas, utility buildings, and similar ancillary areas and structures shall either be completely concealed from view from the Delaware and Raritan Canal State Park or designed to minimize their visual impact on the park. As noted above, the project area is located approximately 710 feet from the nearest boundary of the park, and is screened by vegetation, Easton Avenue, and the existing Ukrainian History and Education Center of New Jersey buildings. Therefore, the project is in compliance with this requirement.

N.J.A.C. 7:45-10.4(d)3 and 4, respectively, regulate the dimensions and location of commercial signs or outdoor advertising structures. The applicant proposes to construct a 100-square-foot monument sign at the entrance to the project site from Davidson Avenue. The monument sign would rest upon a 3.0-foot-high aboveground concrete base and would be 10 feet in height.

The provisions of N.J.A.C. 7:45-10.4(d)3 direct that no commercial signs or outdoor advertising structures in excess of 80 square feet surface area shall be visible from the Delaware and Raritan Canal State Park. As noted above, the project area is located approximately 710 feet from the nearest boundary of the park, and is screened by vegetation, Easton Avenue, and the existing Ukrainian History and Education Center of New Jersey buildings. Therefore, the project is in compliance with this requirement.

The provisions of N.J.A.C. 7:45-10.4(d)4.i. direct that all commercial signs and outdoor advertising structures in excess of 6.0 square feet surface area shall comply with certain standards. In the Urban canal environment, no freestanding signs shall be erected within 200 feet of the park boundary. As noted above, the project area is located approximately 710 feet from the nearest boundary of the park. Therefore, the project is in compliance with this requirement.

The provisions of N.J.A.C. 7:45-10.4(d)4.ii. regarding commercial signs located in Natural or Rural canal environments are inapplicable to the proposed project.

The provisions of N.J.A.C. 7:45-10.4(d)4.iii. which prohibit the erection of signs or other advertising devices of any size with moving or moveable parts or with flashing, animated, or intermittent illumination, are inapplicable to the proposed project.

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N.J.A.C. 7:45-10.4(d)iv. directs that in the Urban canal environment no freestanding sign or other advertising devices or parts thereof visible from the park shall be more than 100 feet above ground level. As noted above, the sign, inclusive of the concrete base, would be 13 feet in height. Therefore, the project is in compliance with this requirement.

The provisions of N.J.A.C. 7:45-10.4(d)4.v., regarding the height of commercial signs in the Suburban and Transportation canal environments, are inapplicable to the proposed project.

N.J.A.C. 7:45-10.4(d)5 directs that wherever possible, natural terrains, soils, stones, and vegetation should be preserved. New vegetation, stones, and soils should be native to the environment in which they are placed. The applicant has submitted a landscaping plan consisting of the following species:

Scientific name	Common name	Quantity	Native
Shade trees:			
<i>Acer rubrum</i>	Red Maple	12	DRCC
<i>Acer saccharum</i>	Sugar Maple	9	DRCC
<i>Liquidambar styraciflua</i>	Sweetgum	12	DRCC
<i>Liriodendron tulipifera</i>	Tulip Poplar	1	DRCC
<i>Quercus palustris</i>	Pin Oak	4	USDA
<i>Taxodium distichum</i>	Bald Cypress	16	USDA
Ornamental trees:			
<i>Betula nigra</i>	River Birch	26	DRCC
<i>Cercis canadensis</i>	Eastern redbud	17	DRCC
<i>Magnolia virginiana</i>	Sweetbay Magnolia	10	DRCC
Evergreen trees:			
<i>Juniperus virginiana</i>	Eastern redcedar	56	USDA
<i>Ilex opaca</i>	American Holly	43	DRCC
<i>Pinus strobus</i>	Eastern White Pine	25	DRCC
Deciduous shrubs:			
<i>Clethra alnifolia</i>	Summer sweet	29	DRCC
<i>Clethra americanus</i>	New Jersey Tea	27	DRCC
<i>Cornus sericea</i>	Dogwood	46	DRCC
<i>Hamamelis virginiana</i>	Witch Hazel	20	DRCC
<i>Hydrangea arborescens</i>	Wild hydrangea	14	USDA
<i>Ilex verticillata</i>	Common winterberry	29	DRCC
<i>Morella pensylvanica</i>	Northern bayberry	50	USDA
<i>Viburnum dentatum</i>	Arrowwood viburnum	30	DRCC

Therefore, the project is in compliance with this requirement.

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N.J.A.C. 7:45-10.4(d)6 directs that projects that are located in any officially designated Federal, State, or local historic district or site shall be assessed for their impact upon that district or site. Recommendations to avoid, minimize, and/or mitigate the impacts of a project on a listed property shall be made in consultation with the New Jersey Historic Preservation Office (SHPO) and based upon the United States Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.

The project area lot is located within the boundaries of the Delaware and Raritan Canal Historic District, which encompasses the canal bed and all structures within 300 feet of the centerline of the canal. However, the proposed project area is located approximately 435 feet beyond the boundaries of the district.

Historical background: Before being acquired by the Ukrainian Orthodox Church in 1951, the project site appears to have been a 51-acre portion of the farmstead associated with the adjacent Hendrick Fisher Homestead, a circa 1688 residence that is reputed to be the oldest structure in Somerset County. The Hendrick Fisher House was built by William Dockwra and later came into the possession of a Dutch immigrant Hendrick Fisher (Anglicized from Visscher in 1721) (1697-1788). Fisher was a farmer who held several civic offices during his lifetime, first representing Somerset County in the New Jersey Colonial Assembly. He was later one of three delegates representing New Jersey at the Stamp Act Congress in New York in 1765, was elected to New Jersey's Committee of Correspondence, served as a member of the Committee of Safety, was President of the Colonial Assembly, and was the first President of the Provincial Congress of New Jersey.



(J. W. Otley, L. Van Derveer, and J. Keily. Map of Somerset County, New Jersey: entirely from original surveys. 1850)

Commission staff observes that the project does not propose any alterations to the Fisher homestead. Since there are no other listed historic districts or properties on the project site,

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Commission staff determines that the project is in compliance with this requirement, and that consultation with the SHPO is not warranted in this case.

Traffic Impact: N.J.A.C. 7:45-111.1 directs that the Commission shall review major projects in Zone A for their traffic impact on roads that enter the Delaware and Raritan Canal State Park or any part of Zone A. The applicant shall submit a traffic impact study that shows the amount of additional traffic generated by the project and the directions in which this traffic will move. If the Commission determines that the additional traffic will have an adverse impact on the park, the applicant shall use any feasible planning techniques that will direct any additional traffic away from the park. If the Commission is satisfied that there are no feasible planning techniques other than as set forth in the project proposal that can direct any additional traffic away from the park, the project shall be approved for traffic impact review.

The applicant has submitted the required traffic impact study, which estimated the number of trips the project will generate based on data compiled for Land Use Code 150 (Warehousing) by the Institute of Transportation Engineers (ITE) as contained in the publication Trip Generation, 11th Edition. The study estimates that the warehouse development would generate approximately 57 total trips (38 entering, and 19 exiting) during the weekday morning peak hour and 59 total trips (14 entering, and 45 exiting) during the weekday evening peak hour as indicated in the table below:

Use		Weekday Morning Peak Hour			Weekday Evening Peak Hour		
		In	Out	Total	In	Out	Total
258,150 sf. Warehouse	Passenger vehicles	33	8	41	6	37	43
	Trucks	5	11	16	8	8	16
Total		38	19	57	14	45	59

The study then determined the directional distributions of the project site-generated trips based on a review of existing travel patterns in the study area around the proposed warehouse, the location of area highways and major intersections, and demographic data. Those findings created arrival and departure distributions for the redevelopment in the study area. The table below shows the resulting trip distribution within the study area for new site trips based on the traffic assignment:

Direction (To/From)	Arrival and Departure Distributions	
	Passenger Vehicles	Trucks
I-287 (East)	41%	50%
I-287 (West)	40%	30%
Davidson Avenue	12%	20%
Easton Avenue (North)	3%	--
Easton Avenue (South)	4%	--
Total	100%	100%

As the above table indicates, 7% of the arrival and departure trips associated with the proposed warehouse development would travel onto Easton Avenue via Davidson Avenue,

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and thereby enter Review Zone A, while 93% of the trips would proceed onto I-287 or onto Davidson Avenue and out of the Review Zone. All of the trips traveling onto Easton Avenue would be passenger vehicles, rather than trucks, 80% of which the study indicates would proceed onto I-287 with the remaining 20% proceeding onto Davidson Avenue and out of the Review Zone.

Commission staff observes that the number of new vehicle trips falls below the industry accepted standard of a significant increase in traffic of 100 trips. Based on Transportation Impact Analysis for Site Development, published by the ITE "it is suggested that a transportation impact study be conducted whenever a proposed development will generate 100 or more added (new) trips during the adjacent roadways' peak hour or the development's peak hour." Additionally, the New Jersey Department of Transportation has determined that the same 100 vehicle threshold is considered a "significant increase in traffic." Therefore, the study contends that the project is not anticipated to pose any perceptible impact on the traffic operation of the adjacent Franklin Township roadway network, which includes those roads which provide access to the Delaware and Raritan Canal State Park.

Given the foregoing and cognizant that there would be no feasible planning technique that would direct the estimated 7% of total trips generated by the project away from the Delaware and Raritan Canal State Park, Commission staff determines that the project is in compliance with this requirement.

Additional Information Required:

1. Staff notes that the applicant is required to submit two copies of the Commission's Conservation and Maintenance Agreement, with original signatures on both copies. This document is available on the Commission website:
[https://www.nj.gov/dep/drcc/pdf/DRCC%20C&M%20Agreement%20\(2020\).pdf](https://www.nj.gov/dep/drcc/pdf/DRCC%20C&M%20Agreement%20(2020).pdf)
2. The Commission requires notice of county and municipal approvals.

Staff Recommendation: Staff does not recommend approval at this time.

Sincerely,



John Hutchison
Executive Director

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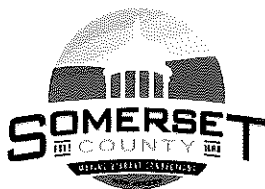
DATE: September 15, 2025

PROJECT NAME: 1950 Easton Avenue -- Proposed Warehouse

c. Somerset County Planning Board

Franklin Township Planning Board

Peter U. Lanfrit, Esq. (lanfrit@centraljerseylaw.com) (erin@landuseconsultants.net)



COUNTY OF SOMERSET PLANNING BOARD

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County Engineer / Director
Department of
Engineering and Planning
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1st Alternate

Vacant
2nd Alternate

Adam Slutsky
County Engineer Alternate

STAFF

Samantha De Andrea
Director of Planning

Joseph DeMarco, Esq.
County Counsel

Sheli Daniels
Office Manager

June 24, 2025

Mr. Michael Orsini, Chairman
Franklin Township Planning Board
475 DeMott Lane
Somerset, NJ 08873

**RE: SYRACUSE 1950 EASTON AVENUE OWNER, LLC - WAREHOUSE
BLOCK 469 – LOT 1.08, 1.06 (portion)
FL 618:011-25S
DAVIDSON AVENUE**

Dear Mr. Orsini:

This office and the office of the County Engineer have reviewed information submitted for the above-referenced project. The 17.71 acre tract is located on Davidson Avenue. The reviewed information consists of the following documents:

- “Preliminary and Final Major Site Plan Application for Proposed Warehouse Development, 135 Davidson Avenue, Block 469, Lot 1.06, Township of Franklin, Somerset County, NJ” dated January 17, 2025, and prepared by Langan Engineering.
- “ALTA/NSPS Land Title Survey, 135 Davidson Ave, Block 469, Lot 1.06, Township of Franklin, Somerset County, NJ” dated July 12, 2024, last revised November 19, 2024, and prepared by Langan Engineering.
- “Environmental Assessment for 135 Davidson Avenue, Block 469, Lot 1.06, Franklin, Somerset County, NJ, prepared for Syracuse 1950 Easton Avenue Owner” dated January 17, 2025 and prepared by Langan Engineering.
- “Stormwater Management Report for 135 Davidson Avenue – Proposed Warehouse, Block 469, Lot 1.06, Franklin, Somerset County, NJ, prepared for Syracuse 1950 Easton Avenue Owner” dated January 17, 2025 and prepared by Langan Engineering.
- “Stormwater Management Facilities Operation and Maintenance Manual for 135 Davidson Avenue – Proposed Warehouse, Block 469, Lot 1.06, Franklin, Somerset County, NJ, prepared for Syracuse 1950 Easton Avenue Owner” dated January 17, 2025 and prepared by Langan Engineering.
- “Final Geotechnical Engineering Study Report for 135 Davidson Avenue Redevelopment, Township of Franklin, Somerset County, NJ, prepared for Syracuse 1950 Easton Avenue Owner” dated January 10, 2025 and prepared by Langan Engineering.
- “Traffic Impact Study for 135 Davidson Avenue, Township of Franklin, Somerset County, NJ, prepared for Ukrainian Orthodox Church of USA” dated January 17, 2025 and prepared by Langan Engineering.

The applicant is applying to the Zoning Board of Adjustment for a D1 use variance and Preliminary and Final Site Plan approval for Block 469, proposed Lot 1.08. The applicant proposes to raze the

- Mission Statement -

The County of Somerset is committed to excellence and innovation in public service, promoting the well-being of all residents and communities by providing effective, efficient and responsive leadership.

Somerset County Is An Equal Opportunity Employer

Syracuse 1950 Easton Avenue Owner - Warehouse
 FL 618:011-25S
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current improvements on the site and construct a 258,150 square foot warehouse and associated improvements. Associated site improvements include landscaping areas, site lighting, underground utility and stormwater infrastructure.

The comments contained in this letter shall pertain to the site plan application for Lot 1.08 only. A site plan for proposed Lot 1.09 has been submitted as a separate application and a review letter for the site plan application will be issued under separate cover.

The Somerset County Planning Board deems this application incomplete until the following requirement has been satisfactorily addressed:

Title Sheet Requirements

The Somerset County Engineering Acceptance block shall be added to title sheet. The acceptance block detail is attached for your reference. The detail shall include the following note under the block:

“These plans are NOT ACCEPTED FOR CONSTRUCTION unless this block has an acceptance stamp and is initialed by a staff member of the County Engineering Division. The acceptance of these plans expires two (2) years from the date of acceptance.”

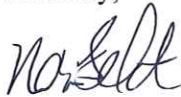
Stormwater Management Requirements

It appears that runoff from the site ultimately drains to County Bridge No. K0701 and runoff from the proposed impervious cover will potentially affect County facilities.

Since the applicant has stated they will need to apply for a Flood Hazard Area (FHA) Individual Permit with the NJDEP, copies of all correspondence from the NJDEP, including all review reports and approval letters associated with the approval of the proposed stormwater management plan are to be forwarded to this office. The County intends to perform its stormwater management review once confirmation is received from NJDEP indicating that the stormwater management plan for this application is acceptable to the State. However, should the County have Stormwater Management review comments prior to the NJDEP permit approval, they will be provided to the applicant.

This report reflects comments from the County Planning Board and the office of the County Engineer (908) 231-7024. Should you have any questions, please contact the appropriate individual listed below.

Sincerely,



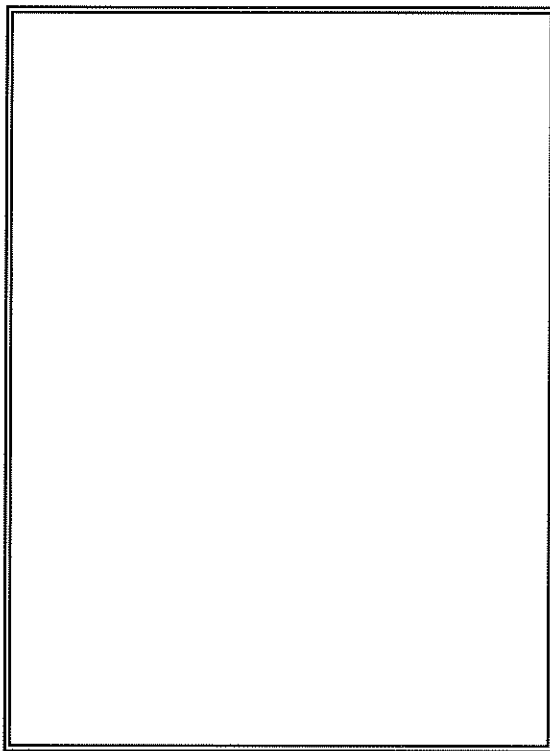
Nora Fekete
 Supervising Planner



Philip Kao
 Principal Engineer, Land Development Section

cc: Christine Woodbury, Board Secretary via email
 Franklin Township Engineer via email
 Syracuse 1950 Easton Avenue Owner, LLC, c/o Josh Zemon, Creation RE, LLC, via email (joshz@creationequity.com)
 Langan Engineering & Environmental Services, LLC, via email (jfalcetano@langan.com, dmiola@langan.com) (with attachment)
 Peter U. Lanfrit, Esq., Savo, Schalk, Corsini, Warner, Gillespie, O'Gradnick & Fisher, PA via email

SOMERSET COUNTY
ACCEPTANCE STAMP



THESE PLANS ARE NOT ACCEPTED FOR
CONSTRUCTION UNLESS THIS BLOCK IS STAMPED
"ACCEPTED AS SUBMITTED" BY A STAFF MEMBER OF
THE SOMERSET COUNTY ENGINEERING DIVISION.
BIDS FOR CONSTRUCTION SHOULD NOT BE BASED ON
THESE PLANS UNTIL THE PLANS ARE ACCEPTED BY
THE COUNTY.

ACCEPTANCE OF THESE PLANS EXPIRE TWO (2)
YEARS FROM THE STAMPED DATE.

NOTE: THIS BLOCK SHALL BE A MINIMUM OF 4" X 3"



FRANKLIN TOWNSHIP POLICE TRAFFIC SAFETY BUREAU



TO: F.T. Zoning Board
FROM: Ofc. Ryan Ellington
DATE: September 22, 2025
SUBJECT: **ZBA-25-00009 Ukrainian Orthodox**
1950 Easton Ave, Somerset NJ
BLOCK: 469 LOT(S): 1.08

I have reviewed the above captioned subject plans and have no comments at this time.

This office reserves the right to make additional comments based on future submissions and/or testimony before the Board.



**COUNTY OF SOMERSET
DEPARTMENT OF
PUBLIC HEALTH & SAFETY
DEPARTMENT OF HEALTH**



Director / Health Officer
HIMANSHI BHATT, MPH, MS, REHS
bhatt@co.somerset.nj.us

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healthdept@co.somerset.nj.us

Deputy Director
MICHAEL T. McCARTY
mccarty@co.somerset.nj.us

Memorandum

To: Planning/Zoning Department

From: Rashida Boima, REHS, MPH-Consumer Health Program Coordinator

Date: September 2, 2025

Re: ZBA-25-00009-Syracuse 1950 Easton Ave. Owner, LLC-Davidson Ave. (warehouse)
Block: 469, Lot: 1.08

As per the applicant, the trash will be managed by using a compactor located within one of the dock positions to be confirmed once a tenant is identified. Tenant must ensure the compactor is of sufficient size and properly maintained.

The Health Department has no objection to this proposal or application.

- Mission Statement -

The County of Somerset is committed to excellence and innovation in public service, promoting the well-being of all residents and communities by providing effective, efficient and responsive leadership.

Somerset County Is An Equal Opportunity Employer

~~Franklin Township~~

In Somerset County

OFFICE OF FIRE PREVENTION

Municipal Building

475 DeMott Lane, Somerset, NJ 08873-6704

Phone: 732-873-2500 Ext. 6303 Fax: 732-873-0804

August 25, 2025

To: Board of Adjustment

From: John Hauss, Director
Fire Prevention

Re: Docket # ZBA 25-00009
Syracuse 1950 Easton Avenue Owner LLC
Ukrainian Orthodox Church of U.S.A.
Davidson Avenue
Block: 469 Lot: proposed 1.08

The revised plans satisfactorily address our previous comments.

We reserve the right to make additional comments based upon the submission of revised plans or testimony presented to the Board.

Franklin Township

Somerset County, New Jersey



DEPARTMENT OF PLANNING AND ZONING

Planning – Zoning – Affordable Housing
Planning Board – Zoning Board of Adjustment

MEMORANDUM

Municipal Building
475 DeMott Lane
Somerset, NJ 08873
732.873.2500
Fax: 732.873.0844
www.franklintwpnj.org

To: Zoning Board of Adjustment

From: Mark Healey, PP, AICP
Director of Planning/ Senior Zoning Officer

Date: August 15, 2025

RE: Syracuse 1950 Easton Avenue Owner, LLC (ZBA-25-00009)
D(1) Use Variance; Preliminary and Final Site Plan, "c" Variances
135 Davidson Avenue; Block 469, Lot 1.06 (proposed lot 1.08)¹

As requested, I have reviewed the application materials listed below and issue the following report for the Board's consideration:

- 30-sheet set of site plans prepared by Langan Engineering NJ. LLC last revised 7/18/25
- 19-sheet set of Intersection and Traffic Signal Improvements prepared by Langan Engineering NJ. LLC revised 7/23/25
- 2-sheet set of architectural drawings prepared by Nelco Architecture, Inc. dated 1/8/25 and 1/15/25
- 6-sheet survey prepared by Langan Engineering NJ. LLC last revised 7/17/25
- Letter from Langan Engineering dated 7/31/25 addressing prior review comments

Site Description

The overall project site is located along the westerly side of Davidson Avenue and is bounded by Executive Drive to the south and Easton Avenue to the north. The site is currently occupied by the national headquarters of the Ukrainian Orthodox Church of the USA which includes the Ukrainian History and Education Center, Saint Sophia Seminary and Library and administrative offices. The westerly portion of the site contains a stream, wetlands and associated regulated buffers. A buckeye pipeline also traverses this portion of the site. The site is located within the B-I (Business & Industry) zone.

¹ Applicants represented by attorneys, engineers and/or architects (or other such professionals) are expected to use the video display system available in Council Chambers to project hearing exhibits. Use of the video display systems greatly improves visibility of these exhibits for the Board, the public and the Township's video broadcast of the hearing. In order to use the video display system, please bring a computing device capable of utilizing a HDMI connection. A cable is provided, however adapters are not so please make sure you have the required adaptors to connect to HDMI if necessary.

Figures at the end of this memorandum show the location of the site as well as the nature of the surrounding area which consists of:

- *North (on the opposite side of Easton Avenue):* Delaware and Raritan (D&R) Canal State Park and the Raritan River
- *East (on the opposite side of Davidson Avenue):* Office building and multi-story hotel
- *South (on the opposite side of Executive Drive):* Three vacant multi-story office buildings; side of IDI Logistics LLC (ZBA-24-00010) which proposes construction of a 212,500 square foot warehouse (access proposed via Executive Drive, beyond that is I-287 and warehouse, office and light industrial uses along Davidson Avenue. That application was recently approved by the ZBA.
- *West:* St. Andrew Ukrainian Orthodox Cemetery, beyond that is a large single-family residential neighborhood

Associated Applications

The overall project site is the subject of three applications (refer to figures at the end of this memorandum for location/context):

- *ZBA-25-00008 (Subdivision):* Subdivision of the current 32.6 site into two lots: proposed lot 1.08 (17.7 acres) upon which is proposed construction of a new warehouse under ZBA-25-00009 and proposed lot 1.09 (14.9 acres) which would contain certain existing church facilities to remain (ZBA-25-00007. Review of that application is contained in another memorandum.
- *ZBA-25-00007 (Church Site Plan):* Site modifications (including parking lot and access modifications) associated with retention of the certain exiting church facilities (existing church and seminary). Review of that application is contained in another memorandum.
- *ZBA-25-00009 (Warehouse Site Plan):* see description below

Project Description

The proposal consists of:

- demolition of the Ukrainian Cultural Center and associated parking lot and redevelopment of the site with a 258,150 square foot warehouse.
- a 151-space car parking area would be located to the north of the proposed warehouse with access proposed via Davidson Avenue.
- a 35-berth loading area is proposed on the southerly side of the building and would be accessed via Executive Drive.
- two (2) drive-in doors into the warehouse to “provide convenient access for vehicles, such as forklifts and pickup trucks, to move between the truck court and the warehouse floor”
- a 17-space trailer parking is proposed to the rear of the warehouse space.
- additional associated site modifications would include stormwater facilities, grading, lighting, landscaping and utility modifications.

- intersection and traffic signal improvements at the Davidson Avenue/ Executive Drive intersection

Requested/ Required Approvals

- D(1) Use Variance: Warehouses are not a permitted use in the B-1 zone²
- Preliminary and Final Site Plan Approval
- “C” Variances:
 - *Front Yard (No Loading Permitted)* – Loading area proposed in required 50-foot front yard facing Executive Drive – Front yard along Executive Drive is proposed at 20-feet in width (where 50 feet is required)
 - *Max. Driveway Width*: 36 feet permitted – 66 feet proposed (truck driveway on Executive Drive)
 - *Min. Loading Area Depth*: 147 feet required – 130 feet proposed

Review Comments³

1. D(1) Use Variance. As a D(1) use variance, the applicant would need to demonstrate to the Board's satisfaction that the use would advance a purpose of zoning (e.g., promotion of the general welfare) or that refusal of the project would impose an undue hardship on the applicant. If the applicant seeks to address the matter as a hardship issue, the applicant would need to prove that the site cannot reasonably be developed with a conforming use. In order to address the general welfare issue, the applicant must demonstrate that the proposed site is particularly suited for the proposed use.

With respect to the negative criteria, the applicant must prove that the variance can be granted without substantial detriment to the public good including consistency with the character of the surrounding area. In addition, the applicant must prove that grant of the variance would not be inconsistent with the intent and purpose of the master plan and zoning ordinance (e.g., they must reconcile the proposed use variance with the zoning ordinance's omission of the use from those permitted in the zoning district).

2. “C” Variances.
 - a. *Front Yard Setback (Parking and Loading)*. As addressed above, the site plan proposes portions of the loading areas within the required 50-foot wide front yard along Executive Drive. It is further noted §112-33.6.C, Design of business and industry uses, indicates that

² A complete application was submitted after the effective date of Ordinance No. 4391-22 which eliminated warehouse use as a conditionally permitted use in the B-I zone. Therefore, a D(1) use variance is required (for a use not permitted in the zone).

³ It is requested that subsequent plan submittals be accompanied by a written description of the changes made compared to the prior submission. Preferably, this would be accomplished by providing a response to each of the review comments with a description of the plan changes and where the plan changes can be found (e.g., sheet number). If the plans have not been revised in response to a comment, the reason should be provided. The number of copies of this written description should be commensurate with the number of revised plans.

loading docks, truck parking and other service functions should be located in a manner that minimizes their view from adjoining roadways.

Thus, contrary to applicable design standards, the application proposes a loading area facing a public roadway (Executive Drive) and proposes less than the required front yard area (20 feet where 50 feet is required) which area could be used to screen the loading area from the public street.

- b. *Loading Area Depth and Driveway Width Variances.* I defer to the reviewing engineer regarding these variances.

3. Site Plan Comments.

- a. *Executive Drive/ Pending Application to the South.* As indicated above, the ZBA recently approved an application for a warehouse on the property to the south of Executive Drive, IDI Logistics LLC, ZBA-24-00010, which proposes construction of a 212,500 square foot warehouse). Like this application the loading area for that development would be accessed solely via Executive Drive. If both developments are approved then these developments would be the only sites accessing this roadway with the Township remaining responsible for maintenance and snow removal of the road. Similar to that required for ZBA-24-00010, if this application is approved, it is recommended that the Board condition the approval upon evaluation of vacating the road (and making the one or both of the property owners responsible for its maintenance, etc.). Other issues that might need to be addressed include proper coordination between the plans (e.g., alignment of the curb cuts, sidewalks, intersection/ signal improvements, etc.). Further, if the road is vacated, perhaps the portion of the roadway beyond the curb cuts (including the cul-de-sac) could be removed thereby reducing impervious coverage

- b. *Design of Business and Industry Uses.*

- 1) Section 112-33.6.A. indicates that the front yard should be attractively landscaped.

Executive Drive

This design standard is not satisfied along Executive Drive where variance relief is required for placement of the loading area within the 50-foot front yard (20-feet proposed).

Davidson Avenue

While the site plan complies with the minimal 50-foot front yard along Davidson Avenue with landscaping proposed in the required front yard, it is noted that the application proposed on the opposite side of Executive Drive (IDI Logistics LLC, ZBA-24-00010) proposes a very large landscaped front yard which significantly exceeds that proposed in this application. That application proposes a front yard which ranges from 149-feet to 224-feet (compared to 50 feet with this application). A comparison of the relative setbacks (and landscaped front yards) between the two applications is

provided in Figure 5. If the Board is inclined to consider approval of the application (including the request D(1) use variance) I would suggest that the Board require similar along the site's Davidson Avenue frontage.

- 2) In my opinion, the site plan partially complies with Section 112-33.6.B which recommends providing landscaping within the interior of the site in the form of landscape islands since several such islands are proposed. However, in order to fully comply, each island should contain a shade tree. The Langan letter indicates that "to the extent practical, the landscape islands provide shade trees. Landscape islands above underground basins do not include trees because these areas have minimal depth for root growth due to the underlying structure." However it is noted that: (1) not one island contains a tree (whether about the underground basin or not); and (2) the applicant has chosen to place the underground basin in the parking lot which has created this limitation in the first place.
- 3) Section 112-33.6.C indicates that loading docks, truck parking and other service functions should be located in a manner that minimizes their view from adjoining roadways.

Executive Drive

The site plan does not comply with this design standard with respect to Executive Drive since the loading area faces this roadway and is located within the required 50-foot front yard (20 foot front yard proposed along Executive Drive).

Davidson Avenue

While respect to Davidson Avenue, it is recommended that the application present exhibit(s) demonstrating the visibility (or lack thereof) of the loading area from Davidson Avenue. It is noted that that the applicant proposes to wrap the building around the loading area equal to the 60-foot depth of the loading stalls which should reduce visibility and has proposed an 8-foot tall screen wall to the southeast of the loading area.

- 4) At the hearing the applicant should address Section 112-33.6.D which indicates that the side of the building facing and visible from adjoining roadway(s) should be designed and finished in an attractive manner and should present architecturally as the front of the building.
- 5) At the hearing the applicant should address Section 112-33.6.E which indicates that mechanical equipment should be screened from view from adjoining roadways. In such instances, screening should be architecturally integrated with the building through materials, color, texture, shape, size, and with design features, such as facade parapets.
- 6) At the hearing the applicant should provide testimony addressing compliance with Section 112-33.6.F indicates that applications should take into consideration

nonautomotive modes of transportation (e.g., bicycle parking and sidewalks within the site and along the street).

- 7) At the hearing the applicant should provide testimony addressing compliance with Section 112-33.6.I which requires that the building be solar-ready.
- c. *Stream Corridor Preservation Ordinance.* The site plan proposes disturbance in the stream corridor preservation area in the form of stormwater piping and discharge. This disturbance requires a waiver from Section 112-228.D., Hardship Waiver. The applicant needs to justify the waiver per Section 112-228.D(1) (e.g., the explanation provided in the 7/31/25 Langan letter).
- d. *Tree Planting Requirement.* The plan complies with Schedule 6 which requires 1 tree for every 2,000 square feet of paved surface (87 trees required – 231 trees of qualifying size proposed).
- e. *Tree Replacement Requirements.* Per Chapter 222 the site plan calculates a tree replacement requirement of 577 trees. With 231 trees of qualifying replacement size proposed, the remaining replacement value would be 346. If additional trees cannot be placed on site the amount would need to be addressed via payment-in-lieu per the ordinance.
- f. *Other Site Plan Comments.*
 - 1) The property is within 1000-feet of the D&R Canal thus review by the Township Historic Commission is required. The applicant should testify to the proceedings before the Historic Commission and what, if any, recommendations the Historic Commission made with respect to this application.

Similarly, the applicant should address whether a review has been conducted by the staff of the D&R Canal Commission and whether their staff has made any recommendations regarding the application.
 - 2) The plans propose to cross the Buckeye gas transmission line⁴ easement for the construction of stormwater piping. The applicant needs to provide proof of necessary approval from Buckeye.
 - 3) I defer to the reviewing engineer regarding the sufficiency of the signage prohibiting trucks from traversing the car parking lot/ curb cut.
 - 4) The development will be subject to the collection of Non-Residential Development Fees equal to 2.5% of equalized assessed value.

⁴ The site plan shows a proposed compliant setback of 123 feet to the pipeline where 100 feet minimum is required.

Figure 1: Site Location

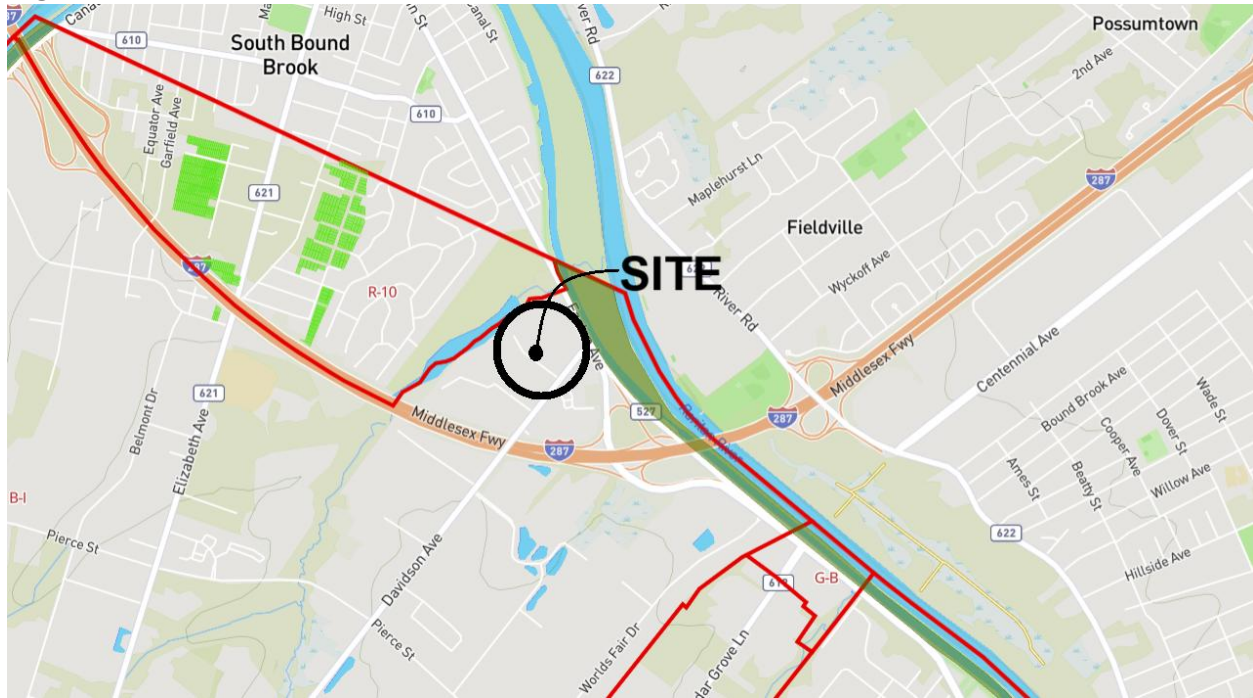


Figure 2: Site and Surrounding Area



Figure 3: Project Site and Adjoining Applications



Figure 4: Project Site and Adjoining Applications

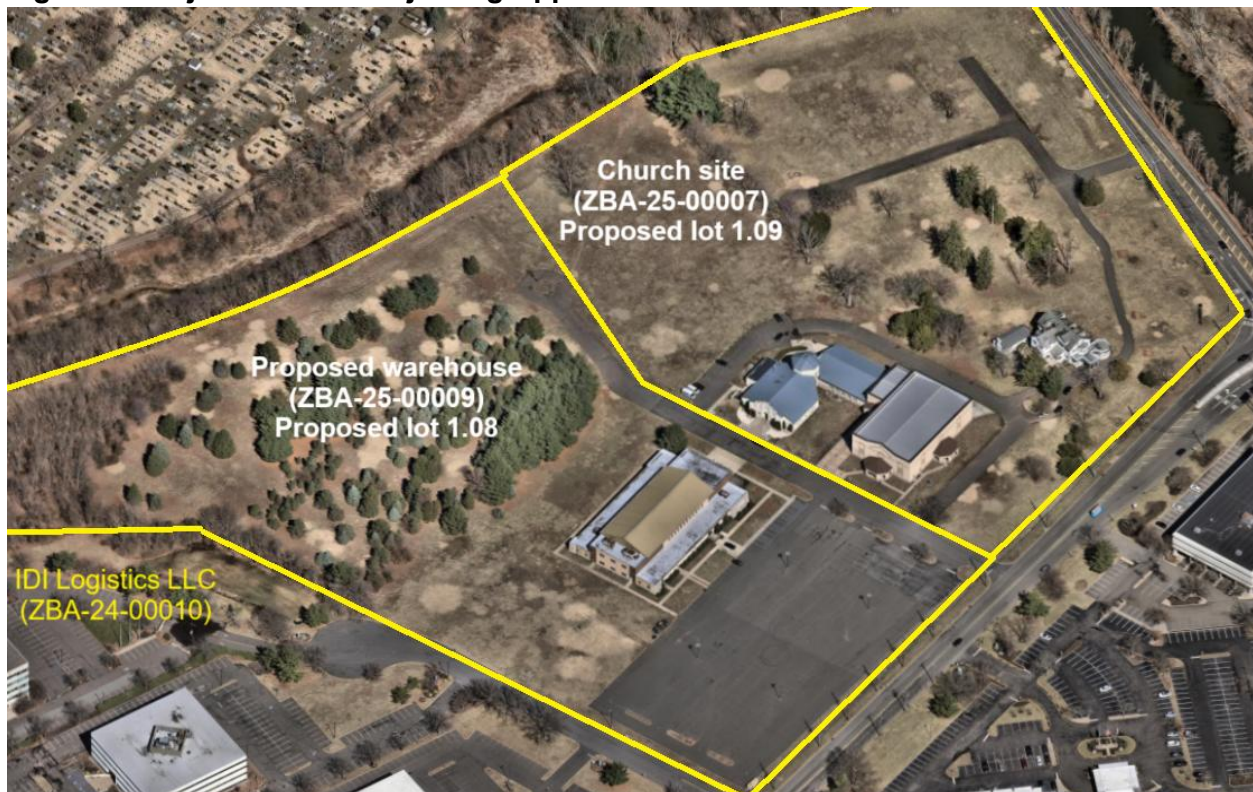
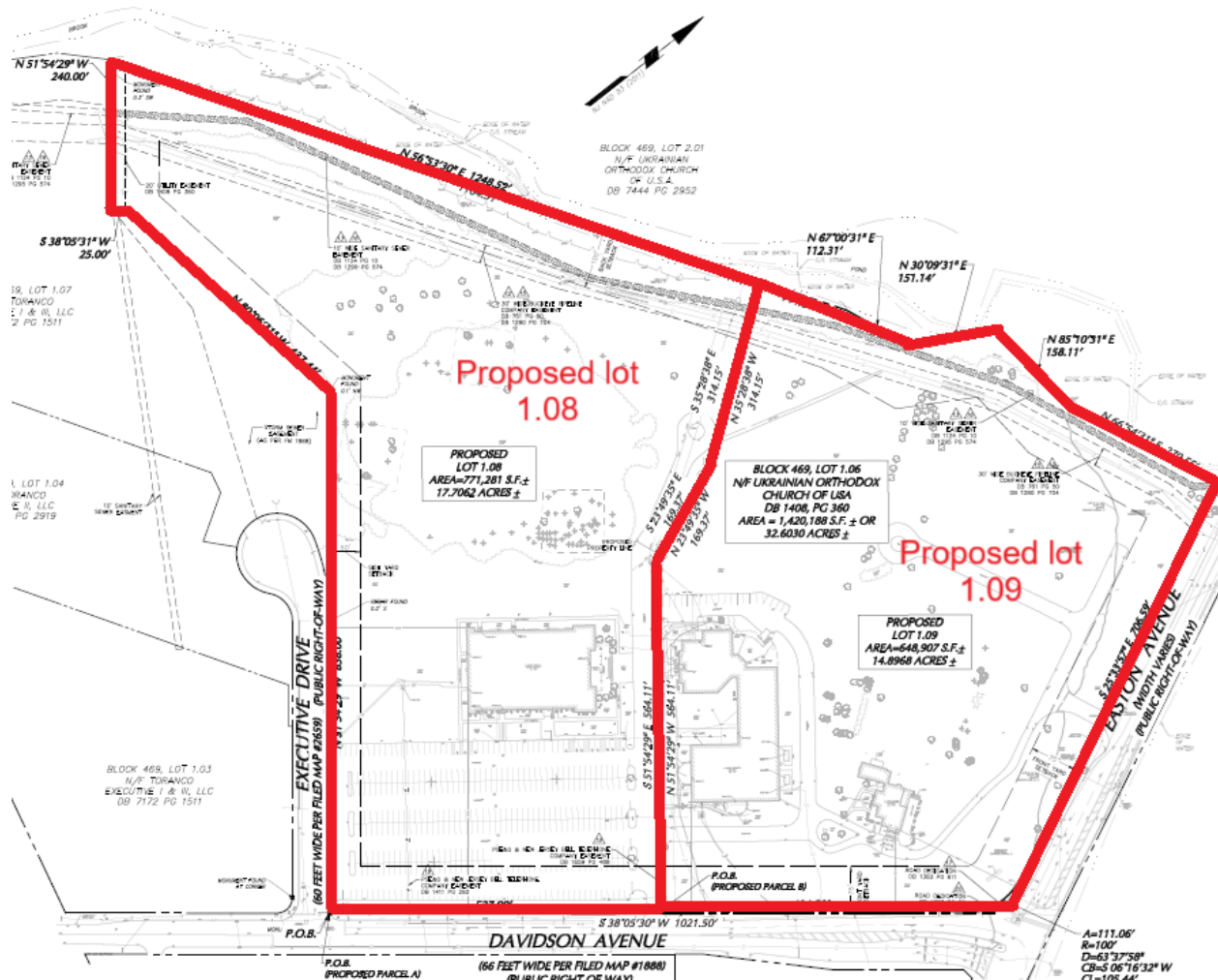


Figure 5: Davidson Avenue Frontage



Figure 6: Proposed Subdivision (ZBA-25-00008)





FRANKLIN TOWNSHIP SEWERAGE AUTHORITY

70 Commerce Drive, Somerset, NJ 08873-3470

Tel: (732) 873-2121 • Fax: (732) 873-2038 • www.ftsa-nj.org

May 8, 2025

Project Applicant: Syracuse 1950 Easton Avenue Owner, LLC
Project Location: 135 Davidson Avenue, Township of Franklin, NJ
Block: 469; Lot: 1.06
Docket #: ZBA-25-00009
Plan Type: Preliminary & Final Major Site Plan

The Applicant is proposing to construct a 258,150 square-foot warehouse building. The Project site occupies Lot 1.06 of Block 469 and is located west of the intersection of Davidson Avenue and Easton Avenue. The property currently consists of an existing church building, cultural center, and single family dwelling.

The Applicant is proposing to service the proposed warehouse with a 6" diameter gravity sanitary sewer lateral connecting to the existing on-site sanitary sewerage facilities that ultimately discharges to the Authority's existing gravity collection system located west of the subject property.

The estimated Average Daily Flow to be generated by the proposed warehouse building and existing facilities has not yet been provided by the Applicant.

The following Preliminary documents have been received with respect to the proposed Project:

- Preliminary and Final Major Site Plan, as prepared by Langan Engineering and Environmental Services, LLC, dated January 17, 2025;

Based upon our preliminary review of the submitted documents, the Applicant is to provide the following items required for submission of an Application and subsequent approval for connection to the Authority's sanitary sewerage system:

- Applicant is to submit a complete Application for Approval of Sewerage Facilities in accordance with the FTSA Rates, Rules and Regulations (Appendix A-5 thru A-6).
- Application Fee to be posted in the amount of \$500.00 in accordance with Appendix F.
- The formal Application submission is to be accompanied with sufficient Application Initial Review Escrow in accordance with Application Section 14. The FTSA's review process will not commence until such time that sufficient escrow is posted with the Authority.
- Applicant is to submit a complete Impact Fee Determination Request Form in accordance with the FTSA Rates, Rules and Regulations (Appendix A-8).
- Impact Determination Fee to be posted in the amount of \$500.00 in accordance with Appendix F.
- All Application Fees and Review Escrow shall be submitted (via separate checks) made payable to "The Franklin Township Sewerage Authority".
- The Application is to include a Signed and Sealed Engineer's Report in support of the proposed sanitary sewer improvements including, but not limited to, a summary of the

sanitary improvements, existing flow conditions, proposed average daily flow calculation, proposed peak flow calculation, sewage velocity calculation, pipe capacity analysis, etc.

- Application to include Signed and Sealed Sanitary Sewer Construction Specs in accordance with Appendix C.
- Please provide a Signed and Sealed Sanitary Sewer Construction Cost Estimate reflecting all proposed sanitary sewer improvements for the Project utilizing, at a minimum, all applicable items and unit prices listed in Appendix F of the Authority's Rates, Rules and Regulations.
- Application to include a full set of Signed and Sealed Plans including all applicable FTSA Standard Construction Details in accordance with Appendix D.
- Submission of an electronic version (PDF) of the Site Plan, Sanitary Sewer Analysis, Engineers Report and Sanitary Sewer Specification to: Staffengineer@ftsa-nj.org.

A full review of the proposed sanitary facilities will be performed upon receipt of the above referenced documents. The Applicant is required to maintain full compliance with the FTSA's Rates, Rules and Regulations throughout the duration of the Application process. The Authority reserves the right to make additional comments based upon the submission of any revised plans and/or documents.

Should you have any questions, please do not hesitate to contact our Office.

Very Truly Yours,



William E. Korosec, PE
Consulting Engineer's Office

WK/tc

cc: Joseph Danielsen – FTSA Executive Director / Special Project Manager
Scott Nocero – FTSA Operations Manager / Licensed Operator

memo



TO: Christine Woodbury – Secretary to Franklin Township Planning and Zoning Boards

FROM: Tara Kenyon, AICP/PP – Sustainability Coordinator, Franklin Township

DATE: April 8, 2025

RE: Comments from Franklin Township Environmental Commission
Syracuse 1950 Easton Avenue Owner, LLC
1950 Easton Avenue, Somerset
(Block 469 – Lot 1.08)
File #: ZBA-25-00009

At its regularly scheduled meeting of March 17, 2025, the Franklin Township Environmental Commission ("EC") reviewed plans and documents for the above-referenced project. The following comments are submitted for consideration by the Franklin Township Zoning Board of Adjustment:

- According to the Solar Ready Warehouses Law (*NJSA 52:27D-123.19*), effective July 1, 2022, all warehouses composed of 100,000 square-feet or greater are to be constructed as solar-ready buildings. To comply, a warehouse must set aside a minimum of 40% of its proposed roof area for future installation of solar photovoltaic or solar thermal system. As such, the applicant must set aside a minimum 40% of its roof area (**approximately 103,260 square feet**) and depict that clearly on the plans.
- It is recommended that EV Charging Stations and Make-Ready parking spaces alternate by one parking space throughout the parking lot (example: parking space #1, #3, and #5 are prepared as Make-Ready parking spaces, or have an EV Charging Station installed. Parking spaces #2, #4, and #6 are not prepared for EV charging). This will allow multiple users to easily use the chargers without having to wait for a long period of time.
- The EC recommends that the site be prepared for future electrified trucks and tractor trailers by installing 200-kilowatt EV charging capacity per bay. In the future, this will allow the warehouse to meet the needs of electrified trucks, thereby attracting occupants who choose to incorporate sustainable practices into their operations.
- Because of the proximity to the Ukrainian Church, the EC recommends that the applicant consider allowing the EV Charging Stations installed be made available for use by the staff and congregation, especially when religious services are in session. This may require investigation of safe access from the Ukrainian Church to the subject site, as well as consideration about promotion and fees related to the EV Charging Stations. This potential partnership will allow for the extension of the EV charging network, ultimately promoting the use of electric vehicles and reducing greenhouse gas emissions.
- The application shows that all 362 trees existing on the site will be removed from the property. The applicant then proposes to replace 407 of the required 542 trees on the site, leaving a deficit of 135 replacement trees to be mitigated through a contribution to the Franklin Township Shade Tree Fund. The EC recommends that more trees be preserved and/or replanted onsite. Any trees replaced onsite should be replaced with tree species that are native to New Jersey.

- Anti-idling signs should be placed at various locations around the site, specifically at the entrance and exits of the site, at every 4th loading dock, and on the door and/or window of the office. Signage should also be placed in consistent increments across the parking spaces
- The EC requests that the applicant provide a list of amendments made to plans and supporting documents with all future resubmissions. This will assist the EC's Site Plan Committee in its required review.

Please contact me with any questions at Tara.Kenyon@franklinnj.gov or 848-203.1857. Thank you!