



TOWNSHIP OF FRANKLIN
Planning Board
Agenda
Wednesday, May 6, 2026

CALL TO ORDER

SUNSHINE LAW

PLEDGE OF ALLEGIANCE

ROLL CALL

MINUTES

Regular Minutes - April 01, 2026

APPROVED

[PLANNING BOARD - 04-1-2026.rtf](#)

RESOLUTION

DISCUSSION

Extension of Time:

IDIL Davidson LLC / PLN-23-00004

APPROVED

[Letter to Planning Board \(04.15.2026\).pdf](#)

PUBLIC COMMENTS

HEARING

COUNTY OF SOMERSET / PLN-26-00003

Minor Subdivision w/C Variance in which the applicant seeks to subdivide the property into two lots. One lot will be added to Franklin Township's Open Space inventory. The address is 1452 Canal Road, Somerset; Block 9 Lot 2.04 in zone CP

DL 06/19/2026

<https://www.franklintwpnj.org/committees-commissions/planning-board/application-material/county-of-somerset-pln-26-00003/-fsiteid-1#!/>

CARRIED from APRIL 15, 2026 – no further notification needed

APPROVED

[SCPb letter 02.10.26.pdf](#)

[D&R Jurisdictional determination 02.10.26.pdf](#)

[TRC report 03.10.26.pdf](#)

[EC report 03.03.26 ok.docx](#)

BOARD COMMENTS

WORK SESSION / NEW BUSINESS

ORDINANCE - Implement various recommendations of the 2026 Reexamination of the Master Plan

[PB ordinance recommended changes - ord no. 04.30.26.docx](#)

ADJOURNMENT

**TOWNSHIP OF FRANKLIN
PLANNING BOARD
COUNTY OF SOMERSET, NEW JERSEY**

**REGULAR MEETING
April 1, 2026**

The regular meeting of the Township of Franklin Planning Board was held at the Franklin Township Municipal Building, located at 475 DeMott Lane, Somerset, NJ, and was called to order by Chairman Orsini, at 7:30 p.m. The Sunshine Law was read, the Pledge of Allegiance said, and the roll was taken as follows:

PRESENT: Councilman Anbarasan, Robert LaCorte, Marc Dancy (arrived at 7:34 p.m.), Jennifer Rangnow, Meher Rafiq, Charles Brown, Robert Thomas, Sami Shaban (arrived at 7:32 p.m.), and Chairman Orsini

ABSENT: Theodore Chase

ALSO PRESENT: Mr. Peter Vignuolo, Board Attorney, Mark Healey, Planning Director, and Christine Woodbury, Planning & Zoning Secretary

MINUTES:

- **Regular Meeting – February 4, 2026**

Chairman Orsini made a motion to approve the Minutes, as submitted. Councilman Anbarasan seconded the motion, and the roll was called as follows:

FOR: Councilman Anbarasan, Mr. LaCorte, Ms. Rangnow, Ms. Rafiq, Vice Chair Brown, Mr. Thomas, and Chairman Orsini

AGAINST: None

- **Regular Meeting – February 18, 2026**

Chairman Orsini made a motion to approve the Minutes, as submitted. Ms. Rafiq seconded the motion, and the roll was called as follows:

FOR: Councilman Anbarasan, Mr. LaCorte, Ms. Rangnow, Ms. Rafiq, Vice Chair Brown, Mr. Thomas, and Chairman Orsini

AGAINST: None

DISCUSSION:

- **Extension of Time: 789 Hamilton, LLC**

Mr. Matt Flynn, Esq., Attorney, appeared before the Board on behalf of the Applicant, 789 Hamilton, LLC. He noted that the site was Block 225, Lots 6-15, in the Hamilton Business District (HBD) Zone. He noted that this was a project that received approval back on June 21, 2023 for a three (3)-story mixed use building with 2,300 sq. ft. of retail and 25 apartment units. He then noted that they had received a one(1)-year extension of time and that approval would now expire on June 21st, 2026 so they were requesting their second extension under the Municipal Land Use Law (MLUL) for a one (1)-year extension of time through June 21, 2027. He then told the Board that the reason for the need for the extension was that they were still working out details with the Somerset County Planning Board. He explained that they gave them feedback in early March, last month, and they were endeavoring to respond to that and should be resubmitting to them this week or next week. Mr. Flynn was, therefore, asking for a one (1)-year extension through June 21, 2027.

Chairman Orsini made a motion to approve the Extension of Time through June 21, 2027. Councilman Anbarasan seconded the motion and the roll was called as follows:

FOR: Councilman Anbarasan, Mr. LaCorte, Ms. Rangnow, Ms. Rafiq, Vice Chair Brown, Mr. Thomas, Mr. Shaban, and Chairman Orsini

AGAINST: None

PUBLIC COMMENTS:

Chairman Orsini made a motion to open the meeting to the public for any general Planning comments. Vice Chair Brown seconded the motion, and all were in favor. Seeing no one coming forward, the meeting was then closed to the public, Vice Chair Brown seconded the motion, and all were in favor.

HEARING:

- **SUYDAM ASSOCIATES, FLP / PLN-26-00004**

Mr. Matt Flynn, Esq., Attorney, appeared before the Board on behalf of the Applicant, Suydam Associates, FLP. Minor Subdivision w/"C Variance in which the Applicant sought to subdivide the property for a single-family home to be built upon the new lot at 1 & 29 Skillmans Lane, Somerset, Block 57.01, Lot 32.01, in the Agricultural (A) Zone.

Mr. Flynn gave some background and told the Board that back in 2008 the Township actually acquired an agricultural development easement over the entire parcel as well

as over the parcel across the street on Skillmans Lane known as Block 85, Lot 61.03. He told the Board that that easement, which was recorded with the County, was a perfected easement and was provided as part of their submission that preserved over 130 acres of farmland in perpetuity in accordance with Township and County programs for land preservation. Mr. Flynn told the Board that they were there that evening because the development easement in question contained certain "severable exception areas, one of which allowed for the future subdivision and development of this proposed lot, restricted albeit to a single-family residential use that they were complying with. Mr. Flynn then introduced an exhibit, marked into the record as Exhibit A-1, showing the tract referenced in the easement. He then indicated that the map shown in the exhibit showed the entire easement tract. The lot shown was the subject lot and the lot to the north was the lot across the street that he referenced. He went on to state that what they were proposing was to subdivide the small exception area, that he outlined with the cursor on the screen, for the creation of a one (1)-acre lot for the future development of a single-family home. For purposes of the record, Mr. Flynn stated that they were not planning any construction as of this time and would not go into any construction details, but would be handled at the building permit phase. Mr. Flynn went on to state that all they were seeking today was to create this subdivided lot that was an exception area from the development easement. Because the underlying zoning was part of a larger agricultural zone, some bulk variances were required and did notice for. He delineated them as minimum lot area was six (6) acres required and they were proposing one (1) acre. Additionally, the minimum lot frontage was 400 ft. required and they were proposing 199 ft. as well as the minimum rear yard was 200 ft. required with 50 ft. proposed. Mr. Flynn then explained that the purpose of the Application was just to implement what was already considered and approved by the Township in exchange for the grant of this easement as part of the preservation project for this site.

Mr. Michael Ford, Engineer/Planner, employed by Van Cleef Engineering Associates, 32 Brower Lane, Hillsborough, NJ. The Board accepted his qualifications. Mr. Ford indicated that he was there to testify about the proposed subdivision and the relief that they were requesting. He stated that he believed that this was a straightforward, minor subdivision application and consistent with the prior agricultural easement, noting that the agricultural easement was the reason for the relief requested. He then explained that the severable exception area was defined at the time of the 2008 agricultural development easement which limited development of the property to this exception area that they were speaking to that evening to a one (1)-acre size where six (6) acres was required in the underlying Agricultural (A) Zone. He reiterated Mr. Flynn's testimony that the frontage was 199 ft. where the underlying Agricultural Zone required 400 ft. and because of the exceptional, small size of the lot, the rear yard setback of the Agricultural Zone was 200 ft. whereas they were asking for relief to locate the dwelling 50 ft. from the rear property line. He testified that they would comply with all the other bulk standards in the Agricultural Zone when they applied for the building permit and would deal with all of the details that were associated with a construction permit to be issued for a dwelling, such as the detailed plot and grading plan, soil testing at the location of the dwelling. Mr. Ford stated that they did have a pending application with the Franklin Township Sewage Authority for the connection and was even contemplated at the time

of the agricultural easement acquisition in 2008. He then added that along the west side of the property there was an existing sanitary sewer trunk line, and this one (1)-acre exception area included a narrow sliver of land that would connect to that trunk line easement so that public sewer could be provided for the proposed dwelling. He did note that although the property would be on public sewer, it would be on well water.

Chairman Orsini then asked if the casual driver on Skillmans Lane would perceive that a home, when and if it was built, would appear as if it was on a 50- or 100-acre lot because of the surrounding land. Mr. Ford agreed with the Chairman's assessment.

Mr. Healey then just clarified that when the property was preserved in 2008, it was contemplated during that preservation process that there would be this one (1) area carved out for the purpose of a house. He went on to state that they were before the Board that evening because it was currently part of the larger lot and had to formally carve it out by subdivision. He did add that the easement basically took that area out with the contemplation all along that this was to be an exception from that easement area. A discussion ensued, and Mr. Ford indicated that there was another exception area along their frontage along Route 27 and then the main farmstead in the middle of the property was in a non-severable exception area. Mr. Flynn also added that there was one (1) additional severable area that was across Skillmans Lane that they had not proposed to develop at that time, but that the easement specifically carved out where these areas were located, as shown on Exhibit A-1. He stated that, otherwise, it was preserved and remains so in perpetuity and recorded with the County. He added that any development that would take place outside the confines of the limited exceptions would be in violation of the easement.

Councilman Anbarasan opened a discussion regarding the intention of who would be inhabiting the proposed single-family home, and Mr. Flynn indicated that the intention of the developer was to sell it to his son who was in the chambers that evening. A discussion ensued.

Mr. Flynn then stated, for purposes of the record, is that they had the TRC that had a few comments about storm water and drainage and indicated that they were forwarding these issues to the time of building permit and would not be commenting on those notes that were raised by Mr. Healey. Otherwise, Mr. Flynn indicated that they could comply with the recommendations of the TRC memo at this time.

Chairman Orsini indicated that if the Board were to act favorably on the Application, they would just make it conditional upon the Applicant satisfying all outside agencies to include Somerset County Soil Conservation, Franklin Township Sewerage Authority, etc. Mr. Flynn indicated that the only reason he brought it up was because the TRC memo specifically mentioned that it appeared that constructing a basement was not feasible and they had not done the testing to verify whether that was true and did not want a condition imposed to that effect. A discussion ensued. Mr. Vignuolo, Board Attorney, indicated that Mr. Flynn was pointing it out because they want to be able to perfect the subdivision within the time for a minor subdivision and they do not want to be

caught up with compliance with items that were due at the time of building permit which were not necessarily going to be for years, depending on when they want to develop the parcel.

Chairman Orsini asked Mr. Ford to state for the record that justified, in his planning opinion, the flexible "C" variances. Mr. Ford stated that there was no detriment to the neighbors and one (1) of the requirements of the Agricultural Zone was a 100 ft. front yard setback, so when one would drive down Skillmans Lane, the dwelling would look as far back as any other complying dwelling in the Agricultural Zone on a six (6)-acre lot and would not be any closer to the road, which was why they sought relief for the rear yard setback. He added that it was complying with the visual aspects and intent of the Agricultural Zone where you are preserving/promoting agricultural uses. Mr. Ford then stated that even the Township's Master Plan was advanced by virtue of the 2008 action by the Township as well as today's action and that the positive criteria substantially outweigh the negative.

Vice Chair Brown opened a discussion regarding imagining the property, should it change ownership, and one (1) might want to erect "vertical" amenities such as fences where it would no longer give the impression that it was on a larger lot. Mr. Ford stating that the underlying "A" Zone had a requirement of six (6) acres, but it did not preclude an applicant or a family owner to erect a house on one (1) acre of that six (6) acres and farm the other five (5) acres, and to delineate between those two (2) and put up a fence to enclose that one (1)-acre area. He then added that the "A" Zone did not restrict or even deter an action as described that could happen with this case. A discussion ensued, and Vice Chair Brown indicated that he just did not want to see a fence put around a property boundary.

Chairman Orsini then made a motion to open the meeting to the public. The motion was seconded, and all were in favor.

Ms. Delores Christmas, 3 Castle Court, Countryside, Franklin Park, NJ, came forward. Ms. Christmas was asking if there would be any effect on her property or if she was just being notified. Mr. Flynn stated that they were just required to notice up to 200 ft. out of the entire parcel and he pointed out on Exhibit A-1 where the small parcel of the farm along Skillmans Lane was located, for Ms. Christmas' edification.

Seeing no one further coming forward, the Chairman made a motion to close the meeting to the public. The motion was seconded and all were in favor.

Mr. Flynn gave his closing summation.

Chairman Orsini then made a motion to approve the Application, with the three (3) variances, and conditioned upon the Applicant to satisfy all staff and outside agency reports. Mr. LaCorte seconded the motion, and the roll was called as follows:

FOR: Councilman Anbarasan, Mr. LaCorte, Mr. Dancy, Ms. Rangnow, Ms. Rafiq, Vice Chair Brown, Mr. Thomas, Mr. Shaban, and Chairman Orsini

AGAINST: None

DISCUSSION:

- **Nomination of members to the Ordinance Committee**

Chairman Orsini indicated at the last meeting that they rated and put into tiers, the suggestions of things the Board wanted to do related to the Master Plan. He indicated that Mr. Healey suggested, and he concurred, that it would be great to have a four (4)-person Ordinance Sub-Committee who could meet or give comments over e-mail to Mr. Healey and he could provide his draft ordinances, with the committee having the first look.

Ms. Rangnow, Vice Chair Brown, Mr. Dancy and Mr. Shaban all volunteered during the meeting to be members of the Ordinance Committee.

BOARD COMMENTS:

There were no Board comments to discuss.

WORK SESSION / NEW BUSINESS:

There was no work session or new business to discuss.

EXECUTIVE SESSION:

The Board did not enter into Executive Session.

ADJOURNMENT:

A motion was made by Chairman Orsini to adjourn the meeting at 8:07 p.m., and was seconded. All were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
April 30, 2026

PRICE, MEESE, SHULMAN & D'ARMINIO, P.C.
ATTORNEYS AT LAW

TICE CORPORATE CENTER
50 TICE BOULEVARD, SUITE 380
WOODCLIFF LAKE, NEW JERSEY 07677
201-391-3737

Paul A. Conciatori, Esq.
Principal
pconciatori@pricemeese.com

April 15, 2026

VIA EMAIL ONLY

Franklin Township Planning Board
475 DeMott Lane
Somerset, NJ 08873
Attn: Christine Woodbury

RE: Extension of Approvals Period
Applicant: IDIL Davidson, LLC
Docket No. PLN-23-00004
Property: 195-215 Davidson Avenue
Block 502.02, Lots 37.01 & 38.01
("the Property")

Dear Ms. Woodbury:

We represent IDIL Davidson, LLC. Kindly accept this letter as a formal request to be placed on the Agenda of the May 6 Planning Board meeting for purposes of requesting a one-year extension of the period of protection associated with the above identified project approvals.

Please note that the Planning Board previously granted a one-year extension on May 7, 2025. Currently, required construction permits have been issued and construction is underway, and is intended to be continued until completion. Although it is expected that the construction will be completed in 2026, out of an abundance of caution, an additional one-year extension is requested.

Thank you for your time and cooperation and if you need anything further, please advise.

Very truly yours,

PRICE, MEESE, SHULMAN & D'ARMINIO, P.C.

By: Paul A. Conciatori
Paul A. Conciatori

PAC/plh



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



MEMBERS

Christopher Kelly
Chairman

Sami Shaban
Vice Chairman

Albert Ellis

Erika Inocencio

Ashok Rakhit

Ron Yoder

Shanel Y. Robinson
Commissioner Director

Paul M. Drake
Commissioner / Liaison

Matthew D. Loper
County Engineer / Director
Department of
Engineering and Planning
Board Secretary

ALTERNATE MEMBERS

Pradeep Lamba
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

TO: ATTN: CHRISTINE WOODBURY, BOARD SECRETARY
TOWNSHIP OF FRANKLIN PLANNING BOARD

FROM: LARISA PAXTON
PRINCIPAL PLANNER – PRESERVATION

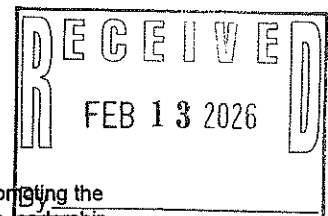
DATE: 2/10/2026

RE: 1425 CANAL ROAD, FRANKLIN TOWNSHIP
SUBDIVISION APPLICATION

Please see the enclosed Subdivision and Variance Applications for the proposed subdivision of Block 9, Lot 2.04 in Franklin Township, also known as 1425 Canal Road. The purpose of this application is to subdivide the existing Lot 2.04 (± 32.9 acres) into two (2) new lots. The County of Somerset is under contract to purchase approximately 23.9 acres of existing Lot 2.04 as proposed new Lot 2.08 to add to its open space inventory. The current owner will retain ± 9 acres as proposed new Lot 2.04, which is presently improved with a single-family residential dwelling and accessory structures. No new development is proposed.

The proposed new Lot 2.08 will contribute approximately 23 acres of open space to the Millstone Valley target preservation area and is contiguous to County-owned open space to the north and east.

Please do not hesitate to reach out regarding 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



State of New Jersey
DELAWARE AND RARITAN CANAL COMMISSION
 PRALLSVILLE MILLS | 33 RISLER STREET | P.O. BOX 539
 STOCKTON, N.J. 08559-0539
www.nj.gov/dep/drcc



JURISDICTIONAL DETERMINATION

DRCC #: 26-6351

DATE: February 10, 2026

PROJECT NAME: 1425 Canal Road -- Subdivision

Latest Submission Received: February 2, 2026

Applicant:

County of Somerset

20 Grove Street

P.O. Box 3000

Somerville, NJ 08876

lpaxton@somersetcountynj.gov

Project Location:

Road	Municipality	County	Block(s)	Lot(s)
1425 Canal Road	Franklin Township	Somerset	9	2.04

Jurisdictional Determination:

Zone A	Exempt For Lot Line/Subdivision Only	Governmental
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Documents Received: Application received February 2, 2026; Minor Subdivision Plan (1 sheet) dated October 20, 2025, prepared by Van Cleef Engineering Associates.

DRCC#: 26-6351

2

DATE: February 10, 2026

PROJECT NAME: 1425 Canal Road -- Subdivision

Existing Conditions: The project site is a 32.19-acre lot located on the easterly side of Canal Road in the Township of Franklin, Somerset County, approximately 40 feet east of the Delaware and Raritan Canal and within Commission Review Zone A.

The project site is bounded by residential development on comparatively large lots and preserved open space to the north, Canal Road followed by the Delaware and Raritan Canal State Park to the west, Old Georgetown Road followed by lands in agricultural use and open space to the south and east. A tributary of the Delaware and Raritan Canal bisects the site, running in a northeast to southwest direction.

In the existing condition, the site is improved with a single-family residential dwelling along with an inground swimming pool, sheds, barn, and carport structures. Impervious surface coverage in the existing condition totals 12,906 square feet (0.3 acre), and the residence appears on historic aerial imagery dating to 1940.

Proposed Project: The applicant proposes to subdivide Block 9, Lot 2.04 into two lots in order to effectuate a county open space preservation acquisition project. Proposed Block 9, Lot 2.08 would be 23.902 acres in size, while Block 9, Lot 2.04 would be reduced in size to 9.015 acres and consist of the existing residence, pool, and accessory buildings. The applicant does not propose the creation of any impervious surface coverage or land disturbance.

Findings: The above referenced application, for the purposes of the lot line adjustment/minor subdivision only, is exempt from the Commission regulation at this time because the project is located in Commission Review Zone A and does not propose either: the cumulative coverage since January 11, 1980, of one quarter acre of land with impervious surface, or the disturbance of one acre or more of land (see definition of "major project" at N.J.A.C. 7:45-1.3 and "Scope of Review" at N.J.A.C. 7:45-2.3(c)) [Emphasis added].

The applicant is advised that any proposed construction on the lots subject to the lot line adjustment will require review and approval by the Delaware and Raritan Canal Commission: once the total cumulative impervious coverage on the lot(s) either singularly or together exceeds one quarter acre since January 11, 1980; the proposed construction results in the disturbance of one or more acre of land; or the proposed construction exceeds the regulatory threshold for Commission regulation in effect at the time of proposed construction.

The applicants for future construction on the above referenced lots should consult with the Commission when seeking municipal approval to determine the regulatory threshold for Commission regulation in effect at the time of proposed construction.

Decision: Exempt.

This jurisdictional determination shall lapse:

DRCC#: 26-6351

3

DATE: February 10, 2026

PROJECT NAME: 1425 Canal Road -- Subdivision

1. If construction is not complete within five years from the date of the exemption letter;
or
2. If any municipal permit(s) or approval(s) applicable to the project expires, lapses, or is
revoked.

Expiration date: February 10, 2031.

Sincerely,



John Hutchison
Executive Director

- c. Somerset County Planning Board
Franklin Township Planning Board
Sarah E. Fitzpatrick, Esq. (sfitzpatrick@njrcmlaw.com)

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)

To: Planning Board

From: Technical Review Committee (TRC)

Date: March 10, 2026

Re: County of Somerset – Minor Subdivision with Variance (PLN-26-00003)
1452 Canal Road (Block 9; Lot 2.04)

The applicant has submitted the application forms and the materials listed below:

- 1-sheet Minor Subdivision Plan prepared by VanCleeef Engineering Associates, LLC dated October 20, 2025 and revised to February 5, 2026.

Site and Project Description

The applicant is described in the cover letter and application form as follows:

Please see the enclosed Subdivision and Variance Applications for the proposed subdivision of Block 9, Lot 2.04 in Franklin Township, also known as 1425 Canal Road. The purpose of this application is to subdivide the existing Lot 2.04 (±32.9 acres) into two (2) new lots. The County of Somerset is under contract to purchase approximately 23.9 acres of existing Lot 2.04 as proposed new Lot 2.08 to add to its open space inventory. The current owner will retain ±9 acres as proposed new Lot 2.04, which is presently improved with a single-family residential dwelling and accessory structures. No new development is proposed.

The proposed new Lot 2.08 will contribute approximately 23 acres of open space to the Millstone Valley target preservation area and is contiguous to County-owned open space to the north and east.

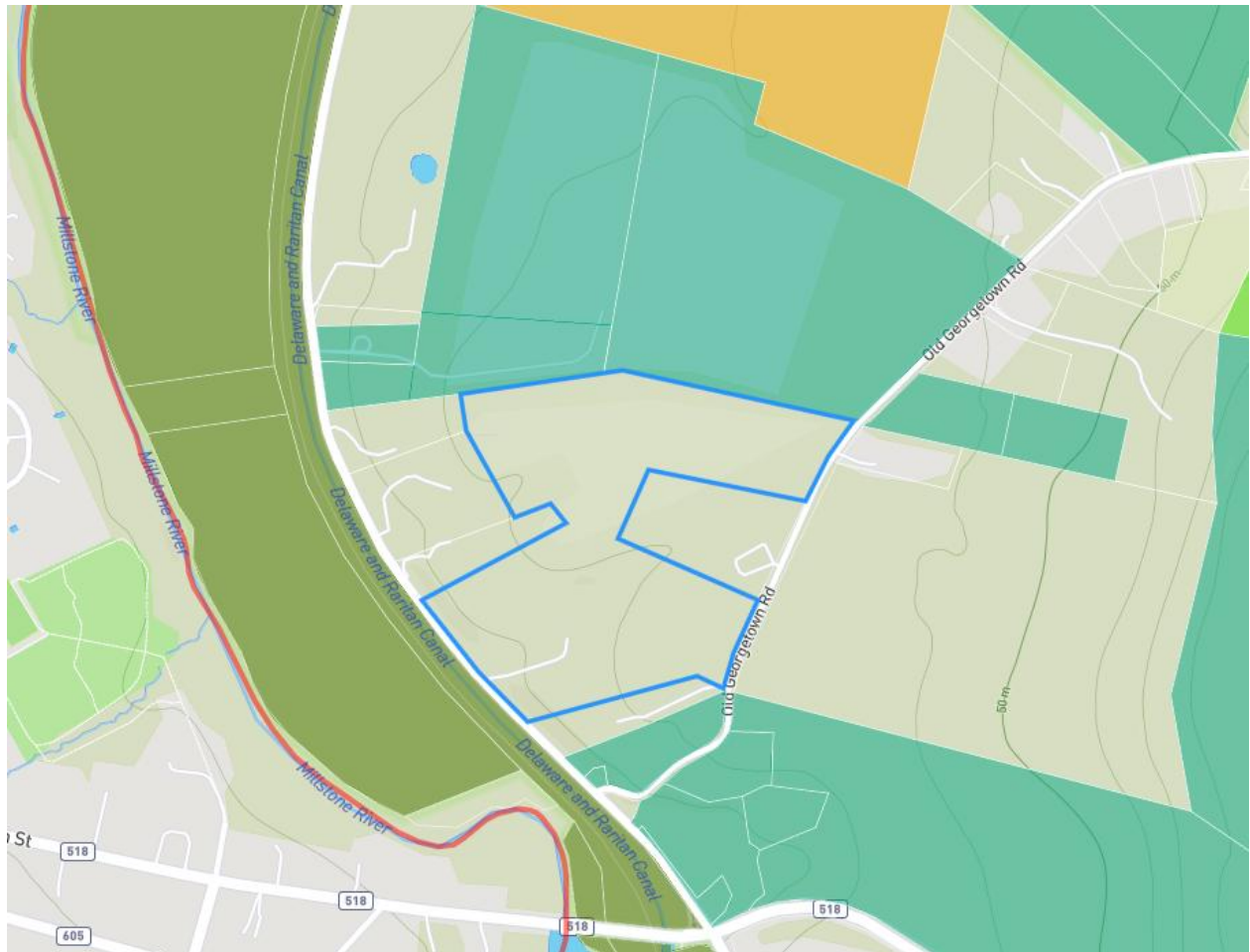
The purpose of the application is to subdivide existing Lot 2.04 in Block 9, 1425 Canal Road (+/-32.919 acres) in the CP-Canal Preservation Zone. The County of Somerset is under contract to purchase +/-23.902 acres of existing Lot 2.04 in Block 9 as proposed Lot 2.08 to add to its open space inventory. The current owner will retain +/-9.015 acres as proposed new Lot 2.04, which is improved with a single family dwelling and accessory structures. No new development is proposed.

One bulk (c) variance is associated with the application. Proposed Lot 2.08 to be owned by Somerset County will have 297 feet of lot frontage on Canal Road, where 400 feet are required.

Review Comments

1. The only variances requested are for lot frontage (297 feet along Canal Road where 400 feet is required) and "through lot" (a lot, other than a corner lot, which has more than one frontage) for the proposed open space lot (proposed lot 2.08). The lot that would contain the exiting home would require a variance for rear yard setback for an accessory structure (129 feet where 150 feet is required). Based on the nature application (for open space preservation) and the nature of the variance (for the open space lot), staff has no comments/ concerns with respect to the requested variances.
2. The following comments are offered with respect to the subdivision plan:
 - Should the Board act favorably on the application, the new lot numbers shall be as follows:
 - i. Block 9, Lot 2.08 (23.903 Ac. to County)
 - ii. Block 9, Lot 2.09 (9.015 Ac. remainder of Lot 2.04)
 - Minor subdivision map shall be updated showing the proposed new lot numbers
 - Subdivision deeds with metes and bounds descriptions attached shall be provided for review and approval prior to filing with the Somerset County Clerk's Office.
 - The applicant shall contact the Township 911 Coordinator for official street addresses.
 - Note: Other than the above-mentioned lot numbering, the Minor Subdivision map is acceptable.

Site Location



The map shows a property with two main lots. Lot 2.08 is a large, irregularly shaped lot outlined in green. It is bounded by a green line that follows the perimeter of the lot. The lot is labeled "lot 2.08" in green text. The Remainder of Lot 2.04 is a smaller, irregularly shaped lot outlined in red. It is located to the south and west of Lot 2.08. The lot is labeled "Remainder lot 2.04" in red text. The map includes numerous survey measurements in feet and degrees, as well as bearings. Key features include "CANAL ROAD" to the west, "OLD GEORGETOWN ROAD" to the east, and "DELAWARE STATE HIGHWAY" to the south. The map also shows various easements, including a "10' EASEMENT" and a "10' EASEMENT FOR UTILITIES". A north arrow is located in the bottom right corner, and a scale bar is in the bottom left corner.

memo



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

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

DATE: March 3, 2026

RE: Comments from Franklin Township Environmental Commission
County of Somerset
1425 Canal Road Princeton
(Block 9 – Lot 2.04)
File #: PLN-26-00003

At its regularly scheduled meeting of March 2, 2026, the Franklin Township Environmental Commission (“EC”) reviewed the submission of the above-referenced project, which will result in the preservation of open space by the County of Somerset.

The EC does not have any comments to submit at this time.

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 112, LAND DEVELOPMENT, TO IMPLEMENT VARIOUS RECOMMENDATIONS OF THE 2026 REEXAMINATION OF THE TOWNSHIP MASTER PLAN AND DEVELOPMENT REGULATIONS ADOPTED BY THE PLANNING BOARD IN FEBRUARY 2026.

SUMMARY

This ordinance amends Chapter 112, Land Development, to implement various recommendations of the 2026 Reexamination of the Township Master Plan and Development Regulations adopted by the Planning Board in February 2026. Specifically:

- **Section I:** Schedule 1, Schedule of Permitted Uses, shall be amended to update the permitted uses in several zoning districts as indicated below:
 - *Golf courses* – Eliminated as principal permitted uses in various residential zones, while remaining a permitted principal use in the A (Agricultural) zone where the existing Bunker Hill golf course is located (so as not to make it a nonconforming use). The Planning Board recommends eliminating such non-residential as a permitted use within residential zones.
 - *Hospitals* - Eliminated as principal permitted uses in residential zones. There are no such uses known within these zones. The Planning Board recommends eliminating such non-residential uses as a permitted use within residential zones.
 - *Philanthropic or eleemosynary uses* - Eliminated as permitted conditional use in residential zones. There are no such uses known within these zones. The Planning Board recommends eliminating such non-residential uses as a permitted use within residential zones.
 - *Membership swim clubs* - Eliminated as permitted conditional use in various residential zones, while remaining a permitted conditional use in the R-40 (Residential) zone where the existing Cedar Hill Swim Club is located (so as not to make it a nonconforming use). The Planning Board recommends eliminating such non-residential uses as a permitted use within residential zones.
 - *Kennels* - Eliminated as permitted conditional use in residential zones. There are no such uses known within these zones. The Planning Board recommends eliminating such non-residential uses as a permitted use within residential zones.
 - *Community residences* – The New Jersey Municipal Land Use Law (MLUL) supersedes municipal zoning requiring municipalities to permit certain licensed community residences (group homes) in the same manner as single-family homes. Therefore the requirements in the Township ordinance are inconsistent with the MLUL and should be removed.
 - *Residential cluster developments* – Eliminated as a permitted principal use in the C-R zone. This use is not defined and it unknown to the Planning Board and staff what this term means. The range of existing uses in this zone (single-family dwellings, two-family dwellings, garden apartment developments, and townhouse developments) would remain permitted uses.
- **Section II:** With the elimination of certain non-residential uses as permitted conditional uses in residential zones (community residences and community shelters: hospitals, philanthropic or eleemosynary uses; and kennels) the corresponding conditional uses standards should be deleted from the ordinance.

- **Sections III, IV and V:** The proposed changes are essentially editorial in nature. Since the uses involved are principal permitted uses (not conditional uses), the applicable requirements should not be located in Article V, Conditional Uses, and are therefore proposed to be relocated to Article IV, Supplementary Zoning Regulations.
- **Section VI:** The proposed changes would:
 - Make the same editorial change described above with respect to Section III-V
 - Permit restaurants and health clubs since such uses have been located in one or both of the involved shopping centers (Cedar Grove Centre and 225 DeMott Lane) for decades despite being prohibited.
- **Section VII:** The parking requirement for places of worship is proposed to provide a more consistent requirement of 1 parking space for every 3 persons in proposed assembly areas. This is the standard parking requirement for places of worship in municipal zoning ordinances. The existing parking requirement of 1 parking space for every 15 square feet essentially equates to an occupancy level of 1 person for every 5 square feet where occupancy limits, per code, range from 1 person for every 15 square feet to 1 person for every 45 square feet (depending on the circumstances/ layout). In summary, the existing parking requirement of 1 parking spaces per 15 square feet is not in-line with occupancy codes and assumes occupancy levels many times more than permitted by code.
- **Section VIII:** Chapter 112, Land Development, Article XXXIV, Parkland Dedication, is proposed to be deleted since such ordinance requirements were invalidated several years ago.
- **Section IX:** Section 112-4, Definitions, is proposed to be revised to update redundant definitions of indoor recreation uses.
- **Section X:** Schedule 1, Schedule of Permitted Uses, is proposed to be amended to update the permitted uses in the N-B (Neighborhood Business), G-B (General Business) and HBD (Hamilton Street Business District) zones to permit “indoor recreation” uses (as defined in Section IX) in shopping centers over 25,000 square feet.
- **Section XI:** Section 112-8, Purposes of Districts, is proposed to be amended to correct a typographical error in §112-8.J pertaining to the purpose of the R-7 zone to reflect the correct minimum lot area of 15,000 square feet for two-family residences.
- **Section XII:** This section updates §112-159.18, which addresses the zoning requirements for those properties within the SCV zone not included in the Canal Walk development to include lot 6.03 to reference the applicable block. This change essentially makes the existing single-family home on this lot a permitted use and applicable appropriate bulk requirements.
- **Section XII:** Adds new Section 112-33.12 which would require the construction of sidewalks along all road frontages of properties involved in applications for site plan or subdivision approval before the Planning or Zoning Board.

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset, State of New Jersey that the Code of the Township of Franklin is hereby amended as follows:

SECTION I

Chapter 112, Land Development – Article III, Section 112-10, Schedule 1, Schedule of Permitted Uses, shall be amended to update the permitted uses in several zoning districts as indicated below:

DISTRICT CATEGORY	PRINCIPAL USES	ACCESSORY USES	CONDITIONAL USES
RR3 Rural Residential	<ul style="list-style-type: none"> Farming operations (See also § 112-27.) Single-family dwellings Golf courses 	<ul style="list-style-type: none"> Barns, silos and other customary farm buildings for the storage of products, animals, and equipment Roadside stands (See § 112-29.) Private swimming pools Private garages Signs (See also Article XII) Home occupations 	<ul style="list-style-type: none"> Public utility installations (See § 112-48.) Hospitals Philanthropic or eleemosynary uses Kennels Schools (See § 112-47.) Community residences Churches and other similar places of worship (See § 112-37.) Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI Small wind energy systems
RR5 Rural Residential	<ul style="list-style-type: none"> Farming operations (See also § 112-27.) Single-family dwellings Golf courses 	<ul style="list-style-type: none"> Barns, silos and other customary farm buildings for the storage of products, animals, and equipment Roadside stands (See § 112-29.) Private swimming pools Private garages Signs (See Article XII) Home occupations 	<ul style="list-style-type: none"> Public utility installations (See § 112-48.) Hospitals Philanthropic or eleemosynary uses Kennels Schools (See § 112-47.) Community residences Churches and other similar places of worship (See § 112-37.) Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI Small wind energy systems
R-40 Residential	<ul style="list-style-type: none"> Farming operations (See also § 112-27.) Single-family dwellings Golf courses 	<ul style="list-style-type: none"> Barns, silos and other customary farm buildings for the storage of products, animals, and equipment Private swimming pools Private garages Signs (See Article XII) Home occupations 	<ul style="list-style-type: none"> Public utility installations (See § 112-48.) Hospitals Philanthropic or eleemosynary uses Membership swimming pools Schools (See § 112-47.) Community residences Churches and other similar places of worship (See § 112-37.) Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI
R-20 Residential	<ul style="list-style-type: none"> Single-family dwellings 	<ul style="list-style-type: none"> Private garages Private swimming pools 	<ul style="list-style-type: none"> Membership swimming pools Public utility installations (See § 112-48.)

DISTRICT CATEGORY	PRINCIPAL USES	ACCESSORY USES	CONDITIONAL USES
		<ul style="list-style-type: none"> • Signs (See Article XII) • Home occupations 	<ul style="list-style-type: none"> • Schools (See § 112-47.) • Community residences • Churches and other similar places of worship (See § 112-37.) • Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI • Professional offices in the R-20-H.
R-15 Residential	<ul style="list-style-type: none"> • Single-family dwellings 	<ul style="list-style-type: none"> • Private garages • Private swimming pools • Signs (See Article XII) • Home occupations 	<ul style="list-style-type: none"> • Public utility installations (See § 112-48.) • Community residences • Churches and other similar places of worship (See § 112-37.) • Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI
R-10 Residential	<ul style="list-style-type: none"> • Single-family dwellings 	<ul style="list-style-type: none"> • Private garages • Private swimming pools • Signs (See Article XII) • Home occupations 	<ul style="list-style-type: none"> • Public utility installations (See § 112-48.) • Community residences • Churches and other similar places of worship (See § 112-37.) • Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI
R-10A Residential	<ul style="list-style-type: none"> • Single-family dwellings 	<ul style="list-style-type: none"> • Private garages • Private swimming pools • Signs (See Article XII) • Home occupations 	<ul style="list-style-type: none"> • Public utility installations (See § 112-48.) • Community residences • Churches and other similar places of worship (See § 112-37.) • Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI
R-10B Residential	<ul style="list-style-type: none"> • Single-family dwellings • Garden apartments subject to Schedule 2, Footnote No. 9 	<ul style="list-style-type: none"> • Private garages • Private swimming pools • Signs (See Article XII) • Home occupations 	<ul style="list-style-type: none"> • Public utility installations (See § 112-48.) • Community residences • Churches and other similar places of worship (See § 112-37.) • Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI
R-7 Residential	<ul style="list-style-type: none"> • Single-family dwellings • Two-family dwellings 	<ul style="list-style-type: none"> • Private garages • Private swimming pools • Signs (See Article XII.) • Home occupations 	<ul style="list-style-type: none"> • Public utility installations (See § 112-48.) • Community residences • Churches and other similar places of worship (See § 112-37.) • Wireless communications antennas in accordance with the specific zoning

DISTRICT CATEGORY	PRINCIPAL USES	ACCESSORY USES	CONDITIONAL USES
			conditions, standards and limitations for their location, approval and operation included Article VI
C-R Cluster Residential	<ul style="list-style-type: none"> • Single-family dwellings • Two-family dwellings • Garden apartment developments • Townhouse developments • Residential cluster developments 	<ul style="list-style-type: none"> • Private garages • Private swimming pools • Signs (See Article XII.) • Home occupations 	<ul style="list-style-type: none"> • Public utility installations (See § 112-48.) • Community residences • Churches and other similar places of worship (See § 112-37.) • Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI

SECTION II

Chapter 112, Land Development – Article V, Conditional Uses, shall be amended to eliminate Section 112-38, 112-42, and 112-43 which contain conditional uses standards pertaining to: Community residences and community shelters: hospitals, philanthropic or eleemosynary uses; and kennels, as follows:

~~§ 112-38 — Community residences and community shelters.~~

~~Community residences for developmentally disabled and community shelters for victims of domestic violence which house six or more individuals except for residential staff may be permitted upon authorization by the Planning Board in accordance with the following standards and site plan review:~~

~~A. Minimum lot size by zoning districts shall be as follows:~~

Zone	Minimum Lot Size
RR3, RR5 and R-40	5 acres
R-20 and R-15	1 acre
R-7 and R-10	20,000 sq. ft.
C-R	20,000 sq. ft.

~~B. Minimum of 250 square feet of gross floor area shall be required for each site occupant inclusive of resident staff personnel.~~

~~C. Such community residences must be at least 1,500 feet apart from each other.~~

~~§ 112-42 — Hospitals, philanthropic or eleemosynary uses.~~

~~Hospitals, philanthropic or eleemosynary uses shall be permitted upon authorization by the Planning Board in accordance with the following standards and site plan review:~~

~~A. Said use will have direct access to an arterial or major collector street as defined in this chapter and as designated on the adopted Master Plan of the Township of Franklin.~~

~~B. Off street parking space shall be required in accordance with the standards set forth below:~~

~~(1) Hospitals: 2.5 spaces for each bed.~~

- ~~(2) Philanthropic and eleemosynary uses: one space for each two employees.~~
~~C. Minimum lot size shall be five acres.~~
~~D. Minimum lot width shall be 200 feet.~~
~~E. Maximum percent of lot coverage shall be 15%.~~

~~§ 112-43 Kennels.~~

~~Kennels may be permitted upon authorization by the Planning Board in accordance with the following standards and site plan review:~~

- ~~A. No structure or pen used for keeping or exercising of animals shall be located within 75 feet of any property line.~~

SECTION III

Chapter 112, Land Developments, shall be amended to relocate the requirements applicable to garden apartment development (which are permitted principal permitted uses in the C-R zone, not conditional uses) from Article V, Conditional Uses, to Article IV, Supplementary Zoning Regulations, as follows:

§ 112-~~39~~33.8 Garden apartment development.

- A. No garden apartment structure shall be located within 200 feet of a single-family dwelling which is not located on the same lot.
- B. No garden apartment building shall be closer than 30 feet to any other garden apartment.
- C. No more than 24 dwelling units in the R-10B Zone or 16 dwelling units in any other zone shall be contained in any one garden apartment structure.
- D. A planting screen having a minimum width of 10 feet shall be provided along all side and rear property lines that do not abut an open space area. This screen shall consist primarily of evergreen trees and earth contouring so as to provide visual screen. Planting material shall be at least three feet high at the time of planting, and it shall be the responsibility of the owner to carry out this program and to promote such maintenance and care as is required to obtain the effect intended by the original plan.
- E. All private streets shall be paved to a minimum width of 30 feet.
- F. No off-street parking area shall be located within the required front yard area of the development tract.
- G. No on-street, parallel parking shall be permitted on any street, road, thoroughfare, accessway or driveway, whether public or private.
- H. On-site parking shall be provided in accordance with the Residential Site Improvement Standards.
- I. Each parking area shall contain no more than 50 vehicle spaces and shall be adequately lighted either with wall-mounted or post-mounted ornamental fixtures.
- J. No off-street parking spaces, including detached garages, shall be located closer than seven feet to the principal building, and no principal building shall have off-street parking areas on all sides of the building.
- K. No off-street parking area shall be located closer than 10 feet to a side or rear property line.
- L. If garages are provided, they shall have an unobstructed clear floor space area of not less than 240 square feet and such a garage may be built into the dwelling structure or separately constructed as herein provided.
- M. Each group of attached garages shall be no more than one story in height. The architectural design and materials used in the construction thereof shall conform to the design and building materials used in the construction of other buildings and structures. No part of any garage or other accessory building shall be used for living purposes.
- N. The following recreational requirements shall be met and developed with facilities suitable to serve the residents of the dwelling units; said facilities shall be located so as not to be detrimental to adjacent

property owners by virtue of noise, light, glare and any other objectionable features emanating therefrom. A minimum of 400 square feet of recreational area shall be provided for each dwelling unit.

- O. Other requirements.
 - (1) All projects shall be serviced by public water and sewer utilities.
 - (2) Minimum lot size shall be one hundred acres in the R-10B Zone and 10 acres in all other zones.
 - (3) Minimum frontage shall be 300 feet.
 - (4) Minimum front yard shall be 75 feet.
 - (5) Minimum side yard shall be 40 feet.
 - (6) Maximum density shall be 3.25 units in the R-10B Zone and six units per gross acre in all other zones.
 - (7) Maximum lot coverage shall be 20%.
 - (8) Minimum rear yard shall be 40 feet.
 - (9) The total height of the building shall not exceed three stories nor 42 feet in height in the R-10B Zone and 2 1/2 stories nor 30 feet in height in all other zones. (No basement units are permitted.)
- P. Permitted accessory uses. Accessory uses which are customarily incidental to said use, such as but not limited to the following, shall be permitted on the same lot:
 - (1) Private garages.
 - (2) Swimming pools.
 - (3) Recreation areas and incidental structures accessory thereto.
 - (4) Management office.
 - (5) Maintenance and storage building.
- Q. Required use: very-low-, low- and moderate-income dwelling units. Every garden apartment development shall provide dwelling units for very low, low and moderate income households equal to at least 20% of the total housing units being constructed, pursuant to the requirements of Chapter 81, Affordable Housing.
- R. Garden apartment developments existing within the General Business (GB) Zone as of the effective date of this ordinance^[1] shall be considered permitted uses, subject to the requirements of § 112-39.

SECTION IV

Chapter 112, Land Developments, shall be amended to relocate the requirements applicable to townhouse apartment development (which are permitted principal permitted uses in the C-R zone, not conditional uses) from Article V, Conditional Uses, to Article IV, Supplementary Zoning Regulations, as follows:

§ 112-~~49~~33.9 Townhouse development.

Such development shall be permitted upon authorization of the Planning Board in accordance with the following standards and site plan review:

- A. The minimum development tract size shall be 10 acres.
- B. The maximum permitted density shall be six dwelling units per gross acre.
- C. The development shall provide 400 square feet of recreational area for each dwelling unit. Such space shall not include the yard areas of a lot(s) in fee-simple ownership.
- D. All private streets shall be paved to a minimum width of 30 feet.
- E. In addition to yard requirements for the tract of land set forth in Schedule 2 (Lot and Yard Requirements), no dwelling unit shall be located less than 25 feet from the curbline or edge of pavement of a private street or access driveway.
- F. Each individual lot shall have a front and rear yard not less than 20 feet. There shall be a single side yard of not less than 20 feet at the end of each row. In the instance of a development proposal under this subsection creating a lot for each dwelling unit, each unit shall have a rear yard of not less than 20 feet.

- G. There shall be no more than eight dwelling units in any single group of dwelling units.
- H. No dwelling unit, or group of dwelling units, shall exceed 2 1/2 stories or 35 feet in height, whichever is lesser. No living space shall be permitted above the second floor.
- I. Refuse storage areas shall be so designed as to minimize any detrimental effect on the character of the development.
- J. All utility wiring shall be underground.
- K. Common accessory buildings and facilities shall be designed to harmonize with the overall character of the development and shall meet the setback requirements set forth herein for groups of dwelling units.
- L. All site facilities shall meet Township design standards.
- M. Required use: very-low-, low- and moderate-income dwelling units. Every townhouse development shall provide dwelling units for very low, low and moderate income households equal to at least 20% of the total housing units being constructed, pursuant to the requirements of Chapter 81, Affordable Housing.
- N. Townhouse developments existing within the General Business (GB) Zone as of the effective date of this ordinance[1] shall be considered permitted uses, subject to the requirements of § 112-49.

SECTION V

Chapter 112, Land Developments, shall be amended to relocate the requirements applicable to single-family development in the R-10A zone (which are permitted principal permitted uses in the R-10A zone, not conditional uses) from Article V, Conditional Uses, to Article IV, Supplementary Zoning Regulations, as follows:

§ 112-~~52~~33.10 R-10A Zone Single-Family Development.

R-10A Zone Single-Family Development shall be permitted in the R-10A Zone south of Bunker Hill Road in accordance with the following standards and subdivision plan review:

- A. Permitted principal uses shall be single-family dwellings.
- B. Permitted accessory uses shall be private garages, private swimming pools and signs. (See Article XII, § 112-106 et seq.)
- C. Conditional uses shall be public utility installations, community residences, home occupations and churches and other similar places of worship.
- D.. The minimum development tract size shall be 10 acres.
- E. The maximum permitted density shall be three dwelling units per gross acre.
- F. The minimum lot size shall be 10,000 square feet.
- G. The minimum frontage shall be 75 feet. The minimum frontage requirement on corner lots shall be met on all frontages on a public street.
- H. The minimum front yard setback shall be 25 feet. Front yard setbacks on corner lots shall comply with sight triangle distances as established elsewhere in this chapter.
- I. The minimum side yard setback shall be eight feet on one side.
- J. The minimum rear yard setback shall be 25 feet.
- K. The minimum setbacks for accessory structures shall be eight feet for side and 10 feet for rear yards.
- L. The maximum lot coverage shall be 25%.
- M. The maximum impervious coverage shall be 35%.
- N. The maximum height shall be 35 feet or 2 1/2 stories, whichever is less.
- O. All streets shall have a right-of-way of 50 feet and shall be paved to a minimum width of 30 feet.
- P. Off-street parking spaces shall be provided pursuant to Article XI, § 112-81.
- Q. Garages shall be constructed according to the following standards:

- (1) All garages provided shall conform architecturally to and be of similar materials as the principal building in the development.
- (2) No detached garage shall exceed a height of one story or fifteen feet.
- R. All streets shall have four-foot concrete sidewalks on one side.
- S. All utility wiring shall be underground.

SECTION VI

Chapter 112, Land Developments, shall be amended to relocate the requirements applicable to principal uses in Neighborhood Business (NB) Zone from Article V, Conditional Uses, to Article IV, Supplementary Zoning Regulations (as this is more appropriate placement within the ordinance) and to permit restaurants and health clubs as such uses have been located in such shopping centers for decades:

§ 112-~~53~~33.11 Principal uses in Neighborhood Business (NB) Zone.

Principal uses in the Neighborhood Business (NB) Zone shall be permitted in the CR Zone subject to the following:

- A. NB uses shall be permitted only as support uses to an existing or approved multifamily development in the CR Zone.
- B. NB development shall conform to all development standards for the NB Zone (Schedules 1 through 6), unless modified herein.
- C. NB development shall occupy no more than 3% of the land area of an existing and/or approved multifamily development in the CR Zone.
- D. NB development in the CR Zone shall not include gas stations, ~~restaurants~~, funeral homes, ~~health clubs~~, or quasi-public or private club or fraternity.
- E. A twenty-foot-wide perimeter buffer shall be provided where the proposed NB development is adjacent to existing or proposed residential development. The perimeter buffer is not required adjacent to a public right-of-way.
- F. The perimeter buffer shall be landscaped with a solid six-foot-high fence and massed evergreen and deciduous trees and shrubs. Evergreen trees shall be eight feet in height at time of installation and planted 10 feet on center in a double staggered row. One deciduous tree and two shrubs shall be planted for each 10 linear feet of buffer.
- G. Pedestrian access shall be provided from the residential development to the NB development.
- H. Driveway access from the NB development to Route 27 shall be prohibited if there is an alternative public street to provide access to the development.

SECTION VII

Chapter 112, Land Development, Article V, Conditional Uses, §112-37.D shall be revised to update the parking requirements for places of worship as follows:

D. Parking requirements.

- (1) One parking space per every three seats. One seat shall be considered 22 inches in calculating the capacity of pews or benches. In the event there is no fixed seating provided, parking shall be provided at one parking space for every three persons of permissible occupancy, per applicable code, of all proposed assembly areas (e.g., worship area, fellowship room, etc.). at the largest anticipated gathering or a minimum of one parking space for every 15 square feet of worship area.
- (2) Depending on the number of special occasions, the Planning Board may require overflow parking to be constructed of pervious pavement materials. Parking may be banked upon approval of the Planning Board in anticipation of future growth, but it shall be delineated on the plan and included in all coverage calculations and drainage calculations.

SECTION VIII

Chapter 112, Land Development, Article XXXIV, Parkland Dedication, is deleted as follows since such ordinance requirements were invalidated several years ago:

~~Article XXXIV — Parkland Dedication~~

~~§ 112-264 — Definitions.~~

~~For the purpose of this article, the following terms shall have the meanings indicated:~~

~~RESIDENTIAL DEVELOPMENTS~~

~~Except for construction permits for individual lots and subdivisions of four lots or fewer, any subdivision and site development plan designed for single family condominiums, townhouses, manufactured housing, including mobile home parks, attached and semiattached units and garden apartments in any mixed-use development and in projects designed entirely for residential purposes. Any residential development as defined herein shall be subject to the requirements of this article.~~

~~§ 112-265 — Dedication or cash contribution required.~~

~~The developer of a residential development, as defined herein, shall be required to dedicate and improve parkland or to make a cash contribution toward acquisition and development of recreation facilities located off site. Any lands proposed to be dedicated shall be subject to acceptance by the Township Council as to location, size and improvements. However, at a minimum, 75% of the acreage to be dedicated shall be developed for active recreation purposes. If the required dedication acreage is calculated to be less than 10 acres in size, the Township shall have the option of requiring a cash contribution in lieu of all or part of the required dedication. This option shall be exercised solely at the discretion of the Township Council when the acreage is less than 10 acres.~~

~~§ 112-266 — Dedications of more than 10 acres.~~

~~If the required dedication acreage is calculated to be 10 acres or more, 50% of the calculated acreage must be improved and dedicated to the Township. The Township Council shall have the option of substituting a~~

~~cash contribution in lieu of up to 50% of the calculated acreage. The acreage required to be improved and dedicated shall be in parcels which are a minimum of five acres in size.~~

~~§ 112-267 — Population multipliers.~~

~~The following population multipliers shall be applied to the formula by residential unit type, as follows:~~

~~A. Single family and duplex units: 3.2 persons per household.~~

~~B. All other residential units: 2.2 persons per household.~~

~~§ 112-268 — Acreage requirements.~~

~~The acreage dedication and the improvement contribution equivalent shall be calculated by utilizing the National Recreation and Park Association standard of eight acres of developed parkland per 1,000 population. This standard results in a requirement of 0.008 acres per person. The acreage to be dedicated shall be determined by multiplying the number of units in the development by the per person household multipliers contained herein and by multiplying the resulting project population by the 0.008 per person acreage standard.~~

~~§ 112-269 — Options in lieu of dedication.~~

~~If a developer proposes to make a cash contribution, in whole or in part, in lieu of dedicating improved parklands and said proposal is accepted by the Township Council, the contribution shall be calculated by multiplying the acreage for which a contribution is to be substituted times a cost of \$40,000 per acre.~~

~~§ 112-270 — Contribution and dedication requirement.~~

~~All residential developments which do not indicate a parkland dedication on the final site plan or final subdivision map shall be required to make the required cash contribution prior to receiving construction permits for in excess of 50% of the total residential units within the development. If a developer is required to dedicate and improve parkland, the Township shall only accept said parkland upon satisfactory completion of all improvements after inspection and approval thereof.~~

~~§ 112-271 — Applicability.~~

~~All residential developments which have not received site plan or final subdivision approval prior to the effective date of this article shall be subject to the requirements of this article.~~

SECTION IX

Chapter 112, Land Development, Article 1, General Provisions, §112-4, Definitions, shall be revised to update redundant definitions as follows:

INDOOR RECREATION

Sporting, recreation and leisure time activities, conducted within a covered structure, which include sport, training, instruction and leisure activities such as swimming, soccer, archery, ice skating, ice hockey, trampolining, roller rinks, pools, basketball, karate, dance, climbing, football, racquet sports, baseball, cricket, rock climbing, paintball, laser tag and other such activities. Indoor commercial recreation does not include activities such as pool halls, theaters for music, live presentations or motion-picture presentations, or video arcades. Facilities may also include accessory eating and retail services within the facility.

INDOOR RECREATION FACILITIES

~~One or more roofed and enclosed buildings or structures designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities, such as but not limited to tennis courts, handball and racquetball courts, soccer fields, batting cages, skating and roller rinks, pools and gymnasiums, and other active recreation activities.~~

SECTION X:

Chapter 112, Land Development – Article III, Section 112-10, Schedule 1, Schedule of Permitted Uses, shall be amended to update the permitted uses in the N-B (Neighborhood Business), G-B (General Business) and HBD (Hamilton Street Business District) zones to permit “indoor recreation” uses in shopping centers over 25,000 square feet, as follows:

DISTRICT CATEGORY	PRINCIPAL USES	ACCESSORY USES	CONDITIONAL USES
N-B Neighborhood Business	<ul style="list-style-type: none">• Retail goods and service stores, of a neighborhood service type, including but not limited to: body art establishments, food, drugs, drink, household supplies, home appliance stores, barber and beauty shops, shoe repair and tailor shops, dry cleaning shops, professional offices, banks, restaurants• Eating and drinking establishments• Funeral homes• Quasi-public or private club or fraternity• Child-care centers• Administrative and dispatch services excluding the idling, parking, storage, service, fueling or repair of vehicles used in such service or site• Class 5 cannabis retailer• Class 6 cannabis delivery (when accessory to Class 5 cannabis retailer use)⁴• <u>Indoor recreation in shopping centers over 25,000 square feet</u>	<ul style="list-style-type: none">• Buildings customary and incidental to the operation of the principal use• Signs (See Article XII.)	<ul style="list-style-type: none">• Automobile service stations• Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI• Churches and similar places of worship
G-B General Business	<ul style="list-style-type: none">• Retail goods and service stores, including but not limited to: body art establishments, food, drugs, drink, household supplies, home appliance stores, barber and beauty shops, shoe repair and tailor shops, dry cleaning shops, professional offices, banks, restaurants,• Eating and drinking establishments• Funeral homes• Quasi-public or private club or fraternity• Indoor theaters• Laundromat and dry cleaning• Printing and publishing shops• Proprietary schools• Nonprofit schools accredited by the New Jersey Department of Education• Plumbing supply and hardware stores	<ul style="list-style-type: none">• Buildings customary and incidental to the operation of the principal use• Signs (See Article XII.)	<ul style="list-style-type: none">• Public utility installations (See § 112-48.)• Automobile service stations• Nursing homes• Wireless communications antennas in accordance with the specific zoning conditions, standards and limitations for their location, approval and operation included within Article VI• Churches and similar places of worship

DISTRICT CATEGORY	PRINCIPAL USES	ACCESSORY USES	CONDITIONAL USES
	<ul style="list-style-type: none"> Professional and general offices Bowling alleys Telephone, telegraph and radio communications offices and services Automobile sales and showroom Administrative and dispatch services excluding the idling, parking, storage, service, fueling or repair of vehicles used in such service or site Child-care centers Class 5 cannabis retailer Class 6 cannabis delivery (when accessory to Class 5 cannabis retailer use)⁴ <u>Indoor recreation in shopping centers over 25,000 square feet</u> 		
HBD Hamilton Street Business District	<ul style="list-style-type: none"> Retail goods and service stores, including but not limited to: body art establishments, food, drugs, drink, household supplies, home appliance stores, barber and beauty shops, shoe repair and tailor shops, dry cleaning shops, banks and restaurants.² Mixed-use buildings² Eating and drinking establishments² Restaurants² Professional offices² Funeral Homes² Quasi-public or private club or fraternity² Single-family dwellings³ Adult day care² Child-care facility² Administrative and dispatch services excluding the idling, parking, storage, service, fueling or repair of vehicles used in such service or site Class 5 cannabis retailer Class 6 cannabis delivery (when accessory to Class 5 cannabis retailer use)⁴ <u>Indoor recreation in shopping centers over 25,000 square feet</u> 	<ul style="list-style-type: none"> Uses customarily incidental and subordinate to the principal use Signs (See § 112-114.) Outdoor dining 	<ul style="list-style-type: none"> Public utility installations Churches and other similar places of worship

SECTION XI

Chapter 112, Land Development, §112-8, Purposes of Districts, shall be amended to correct a typographical error in §112-8.J pertaining to the purpose of the R-7 zone to reflect the correct minimum lot area of 15,000 square feet for two-family residences as follows:

J. R-7 Single-Family Residential. The purpose of the R-7 District is to provide for the continuance of single-family residential development on lots of 7,500 square feet and also two-family residences on lots of ~~10,000~~ 15,000 square feet.

SECTION XII

Chapter 112, Land Development, Article XIX, Senior Citizen Village District, §112-159.18, Properties in SCV Zone not included in SCV development, which addresses zoning requirements for those properties within the SCV zone not included in the Canal Walk development to include lot 6.03 which was mistakenly omitted and to reference the applicable block, as follows:

§ 112-159.1 Properties in SCV Zone not included in SCV development.

The following properties located within the SCV Zoning District but not included in the Canal Walk development (i.e., the lands encumbered by Lots 1.01, 2.01, 3, 4.01, 6.03, 12.02, 13.02, 16 and 17 in Block 513.01) shall be subject to the use and bulk requirements of the R-40 (Single-Family Residential) Zoning District.

SECTION XIII

Chapter 112, Land Development, Article IV, Supplementary Zoning Regulations, shall be amended as follows to add new Section 112-33.12 which would require the construction of sidewalks along all road frontages of properties involved in applications for site plan or subdivision approval before the Planning or Zoning Board:

§ 112-33.12 Sidewalks required in association with new development.

- A. All applications before the Planning Board or Zoning Board of Adjustment for site plan and/or subdivision approval shall propose the construction of sidewalks along all road frontages of the subject property. The plans presented for approval by the Board shall propose such sidewalks and shall provide convenient and safe interconnection of sidewalks between parking areas and building entrances within the site and extending to the sidewalks proposed along the road(s).
- B. Should the Board find it appropriate to grant relief from A. above due to unique circumstances (e.g., public safety), the applicant shall make an in-lieu contribution to a capital improvement fund dedicated by the Township for the purpose of constructing sidewalks along public roadways. The amount of such contribution shall be equivalent to cost of constructing such sidewalk(s) as confirmed by the Township Engineer and shall be paid to the Township prior to site plan signoff/ filing of the subdivision.

SECTION XIV

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

SECTION XV

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed as the extent of such inconsistency.

SECTION XVI

This ordinance shall take effect immediately upon adoption and publication according to law.

Ordinance No.

This is a true copy of an ordinance adopted by the Township Council, Township of Franklin, Somerset County, New Jersey.

Introduced:

Public Hearing:

Adoption:

Published:

Effective:

Ann Marie McCarthy, Township Clerk