



TOWNSHIP OF FRANKLIN
Board of Adjustment
Agenda
Thursday, November 6, 2025

SUNSHINE LAW

ROLL CALL

MINUTES

Regular Meeting - September 18, 2025

APPROVED

[BOA - 09-18-2025.doc](#)

Regular Meeting - October 09, 2025

APPROVED

[BOA - 10-09-2025.doc](#)

RESOLUTION

DISCUSSION

HEARINGS

MANJIT SINGH & RAVINDER KAUR / ZBA-24-00011

Site Plan w/Use Variance & C Variances in which the applicant is proposing to convert the existing repair garage into a convenience store at 339 Elizabeth Avenue, Somerset; Block 493.01 Lot 1 in zone R-10

<https://www.franklintwpnj.org/committees-commissions/zoning-board-of-adjustment/application-material/manjit-singh-ravinder-kaur-zba-24-00011/-fsiteid-1#!/>

DL 11/30/2025

CARRIED to DECEMBER 04, 2025 – notification needed

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 12/31/2025

<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 JANUARY 22, 2026 – with no further notification needed

This meeting will be held @ 7:00pm at the Franklin Township Board of Education Campus at 2301 Route 27, Somerset, NJ.

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
FTSA report 05.09.25 ok.pdf
historic report 09.11.25 ok.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

12/31/2025

<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 JANUARY 22, 2026 – with no further notification needed

This meeting will be held @ 7:00pm at the Franklin Township Board of Education Campus at 2301 Route 27, Somerset, NJ.

Police report #2 09.22.25 ok.pdf
Engineer report 09.11.25 ng.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
FTSA report 05.08.25 ng.pdf
EC report 05.08.25 ng.docx
historic report 09.11.25 ok.pdf
SCPB.pdf
D&R.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 12/31/2025

<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 JANUARY 22, 2026 – with no further notification needed

This meeting will be held @ 7:00pm at the Franklin Township Board of Education Campus at 2301 Route 27, Somerset, NJ.

Police report #2 09.22.25 ok.pdf
Engineer (DM) report 09.11.25 ng.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
historic report 09.11.25 ok.pdf

SCPБ 06.24.25.pdf
D&R 09.15.25.pdf

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

**REGULAR MEETING
September 18, 2025**

This Regular Meeting of the Township of Franklin Zoning Board of Adjustment was held at 475 DeMott Lane, Somerset, New Jersey 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: Vaseem Firdaus, Alan Rich, Gary Rosenthal, Robert Shepherd, Michael Dougherty, Kunal Lakhia, and Chairman Thomas

ABSENT: Cheryl Bethea, Richard Procanik, Faraz Khan, and Shapendu Singh

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

MINUTES:

- **Regular Meeting – August 7, 2025**

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

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

AGAINST: None

RESOLUTIONS:

- **IDI Logistics / ZBA-24-00010**

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

FOR: Ms. Firdaus, Mr. Rich, Mr. Rosenthal, Vice Chair Shepherd, and Chairman Thomas

AGAINST: None

HEARINGS:

- **BOUNCE AIR ADVENTURE PARK, LLC / ZBA-25-00019**

Mr. John Wisniewski, Esq., Attorney, appeared before the Board on behalf of the Applicant, Bounce Air Adventure Park. Mr. Wisniewski indicated that they were before the Board that evening to obtain a D(1) Use Variance in which the Applicant was seeking permission to operate an indoor recreation facility at 940 Easton Avenue, Somerset; Block 385, Lot 2.07, in the General Business (G-B) Zone.

Mr. Hang Lin, Owner/Applicant of Bounce Air Adventure Park, LLC, came forward and was sworn in.

Ms. Allison Coffin, Planner, employed with James W. Higgins Associates, came forward and was sworn in. The Board accepted her qualifications.

Chuen Jang, Engineer, employed with Polar Engineering PC, came forward and was sworn in. The Board accepted his credentials.

Mr. Wisniewski then indicated that they received two (2) reports, the Planner's report and the other one from the Environmental Commission. He noted that all of the comments the Environmental Commission made all had to do with the exterior of the building. He added, however, that they were a tenant in Rutgers Plaza and that the lease specifically limited them to what was happening within the four (4) walls. Mr. Wisniewski then shared that requests in that report related to landscaping, for a roof garden and lights on the exterior of the parking lot to be changed. He told the Board that they did not have the ability or the jurisdiction to do that and wanted to put it on the record.

Mr. Chuen Jang, Engineer, then started by describing the project in four (4) parts, with the first part to include the project description by describing it as a family entertainment center. He then showed the plan on the screen that included five (5) party rooms, with indoor coffee and the commercial kitchen, and altogether comprised the 20,000 sq. ft. within the building. He added that they were not expanding the footprint or adding any additional square footage but just reusing the vacant retail box store without altering lot coverage or building height. He then told the Board that the final design carefully separated the play zone for children by age and function with clear circulation paths and supervised sight lines. He added that it also provided ADA compliant access and amenities. Mr. Jang then stated that the second part was the building code compliance, with a minimum of three (3) exits and egress paths with the common egress paths being well within the allowable limits. The restroom and the accessory facilities included a men's room, a women's room and two (2) unisex ADA compliant rest rooms. Additionally, they have an accessible route that was provided for the entire facility for each play area and reception counter was shown at the ADA height of 34 inches minimum. Mr. Jang then told the Board that the third part was for zoning and community compatibility. He then explained that they do not have any variances for density, coverage, or height and the property was currently zoned for General Business.. He added that they would be using the property for entertainment only, with the Planner going to go through that testimony. Mr. Jang then added that the last part was for parking and traffic. He noted that Rutgers Plaza provided a large, shared parking area with more than 800 parking

spaces and believed that their use not only satisfied building and safety requirements but also aligned well for the local planning goals and the public interest.

Vice Chair Shepherd then asked what was in the subject space now with Mr. Jang indicating that it was vacant space right now.

Mr. Rich asked if it was a two-story space, and Mr. Jang indicated that it was only one (1) level that had a very high ceiling.

Mr. Hang Lin, Owner/Applicant of Bounce Air Adventure Park, LLC, came forward and went through the operations of the business. He stated that they would open at 2:00 p.m. and close at 8:00 p.m. on weekdays and would open at 10:00 a.m. and close at 9:00 p.m. on the weekends. Mr. Lin indicated that their target market was from age 5 through age 15 and anyone 18 years and older were allowed to come in only for a private event that rented the entire space. He added that the intent was to keep younger children and older people separate. Mr. Lin then noted that he anticipated that less than 100 people would be using the facility on each weekday between 2:00 p.m. and 8:00 p.m. and about 225 people during the weekend hours each day. He added that there would be 8-10 employees on the weekdays and 15-20 on the weekends. Broken down by employee positioning within the facility, Mr. Jin indicated that there would be 1-2 employees at the counter, with two (2) employees in the kitchen, with the rest on the floor supervising throughout the facility.

Vice Chair Shepherd then asked what they would be preparing and serving in the kitchen. Mr. Jin explained that the menu would be very simple, to include chicken nuggets, pizza, burgers, fries, and some desserts and soft drinks. The Vice Chair then asked if there was currently a kitchen, and Mr. Jin stated that there currently was not a kitchen and that they would be going through the Township for approvals.

Mr. Rich then asked for Mr. Jin to reiterate the age limit in the facility. Mr. Jin explained that 18-year olds and older would only be allowed to use the facility for a private event or to supervise their children.

Mr. Rosenthal then asked if the facility was ADA compliant, and Mr. Wisniewski stated that Mr. Jang, the Engineer, explained that the restrooms would be ADA compliant.

Mr. Healey then asked for the square footage of the facility again, to which Mr. Lin indicated that it was 20,500 sq. ft. Mr. Healey then provided some background, explaining that the way that the Township's ordinance was structured, they had a use called indoor recreation, which was permitted in the B-I Zone but not in the G-B Zone. He added that since the majority of the space would be used for recreation, he really couldn't find that it was a food and drink establishment, which was permitted in the zone. Mr. Healey explained that since the space would be used primarily for indoor recreation, the accessory use would include the restaurant portion.

Ms. Allison Coffin, Planner, employed with James W. Higgins Associates, came forward. Ms. Coffin then explained that because they were planning to use the former Office Depot space for indoor recreation, which was not permitted in the G-B Zone, the Applicant came to the Board to request a D(1) variance. She then indicated that it was her opinion that special reasons exist for the granting of the requested Use Variance and that it could be granted with

no detriment to the health, safety and general welfare of the public. She then explained that special reasons existed, in the subject case, and that the purposes of the Municipal Land Use Law (MLUL) would be advanced due to the particular suitability of the site and the space for the particular use and that the proposed indoor recreation use was a good fit for the retail space. She noted that indoor trampoline parks and bounces house uses were commonly found in larger commercial buildings, often in shopping centers, because they required spaces that have large open spaces and higher ceilings to accommodate the trampoline and other play activities, party rooms and food services. She added that the proposed use also required parking that was similar to parking that would be needed for retail and other commercial uses so the site could provide the parking that was needed for the use. Ms. Coffin then explained how the proposal advanced the MLUL by promoting the public health, safety, morals and general welfare by providing an appropriate use in an appropriate location. She stated that it was her opinion that there was no detriment that would result from the granting of the Use Variance. She added that the proposed use and intensity of the use was supported by the site, and the existing site provided adequate parking for the use and functions well as there were more than 800 parking spaces in the larger shopping center. Ms. Coffin then told the Board that looking at the parking requirements for the prospective use, one (1) space for every three (3) people within the building, she stated that the use was anticipated to have a weekday parking need of 35 to 50 parking spaces during its hours of operations and the number required reaching a peak of 100 parking spaces during the weekend. She then noted that the required spaces were adequately provided through the shared parking of the overall shopping center and believed that the use would not generate any detriment in terms of noise, odor, fire hazard or pollution that would impact the general public. Ms. Coffin indicated that the last test for whether or not it would substantially impair the intent and purpose of the Township's Master Plan and zoning ordinance. She indicated that it was her opinion that the proposed use would not. The proposed use for indoor recreation space, while not allowed under the zoning made sense for the established site and the existing interior space and made viable use of what was an underutilized tenant space within the shopping center. She added that the use did not require significant permanent alteration to the structure it occupied, which meant that the space could easily accommodate either retail or recreation use, which allowed the site to be more flexible and responsive to changing market conditions and to easily be converted back to a permitted use should the use cease to occupy the space. Ms. Coffin then explained that the zone permitted other recreation uses such as theaters and bowling alleys, so the inclusion of the use on the site was not wholly offensive to the zone. Lastly, Ms. Coffin stated that the Application advanced the Township's Master Plan land use goal of encouraging commercial development in established areas and in areas that would least impact residential neighborhoods. She then stated that it was her opinion that positive reasons do exist for the variance, that there was no significant negative impact, and it would not substantially harm your zoning ordinance or Master Plan.

Mr. Lakhia then asked if, in her opinion, if Ms. Coffin believed that there was enough space for the children to circulate the playing and jumping as the kids would be running around.

Mr. Healey stepped in and stated that the Application would have to go through the building permit process so sufficient room to maneuver through the space and sufficient egress, etc. would be reviewed.

Board Attorney, Mr. Eric Bernstein, then asked if there was going to be allocated parking, either for the business itself or at least for its employees. Mr. Wisniewski explained that there were spaces behind the building where employees would generally park and they had been before the Board before on other applications where that had been a point of discussion because there was substantial parking behind the building. As far as allocation for the shared parking field to any one particular use, Mr. Wisniewski stated that that was not how the entire property had been used over the years and that there were 800 shared parking spaces that were allocated to all of the different uses.

Chairman Thomas then opened the meeting to the public for questions or comments. Seeing no one coming forward, the Chairman then closed the meeting to the public.

Mr. Wisniewski then gave his closing statements. He added that in the Municipal Master Plan re-examination in 2016, the needs analysis noticed a shortage of active recreation facilities, and the proposed would provide one (1) more active recreation facility for the Township.

Vice Chair Shepherd made a motion to grant the Applicant a Use Variance to allow them to construct an indoor recreational facility in the G-B Zone. Ms. Firdaus seconded the motion, and the roll was called as follows:

FOR: Ms. Firdaus, Mr. Rich, Mr. Rosenthal, Vice Chair Shepherd, Mr. Dougherty, Mr. Lakhia, and Chairman Thomas

AGAINST: None

The Chairman then addressed a housekeeping item related to the seating capacity in the Council Chambers that evening, noting that all seats were available and that there should only be one row deep around the perimeter of the room.

Mr. Bernstein, Board Attorney, then spoke to the public to set a few ground rules. He noted that this subdivision hearing was the first of three (3) applications relative to the Ukrainian Orthodox Church. He then explained that the Zoning Board of Adjustment, just like any other land use board, was considered quasi-judicial in nature and, as such, signs of which the Board can see were not permitted to be raised above the level of where a person was seated and should not be coming out during the application in order to influence the Board as they were sitting as in a quasi-judicial capacity. He then indicated that they were supposed to make a decision based upon the testimony given, the evidence based before them, and the issues raised by their own professionals. He reminded the public that they need to keep out the demonstration of signs, flags, voices, etc., as the matter was being taped, recorded, with a transcript or may not occur. Mr. Bernstein added that the items before the Board are the applications that were being brought that evening and that any issue that had been raised before any other board, body or commission in the Township was not in and of itself impactful upon the application. To the extent that they have any bearing upon the Application before the Board, he stated that they would deal with it accordingly. He asked for anyone standing in the aisle to please move out of the aisle and reminded the public to please not clap, yell out, and please do not speak when you are not authorized. He then explained the process of how the applications would proceed, as the public saw during the first hearing that evening.

- **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 is proposing to subdivide the existing lot into two (2) new parcels at 135 Davidson Avenue, Somerset; in the Business & Industry (B-I) Zone.

Mr. Lanfrit asked to allow the witnesses that were involved in all three (3) applications that evening and would be providing overarching testimony to be able to present those witnesses as to the project. Mr. Bernstein, Board Attorney, indicated that they may not have to come up three (3) times, but they were going to have to be clearly separated between which application was which because each one (1) of these applications was different and not just one (1) big application – it was a series of applications. He then indicated that the testimony could be taken all at once, but the Board was ultimately going to have to decide and end up breaking up some of this as it hears it based upon what their questions were and what the public had. Mr. Lanfrit stated that they would need separate resolutions for each property because he thought it would be in the best interest of both the Board and the applicants that there were separate resolutions for the church and for the warehouse as well as a separate resolution for the subdivision.

Mr. Bernstein, Board Attorney, then asked if anyone there in the chamber asked to speak on behalf of a group of individuals here in the public, either as legal counsel or as a designated spokesperson. He explained that if anyone was obtaining that status, that would preclude other members of the public upon whom you are representing from coming up and speaking, either in a cross-examination situation or at the end of the application.

Vice Chair Shepherd then indicated that he was listening about the three (3) witnesses that would be providing overarching testimony. He added that his concern was that after they provided their testimony, there may be issues that come up later which would require additional information from them. He went on further to state that he would want to be sure that those witnesses, even after they testify, would remain available through however long it takes. Mr. Lanfrit assured the Vice Chair that every witness who gave testimony that evening would also be available at the next hearing should the matter be carried to another hearing.

Mr. Alexander Tiran came to the podium and asked if he could respectfully raise procedural questions before the testimony begins. He stated that he was just representing himself, so Mr. Bernstein, Board Attorney, stated that he could not at this point.

Mr. Lanfrit then stated that they were there that evening to present testimony on three (3) separate applications. He indicated that there was an application before the Board to subdivide the parcel of land that was currently owned by the church that consisted of 32 acres. He noted that the subdivision that they were seeking approval for was to create a 14.9-acre parcel to be retained by the church and a 17.7-acre parcel which would be used for the construction of the warehouse. He then told the Board that the subdivision was a conforming subdivision and met all of the requirements of the zoning ordinance and is an “as of right” subdivision. Mr. Lanfrit added that they were also seeking two (2) Use Variances, one (1) Use Variance for the warehouse. He reminded the Board and public that warehouses were a permitted use in the B-I Zone, but then they were removed from the B-I Zone and may be back in the B-I Zone before the hearing may conclude. He then stated that they were also

seeking a “technical” variance for a D(2) Variance for the church because when the church conveyed off land, the land that they were going to convey to the warehouse, it is technically called an expansion of a non-conforming use because the church right now was a non-conforming use in the B-I Zone.

Vice Chair Shepherd then asked how the church could have an expansion of a non-conforming use if they were reducing the size of their property. Mr. Lanfrit explained that because the church right now was a non-conforming use in the B-I Zone, the church is on 32 acres and would be on 14 acres if the subdivision was granted. He added that the church was functioning on 32 acres and would now be functioning on 14 acres, so the same activities would be functioning on 14 acres and, technically, on the 14 acres the potential use was more intense.

Mr. Lanfrit then indicated that, lastly, they were before the Board for Preliminary and Final Site Plan approvals for both the church site and the warehouse. He added that the church site had certain modifications which included reconfiguration of the parking and some storm water management. Mr. Lanfrit indicated that there were no structures being proposed on the church site. They were also seeking Preliminary and Final Site Plan approval for the warehouse; however, with both of these applications they received staff reports from the Township Engineer, Mr. Darrin Mazzei, who had some concerns that they needed more information regarding storm water management, which he stated they were in the process of obtaining and providing. Because they did not have all of that information, they would be requesting only a Preliminary Site Plan approval for both the church and the warehouse and coming back for a Final Site Plan approval after they provided the storm water management to the Township Engineer. Mr. Mazzei stated that he agreed with that process.

Mr. Bernstein, Board Attorney, interjected by saying that there may be other reasons for it not to be granted a Final Site Plan approval above and beyond the storm water management issue. Mr. Mazzei agreed with that statement.

Mr. Lanfrit then indicated that all of the applications were presented to the Franklin Township Historic Commission, and they conducted three (3) hearings on these applications. He added that they reviewed the subdivision, they reviewed both site plans and had requested some changes to the plans which they made. Additionally, Mr. Lanfrit stated that all three (3) of the applications were approved and the Historic Commission granted approval for the demolition of the cultural center, which was on the site where the warehouse was going to be constructed. Since the property was within 1,000 ft. of the canal, you have to go to the Historic Commission before you can get approval to demolish something, and they have already done so, and the approval had been obtained. He added that all three applications had been submitted to the Delaware & Raritan Canal Commission (DRCC) and have all been reviewed by them and have found no fault with the applications and were just waiting for the municipal approval and County approval which were required before they can formally approve the application.

Mr. Bernstein, Board Attorney, explained that he didn't want to leave the public the wrong assumption here. He explained that the demolition issue is not an issue before the Board, irrespective of where it exists, and Mr. Lanfrit concurred. Mr. Bernstein went on to state that the granting of a demolition permit by the Historic Preservation Commission would not be an issue before this Board, irrespective of the application. Mr. Lanfrit agreed that the Board did

not have any jurisdiction over demolition. Mr. Bernstein added that the Historic Preservation Commission deals with historic preservation. Any approvals or any consents granted by the Commission were not binding on the Board. Mr. Lanfrit concurred with that statement, and Mr. Bernstein went on to state that anything that the Commission did relate either to the applications before this Board or the demolition permit do not affect the Board's hearing of the application in its totality, except that the Board had no jurisdiction over demolition. So, Mr. Bernstein concluded by stating that if a demolition were to occur, irrespective of any other application, it was immaterial to the one before the Board. Mr. Lanfrit concurred.

In conjunction with the application, Mr. Lanfrit stated that one (1) of the sites was affected by Buckeye Pipeline and were aware of the application and they had worked through them and indicated that they have no issues.

Lastly, Mr. Lanfrit stated that the Board had heard an application about a month ago called IDI, which was a warehouse on Davidson Avenue just to the south of the subject property and adjacent to the subject property except for Executive Drive. He added that, in that application which the Board approved, they recommended to the Township Council that Executive Drive be vacated but wanted the Board to know that their plans do not show that because the road has not yet been vacated. Then he told the Board that they had been in discussions with IDI Logistics and that they were in accord with the vacation of Executive Drive. He added that should the project be approved, they would also apply and join in applying with IDI to the Council for the vacation of Executive Drive. Mr. Lanfrit then noted that if that road were vacated, there were two (2) variances that they were seeking that would disappear. Mr. Bernstein reminded Mr. Lanfrit that they still had to apply for the variances at that time since the road has not been vacated yet. A discussion ensued.

Mr. Lanfrit indicated that they had a slide presentation prepared that involved all three applications. He, therefore, would like to mark the handout of the slide presentation as Exhibit A-1 for all three (3) applications. Mr. Lanfrit then left a copy of the slide presentation at the public podium.

Mr. Josh Zemon, Principal & Chief Investment Officer of Creation Equity for their project called Somerset Exchange, one of the Applicants involved in the project. He indicated that his company had contracted to purchase the 17 acres from the church should the applications be approved. Mr. Zemon then told the Board that Creation Equity was a real estate investment and development company. He described the fact that they had 40 projects across the country and that they focus almost exclusively on ground up development of logistics projects and retail and mixed-use projects. He then noted that the subject project would be their fourth in the NY/NJ metropolitan area over the last five (5) years. Mr. Zemon wanted the Board to know that they were passionate about architecture, design and placemaking for all of their projects. He showed pictures of a number of their projects, stating that their projects do not look like traditional warehouses. He highlighted their most recent project in New Jersey called McClellan One, located in Newark, NJ. He noted that they had been working with the Ukrainian Church over the past two (2) years and was transformative for their organization as they needed to revitalize their campus and desperately want to remain in Franklin Township where they have been for the past 75 years. Mr. Zemon stated that the location of the subject property at Route 287 and Davidson Avenue provided excellent access and visibility to potential corporate users without impacting any residential areas and would complement surrounding businesses, including the IDI project that would be

developed immediately south of us. Mr. Zemon stated that the packet of slides that were also being shown on the screen was prepared by his company, dated September 16, 2025, and included photographs of his company's facilities and accurately represented the other facilities that his company owns. Mr. Zemon added that the rest of the document showed site plans and pictures of the church which were obtained by himself from their Site Engineer and were incorporated into the package.

Vice Chair Shepherd then asked Mr. Zemon if they had a tenant for the property or was the project going to be built on speculation, and he responded that they would be developing the project on spec.

Mr. Healey then asked if the project was being developed for one (1) or more tenants. Mr. Zemon indicated that the building was designed to be broken up into multiple tenants within the approximately 258,000 sq. ft. building and could be broken down into 40,000 to 50,000 sq. ft. He added that he had also designed multiple office entries to allow for the building to split.

The Vice Chair then asked if it was going to be a one (1)-story building, and Mr. Zemon testified that it was 36 ft. clear and 40-42 ft. to the top of the roof. He then added that they would clarify that information with their Engineer.

Mr. Lakhia then asked what type of clientele they were hoping to attract. Mr. Zemon stated that their buildings appealed to a wide range of potential uses, i.e., traditional logistics, distribution and warehousing. He then added that the prospective building size was a little small for that type of use, so they envisioned 50,000 to 100,000 sq. ft. tenants that have some component of warehousing distribution, some component of light manufacturing, and some component of office or retail showroom which was why the building was designed to break down into smaller tenant use.

Chairman Thomas then made a motion to open the meeting to the public. He told the public that this session was their opportunity to ask the witness questions based upon the testimony that was just given. He reiterated that it was not the time to make a statement or tell the Board what they like or do not like about the project.

Mr. Alexander Turon, 1353 East 14th Street, Brooklyn, NY, came forward. Mr. Turon asked, based upon NJ Statute 4055D10B any relevant documentation for the hearings should be presented to the public 10 days in advance, at least, and it was clearly not presented to the public prior to the hearing, and it did impact the decision of the Board. He then respectfully requested that the matter be carried to allow for public review. Mr. Lanfrit responded by stating that the relevant parts of this exhibit that include the pictures of the church, the site plan of the warehouse, were all colorized versions of what was filed with the Township and was on public record. He added that the only thing that was included that was in addition to that was some background information concerning the Applicant and the Applicant's business. Mr. Lanfrit added that he didn't think that it was relevant to the Application itself, and he thought that the Board could accept, and had in the past accepted, exhibits on the night of a hearing. Mr. Bernstein added that the exhibit was marked for identification, it was not in evidence, and he indicated that they would have to see what other evidence came in as to what the impact of Exhibit A-1 was relative to. He noted his recollection of NJ Statute 4055D10B is that it addressed more the issue of professional testimony, i.e., engineering, planning, architecture, etc. rather than, with respect to Mr. Zemon, a PR piece that was

ostensively here to tell the Board and public why his company's project should ultimately be approved.

Mr. Turon then asked if Mr. Zemon, or the people he represents, conducted a study with the local Ukrainian community on the relevance of building this warehouse given that the larger complex issue that has just been presented and whether the public has been asked about their opinions. Mr. Bernstein stated that Mr. Zemon testified to a proposed Application for the possibility of approval and was why the public was in the chambers to ask questions regarding the Application. That being said, he added that it was not a public opinion situation - land use board applications, whether it is the Zoning Board, the Planning Board, or the Land Use Board, were not based on what the neighbors believe, think or feel but based on what was provided to the board and met the criteria of the Municipal Land Use Law (MLUL).

Mr. Turon then asked if the Applicant had filed proof of service for a 200-foot owner/agency notice to the governing body. Mr. Lanfrit then stated that they had served all property owners within 200 ft., have also published in the newspaper and provided proof of same to the Township. He then asked that the submission of the presentation from Mr. Zemon would not impact the decision of the Board given that the public was not presented it prior to the hearing. Mr. Bernstein then indicated that he would advise the Board that at that time, Exhibit A-1 had been provided for the purposes of a background of the proposed Applicant relative to other projects that they have done outside of the Township. He stated that he assumed that Mr. Lanfrit would have other witnesses who were going to testify as to what was being produced or proposed to be produced here at the meeting. Mr. Lanfrit concurred.

Ms. Svitlana Malovana, 42 East 5th Street, Brooklyn, NY, came forward. Ms. Malovana asked if there was or was not a detailed report about risk of flooding and about a storm water management system to address that concern. Mr. Lanfrit stated that they had submitted a storm water report as part of their plan and was reviewed by the Township Engineer, Mr. Mazzei. He added that it was an extensive report and also reviewed by the Delaware & Raritan Canal Commission (DRCC) and the NJDEP and found no issue with it. He added that it had not been approved as yet, because it was not the time yet to do so, but Mr. Mazzei had asked for some additional information. Mr. Lanfrit then stated that they were in the process of getting that information and providing it to him, and the project Engineer would testify as to his opinion as to whether there were any storm water issues when he came up to testify.

Chairman Thomas stepped in to state that Mr. Zemon's testimony was basically a preliminary summary of the project. He told Ms. Malovana that her questions were to be related to Mr. Zemon's testimony, which was not about storm water.

Mr. Kovalev, 25 West Price Street, Linden, NJ, came forward. Mr. Kovalev asked if Mr. Zemon asked the right person because there was a big difference between churches and the Ukrainian Orthodox Church. Chairman Thomas stopped Mr. Kovalev's line of questioning because it was not related to Mr. Zemon's testimony. Mr. Bernstein explained the process of notifying neighbors of the subject property within 200 ft. and that individual parishioners or members of a house of worship were not the owners of record for purposes of providing the 200 ft. notice as the law required. It was simply that entity (Ukrainian Orthodox Church) which was recognized by the municipality on the tax records as the property owner.

Mr. Kovalev then stated that the Ukrainian Orthodox Church recently changed jurisdiction, originally UAPC and now was UPC so the Archbishop now is like a Turkish jurisdiction. Mr. Bernstein stated that whether the church changed their name, the Ukrainian Church of U.S.A. is the listed entity on the Application. He told Mr. Kovalev that if they changed names or entities was a separate issue that he could raise at a later point during these proceedings. For purposes of Mr. Zemon's testimony, Mr. Bernstein told Mr. Kovalev that his questioning did not address that testimony which was what they were allowing public questions at that time.

Ms. Olga Pylypovyc, 15 Holt Court, Glen Rock, NJ, came forward. She referred to the images in Mr. Zemon's slide presentation, noting that the building looks like an office building and only has automobiles shown parked there. Mr. Lanfrit stated that they would present testimony to the site plan which would show the car parking, truck parking and how the property would be used with a later witness' testimony.

Mr. Healey then suggested that Mr. Lanfrit explain that the witnesses they would be presenting and what they were going to speak about so that members of the public might understand who to ask their questions of.

Mr. Lanfrit told the public that he intended to call Archbishop Anthony and a Site Engineer who prepared the site plan for both the church and the warehouse and will testify as to what the warehouse facility would look like to include parking, lighting, drainage, etc. He would also testify to the changes that would be made to the church lot. He then indicated that he had a licensed Architect who would describe the building, both inside and outside, that was proposed to be constructed. He added that he would also have a Traffic Consultant who would present traffic testimony as well as a parking analysis as to the adequacy of parking. Lastly, he stated that a Planner would be testifying as to the variances that they were seeking.

Ms. Pylypovyc then asked Mr. Zemon why they were looking at images of warehouse buildings that were not representative of the project and what you would be offering to the Township. Mr. Zemon stated that the image shown was the side of the building that would be facing the church property and the office front of the property. That portion of the building is in a darker color with lots of glass and was the area where the office entries would be along the length of the building and where the car parking for the employees would be. He noted that that was a representative image of what they were proposing. She then asked which side of the building would be facing the church, to the right or to the left, and Mr. Zemon indicated that the church would be to the right of the side of the building that was being shown.

Mr. Yuri Wolk, 66 Cedar Grove Lane, Somerset, NJ, came forward. Mr. Wolk asked how far away their project was away from the St. Andrew Cemetery. Mr. Zemon indicated that their Civil Engineer would testify to that. Mr. Wolk indicated that there was a restriction of 1,000 ft. from a historical place.

Ms. Jana Varnichenko, 265 Maple Avenue, Dunellen, NJ, came forward. Ms. Varnichenko asked why Mr. Zemon's company wanted to build in Franklin Township and why specifically that plot of land. Mr. Zemon responded by saying that it was a great community, very diverse and a great labor base and was very well located in the State of New Jersey with access to all the major freeways in the area including the New Jersey Turnpike and I287. He then spoke to the choice of land parcel, noting its inclusion in the Business & Industry (B-I) Zone, with

Davidson Avenue being a business core. He added that they started working with the Ukrainian Orthodox Church over two (2) years ago and that it was really a collaboration between the two organizations. Mr. Zemon then stated it was never their intention to buy the entire parcel and demolish the church to put up a larger building but to subdivide the property and build a smaller building for their company to ultimately provide the sums necessary to provide the Ukrainian Orthodox Church through a transaction for them to rehabilitate their facilities which included a to be built museum and a seminary that was on-site today. He stated that Archbishop Anthony would testify to all of that, though. He then discussed the extensive dialogue that his company has had with the Ukrainian Orthodox Church on the project, being sensitive to their needs.

Mr. Bagen Jasinski, One Upton Court, Morganville, NJ, came forward. Mr. Jasinski again asked why the Applicant chose the property to build a warehouse and displace people in the Ukrainian Orthodox Church. A discussion ensued.

Mr. Michael Werthmuller, 5 Pollbrook Road, Jackson, NJ, came forward. Mr. Werthmuller asked how long they were prepared to fund the project before they got a tenant for it, and Mr. Zemon stated that they were prepared to fund the project for as long as it took to obtain a tenant(s).

Mr. Alexander Lazurka, 2536 Bush Street, East Meadow, New York, came forward. Mr. Lazurka asked for financial liquidity and Mr. Zemon's company's ability to complete the project and his previous experiences. Mr. Zemon indicated that they have completed every project they have started in the past 5 years he's worked with the company.

Seeing no one further coming forward, the meeting was closed to the public by Chairman Thomas.

Chairman Thomas agreed to a 5-minute break.

Mr. Daniel Miola, Civil Engineer, employed by Langan Engineering and Environmental Services, LLC, 300 Kimble Drive, Parsippany, NJ, came forward and was sworn in. The Board accepted his credentials.

Mr. Miola testified that his firm prepared the subdivision plan that was before the Board that evening as well as the site plans that were going to be heard, under his direction. Mr. Miola then described to the Board the property that was being subdivided in its current state. He pulled up the subdivision plat that was submitted to the Township in connection with the subdivision Application. The subdivision plat was marked into evidence as Exhibit A-2, prepared by Langan Engineering by a professional and licensed surveyor within Langan Engineering (Tom Reeves), dated October 23, 2024 and last revised January 23, 2025..

Mr. Miola indicated that the tract of land included one (1) lot with a total of 32.6 acres. He added that they were proposing to subdivide this lot into two (2) lots. The first lot he spoke about was the northerly lot and would have frontage on both Easton Avenue and Davidson Avenue and was called proposed Lot 1.09 with approximately 14.9 acres. He noted that the second lot that he was referring to was the southern lot and proposed as Lot 1.08. He noted that it would encompass 17.7 acres and would have frontage on Davidson Avenue and Executive Drive that bordered the southern lot. Mr. Miola noted that the minimum lot size in

the zone was two (2) acres so both lots exceed the minimum lot size of the zone. He then told the Board that the minimum frontage size in the zone was 150 ft., and both lots met the requirements of the zone on Easton Avenue, Davidson Avenue and Executive Drive. He stated that the two (2) lots were fully conforming with all bulk requirements, including lot area, lot frontage, building setbacks, lot coverage, and floor area ratio as well as impervious coverage. He told the Board that the southerly lot, Lot 1.08, was the proposed warehouse lot.

Mr. Miola then discussed the fact that there were currently structures on both lots, but when the one structure was removed from the one (1) lot, the remaining structure on the church site met the side-yard setback requirement. He added that there were no bulk variances that were created by the subdivision.

Mr. Miola then addressed the staff reports and indicated he was in receipt of both the staff Planner (Technical Review Committee (TRC) report dated July 8, 2025) and could comply with all comments in the subdivision component of the Application and staff Engineer and agree to address all remaining comments with respect to the subdivision component of the Application. Mr. Miola added that complying with all staff comments would not in any way alter or change what the Board was looking at that evening.

Mr. Mazzei, Township Engineer asked about item #2 in his report and whether there was going to be an access easement granted between the subdivision. Mr. Lanfrit stated that there would be an easement, but that it would be part of the site plan testimony.

Chairman Thomas then made a motion to open the meeting to the public for questions for the Site Engineer.

Mr. Alexander Turon, 1353 East 14th Street, Brooklyn, NY, came forward. Mr. Turon asked a question regarding the Use Variances for the two (2) lots, and Mr. Healey explained that that question would be for the Planner during the site plan portion of the Application.

Mr.. Matviyshyn, 15 Yates Avenue, South River, NJ, came forward. Mr. Matvyshyn asked what would happen if the subdivision were approved, but there were issues with other components with the Application and it was left as just two lots. Mr. Healey explained that there would be easements between the properties, so you can drive across the property and there might be utilities that cross the property and the Applicant would have to address those easements that would be necessary so that the site would continue to function as it did now, notwithstanding the fact that there was an invisible lot line now that existed. He added that the easements would have to happen at the time the subdivision was filed. Mr. Lanfrit stated that ownership could not change unless the subdivision was granted.

Mr. Alexander Turon, 1353 East 14th Street, Brooklyn, NY, came forward. He asked if the subdivision would proceed, what would occur to the current existing structures that were in place and did the subdivision line go through them. Mr. Miola stated that the subdivision line did not go through any structure and all required setbacks from buildings were being adhered to with the introduction of the subdivision line. .

Ms. Olga Pylypovyc, 15 Holt Court, Glen Rock, NJ, came forward. Ms. Pylypovyc asked that the copy of the slide presentation of Mr. Zemon be made available to the public as most

people could not see if from the seating area. Mr. Bernstein indicated that all copies of all documents submitted to the Board were accessible online on the Board's website.

Ms. Pylypovyc asked Mr. Miola to explain the changes to the site in relation to the subdivision. Mr. Miola indicated that there would be no physical changes happening on the site due to the subdivision.

Mr. Lanfrit explained what would happen if the subdivision was approved, but the warehouse was not approved for some reason.

Ms. Svitlana, 16 Dorsey Drive, Manalapan, NJ, came forward. Ms. Svitlana asked what the required distance would be between the buildings on each side of the subdivision line. Mr. Miola stated that the required side-yard setback was 10 ft., but the cultural center was 60 ft. from the subdivision line and the chapel on the other lot was about 35 ft. from the subdivision line

Mr. Alexander Turon, 1353 East 14th Street, Brooklyn, NY, came forward. Mr. Turon asked how the seminary would be accessed with someone else owning the separated lot. Mr. Lanfrit stated that that would be presented during site plan testimony, and as he stated he already indicated they have reconfigured the parking around the chapel and there were access easements located on the church lot which would be heard during the site plan testimony. A discussion ensued.

Ms. Olga Pylypovyc, 15 Holt Court, Glen Rock, NJ, came forward. Ms. Pylypovyc thought that the subdivision was not being considered along with the site plan for the warehouse and she didn't think that the subdivision could stand on its own. Mr. Bernstein once again explained that it was the Applicant's right to present an application in the order that they wanted to and it was the Board's responsibility to put the pieces together to determine if some or all pieces fit or do not and are acceptable.

Mr. Lanfrit explained again to Ms. Pylypovyc that the setbacks all comply and the distance between the buildings on both created lots were more than that.

Mr. Yuri Wolk, 66 Cedar Grove Lane, Somerset, NJ, came forward. Mr. Wolk asked how far away the project is from the cemetery of St. Andrew. Mr. Miola stated that the property bordered the cemetery of St. Andrews and subdividing the lot would not change the distance from the cemetery of St. Andrew lot. Mr. Lanfrit explained that the cemetery was on a different lot in a different municipality.

Chairman Thomas closed the meeting to the public, seeing no one further coming forward.

Mr. Healey reminded the public that since future testimony was going to be presented and related to the physical development of the project, the plans are on the Township website at franklintwpnj.org, and then go to Committees/Commissions and under Zoning Board of Adjustment there was an area for application materials that included all of the plans, the traffic studies, the storm water management reports are all there for the public's review. He added that new material submitted to the Township, those would be updated on the Township website. He also added that the Township professional reports were included on the agenda for the upcoming meeting.

Mr. Lanfrit indicated that his next witness would take longer than the time left that evening and should be carried to the next meeting. He also suggested that the next hearing should be held at the Board of Education Building to accommodate a larger crowd. He then asked if they could start the meeting a little earlier so they could get through the bulk of the testimony at the next meeting.

DL - 12/31/2025

Vice Chair Shepherd made a motion to carry the hearing, with no further notice, and Mr. Rich seconded the motion. It was agreed that the hearing would be **CARRIED TO NOVEMBER 6, 2025 - with no further notification required. This meeting will be held @ 7:00pm at the Franklin Township Board of Education Campus at 2301 Route #27, Somerset, NJ.**

Mr. Bernstein then explained to the public what “without further notice” means.

- **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 the Business & Industry (B-I) Zone.

DL - 12/31/2025

CARRIED TO NOVEMBER 6, 2025 - with no further notification required. This meeting will be held @ 7:00pm at the Franklin Township Board of Education Campus at 2301 Route #27, Somerset, NJ.

- **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 TO NOVEMBER 6, 2025 - with no further notification required. This meeting will be held @ 7:00pm at the Franklin Township Board of Education Campus at 2301 Route #27, Somerset, NJ.

MEETING ADJOURNED:

Vice Chair Shepherd made a motion to adjourn the meeting at 9:43 p.m. Ms. Firdaus seconded the motion, and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
October 3, 2025

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

**REGULAR MEETING
October 09, 2025**

This Regular Meeting of the Township of Franklin Zoning Board of Adjustment was held at 475 DeMott Lane, Somerset, New Jersey 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, Alan Rich, Gary Rosenthal, Robert Shepherd, Kunal Lakhia, and Chairman Thomas

ABSENT: Vaseem Firdaus, Faraz Khan, Michael Dougherty, and Shubhendu Singh

ALSO PRESENT: Eric Bernstein, Board Attorney, Mark Healey, Planning Director

MINUTES:

- **Regular Meeting – September 4, 2025**

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

FOR: Mr. Rich, Mr. Rosenthal, Vice Chair Shepherd, Mr. Lakhia, and Chairman Thomas

AGAINST: None

RESOLUTIONS:

- **Faisal Iqbal / ZBA-25-00017**

Mr. Rosenthal made a motion to approve the Resolution, as submitted. Mr. Rich seconded the motion, and the roll was called as follows:

FOR: Mr. Rich, Mr. Rosenthal, Vice Chair Shepherd, Mr. Lakhia, and Chairman Thomas

AGAINST: None

- **Jat Two, LLC, dba Jersey Mike's Subs / ZBA-25-00016**

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

FOR: Mr. Procanik, Mr. Rosenthal, Vice Chair Shepherd, Mr. Lakhia, and Chairman Thomas

AGAINST: None

HEARINGS:

- **MANJIT SINGH & RAVINDER KAUR / ZBA-24-00011**

Site Plan w/Use Variance & "C" Variances in which the Applicant is proposing to convert the existing repair garage into a convenience store at 339 Elizabeth Avenue, Somerset; Block 493.01, Lot 1, in an R-10 Zone - **CARRIED TO NOVEMBER 6, 2025** – with notification required.

DL - 11/30/2025

- **41 MOONACHIE LLC / ZBA-25-00022**

Sign Variance in which the Applicant is proposing to place a building-mounted sign on the side of the building at 831 Hamilton Street, Somerset; Block 229, Lot 21, in the HBD Zone – **APPLICANT DID NOT SHOW - if application is pursued, must notice.**

DL - 09/05/2025

- **HOUND TOWN 543, INC. / ZBA-25-00015**

Applicant has requested from the Board a reconsideration for their D(1) Use Variance in which they were asking permission to operate a cannabis dispensary at 1695 Amwell Road, Somerset; Block 386.04, Lots 36-38, in an R-20 Zone - **CARRIED TO OCTOBER 16, 2025 – with no further notification required.**

Mr. John DeLuca, Esq., Attorney, appeared before the Board on behalf of the Applicant, Hound Town 543, Inc. Mr. DeLuca stated that, in light of the fact that the Board did not have a full quorum of seven (7) voting Board members that evening, they were requesting that the matter be carried to the next available meeting date.

Mr. Healey indicated that the next meeting available was Thursday, October 16, 2025.

It was agreed by both the Board and the Applicant that the matter would be – **CARRIED TO OCTOBER 16, 2025 at 7:30 p.m., with no further notification required.**
MEETING ADJOURNED:

Vice Chair Shepherd made a motion to adjourn the meeting at 9:37 p.m. Ms. Bethea seconded the motion, and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
October 24, 2025

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

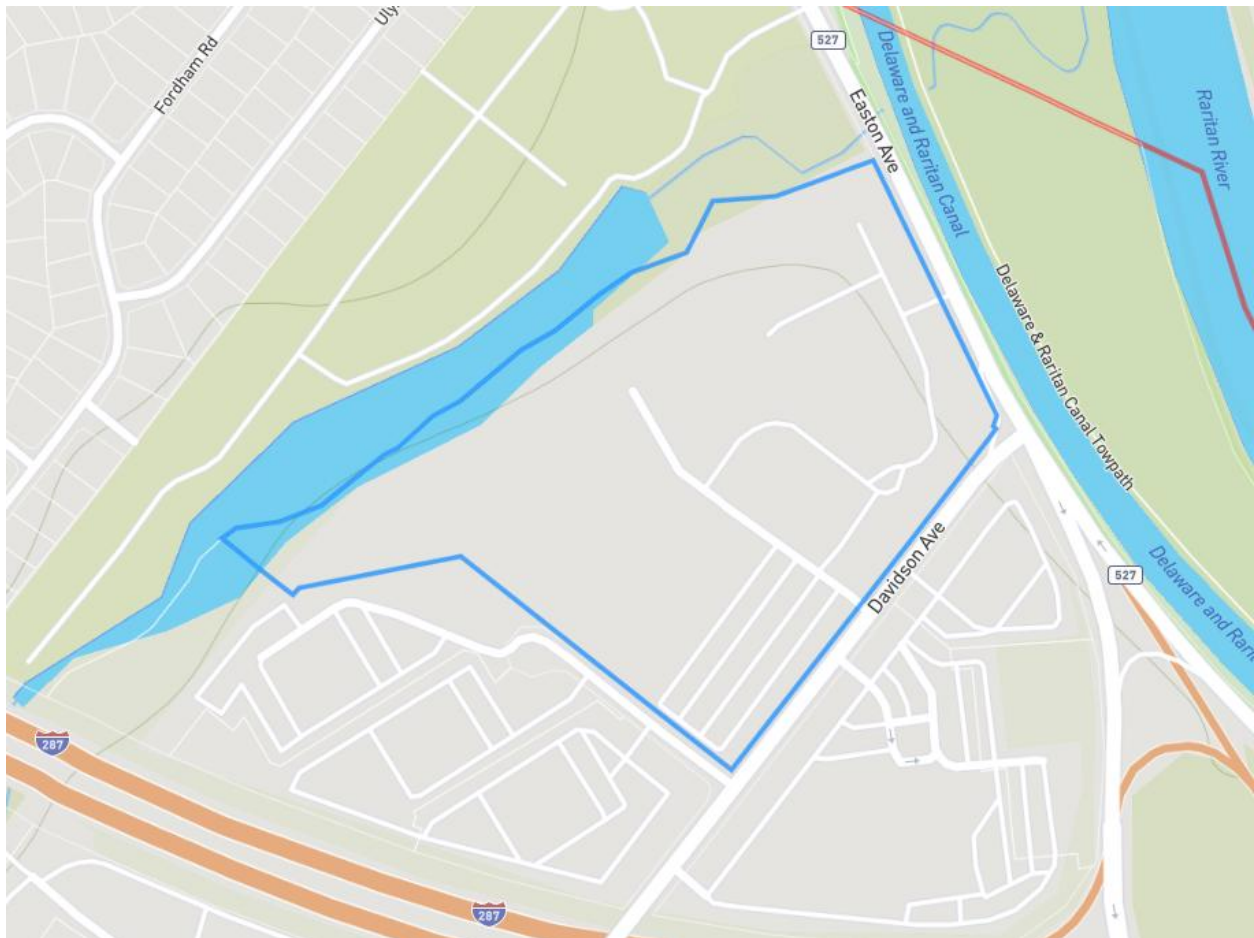


Figure 2: FEMA Special Flood Hazard Area along stream and in roadway

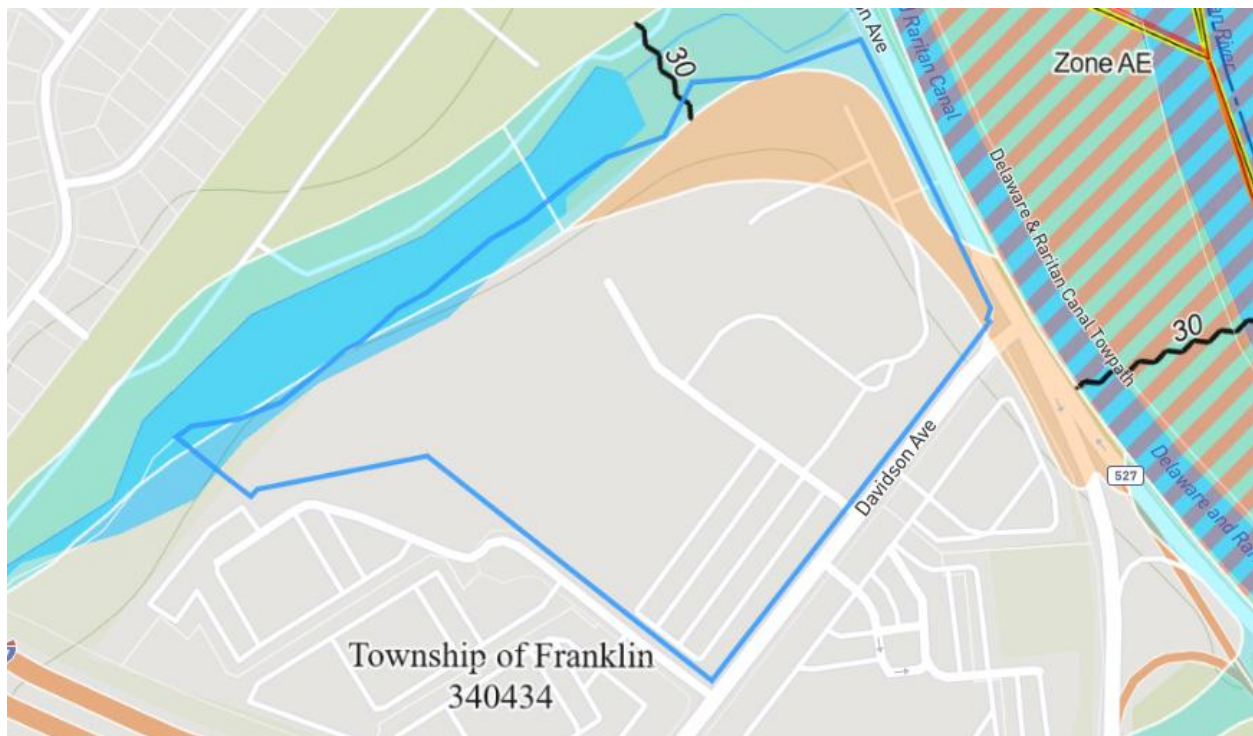


Figure 3: Potential Wetlands per NJDEP GIS information

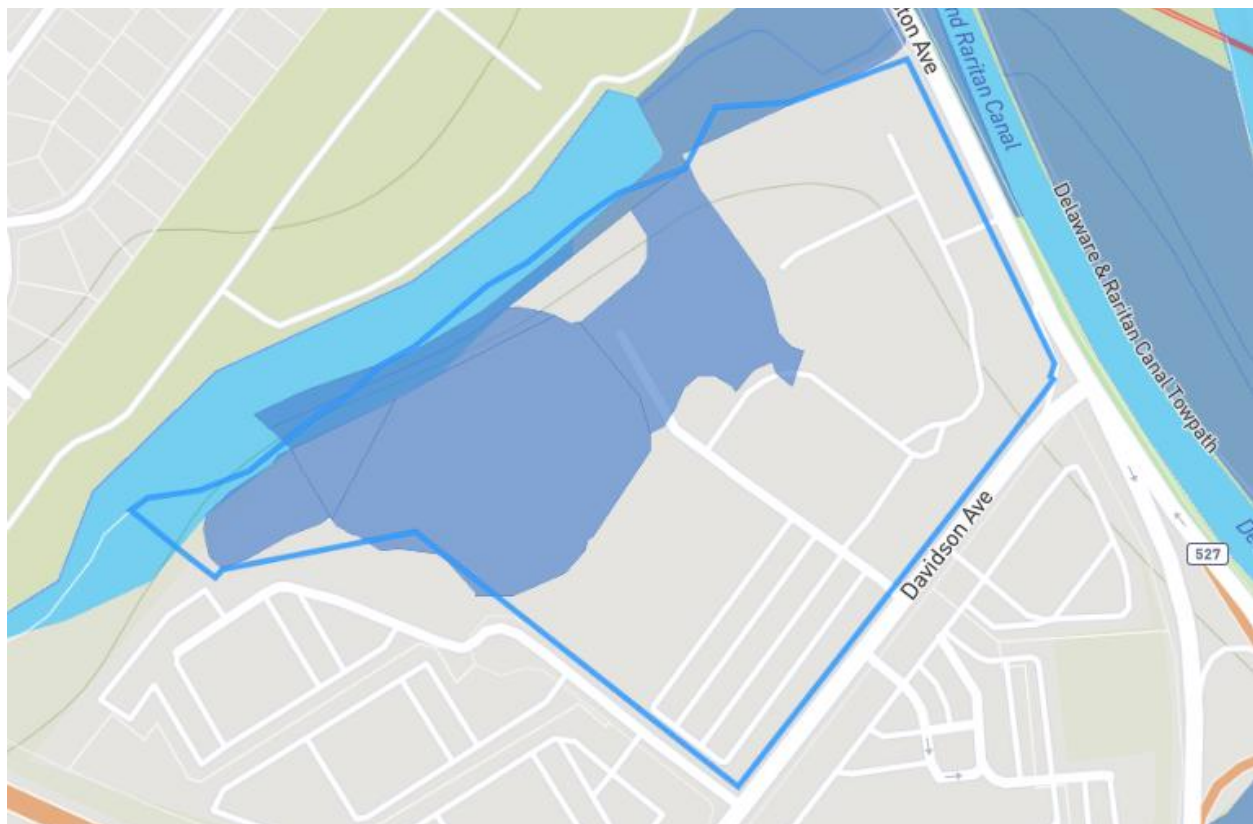


Figure 4: Site Aerial





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

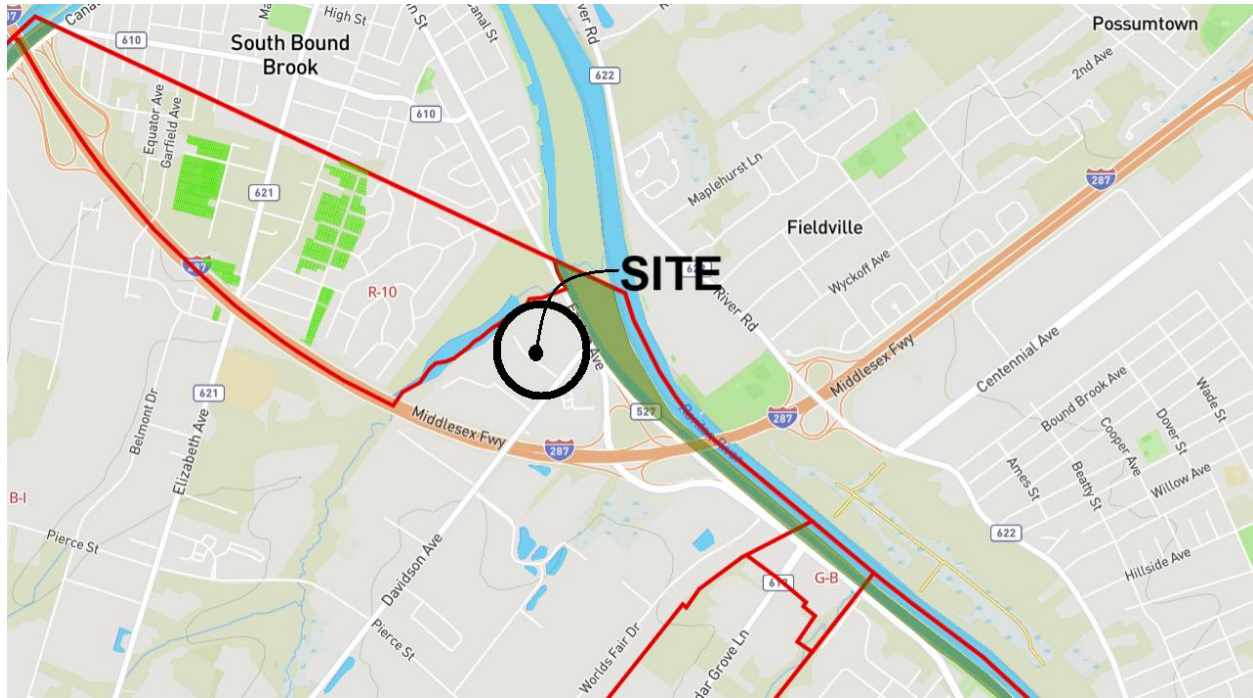


Figure 2: Site and Surrounding Area



Figure 3: Project Site and Adjoining Applications



Figure 4: Project Site and Adjoining Applications

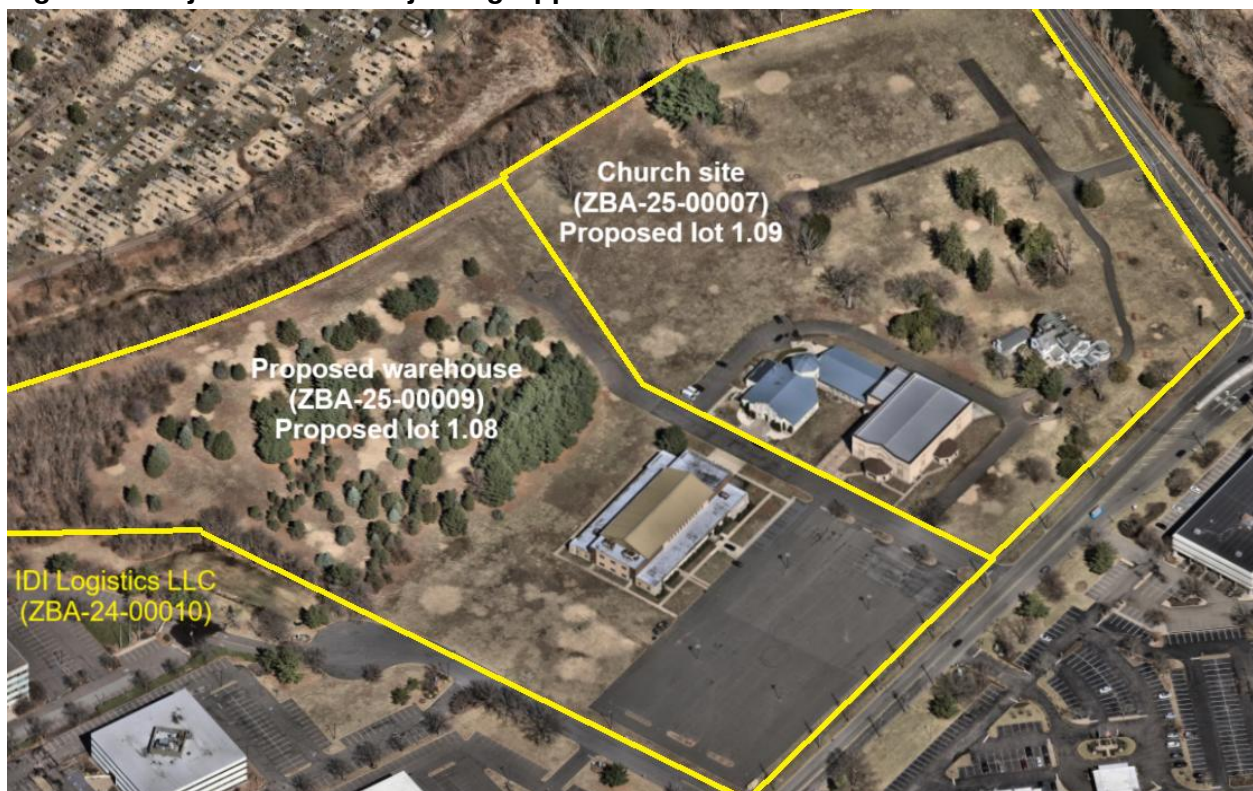
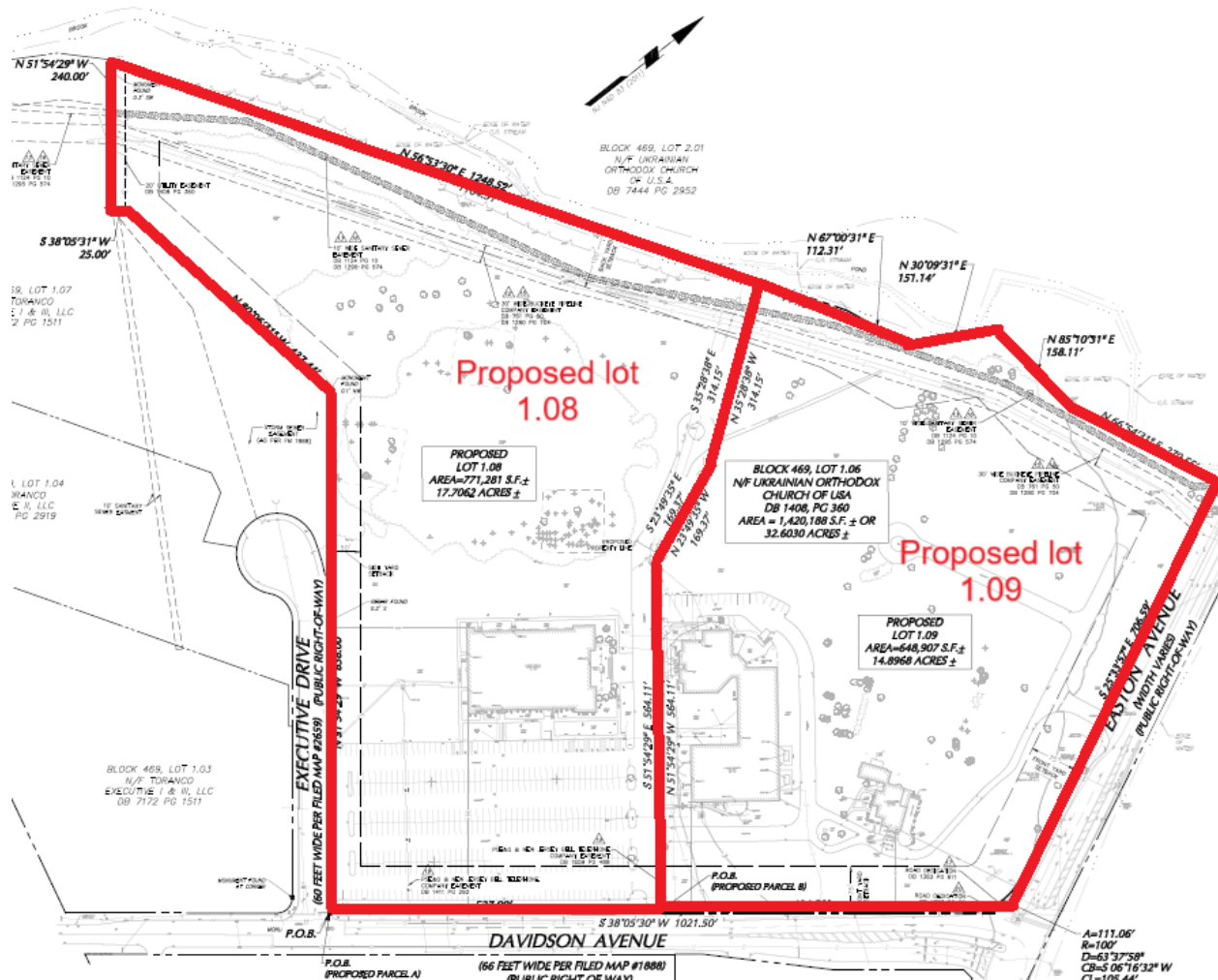


Figure 5: Proposed Subdivision (ZBA-25-00008)



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!

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](#)



Disclaimer: This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail in error and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

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



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.

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: September 11, 2025

RE: ***Ukrainian Orthodox Church of U.S.A.
Parking Lot Improvements
Preliminary & Final Major Site Plan
Report #2
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 no revisions;
- 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 must be obtained from NJDEP for the regulated activity. A copy of the permit and approved plans must be provided to this office. After permit approvals are received, a note indicating the NJDEP file number and date of approval should be added to the overall site plan sheet (sheet CS100).
5. A review of NJ-GeoWeb data shows the potential presence of wetlands on the property. NJDEP Letter of Interpretation (LOI) for wetlands presence/absence must be obtained for the property, and a copy of the LOI 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. In accordance with the BMP Manual requirements, a minimum of two (2) soil profile pits must be excavated within each proposed BMP area to assess soil suitability, determine seasonal high water table elevation, and evaluate infiltration capacity. Only one test pit was performed near the BMPs. The Applicant shall perform all required testing following the procedures outlined in Chapter 12 of the BMP Manual. **A calculated SHWT will not be accepted.**
14. In accordance with the BMP Manual, a minimum vertical separation of one (1) foot is required between the bottom of BMPs with underdrains and the seasonal high water table. For infiltrating BMPs, a minimum separation of two (2) feet is required. **Soil testing must be conducted in accordance with Chapter 12 of the BMP Manual to determine the seasonal high groundwater elevation and verify compliance with these separation requirements.**
15. 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.
16. 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.
17. 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. **A calculated SHWT is not acceptable. The SHWT elevation based upon the geotechnical testing is 37.4. The basin flood testing results indicate the basin flood testing was performed at elevation 37.4 which is above the most hydraulically restrictive layer. The stormwater design cannot be verified without additional geotechnical testing.**
18. 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.**
19. 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 is performed at the most hydraulically restrictive layer.**
20. As per BMP Manual requirements, the minimum distance between the bottom of an infiltration basin and the seasonal high water table is 2 feet. Testing in accordance with chapter 12 of the BMP Manual must be conducted to establish the seasonal high groundwater table and demonstrate compliance with the minimum separation. **Same cannot be confirmed and additional testing is required.**
21. 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 is performed at the most hydraulically restrictive layer.**
22. 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.

23. 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.
24. 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.**
25. 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.
26. As indicated in NJ BMP Manual, Plans should include inspection ports at the upstream and downstream end of the Bioretention Basin underdrain system.
27. 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.
28. 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.
29. 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.
30. 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.
31. 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. Additional geotechnical borings are required to investigate the groundwater mounding results further.
32. 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.
33. 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.
34. 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.
35. 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)

36. 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.
37. 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.
38. 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

39. 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
- Buckeye Pipeline

Township Departments:

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

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.

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



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

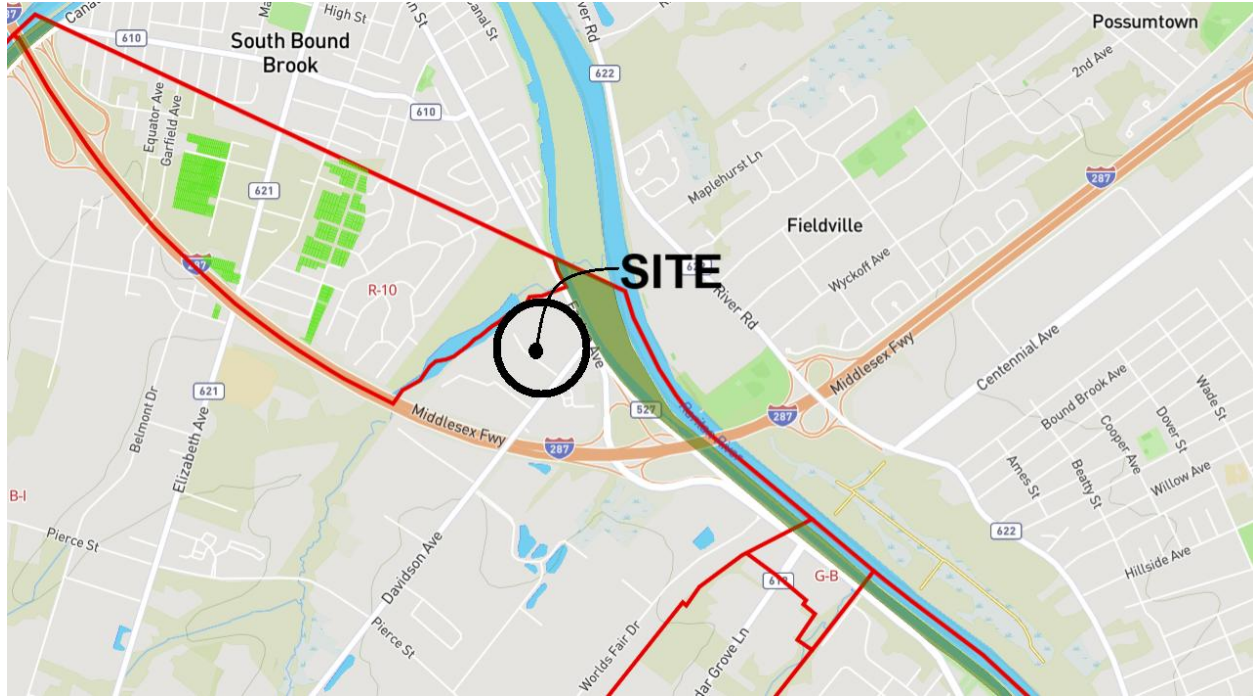


Figure 2: Site and Surrounding Area



Figure 3: Project Site and Adjoining Applications



Figure 4: Project Site and Adjoining Applications

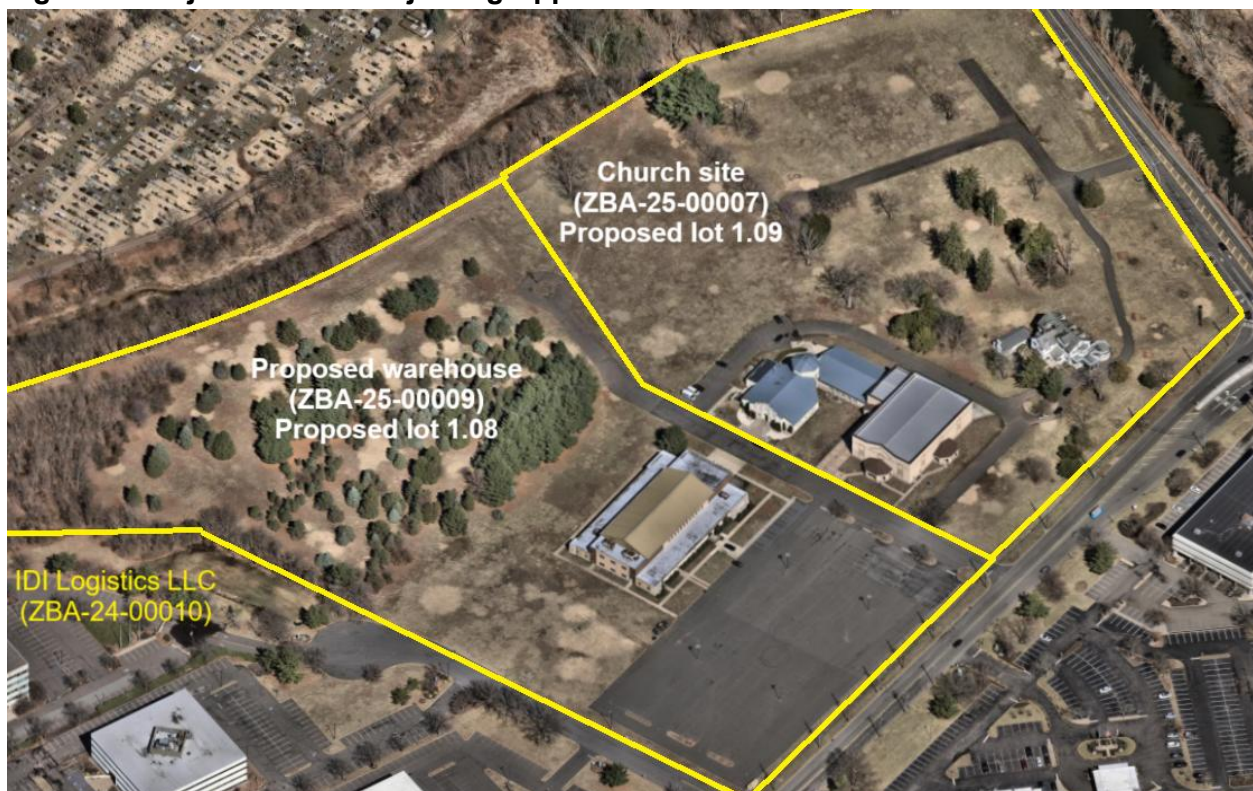
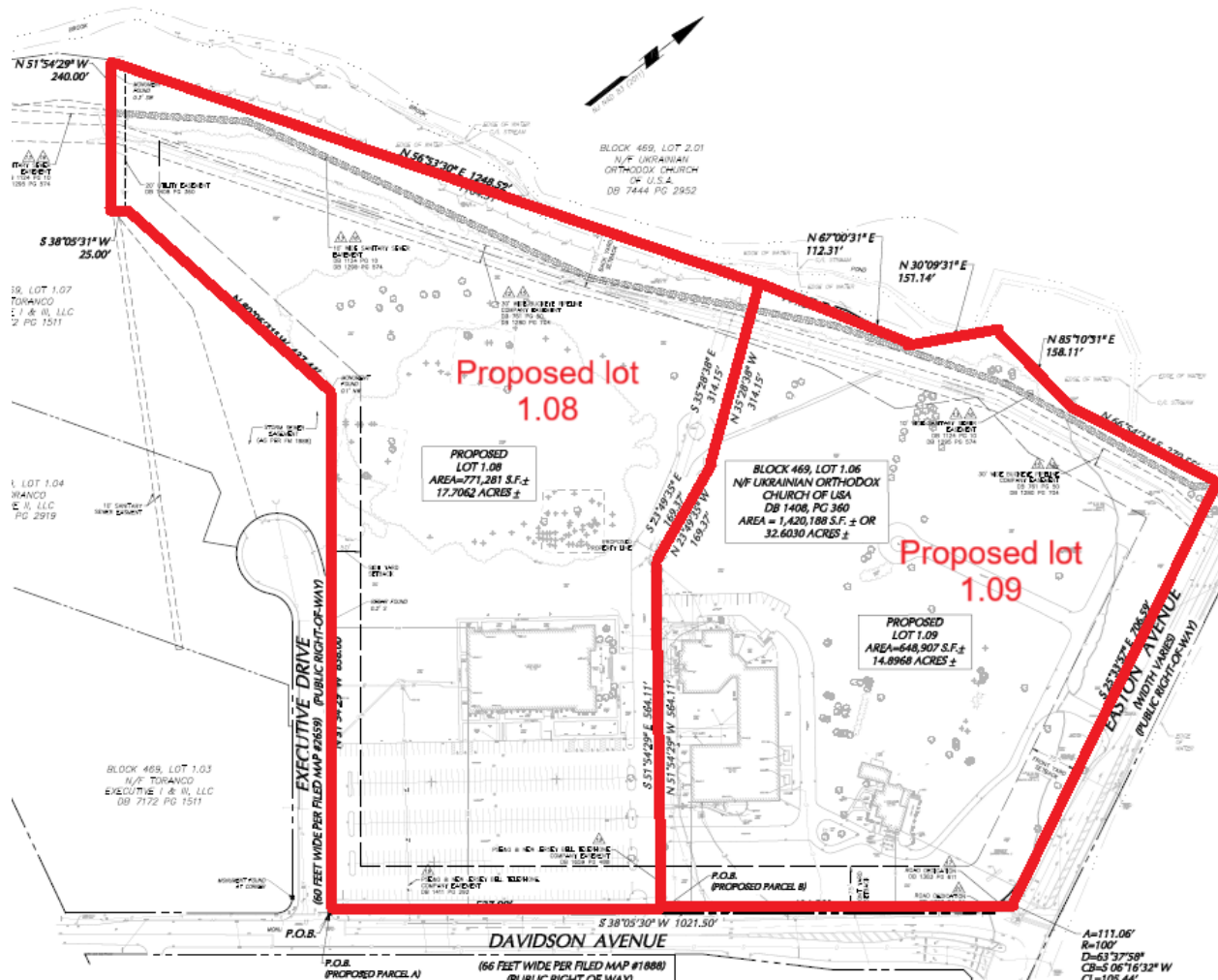


Figure 5: Proposed Subdivision (ZBA-25-00008)





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: 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

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:

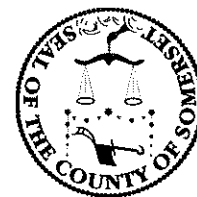
Do we have a report or minutes from the historic commission?

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



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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Commissioner / Liaison

Matthew D. Loper
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

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,



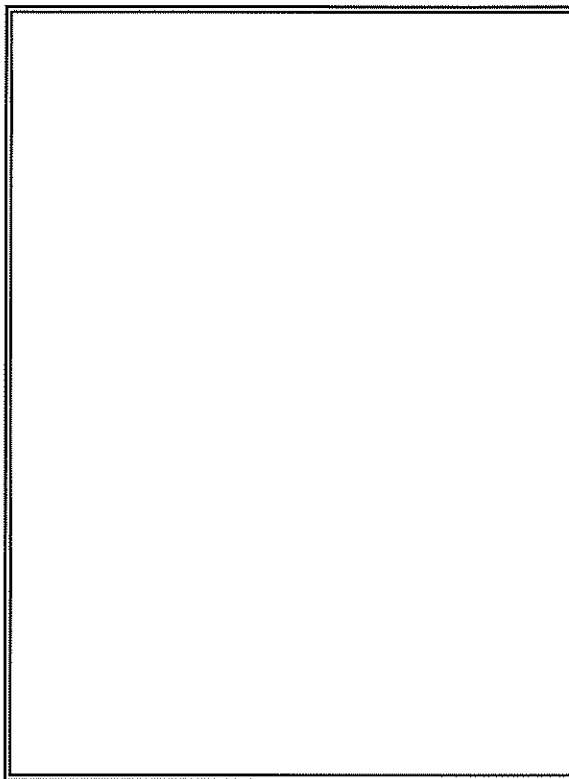
Nora Fekete
Supervising Planner



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 – LaGrue, 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"

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

2

DATE: September 18, 2025

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.

DRCC#: 25-2429C

3

DATE: September 18, 2025

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

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

DRCC#: 25-2429C

4

DATE: September 18, 2025

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

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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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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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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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)



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.

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: September 11, 2025

RE: ***Syracuse 1950 Easton Avenue Owner, LLC
Preliminary & Final Major Site Plan
Report #2
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 no revisions;
- 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 must be obtained from NJDEP for the regulated activity. A copy of the permit and approved plans must be provided to this office. After permit approvals are received, a note indicating the NJDEP file number and date of approval should be added to the overall site plan sheet (sheet CS100).
5. Wetlands are shown on the property. LOI information for wetlands must be added to plans. A copy of the LOI and stamped plans must be provided to this office.
6. It appears the proposed development will disturb portions of the wetlands transition areas; therefore, a NJDEP Freshwater Wetlands permit must be obtained for the proposed disturbance. A copy of the permit 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. In accordance with the BMP Manual requirements, a minimum of two (2) soil profile pits must be excavated within each proposed BMP area to assess soil suitability, determine seasonal high water table elevation, and evaluate infiltration capacity. The geotechnical investigation provided does not meet the criteria outlined in Chapter 12 of NJ BMP Manual; additional geotechnical testing is required. The Applicant shall perform all required testing following the procedures outlined in Chapter 12 of the BMP Manual. **A calculated SHWT will not be accepted.**
16. In accordance with the BMP Manual, a minimum vertical separation of one (1) foot is required between the bottom of BMPs with underdrains and the seasonal high water table. For infiltrating BMPs, a minimum separation of two (2) feet is required. Soil testing must be conducted in accordance with Chapter 12 of the BMP Manual to determine the seasonal high groundwater elevation and verify compliance with these separation requirements. **A calculated SHWT will not be accepted.**
17. 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.
18. 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.
19. 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.
20. Details of Pervious pavement inspection ports must be provided on construction plans and be traffic-rated.
21. Per BMP Manual requirements, no standing water may remain in a Pervious pavement area 72 hours after a rain event. **The pervious pavement drain time has been provided but cannot be confirmed until after the permeability testing is performed at the most hydraulically restrictive layer.**
22. 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.
23. 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.**
24. 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.

25. NJ BMP Manual indicates that plans should include inspection ports at the upstream and downstream end of the Bioretention Basin underdrain system.
26. 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.**
27. 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.
28. 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.**
29. 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.
30. 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.
31. The stormwater conveyance system profiles should be revised to show the proposed retaining wall around the Bioretention Basins.
32. 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 are required to evaluate the mounding analysis's validity and confirm the infiltration feasibility at this location.
33. 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.
34. 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.**
35. 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.
36. 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.
37. 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.
38. The water quality storm elevations listed on the porous pavement details are inconsistent with the stormwater report. Document coordination is required.

39. 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)

40. 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.
41. 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

42. 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
- Buckeye Pipeline

Township Departments:

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

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. 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



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

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

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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.

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

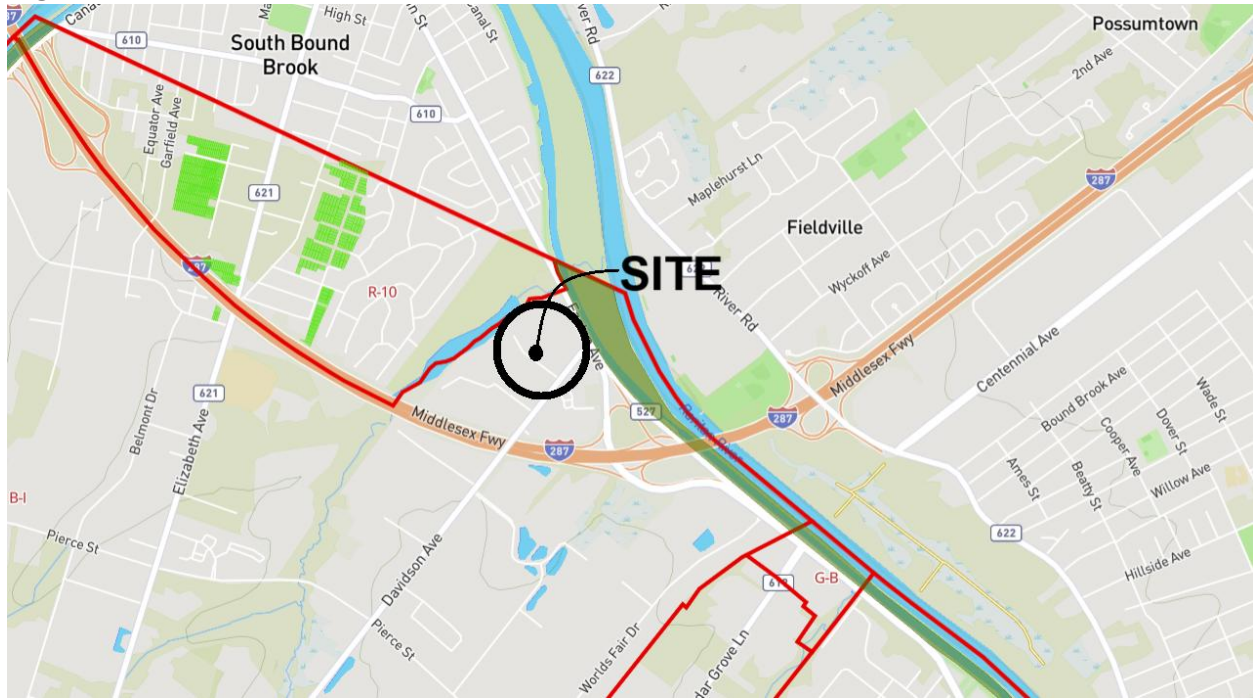


Figure 2: Site and Surrounding Area



Figure 3: Project Site and Adjoining Applications



Figure 4: Project Site and Adjoining Applications

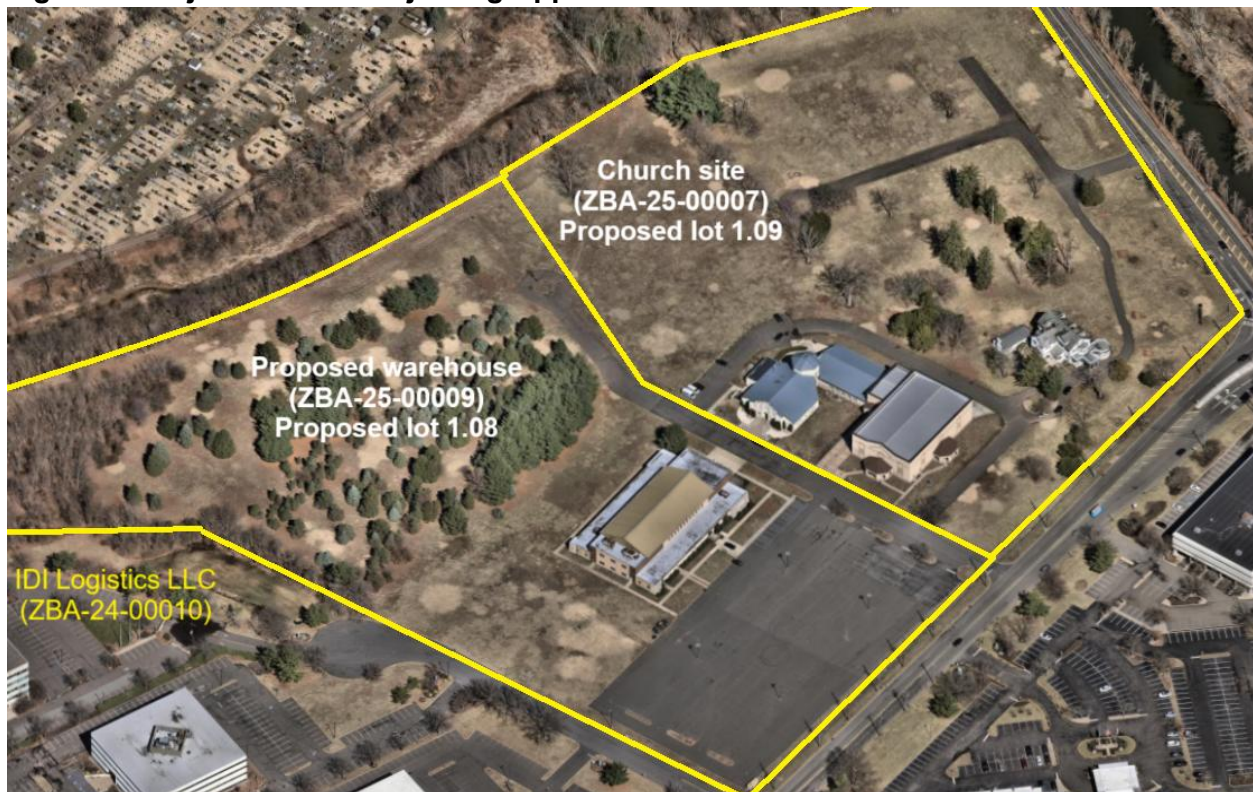


Figure 5: Davidson Avenue Frontage



Proposed lot 1.08

PROPOSED LOT 1.08
AREA=771,281 S.F. $\pm$
17.7062 ACRES $\pm$

Proposed lot 1.09

PROPOSED LOT 1.09
AREA=648,907 S.F. $\pm$
14.8968 ACRES $\pm$

BLOCK 469, LOT 1.06
N/F UKRAINIAN ORTHODOX CHURCH OF USA
DB 1408, PG 360
AREA = 1,420,108 S.F. $\pm$ OR
32.6030 ACRES $\pm$

DAVIDSON AVENUE
PUBLIC RIGHT-OF-WAY

EXECUTIVE DRIVE
60 FEET WIDE PER FILED MAP #2639 PUBLIC RIGHT-OF-WAY

P.O.B. (PROPOSED PARCEL A)

P.O.B. (PROPOSED PARCEL B)

P.O.B. (PROPOSED PARCEL C)

DAVIDSON AVENUE
(66 FEET WIDE PER FILED MAP #1888)
DB 181 N/DUPLEX PLAT WA 11

A=111.06'
R=100'
Ch=63.73758'
Cb=5.0676322°W
Ct=-100.44'



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!

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>

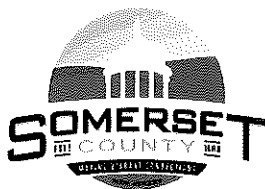
Cc Christine Woodbury <Christine.Woodbury@franklinnj.gov>

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:

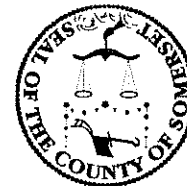
Do we have a report or minutes from the historic commission?

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



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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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
 Page 2 of 2

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.”

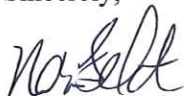
Stormwater Management Requirements

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,



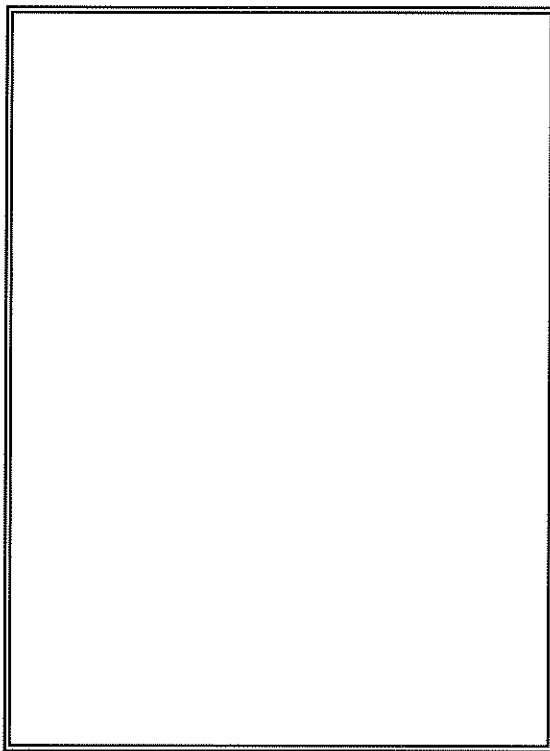
Nora Fekete
 Supervising Planner



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"

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
--------	-------	-----------------

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

2

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

DRCC#: 25-2429D

3

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):



DRCC#: 25-2429D

4

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

DRCC#: 25-2429D

5

DATE: September 15, 2025

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

DRCC#: 25-2429D

6

DATE: September 15, 2025

PROJECT NAME: 1950 Easton Avenue -- Proposed Warehouse

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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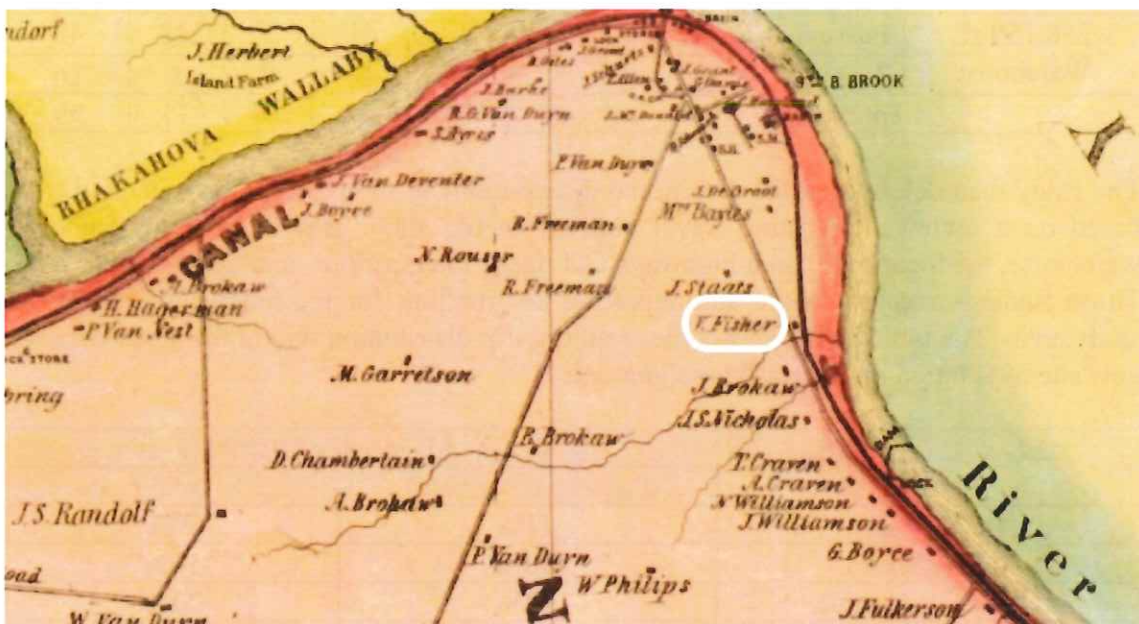
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N.J.A.C. 7:45-10.4(d)6 directs that projects that are located in any officially designated Federal, State, or local historic district or site shall be assessed for their impact upon that district or site. Recommendations to avoid, minimize, and/or 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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c. Somerset County Planning Board

Franklin Township Planning Board

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