

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

**REGULAR MEETING  
October 6, 2016**

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 Robert Thomas, Chairperson, at 7:30 p.m. The Sunshine Law was read and the roll was called as follows:

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**PRESENT:** Raymond Betterbid, Donald Johnson, Alan Rich, Gary Rosenthal, Joel Reiss and Chairman Thomas

**ABSENT:** Laura Grauman Bruce McCracken Robert Shepherd, Anthony Caldwell and Cheryl Bergailo

**ALSO PRESENT:** Board Attorney, Patrick Bradshaw and Mark Healey, Planning Director

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**MINUTES:**

Mr. Reiss made a motion to approve the Minutes as submitted. Mr. Johnson seconded the motion and the roll was called as follows:

**FOR:** Mr. Betterbid, Mr. Johnson, Mr. Rich, Mr. Rosenthal, Mr. Reiss and Chairman Thomas

**AGAINST:** None

**RESOLUTIONS:**

- **FIORINO / ZBA-16-00026**

Mr. Reiss made a motion to approve the Resolution as submitted. The motion was seconded and the roll was called as follows:

**FOR:** Mr. Rich, Mr. Rosenthal, Mr. Reiss and Chairman Thomas

**AGAINST:** None

- **REGENCY HERITAGE / ZBA-16-00014**

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

FOR: Mr. Betterbid, Mr. Rich, Mr. Rosenthal, Mr. Reiss and Chairman Thomas

AGAINST: None

- **STAR BAZAAR / ZBA-16-00027**

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

FOR: Mr. Rich, Mr. Rosenthal, Mr. Reiss and Chairman Thomas

AGAINST: None

- **IGLESIA CRISTIANA / ZBA-16-00013**

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

FOR: Mr. Betterbid, Mr. Rich, Mr. Rosenthal, Mr. Reiss and Chairman Thomas

AGAINST: None

**DISCUSSION:**

***Vouchers:***

- **Patrick Bradshaw – October Retainer - \$865.00**
  - **Somerset Woods - \$875.00**
  - **Berg - \$437.50**
  - **CAAM Development - \$175.00**
  - **Chandranathan - \$227.50**
  - **Mauldin - \$437.50**
  - **Franklin Care Center - \$218.75**

Mr. Rosenthal made a motion to approve the Vouchers as submitted. Mr. Rich seconded the motion and all were in favor.

## HEARINGS:

- **EDWARD CICHOWSKI / ZBA-16-00032**

Variance in which the Applicant was requesting to put up a detached 2-car garage at 179 Delmonico Avenue, Somerset; Block 93, Lots 33 & 34, in an R-10 Zone - **CARRIED TO OCTOBER 20, 2016 – with residential notification needed only.**

**DL 11/14/2016**

- **TRUST UNDER ARTICLE 6 u/w/o SIGMUND SOMMER & LEVIN PROPERTIES, LP / ZBA-15-00017**

Use Variance in which the Applicant was proposing to construct 50 townhomes at 31 Cedar Grove Lane, Somerset; Block 468.09, Lot 34, in an R-40 Zone - **CARRIED TO DECEMBER 01, 2016 – with further notification required.**

**DL 12/30/2016**

- **PARAMASAMY CHANDRANATHAN / ZBA-16-00009**

Variance in which the Applicant was requesting a variance for an undersized lot at 4292 Route #27, Somerset; Block 6, Lot 24.01, in the RR-5 Zone - **CARRIED TO DECEMBER 15, 2016 – with further notification required.**

**DL 12/30/2016**

- **DENNIS SHENNARD / ZBA-16-00034**

Applicant was asking for permission to renovate a garage to a pole barn at 4509 Route #27, Kingston; Block 5.02, Lot 130, in an R-20H Zone.

Mr. Dominach's Zoning report indicated that the Applicant was proposing to construct a pole barn and that the following variances were required:

1. Lot area: 20,000 sq. ft. minimum, 14,296 sq. ft. existing/proposed
2. Lot frontage: 100 ft. minimum, 74 ft. existing/proposed
3. Side yard setback: 15 ft. minimum, 9.8 ft./14.3 ft. existing/proposed
4. Side yard setback combined: 30 ft. minimum, 44.1 ft. existing/proposed
5. Side yard setback accessory structure: 15 ft. minimum, 14.2 ft. existing and 13.3 ft. proposed.
6. Rear yard setback accessory structure: 25 ft. minimum, 10.2 ft. existing/proposed
7. Lot coverage: 15% maximum, 19.4% proposed
8. Impervious coverage: 25% maximum, 39% existing and 51.7% proposed

During the hearing, Mr. Dominach indicated that the Applicant had an existing garage and wanted to replace it with a 30 ft. x 50 ft. pole barn. He detailed the existing variances that the Applicant needed.

Mr. Dennis Shennard, Owner and Applicant, came forward and was sworn in. Mr. Shennard then told the Board that his garage was old and decaying and wanted to replace it with a pole barn in order to store a trailer and a few vehicles.

Chairman Thomas asked the Applicant how large the existing garage was, and Mr. Shennard stated that it was about 22 ft. x 24 ft. in size. The Chairman then asked the Applicant if he was planning to house any commercial vehicles inside. Mr. Shennard stated that he wanted to put his camper inside, a pickup truck and a few motorcycles. He then indicated that the proposed pole barn was under 20 ft. high, lower than the height of the residential home on the property.

Mr. Betterbid asked the Applicant if he read the Township Engineer's report. Mr. Shennard stated that he did not see the report, but had discussed the issue with the Township professionals. Mr. Dominach told the Applicant that the Township Engineer required that he install a dry well to mitigate the increase in impervious coverage. He also added that the Applicant would have to provide an As-Built Survey once the pole barn was on the property.

Board Attorney, Patrick Bradshaw, asked whether he would be running electricity and plumbing to the pole barn, and Mr. Shennard indicated that he would be running electricity for lighting, but no plumbing.

Chairman Thomas made a motion to open the hearing to the public. Seeing no one coming forward, the meeting was closed to the public.

Mr. Reiss made a motion to approve the Application with Variances. Mr. Betterbid seconded the motion and the roll was called as follows:

FOR: Mr. Betterbid, Mr. Johnson, Mr. Rich, Mr. Rosenthal, Mr. Reiss and Chairman Thomas

AGAINST: None

- **JOHN HOWARD, JR / ZBA-16-00037**

The Applicant was seeking variances to place a 12 ft. x 26 ft. garage, new driveway and entrance to Prospect Street at 16 Rose Street, Somerset; Block 171.01, Lots 82 & 83, in an R-7 Zone.

Mr. Dominach's Zoning report indicated that the Applicant was proposing to move a shed and construct a 12 ft. x 26 ft. garage, with the following variances required:

1. Front yard setback (garage): 25 ft. minimum, 20 ft. proposed
2. Side yard setback (garage): 8 ft. minimum, 4 ft. proposed
3. Lot coverage: 20% maximum, 28.2% proposed
4. Impervious coverage: 30% maximum, 47.8% proposed

5. Side yard setback (house): 8 ft. minimum, 5.7 ft. existing/proposed
6. Front yard setback (house): 25 ft. minimum, 19.6 ft./24.7 ft. existing/proposed
7. Lot area: 9,000 sq. ft. minimum, 5,000 sq. ft. existing/proposed
8. Lot frontage: 90 ft. minimum, 50 ft. (Rose Street) existing/proposed

During the hearing, Mr. Dominach reviewed the variances that were required in the Application.

Mr. John Howard, Jr., Owner/Applicant, came forward and was sworn in. Mr. Howard told the Board what he wanted to do and what he was planning to use the garage for on his property. Mr. Howard stated that he wanted to house an older car in the garage

Chairman Thomas asked Mr. Howard if the proposed garage could be made any smaller or placed in a different area to eliminate or minimize any variances. Mr. Howard didn't think there was any other configuration that would work. Mr. Dominach stated that he and the Applicant had spoken to the Engineering Dept. that was helping to allow him to put in another driveway for the additional access.

Mr. Betterbid asked whether the Applicant read the Engineering report and Mr. Dominach indicated that they had gone over it with Mr. Howard and that he was told that the project required him to put in a drywell to mitigate the additional impervious coverage.

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

Mr. Betterbid made a motion to approve the Application, with variances, and the adherence to the Township Engineer's report and items discussed during the hearing. Mr. Rich seconded the motion and the roll was called as follows:

FOR: Mr. Betterbid, Mr. Johnson, Mr. Rich, Mr. Rosenthal, Mr. Reiss and Chairman Thomas

AGAINST: None

## **WORKSESSION/NEW BUSINESS**

There was no new business

## **MEETING ADJOURNED**

Mr. Reiss made a motion to adjourn the meeting at 7:45 p.m. and Mr. Betterbid seconded the motion. All were in favor.

Respectfully submitted,

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Kathleen Murphy, Recording Secretary  
October 27, 2016