

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

**REGULAR MEETING
November 3, 2022**

This Regular Meeting of the Township of Franklin Zoning Board of Adjustment was held virtually 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, Joel Reiss, Alan Rich, Robert Shepherd, Vaseem Firdaus, and Chairman Thomas

ABSENT: Gary Rosenthal and Firaz Khan

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

MINUTES:

- **Regular Meeting – September 1, 2022**

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

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

AGAINST: None

- **Regular Meeting – September 15, 2022**

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

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

AGAINST: None

RESOLUTIONS:

- **Kingsley Sackey / ZBA-21-00015**

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

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

AGAINST: None

- **Karen Moore / ZBA-22-00016**

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

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

AGAINST: None

- **Liv Devco, LLC / ZBA-21-00011**

Mr. Reiss 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. Reiss, Ms. Firdaus, and Chairman Thomas

AGAINST: None

- **Sai Datta Mandir, Inc. / ZBA-19-00037**

Chairman Thomas made a motion to approve the Resolution, as submitted. Ms. Firdaus seconded the motion, and the roll was called as follows:

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

AGAINST: None

- **Saint Sharbel Maronite Church / ZBA-20-00027**

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

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

AGAINST: None

- **Muslim Foundation, Inc / ZBA-22-00009**

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

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

AGAINST: None

- **Rutgers Community Christian Church / ZBA-16-00024**

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

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

AGAINST: None

DISCUSSION:

- **Tabatchnick Fine Foods, Inc / ZBA-15-00018**

Mr. Steve Finkelstein, Esq., Attorney, appeared before the Board on behalf of the Applicant, Tabatchnick Fine Foods, Inc. Mr. Finkelstein indicated that they were there before the Board to request an Extension of Time for the Variance to be consistent with the Resolution already adopted on October 21, 2021. He indicated that it seemed that they submitted their Resolution compliance materials in September, however, it had been misplaced in the Township and the clock would run out on the ordinance. As a result, Mr. Finkelstein asked that the Board grant them an Extension of Time for one (1) year (to October 31, 2023) to be consistent with the original Resolution.

Vice Chair Shepherd inquired as to when another copy of the paperwork would be delivered to the Township. Mr. Finkelstein indicated that the paperwork was again hand-delivered, to Mr. Mark Healey, Planning Director.

Vice Chair Shepherd made a motion to grant Tabatchnick Fine Foods a further Extension of Time of one (1) year to October 31, 2023 to complete the Resolution compliance and obtain the variance for the property. Ms. Bethea seconded he motion, and he roll was called as follows:

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

AGAINST: None

HEARINGS:

- **GENNARO COSTABILE / ZBA-22-00020**

D Variance in which the Applicant was seeking approval to use part of an existing structure as a single-family dwelling at 4587 Route #27, Kingston; Block 3, Lot 16.01, in the NB Zone – **CARRIED - TO DATE TO BE DETERMINED – with further notification required.**

DL - 2/05/2023

EXECUTIVE SESSION:

- **Litigation - Suharose**

MEETING ADJOURNED:

Mr. Reiss made a motion to adjourn the meeting at 7:41 p.m. to enter into Executive Session. Ms. Bethea seconded the motion, and all were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
January 10, 2022