

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

**REGULAR MEETING  
November 1, 2023**

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

**PRESENT:** Councilman Anbarasan, Theodore Chase, Jennifer Rangnow, Mustapha Mansaray, Charles Brown, Robert Thomas, and Chairman Orsini

**ABSENT:** Erika Inocencio, Sami Shaban, Meher Rafiq, and Rebecca Hilbert

**ALSO PRESENT:** Mr. James Clarkin, Board Attorney, Mark Healey, Planning Director, and Christine Woodbury, Planning & Zoning Secretary

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**MINUTES:**

- **Regular Meeting –July 19, 2023**

Mr. Thomas made a motion to approve the Minutes, as submitted. The motion was seconded by Councilman Anbarasan, and the roll was called as follows:

**FOR:** Councilman Anbarasan, Dr. Chase, Ms. Rangnow, Vice Chair Brown, Mr. Thomas, and Chairman Orsini

**AGAINST:** None

- **Regular Meeting – August 2, 2023**

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

**FOR:** Councilman Anbarasan, Dr. Chase, Ms. Rangnow, Mr. Thomas, and Chairman Orsini

**AGAINST:** None

- **Regular Meeting – August 16, 2023**

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

FOR: Councilman Anbarasan, Dr. Chase, Mr. Mansaray, Vice Chair Brown, Mr. Thomas, and Chairman Orsini

AGAINST: None

**RESOLUTION:**

- **B9 Schoolhouse Owner, LLC – PLN-22-00011**

Mr. Thomas then made a motion to approve the Resolution to deny the Application. Councilman Anbarasan seconded the motion, and the roll was called as follows:

FOR: Councilman Anbarasan, Dr. Chase, Mr. Thomas, and Chairman Orsini

AGAINST: None

**PUBLIC COMMENTS:**

Chairman Orsini then made a motion to open the meeting to the public for General Planning discussion, not related to any Application that had its own hearing that evening. Vice Chair Brown seconded the motion, and all were in favor.

Seeing no one coming forward, the Chairman made a motion to close the meeting to the public for general comments. Vice Chair Brown seconded the motion, and all were in favor..

**HEARINGS:**

- **THE JAIN CENTER OF NEW JERSEY / PLN-23-00011**

Applicant sought Site Plan and Sign Variance approval for construction of an entrance “archway” structure across the entrance/exit drive which connects to Cedar Grove Lane at 111 Cedar Grove Lane, Somerset; Block 468.07, Lot 45, in an R-40 Zone - **CARRIED TO JANUARY 3, 2024 – with no further notification required.**

**DL - 01/31/2024**

Chairman Orsini indicated that he needed to recuse himself from hearing the following matter due to a committee relationship with the Applicant and turned the meeting over to Vice Chair Brown.

- **ADA GALDI FAMILY TRUST / PLN-23-00013**

Mr. John DeLuca, Esq., Attorney, appeared before the Board on behalf of the Applicant, Ada Galdi Family Trust. He explained that they were before the Board to obtain Minor Subdivision w/"C" Variance in which the Applicant proposed to subdivide into three (3) lots the property at 105 Lynch Street, Somerset; Block 417.01, Lot 9.01, in an R-40 Zone.

Mr. DeLuca further explained that their proposal was to subdivide the property into three (3) lots and construct a single-family home on each lot.

Mr. DeLuca indicated that there was one (2) "C-2" Variance for Minimum Frontage on one (1) of the lots.

Mr. Thomas then asked the Board Attorney, Mr. James Clarkin, what they had to be concerned about when reviewing the matter and if they were only concerned with the subdivision and one (1) variance. He indicated that they did not have to concern themselves with the homes that would be built on those sites until they came before the Board regarding those Site Plans for the homes.

Mr. F. Mitchell Ardman, Engineer/Planner, employed with the Reynolds Group, 575 Rte. 28, Suite 110, Raritan, NJ, came forward and was sworn in. The Board accepted his qualifications. Mr. Ardman then discussed what was up on the screen, noted as M-1 or subdivision plan showing the limits of the property outlined in red. The total acreage of the property was 7.547 acres, presently a wooded property, with a pocket of wetlands on the western side of the property as well as a pocket on the north side. He noted that they had an LOI (Letter of Interpretation) from the NJDEP before developing the plans before the Board that evening. Mr. Ardman then indicated that there was about a 4 ft. grade change up to Charles Street from Lynch Street. He then noted that the properties in the surrounding area were developed in the NPRC (R-40), which were smaller lots in a cluster development, north on Charles Street and across the street with single-family homes south of the proposed property on Lynch Street. He then noted that the proposed property was located in the R-40 Zone. He then discussed the three (3) properties were then discussed, with two (2) on Charles Street (just over the 40,000 sq. ft. minimum, with Lot 9.02 with 42,271 sq. ft. and a corner lot, Lot 9.03, with 40,420 sq. ft. He noted that that the whole back area was comprised of 5.6 acres and contained all of the wetlands and buffers and ample room to fit a sizeable home and developable area. He added that the wetlands were deed restricted and would be in the Township Preservation Area. Mr. Ardman then indicated that all the lots would be serviced by public water and sewer, located on Charles Street, including the lot on Lynch Street that currently had a well, but would be serviced by public water as well. Mr. Ardman then

told the Board that they did have general grading and development plans as a condition of the Township's checklist so that staff could see the lots and know that they could all fit on the property and that there would be no encumbrance of wetlands and showing an area of disturbance when the builder came in for each home.

Mr. Ardman then discussed the one (1) variance on the plan with the corner lot on the corner of Charles and Lynch Street. He added that the zone required 200 ft. lot frontage for Lot 9.03 and had 192 ft. that was provided along Charles Street. Just for reference, Mr. Ardman indicated that there was 210 ft. provided along the Lynch Street frontage. He then explained that he did not believe that it was a large deviation and believe that the variance could be granted. Mr. Ardman noted that the adjoining properties, as stated previously, were in the cluster zone and were all smaller adjoining lots that were shown well in the Technical Review Committee (TRC) report on an aerial map as well as the tax map, which was also shown on his map as well. He then added that all the lots along Charles Street already had reduced frontages. He discussed them looking for additional land to purchase and stated that there was no property to purchase along Lynch Street to the south, and the one lot on Charles Street had the minimum frontage already. He then told the Board that there was Open Space across the street from Lot 9.03 so that there would be no impact to adjoining properties.

Mr. Ardman then stated that he did not see any negative impacts to the neighborhood or zone plan due to the reduced frontage provided for Lot 9.03 and that there would be ample driveway spacing for all the properties. He testified that approving the subdivision that was otherwise a fully conforming plan would substantially outweigh any potential negative impacts and believed the variance could be granted.

Mr. Ardman then wanted to review the TRC review comments, dated October 26, 2023. He stated that in item #3 and #4, they would be perfecting the subdivision by deed filing the plat and would include a couple of note changes on the plan. Concerning item #5, Mr. Ardman indicated that they do not plan any connection/improvements from Lynch Street to Charles street and thereby waive the requirement to provide sidewalks there. Instead, he added, they would be making a contribution in lieu of sidewalks here and asking also for a waiver to provide street trees on Lynch Street because the area was basically all wooded. He did note that the area was an older section in the Township and that there were no curbs or sidewalks in the area and that frontage would continue that in the same way. Mr. Ardman did add, however, that they would be extending the sidewalk along Charles Street because there were adjoining sidewalks there already. Mr. Ardman then discussed item #9 whereby they agree to provide all of the included information required at the time of building permit, to include the grading plan and geotechnical information to deal with the house and the storm water system. He then drew the Board's attention to the tree ordinance and tree replacement and would work that out with Mr. Healey for item #10. Mr. Ardman then stated that they agreed to comply with all other items in the TRC report.

Dr. Chase then mentioned a discussion regarding conservation area markers, but that it was not clear how much of the property would become a conservation area. A

discussion ensued with Mr. Ardman pointing out those areas on the plan and noting that they had already received NJDEP permits. He noted that the conservation area in each lot would be reflected on the deeds. Mr. Clarkin stated that there should be a condition of approval that each of the conveyance deeds would include reference to the conservation easement. Vice Chair Brown then opened a discussion of the pros/cons of buying a property with a conservation easement included, and Mr. Ardman stated that the pro was that the area was protected into perpetuity and so that the homeowner knows that they are buying a lot that cannot be subdivided again because it would be included on the deed as a restriction.

Mr. Clarkin asked Mr. Ardman if the scope of the relief being sought in the form of a variance de minimus in nature. Mr. Ardman answered in the affirmative and that would support the statement that there was no impairment to the zone plan or detriment to the public good or any impact to light, air and space.

Mr. Clarkin then asked Mr. Healey if there was a variance needed in how they connect to the water main. Mr. Healey indicated that he did not believe it was a variance from the Land Development perspective. A discussion ensued, and Mr. Healey indicated that they would have to work it out with the Dept. of Public Works because the Board did not have any jurisdiction to grant any relief under the ordinance.

Councilman Anbarasan then opened a discussion regarding the Applicant seeking a waiver to provide sidewalks, and Mr. Ardman stated that they were, but just on Lynch Street due to the grading there and would be including a payment in lieu instead for that area.

Ms. Rangnow then asked for clarification on item #10 related to the trees. Mr. Ardman indicated that there was a differing number of trees in the Tree Removal Plan, and that if he could not show that he did the calculations correctly, they would defer to Mr. Healey regarding the number of trees in the Plan. A discussion ensued, and Dr. Chase discussed that it might be determined once the homes were developed on the properties. Mr. Healey also agreed that Dr. Chase's comments were true and that an appropriate condition of approval could be that the amount of clearing on each lot should be similar to what was reflected on the conceptual plan proposed by the Applicant - a commensurate level of disturbance for each of the lots they were developing.

Vice Chair Brown then made a motion to open the meeting to the public. Mr. Thomas seconded the motion, and all were in favor.

Mr. Mark Torres, 135 Lynch Street, Somerset, NJ, came forward and asked for what potential impacts the proposed development would have on his property and how far the left most property line extend towards his lot. Mr. Ardman stated that there would be approximately 300 ft. of undeveloped area, all within the conservation area, between the lots. He noted that the home that would be built on that adjacent lot would be closer

to 400 ft. away from the back of his lot. He also added that there would be storm water management devices placed when the lot was developed. A discussion ensued.

Ms. Kiki Anastasakos, 2204 Enclave Circle, Somerset, NJ, came forward. Ms. Anastasakos then asked about the water in the area of the Conservation Easement and wondered if the most up-to-date regulations would apply to the subject property and how it would affect the nearby homes. Mr. Ardman then discussed the State's adoption over the summer for new flood hazard rules. He did note, however, that the property was not in a flood hazard area, but included a wetlands area, and did not pertain to the subject property.

Ms. Jan Brant, 22 Bryant Court, Somerset, NJ, came forward. Ms. Brant wanted to know when the LOI was obtained and if the new regulations would affect that requiring a submission for a new LOI. Mr. Ardman stated that they received the LOI within the past year and that the wetlands regulations did not change since then. He added that the LOI was valid for 5 years. Mr. Clarkin, Board Attorney, then stated, for the record, that the LOI was dated November 1, 2021.

Seeing no one further coming forward, Mr. Thomas made a motion to close the meeting to the public. Ms. Rangnow seconded the motion, and all were in favor.

Mr. Clarkin then enumerated the following conditions that would be attached should the Board act favorably on the Application: the deed for the proposed Lot 9.04 would include language referencing the conservation easement and suggest as an exhibit a portion of the plan, compliance with the TRC memo, dated October 26, 2023, the clearing of trees would be commensurate with the level of disturbance shown on Exhibit S-3, payment in lieu for the construction of a sidewalk on Lynch Avenue, and a condition to connect to public water on all lots.

Mr. Thomas made a motion to approve the Application with Variance for lot frontage and subject to the conditions enumerated by the Board Attorney. The motion was seconded by Councilman Anbarasan, and the roll was called as follows:

FOR: Councilman Anbarasan, Dr. Chase, Ms. Rangnow, Mr. Mansaray, Vice Chair Brown, and Mr. Thomas

AGAINST: None

#### **COMMITTEE REPORTS:**

There were no Committee Reports discussed.

## **WORK SESSION / NEW BUSINESS:**

Mr. Thomas indicated that he had something to discuss with the Board. He indicated that after discussing with some Township officials in regards to warehouses, he noted that there was an article Cranberry, Monroe Township, Jamesburg and part of South Brunswick, were doing a study, led by Middlesex County, of all the streets, the County roads, intersections and everything connecting the four (4) communities in regards to the truck traffic. In an area of 8A off the Turnpike where there were many warehouses and trucking all the time, Mr. Thomas indicated that they were looking into de-designating County parks or all of County roads and looking at small streets in the various towns that should not be subject to truck traffic and they were intending to change the GPS, the National Transportation network, and actually develop routes that they want trucks to take when they were travelling through their communities.

Mr. Thomas stated that this was what Somerset County should be doing for Franklin Township, Hillsborough, and Manville, at a minimum. He stated that they could do all they could do here within the Boards about the development and the warehouses, but they could not do it alone. He added that they were doing a study presently in the commercial corridor, with the County doing a study on Easton Avenue, and should certainly be included in a truck traffic study. Mr. Thomas stated that in his 50 years living in Franklin Township, he really has not seen anything where Somerset County took the initiative to do for Franklin Township. He added that they do it for Bernardsville, Far Hills, etc. Mr. Thomas indicated that he was told that if they asked the County, they would be open to doing the type of study being undertaken by Middlesex County in a cooperative effort to look at all the streets, County roads, intersections within the areas of those three (3) communities he just mentioned that were now being exposed to all these warehouse applications. Mr. Thomas stated that he had been asked to present a motion to Mr. Healey to request this kind of a study be done through Walter Lane, through Somerset County. Mr. Thomas indicated that he felt strongly about this initiative because Hillsborough and Manville had warehouses in progress right along River Road and would certainly affect Franklin Township, so he felt that they needed a regional approach. He stated that they could not go through the State, but wanted to reach out to Somerset County and undertake what Middlesex County was trying to accomplish. Mr. Thomas told the Board and public that Warren County de-designated 77 miles of County roads to prevent truck traffic back in August. He then said that they had approved a lot of commercial properties and warehouses with tax money that goes to Somerset County, and he felt that they could oversee this, but they had to ask. Mr. Thomas then asked that the Board pass a motion requesting Mr. Healey to reach out to the County and ask for this kind of a Study Commission be set up, specifically with Manville and Hillsborough to also include the Easton Avenue study.

Mr. Healey stated that he thought it would have more force if it were in the form of a Resolution from the Board. He added that they could make a motion tonight and that he could reach out to Walter Lane/Somerset County as well and let them know that a Resolution was coming. Mr. Thomas stated that he wanted to be more specific and

make sure that the purpose of doing this kind of study to de-designate County roads and to direct truck traffic and make it more regional in nature.

Mr. Thomas made a motion to ask the County to oversee a Study Commission, as was just discussed by Mr. Thomas. Mr. Thomas seconded the motion, and all were in favor..

**EXECUTIVE SESSION:**

The Board did not enter into Executive Session.

**ADJOURNMENT:**

Vice Chair Brown made a motion to adjourn the meeting at 8:20 p.m., and the motion was seconded. All were in favor.

Respectfully submitted,

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Kathleen Murphy, Recording Secretary  
December 30, 2023