

Memo To: Joe Marley
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From: Larry M. DiVietro, PLS, PP, AICP

Date: October 4, 2023

RE: North East Quadrant/New Jersey State Highway Route 55
and Route 40 Interchange
Franklin Township, New Jersey
LDE File No. 2480

Joe,

I have spoken with the zoning office for Franklin Township regarding the current zoning. As we previously discussed, the properties are currently in the Residential/Agricultural Zone Classification.

Pursuant to my discussion with the Township, the planning board is currently proceeding with a Master Plan update, for which this area may be under consideration. Additionally, I spoke with another individual from the Township who indicated their belief was the town leadership would like to see this area rezoned to the Interchange Commercial designation. Apparently, there had been previous pushback by the neighborhood residents over the rezoning and consequently the matter has lingered. With the Master Plan re-examination, it is contemplated that the recommendation will be for rezoning.

At this point in time, the property remains under the residential zoning and consequently any application to be presented would have to be via a request for Use Variance. You would have the ability to pursue an informal review with a follow up application for a Use Variance. Following that approach, it is uncertain whether you would get support for the Use Variance in view of probable opposition at a Public Hearing.

Alternatively, predicated on the town proceeding with their Master Plan review, the possibility is that the zoning may be modified to the Interchange Commercial Zoning (similar to what exist on the opposite side of the Interchange). While the Master Plan proposal may still receive opposition by residents, from a Land-Use planning perspective, I believe the Interchange Commercial Zoning Designation would be the appropriate land-use, (i.e., with provision for buffers etc. from existing residents).

Following the alternative, of waiting for the Township to amend their master plan and thereafter amend their zoning plan to change the zoning to permit the commercial industrial type of use, an application could be made as a "by right" application, to go before the planning board as a permitted use.

Without knowing more detail of where the town is, my best guess is that following the master plan/zoning plan amendment process, you would be looking at a time frame of approximately six months to be implemented.

Additionally, another comment that was passed on, was that there is a concern of where Oak Road intersects with Route 40. The Intersection is signalized but is an apparent hazardous condition because of the angle and the neighborhood (possible town) will be looking for upgrading that intersection.

Please call to discuss.