

**BOROUGH OF FRANKLIN  
ORDINANCE NO.13-2021**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF  
SUSSEX, AND STATE OF NEW JERSEY AMENDING ARTICLE V  
“ZONING,” SECTION 161-27(B) OF THE BOROUGH CODE AND THE  
ZONING MAP OF THE BOROUGH TO CHANGE THE ZONE  
CLASSIFICATION OF BLOCK 2401, LOT 20 FROM “R-1” SINGLE-  
FAMILY RESIDENTIAL TO “I” INDUSTRIAL**

**WHEREAS**, on August 16, 2021, at its regular public meeting, the Borough of Franklin Planning Board (“Planning Board”) unanimously voted to recommend to the Mayor and Council that property designated on the Official Tax Maps of the Borough as Block 2401, Lot 20, commonly known as 12 Munsonhurst Road (“Property”), be re-zoned from “R-1” Single-Family Residential to “I” Industrial as depicted on **Exhibit A**; and

**WHEREAS**, the Planning Board’s stated purpose for recommending re-zoning the Property is to reflect more appropriate uses consistent with the type of building and zoning of the adjacent property located to the south; and

**WHEREAS**, the Borough Council of the Borough of Franklin is in accord with and accepts the recommendation of the Planning Board to re-zone the Property as stated above; and

**WHEREAS**, the Borough Council now desires to amend its land use and development regulations, specifically the Zoning Map of the Borough, adopted September 14, 2010, to reflect the above-described zone change.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Franklin, County of Sussex, and State of New Jersey that Article V “Zoning,” Section 161-27(B) of the Borough Code and the Zoning Map of the Borough are hereby amended as follows:

**SECTION 1.** The zone classification of property identified as Block 2401, Lot 20 on the Official Tax Maps of the Borough of Franklin, commonly known as 12 Munsonhurst Road, is hereby changed from “R-1” Single-Family Residential to “I” Industrial to reflect more appropriate uses consistent with the type of building and zoning of the adjacent property to the south.

**SECTION 2.** The Zoning Map of the Borough of Franklin, adopted September 14, 2010, is hereby considered, and shall be amended to reflect the depiction of the foregoing change in zone classification.

**SECTION 3.** If any section, paragraph, subdivision, clause, sentence, phrase, or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**SECTION 4.** All ordinances, policies, and procedures, or parts thereof, in conflict or inconsistent with this ordinance are hereby repealed, but only to the extent of such conflict or inconsistency.

**SECTION 5.** The Borough Clerk is hereby directed to give notice at least ten (10) days prior to hearing on the adoption of this Ordinance to the Sussex County Planning Board pursuant to N.J.S.A. 40:55D-15. Upon adoption of this Ordinance after public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof, and to file a copy of the Ordinance as finally adopted with the Sussex County Planning Board as required by N.J.S.A. 40:55D-16.

**SECTION 6.** Pursuant to N.J.S.A. 40:55D-62.1, notice of the date, time, and place of the hearing and a copy of this ordinance shall be given at least ten (10) days prior to the hearing by the Borough Clerk by either personal service or certified mail and regular mail to the owners of all real property as shown on the current tax duplicates, located, in the case of a classification change, within the district and within the State within two hundred feet (200') in all directions of the boundaries of the district, and located, in the case of a boundary change, in the State within two hundred feet (200') in all directions of the proposed new boundaries of the district.

**SECTION 7.** The Borough Clerk shall also forthwith transit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1.

**SECTION 8.** This Ordinance shall take effect upon final passage and publication as provided by law, however, after first reading, this Ordinance shall be referred to the Borough Planning Board for review, which shall be based on whether the proposal is substantially consistent with the Borough's Master Plan.

**ATTEST:**


**BOROUGH OF FRANKLIN**

  
DARLENE J. TREMONT, CLERK

  
JOHN M. SOWDEN IV, MAYOR

DATED: October 12, 2021

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on September 14, 2021, at 7:00 p.m. and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on October 12, 2021, at 7:00 p.m., or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey 07416, at which time all persons interested may appear for or against the passage of said Ordinance.

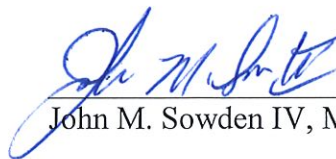
  
Darlene J. Tremont  
Municipal Clerk

## CERTIFICATION

I, DARLENE J. TREMONT, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 12<sup>th</sup> day of October, 2021.



Darlene J. Tremont, Clerk  
Borough of Franklin



John M. Sowden IV, Mayor

Introduced: September 14, 2021

Adopted: October 12, 2021

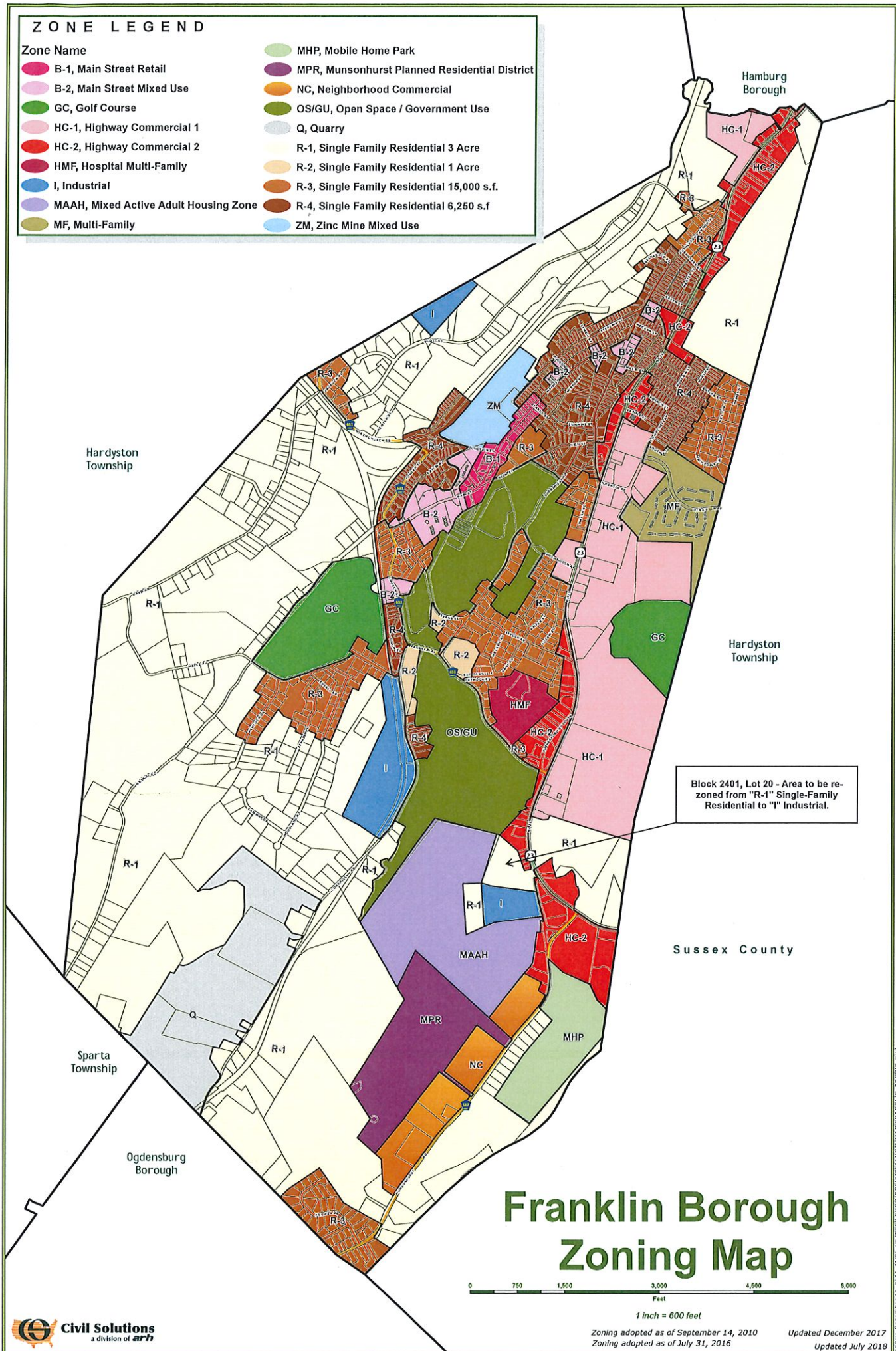
RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X					
JOSEPH LIMON				X		
JOHN POSTAS	X				X	
STEPHEN SKELLENGER	X					X
GILBERT SNYDER COUNCIL PRESIDENT	X					
STEPHAN ZYDON, JR.	X					
MAYOR SOWDEN, IV (Tie Only)						

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
CONCETTO FORMICA	X				X	
JOSEPH LIMON	X					
JOHN POSTAS				X		
STEPHEN SKELLENGER	X					
GILBERT SNYDER COUNCIL PRESIDENT	X					
STEPHAN ZYDON, JR.	X					X
MAYOR SOWDEN, IV (Tie Only)						

**ZONE LEGEND**

**Zone Name**

- B-1, Main Street Retail
- B-2, Main Street Mixed Use
- GC, Golf Course
- HC-1, Highway Commercial 1
- HC-2, Highway Commercial 2
- HMF, Hospital Multi-Family
- I, Industrial
- MAAH, Mixed Active Adult Housing Zone
- MF, Multi-Family
- MHP, Mobile Home Park
- MPR, Munsonhurst Planned Residential District
- NC, Neighborhood Commercial
- OS/GU, Open Space / Government Use
- Q, Quarry
- R-1, Single Family Residential 3 Acre
- R-2, Single Family Residential 1 Acre
- R-3, Single Family Residential 15,000 s.f.
- R-4, Single Family Residential 6,250 s.f.
- ZM, Zinc Mine Mixed Use



Block 2401, Lot 20 - Area to be rezoned from "R-1" Single-Family Residential to "I" Industrial.

# Franklin Borough Zoning Map

0 750 1,500 3,000 4,500 6,000  
Feet

1 inch = 600 feet

Zoning adopted as of September 14, 2010      Updated December 2017  
Zoning adopted as of July 31, 2016              Updated July 2018




January, December 14, 2017, 11:25 am W:\PIE\ERD\MISC\2018\141625\PM\FRANKLIN\_ZONING.mxd

**BOROUGH OF FRANKLIN  
LEGAL NOTICE**

**ORDINANCE NO. 13-2021**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX, AND  
STATE OF NEW JERSEY AMENDING ARTICLE V "ZONING," SECTION 161-27(B) OF  
THE BOROUGH CODE AND THE ZONING MAP OF THE BOROUGH TO CHANGE THE  
ZONE CLASSIFICATION OF BLOCK 2401, LOT 20 FROM "R-1" SINGLE-FAMILY  
RESIDENTIAL TO "I" INDUSTRIAL**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, held in the Borough Municipal Building, 46 Main Street, Franklin, NJ, on the 14<sup>th</sup> day of September, 2021, and the same came up for final passage at a meeting of the said Borough Council on the 12<sup>th</sup> day of October, 2021, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey.

  
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Darlene J. Tremont, Municipal Clerk