

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
SEPTEMBER 17, 2013 – 7:00 PM
MINUTES**

The Delran Township Zoning Board regular meeting of Tuesday, September 17, 2013, was called to order by Mr. Gonzaga at 7:00pm in the Delran Township municipal building.

The open public meetings act announcement was read by Mr. Gonzaga and the pledge of allegiance was performed.

ROLL CALL

Present: Mr. Fox, Mr. Myers, Mr. Kohli, Mr. Gonzaga, Mr. Smith, Ms. Parento, Mr. Schultz and Mr. Jesuele.

Absent: Mr. Starke

Professionals: Mr. Sitzler, Board Solicitor, Mr. Combs, Board Planner and Mr. Hall, Board Engineer

RESOLUTIONS

ZZ2013-08

Hyperion Tree Service, Inc.

ZZ2012-11

27-29 Hartford Road- Block 120.07, Lots 32 and 32

Mr. Shultz made a motion to memorialize Resolution ZZ2013-08 and Ms. Parento Seconded.

Voted in the Affirmative: Mr. Gonzaga, Mr. Kohli, Mr. Myers, Ms. Parento, Mr. Shultz and Mr. Smith.

Abstained: Mr. Fox

ZZ2013-09

Hyperion Tree Service, Inc.

ZZ2012-11

27-29 Hartford Road- Block 120.07, Lots 32 and 32

Mr. Shultz made a motion to memorialize Resolution ZZ2013-09 and Mr. Fox Seconded.

Voted in the Affirmative: Mr. Fox, Mr. Kohli, Mr. Myers, Ms. Parento, and Mr. Shultz and.

Abstained: Mr. Gonzaga and Mr. Smith.

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ZZ2013-10

Frank Wigmore- Breeze Motors

ZZ2013-08

8010 Route 130 North, Block 120, Lots1, 2 and 3.

Mr. Fox made a motion to memorialize Resolution ZZ2013-10 and Mr. Kohli Seconded.

Voted in the Affirmative: Mr. Fox, Mr. Kohli, Mr. Myers, Ms. Parento, and Mr. Shultz and.

Abstained: Mr. Gonzaga and Mr. Smith.

**** Mr. Jesuele joined the meeting at 8:12pm.**

PUBLIC HEARINGS

ZZ2013-3

Bee Dee Associates

73&79 Hartford Road – Block 120, Lots 40&42.01

Bulk and use variance, certificate of non- conforming USE, AMENDED Subdivision & Amended Site Plan

Joe Pinto, Attorney for the applicant.

Mr. Pinto stated that this is a continued application. The applicant is prepared to address all issues of the planner and engineer review letters.

David Gaskill is the President of Bee Dee Associates.

David and John Gaskill, sworn in by Board Attorney.

Mr. Gaskill stated that the nature of the business is industrial construction. In 1949 Mr. Gaskill purchased the property and had a heavy equipment company operating on the property. The house that was originally on the property was used as an office and over the years additional building was built to be used as shops. Some materials and larger equipment were stored outside on the property. Some of the buildings were rented out to other contractors.

Michael Higgins- Owner of celltech- sworn in by Mr. Sitzler- Board Solicitor.

Mr. Higgins stated that there was an LOI issued in 2005 by the DEP. The wetlands have a 50 foot transition area that was assigned by the State of New Jersey. Mr. Higgins also stated that the equipment and materials have been stored on this property for so long that debris and shrubs had overgrown the equipment. The construction official had sited the property and requested that the site be cleaned up. Mr. Gaskill at that point did perform a cleanup. There was a restoration plan approved by the state for the cleanup.

Mr. Higgins testified that the property is going to be restored with some of the natural plantings that were removed. There are not any deed restrictions on this property.

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Engineer- stated that the only construction that is going to be performed will be a stone access that will go all the way to the back of the site, and that there will be some type of apron installed.

Terry Comb, board planner inquires as to if the lots will be consolidated. Mr. Pinto stated that the applicant would rather keep the lots separate in case someone just wants the vacant land lot.

The proposed fire lane will be only accessible to the fire department.

Open to the public

Ed Perino-65 Hartford Road- Mr. Perino's house is adjacent to the Gaskil property. Mr. Perino has concerns about the storing of trailers. Will there be any tractor trailers stored on this property. If these trailers are stored will they have to abide by the Township noise ordinances?

Close to the public

Mr. Fox made a motion to continue this application until the October 15, 2013 meeting and Mr. Smith Seconded.

Voted in the Affirmative: Mr. Fox, Mr. Gonzaga, Mr. Kohli, Mr. Myers, Ms. Parento, and Mr. Shultz, Mr. Smith and Mr. Jesule.

Recess 8:42PM

Resume 8:49PM

Route 130 Empire LLC

Route 130 South and Carriage Lane

Block 9, Lot 75 and Block 9.03, Lot3

Minor Subdivision and Preliminary Site Plan

Dennis Germano, attorney for the applicant.

Kendra Lelie, planner, Robert stout, engineer, Nathan Mosley, engineer, traffic engineer

Owner of property.

Mr. Germano stated that the applicant wants to put a restaurant and strip mall. They are in front of the board for preliminary site plan.

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Robert Stout, engineer States that the property needs to be sub divided. The property line between Cinnaminson and Delran. They want to create a lot

A-1 – site plan

A-2 colorized site plan

The site is 3.64 acres. In the front will be a combine restaurant with a drive thru and the other is a free standing restaurant with a drive thru, one will be a fast food.

The double building will be chipotle with no drive thru, the other side will be a Tim's, a type of bakery.

The retail will consist of 9600 square feet, broken into three 2400 square feet each stores.

The main access to the site will be from route 130 and it will be an entrance only.

Mr. Stouts states that he received a letter from the fire office that says the circulation for fire truck is acceptable.

Mr. Stout testified that 138 Parking spaces are required but they are requesting a variance to allow 123.

Also the other variances requested are for:

1. 9x18 parking space instead of 10x20.
2. Parking lot setbacks of 23 feet.
3. Impervious coverage, 59 percent where 60 is required.

The lighting for the site will be LED at 20 foot as required.

The site will have city water and sewer.

The retention basin will be in the rear of the property.

Landscaping will consist of street trees. Some of the trees in the rear will be saved. Small juniper will be some of the other landscaping will be installed.

A-3- colorized landscape plan.

Mr. Stout testified that the plans for the Cinnaminson side have not been done as of yet. There will be an easement from the Delran side to the Cinnaminson side. The Cinnaminson side will most likely be retail also. Hopefully a sit down restaurant is wanted.

Mr. Mosley, planner for the applicant, stated that he prepared a traffic study on June 18, 2013 for this site. He feels that the peak times are in the evenings and Saturdays. This site is classified as a shopping center site. The most traffic will be passing by traffic. Mr. Mosley stated that there will not be any negative impact with this use from the traffic standpoint.

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Open to the public

Mark Feldman- owner of self-serve car wash. Mr. Feldman stated that he is looking forward to the project because it will improve the Route 130 and that it is a good use for the property.

Joe Mortimer – business owner on Route 130 in Delran. Had comments about all the vacant stores that already exist in Delran.

Close to the public

Kendra Leilie, planner for the applicant. Ms. Lellie stated that she believes that this is a good use for this site. She also states that the circulation issues can be dealt with. but with connection that will connect both project will be good for traffic because people will not have to get back onto 130 to get to the other shopping center and will not create any detriments to the community.

Mr. Schultz Made a motion to grant a variance to allow restaurant and a retail use and Mr. Fox seconded.

Voted in the Affirmative: Mr. Fox, Mr. Mr. Gonzaga, Kohli, Mr. Myers, Ms. Parento, Mr. Smith, Mr. Shultz and Mr. Jesuele.

Mr. Schultz made a motion to grant a variance to allow more than one non- conforming uses on one lot and Mr. Fox seconded.

Voted in the Affirmative: Mr. Fox, Mr. Mr. Gonzaga, Kohli, Mr. Myers, Ms. Parento, Mr. Smith, Mr. Shultz and Mr. Jesuele.

Mr. Fox made a motion to approve the minor subdivision and Mr. Shultz seconded.

Voted in the Affirmative: Mr. Fox, Mr. Mr. Gonzaga, Kohli, Mr. Myers, Ms. Parento, Mr. Smith, Mr. Shultz and Mr. Jesuele.

Mr. Shultz made a motion to continue the Route 130 LLC until the October 15, 2013 meeting and Ms. Parento seconded.

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Mr. Shultz made a motion to approve the regular meeting, amended minutes, from the August 20, 2013 meeting and Ms. Parento Seconded.

Ayes: 8

Nays: 0

BILL LIST

(See attached)

Mr. Fox made a motion to approve the bill list and Ms. Parento Seconded.

Ayes: 8

Nays: 0

MATTERS FOR DISCUSSION

Harvey Berk c/o Manhattan Management

ZZ2012-9

3001 Route 130 South- Block 9, Lots 33,34,43,44 and 45

Final Site Plan

No new business for discussion

ADJOURNMENT

There being no further business to discuss, Mr. Fox made a motion to adjourn the Delran Township Zoning Board regular meeting of September 17, 2013, at 11:10pm and Mr. Smith seconded. With all present voting affirmatively, the motion was carried; so ordered Mr. Gonzaga.

Respectfully submitted,

Sheri Hannah, Secretary
Zoning Board