

**DELRAN TOWNSHIP
PLANNING BOARD
MUNICIPAL BUILDING
REGULAR MEETING MINUTES
March 7, 2019 – 7:00 PM**

OPEN PUBLIC MEETINGS ACT

I would like to call the Delran Township Planning Board meeting to order. All meetings of this Board are held in compliance with the provisions of the Open Public Meetings Act in a resolutions adopted by the Board’s annual reorganization. Pursuant to the Board’s resolution, public notice of this meeting has been made in the following manner:

Written notice filed with the Secretary of the Board, the Clerk of Delran Township and on the official bulletin board of the Township. Written notice has also been mailed to the official newspapers 10 days before the scheduled hearing. Written notice has also been mailed to all persons requesting a hearing before this Board.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mr. Macey, Mr. Chinnici, Mr. Reimel, Mr. Paris, Mr. Morrow,
Mr. Hejnas, Mr. Parento, Mr. Khinkis

Absent: Mr. Catrambone, Mrs. Pomeranz & Mr. Anagnostos

Professionals: Mr. Gleaner, Attorney, Mr. Raday, Engineer & Mr. Luste, Planner

NEW APPLICATION

**Jose Pereira
816 Chester Ave
Block 9, Lot 39
PN 2018-06
Minor Subdivision**

Mr. Polino, Attorney representing Mr. Pereira who is the owner of 816 Chester Ave. The application is to subdivide the property into 3 building lots. One of which has an existing house on it that will remain. The other 2 lots will be made into building lots for purpose of erecting single family dwelling houses on them in accordance to the regulations of the township.

The purpose of the application is to get the property subdivided with no variances. After review of the professional’s letters, Mr. Pereira hasn’t disagreed with what they are asking for except for a few deferments & waivers with respect to some of the issues concerning the site.

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Mr. Pereira isn't sure if he will build on the 2 lots or just sell them. Some of the comments that the professionals are asking about are of the particulars as though they would be building. His suggestion would be to make it a condition that if he builds on it, that they come back to the engineer for review with respect to adding those items to the development program.

Mr. Pereira was sworn in.

Mr. Polino stated that he has reviewed with his client the letter that he received from our professionals. He sent a letter to the Board Secretary going over the request items as part of the conditions to the application.

Mr. Pereira said he agrees with the conditions that were asked of them. This application will require County approval should it be approved. The Co. will design the curb cut & sidewalks.

The suggestions were because of the age of it would be to have a review of the lead based paint & the asbestos situation. The existing house is currently occupied with a tenant for the last 10 years. They are not planning to do any changes to that house. They have no reason to believe there are either of the two concerns in that house. They are asking for a waiver.

When the 2 divided lots are sold, Mr. Pereira has agreed that the current owner should come back before the board to get any required approvals.

They look at the application as a pretty straight forward minor subdivision & that it would be subject to any outside agencies approvals.

Mr. Macey stated that the board engineer made the recommendation as to the inspection of the existing property there in terms to the asbestos or lead base paint. Mr. Pereira stated that the house was built in 1957 & the part across the back was in 1960 or 1962 which was kept in the same family till he purchased it. Board Engineer stated that we can do a waiver for it but in most townships they require it with rentals that they have inspections. He stated that he would support a waiver on it if it isn't required. Is that type of request by a board typical that they re-inspect the property before as a condition? No, it is not typical.

Mr. Gleaner asked that the letter dated March 6, 2019 addressed to Ms. Phillips will be marked exhibit A. The Pennoni letter dated December 21, 2018 from Joe Raday as exhibit B & the letter from CME December 17, 21018 from Mika Apte as exhibit C.

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The Delran Fire Department letter dated February 27, 2019 from Walt Bauer, Fire Official is exhibit D. The site plan subdivision will be marked as exhibit E. All exhibits marked will be part of the record.

Part of the resolution will be subject to the Engineering review of the plan once it's determined what's going to be built on the property including the removal of trees & alike. It also will be conditioned upon who has done an inspection of the last year of the property, if not, it will be required to do so.

Mr. Polino stated that they will see to it that the inspection occurs & provide us the certificate showing that there is no lead paint or asbestos.

Mr. Polino said they will provide the meets & bounds, Curb cut outs, sewer authority & the co approval once received.

OPEN TO THE PUBLIC

Charlie Silvestri who resides at 803 Drexel Street was sworn in.

Mr. Silvestri: This is my first time coming to any meeting since I've moved into town. I came here at the request from a neighbor who received a letter saying that there's going to be some building being done around the corner. I have an interest because I like my neighbor and she was going to ask the question but since she's out of town. Once hearing the applicant testimony, I'm not that concerned. It seems like everyone has their ducks in a row. One of the reasons I bought the house where I live is that it has the group of trees dividing the two parcels. I have no say what anyone does on their own property. I would just make it known it was part of the reason I bought my house. I like the property and I like living around that. I am hoping that whatever, however the land is subdivided and however the land is built on, they are mindful that it is one of the reasons I moved into that area. That's all I have to say.

Mr. Paris stated that he just want to say it seems to me that won't be discussed at this point but when it does I would recommend you come to the meeting at that point because it could be a different person that's actually owning the property at that time and they'll be addressing that and then you should voice your opinion and that's what were here for to hear the neighboring people to make sure were all covered.

Mr. Polino: Well he hasn't had a chance to see what we sent in our letter but, our intention was to remove as few trees as possible for a lot of reasons not as least of which is a better way to make the property more valuable for the reasons this man just said. Matter of fact I moved into

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Delran in 1972 Tenby Chase and the reason I bought my house because of the Townships trees behind my house and they're still there.

Brian Wayman who resides at 903 Geneva Ave. was sworn in.

Mr. Wayman: We're directly behind the property and so we're concerned when we saw the setbacks are 35' for that zone. We are also concerned about the woods back there being cleared out. From what I am hearing we have no idea when any construction might be happening, noise levels and such. That is something we would want to know in advance when there's going to be construction starting.

Well, there is a noise ordinance in town so no construction should begin before 7am & nothing after 6pm.

Mr. Wayman: Alright, so construction is less of a problem then the folks who rent the property. We have had some issues with the noise levels there. So whatever point some construction happens, it is going to be within approved hours. I know that we will have to get a survey done on our property. We actually own 3' beyond our fence. It is shared woods with Mr. Pereira's property & he is concerned of the 35 rear set back line.

I can tell you by looking on the site plan that they have, I'm looking at your property and it looks smaller actually be easier on here. It looks like you're right I can't tell exactly how many

Mr. Wayman: So it's already on their surveys so between here and there we'll figure it out?

The 35' is only the envelope the house we don't occupy the entire envelope in the house we will not go towards you it's going to go towards the front.

Mr. Gleaner: But his point is well taken because what he's saying is that his fence is a little bit inside and he actually owns a little bit more then would appear. It's not a big issue.

We're not going to build a house back there.

Well the survey says it right so he's getting taxed on his and were getting taxed on ours so were good. So thank you.

CLOSE TO THE PUBLIC

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**Mr. Khinkis made a motion to approve the application for a Minor Subdivision.
Seconded by Mr. Paris. Results are as follows:**

AYE: Mr. Macey, Mr. Chinnici, Mr. Reimel, Mr. Paris, Mr. Morrow, Mr. Hejnas, Mr. Parento, Mr. Khinkis

Absent: Mr. Catrambone, Mrs. Pomeranz & Mr. Anagnostos

NAY: None

Braga Construction Co., Inc.

1 Moreland Drive

Block 63, Lot 3

PN 2018-07

Minor Subdivision

Mr. Polino, Attorney representing Mr. Pereira, principle owner of Braga Construction. This is a 2 unit subdivision, block 63, lots 3 & 4. What they are asking to do is to move the existing property line in order to conform to the zoning requirements for the size of the lot & the contours of the lot. After much discussion with the previous council, that's what they agree to do. There-fore, they don't require a variance at this particular time. These lots are good size lots. They also want to take down the existing sheds, building, driveway etc. This is not a county road, so there is no approval needed by them.

They don't know whether they are going to build & then sell or just build with this property. Depends on market conditions. When they demolish the current house, they will have to have it evaluated with respect to the asbestos & lead paint and see if that would have to be dealt with first before it gets demolished.

They asked to have the obligation of the issue on how they do the demolition which was part of the recommendation deferred until they actually have a site plan & a plan for demolition. They are not doing anything with respect to the property until they develop it & then do it all at one plan.

Mr. Jose Pereira principle owner of Braga Construction was sworn in.

Mr. Polino asked Mr. Pereira if his representation was accurate. He stated yes and he authorizes the representations when he made them in the letter. He redefines them tonight. What he wrote in the letter was authorized by him on behalf of Braga. He tends to be bound by those representations & those promises in the letter.

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Mr. Gleaner stated that the letter he provided to Ms. Phillips dated March 6, 2019 will be exhibit A, Pennoni letter from Mr. Raday dated February 20, 2019 will be exhibit B, Pennoni letter from Mr. Luste dated February 21, 2019 will be exhibit C, letter from Walt Bauer, Delran Fire Official dated February 27, 2019 will be exhibit D & the site plan of the property will be exhibit E.

Mr. Paris asked if the curb cut will stay or will have to be moved. It was stated that nothing will be done with it till the property sells so they know where the house will be placed.

Mr. Raday stated that the demolition plans can be deferred to the site plan application as well as the utilities & trees shown. Everything else they will comply with.

OPEN TO PUBLIC/CLOSE TO PUBLIC

There was no one from the public present.

They are looking at an application that meets all the ordinance requirements, there are no variances requested. It is a proper use in that zone.

**Mr. Paris made a motion to approve the application for a Minor Subdivision.
Seconded by Mr. Parento. The results are as follows:**

AYE: Mr. Macey, Mr. Chinnici, Mr. Reimel, Mr. Paris, Mr. Morrow, Mr. Hejnas,
Mr. Parento, Mr. Khinkis

Absent; Mr. Catrambone, Mrs. Pomeranz & Mr. Anagnostos

NAY: None

MINUTE APPROVAL

Regular meeting minutes from September 6, 2018.

Regular meeting minutes from October 4, 2018.

Regular meeting minutes from November 1, 2018.

Regular meeting minutes from December 6, 2018.

Reorganization meeting minutes from January 3, 2019

Special Re-Org meeting minutes from January 23, 2019

Regular meeting minutes from February 7, 2019.

Minutes from previous meetings have not been approved at this time.

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RESOLUTION

Resolution #PP 2019-01
Victory Real Estate Development, LLC
Hartford & Bridgeboro Road
Block 120, Lot 43 & 44
PN 2018-02
Preliminary & Final Site Plan W/ Variances

Mr. Chinnici made a motion to approve resolution #PP 2019-01 seconded by Mr. Hejnas. The results are as follows:

AYE: Mr. Macey, Mr. Chinnici, Mr. Reimel, Mr. Paris, Mr. Hejnas, Mr. Parento,
Mr. Khinkis

Absent: Mr. Catrambone, Mrs. Pomeranz & Mr. Anagnostos

NAY: Mr. Morrow

ADJOURNMENT

Mr. Paris made a motion to adjourn 8:00 pm, seconded by Mr. Parento.

Motion carried with a unanimous voice vote.

Respectfully submitted,

Kathy Phillips, Secretary,
Planning & Zoning

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