

**DELRAN TOWNSHIP
PLANNING BOARD
ZOOM WEBINAR
REGULAR MEETING MINUTES
FEBRUARY 3, 2022 – 7:00 PM**

OPEN PUBLIC MEETINGS ACT

Delran Township Planning Board regular meeting of Thursday, February 3, 2022 was called to order by Ms. Cure at 7 pm in a Zoom Webinar.

The Open Public Meetings Act announcement was read by Ms. Cure and the Pledge of Allegiance was performed.

ROLL CALL

Present: Mr. Catrambone, Mr. Lunemann, Mr. Lyon, Mr. Giles, Mr. Chinnici, Mr. Macey, & Ms. Cure

Absent: Mr. Parento, Mrs. Procida, (Alternates) Mrs. Russell & Mr. Ozdemir

Professionals: Mr. Chris Norman, Attorney, Mr. Fred Turek, Engineer, Mr. Chris Dochney, Planner

NEW APPLICATION

NVR, Inc./Ryan Homes – Foxtail Creek (Carried over from the December 2, 2021 meeting)
Hartford & Bridgeboro Road
Block 116, Lot 23 F/k/a/
PN 2021-03
Amended Final Major Site Plan with Bulk Variance

Let the record show that Joe Parento just arrived at 7:16pm for the meeting.

Mr. Lunemann made a motion to carry over the NVR/Ryan Homes application to the April 7, 2022 meeting date. Mr. Catrambone seconded it. The results are as follows:

Motion passed with a unanimous voice vote.

Fieldstone Associates, LP (Carried over from December 2, 2021)
7023 Rt. 130 S & 1223 & 1607 Fairview Street
Block 65, Lot 14, 15, 16 & 16.02
PP2021-01
Major Preliminary & Final Site Plan with Variances

Exhibits introduced throughout the testimony

A-1 was the color site plan

A-1A is the amended color site plan

A-2 is the aerial with a plan overlay

A-2A is the amended aerial with a plan overlay

A-3 & A-4 are the floor plans of the warehouse

A-3A & A-4A are the amended floor plans of the warehouse

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- A-5 – A-8 are the warehouse elevations**
- A-5A – A-8A are the amended warehouse elevations**
- A-9 is the covered loading area**
- A-10 is the warehouse signage**
- A-11 is the zoning map**
- A-12 will be a new exhibit for the Chipotle elevation**
- A-13 will be the Chipotle signage**
- A-14 is the sign elevation on side facing jug handle**
- A-15 shows the façade facing the self-storage to the rear without any sign.**
- A-16 Chipotle site plan**

Mr. Mintz, Attorney on behalf of the Applicant stated that all his witnesses have been sworn in at last meeting; Arthur Corsini, Principal and Fieldstone Associates Limited Partnership. Matt Shinton, Professional Engineer Project Manager with Kimley Horn & Associates. James Dankovich from BWD Architects, Registered Architect. Anthony Caponigro, Professional Engineer with Kimley Horn, Site Civil Engineer for this project. James Miller, Professional Planner with J.A. Miller Planning Consultants, LLC. They all provided their credentials and were accepted as qualified professionals in their professions in order to testify. Mr. Steve Jaffe, Principal owner needs to be sworn in & Lori Pellegrino works in Chipotle Real Estate division. They have been identified as one of the new tenants.

Mr. Turek has stated that the application has been deemed complete.

Ms. Cure swore in Mr. Jaffe & Ms. Pellegrino.

Mr. Mintz Stated that this application is a continuance from the December 2, 2021 meeting. There have been significant changes. The Plan has been revised and as a result of that, they did re-notice the application and there will be additional exhibits. The exhibits will be identified with the prior number but will have an additional letter A for amended.

They were before the Board two previous times where they had to carry over to the next meeting date. They moved the Storage building forward just under 100 ft. towards the highway to increase the wooded area. They also reduced the 3 pads out on Rt. 130 down to 2 pads. This will help with the reduction of traffic on the jug handle and also on Fairview. They were able to increase the buffer along the front of the site where they could comply with the setback. Exhibit A-1A shows on Fairview Street, they were only able to increase it about 21 ft. but it does not yet conform in order to mitigate that impact. The home that is abutting that is under contract for acquisition and will be demolished. Because of the changes, there are no bulk variances on this application. They have been satisfied.

In the interim, they also identified Chipotle as one of the tenants' users. They are seeking approval for the preliminary & final site plan along with the one pad site. They will come back when a second tenant is chosen for Pad B.

Exhibit A-2A shows some critical dimensions in the back from the prior plan with shifting the building forward and turning the two pad sites and eliminating one of those.

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The prior clearing limit that was proposed was 82%. With this plan, they are now preserving 69.7% clearing which has increased their preservation and is now avoiding the need for a clearing variance.

Another feature was the buffer and Fairview Street access point which shows two egress and one ingress lanes. They worked with the County on that and are waiting on the formal approval letter.

The Atzert property on Fairview Street which is next to the egress drive aisle was purchased by the owner of the site. They will be removing the home and it will be deed restricted to be open space.

The Exhibit A-1A shows that they have reduced the pads from 3 to 2 pads. Pad A, Chipotle will be on the southwest corner & a future pad B which is unplanned at this time. The front drive is removed and all vehicles entering from Rt. 130 will have to go to the back of the pads to enter into the circulation. This removes the need for the variance associated with the locations of the drive aisle from Rt. 130 drive and also allows for more safe and appropriate circulation pattern through the front pad area.

They will be installing a berm with plantings associated with the frontage. It will have plantings and a slight grade change in front in order to maintain visual views of the building and the pads from Rt. 130. There is a decorative fence in the front yard. They would like to have that eliminated if the Board agrees. That way, it will take away the variance to install the fence. They are fine with it, if the Board requests that it be installed.

There will be sidewalks located throughout the site. From the jug handle and the entrance ingress from Rt. 130, they will have cross walks.

The lighting plan that is shown is a very low impact lighting plan. It complies with the ordinance requirements. The mounting height will be 20', whether they are on poles or they are mounted wall fixtures on the self-storage facility. There will be no spill over through the preserved area in the back of the property. They feel that the lighting plan presented is appropriate for the site.

There was an environmental study provided previously and there are no changes to that.

Regarding the drainage, the old plan of impervious coverage proposed was 82% and in the new proposed plan, it is at 69%. There is much more reduced limited disturbance on the property than a reduced impervious coverage amounts on the property. The storm water management is primarily located along the jug handle side of the property. This upgrade has been an improvement for the storm water management facilities.

Mr. James Dankovich, BWD Architects stated that the self-storage building has increased in floor area. Much of the layout has remained the same. The first floor has the drive through loading area with the opening to enter and exit at each end. Their typical patron is a family with a small van or a small business just getting started, using their own vehicles. At most, they're renting a U-Haul truck with a maximum of 35'. Anything larger than that, they would require a commercial driver's license.

There is a refuse room on the 1st floor down the hall from the office. It is only for the office staff to use. The tenants are responsible for their own trash. On the second floor, there is elevator access, climate-

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controlled units, there's a main feeder corridor along the front of the elevators that most units can be reached by only making one or two turns to limit the difficulty in loading people's units. The covered loading area is a newer feature in self-storage facilities. This greatly reduces the impact of people's vehicles stopped and people unloading, so there is less headlight and noise from vehicles that might bother nearby properties. This also provides for additional functional hours because it is covered, allowing people to go when it's raining or any other weather issues. Their belongings won't get all wet or damaged due to the inclement weather.

Exhibit A-3A shows the first and second floor plans of the facility. Exhibit A-4A shows the updated third floor plan and roof plan. The roof plan showing the elevator bulkheads, roof slopes and mechanical units. Each tenant will have a key code which allows them access to the facility and the interior elevators. No one without a key code can enter.

Exhibit A-5A is the front elevation which is very similar to the original elevation. The building has gotten a little longer. This also includes the outline of the future pad site of the Chipotle and the pad B. It also shows the signage above the main office for the facility facing Rt. 130. The sign is compliant in size but they are proposing it to be higher than the second-floor window sill, which is the maximum height allowed. This is easier to see from the highway with no obstruction from parked vehicles or other buildings.

Exhibit A-6A is the side elevation facing S. Fairview Street. This has the other building sign which is elevated for the same purpose so it's easier to see from a distance since the building is set far back from the road. This also shows the exit from the covered loading area and the gate.

Exhibit A-7A shows the rear elevation of the building. This has a series of openings to allow light and ventilation into the drive through loading area.

Exhibit A-8A shows the leasing office area where a person would come and park their car to rent a unit for the first time or to purchase things like boxes, tape & locks for the doors, etc. It shows the entryway to the covered loading area on the right side.

Exhibit A-9 shows an example of what a drive-thru loading area looks like. There are outside units and glass sliding doors where they would use the keypad to open the doors and unload their belongings. On the left top side is where they have the open windows that allow light and ventilation into the loading area.

Exhibit A-10A is the updated signage showing the two self-storage signs and then three signs each for the two pad sites. The idea being, is that they have a sign facing the roadway on each side and then one facing the internal roadway because of the changes to the site layout. You come in and have to go around the buildings as you get into the site. It will help people navigate around. Then the two pylon signs or freestanding signs, one on Rt. 130, the larger one is 200 sq. ft. They would leave a blank panel in one till Chipotle comes in, then they can just place their sign in it and not have to tear it down and replace. The sign on the Fairview St. side will be 75 sq ft., which was previously approved, so this sign would need a variance.

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Mr. Jaffe stated that they are looking to reduce the size of the sign to meet compliance so they don't need a variance there. It will be set back to meet the setbacks required.

Exhibit A-12 which is a new exhibit from the previous application shows the Chipotle elevation showing the signage on the Rt. 130 facade.

Exhibit A-13 is the front façade facing the future pad site with signage as well. They are not proposing a sign on the side facing the self-storage.

Exhibit A-14 shows they will have a sign on the side facing the jug handle.

Exhibit A-15 shows the façade facing the self-storage to the rear without any sign.

The sign is compliant to the square footage, the height of the building is compliant, and respect to the number of facades that are impacted, that is compliant.

Ms. Lori Pellegrino is the Principal Real Estate Manager employed for 13 yrs. by Chipotle Mexican Grill. She stated that the store hours will be consistent with their national hours, which are 10:45 am until 10 pm, 7 days a week. Their peak hours are approximately 12:00 pm to 2:00 pm and 5:00 pm to 7:00 pm. They will be hiring about 35 to 40 employees, a combination of part-time and full-time which is split 50/50. They anticipate for the peak hours having approximately 8 to 10 employees. A large majority of the customers are ordering mobile and given a 15-minute time frame to pick-up their food. She stated that not many people eat inside the restaurants nowadays.

Mr. Matt Simpson, Traffic Engineer for Kimley Horn stated that with the change of reducing the pad sight to 2 pads verses 3, it will change the traffic to less traffic from what was previously presented and no need for any additional study. Additionally, the Fairview St. access has been reduced from 2 egress lanes to one egress lane and one ingress lane.

Mr. Jaffe stated that the hours for the Leasing Office would be 9 am to 6 pm Monday thru Saturday. Mr. Jaffe is asking that they would allow the site open 24 hours since the tenants have a key card and because it is all done inside in the tunnel which is the reason they came up with this concept. They are very far from the residential homes. Mr. Turek stated that he doesn't see anything acoustical to help in the reduction of the noise with-in the tunnel. Mr. Jaffe stated that if they can have the Board agree to a 5 am opening, then they would be ok with the 10 pm closing.

Mr. Jim Miller, Professional Planner for Kimley Horn was sworn in previously and his credentials were accepted as a qualified expert in his field. He has been at all the previous meetings, heard all the testimony and has been out to the site.

He stated that all the variances before the Board are C2 variances. He feels that the positive outweigh any potential detriments and there are half a dozen variances necessary for this project. He believes that they all advance the purpose of the Municipal Land Use law, which would include purpose A, to encourage Municipal action to guide the appropriate use of developments of all lands in this state, in the matter will promote the public health, safety, morals and general welfare. Purpose C, to provide

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adequate light, air and open space. Purpose I, to provide a desirable visual environment through creative development techniques and good civic design and arrangement.

One of the variances is the release that's required for the buffer that's to the West of the South Fairview St. entrance drive. As the Board heard earlier in the hearing, the buffer relief is primarily for the Southern segment of the driveway and its narrowest point. The buffer would be 21 feet and as you go along, that gradually widens as you go from South to North along the property line. When it reaches the property line with the first home that fronts on Harper Blvd, the buffer becomes a 45-foot wide in width, extends another 20 feet and gradually transitions to a full 50 feet and conforming width.

The next groups of variances are related to the buffering in the rear of the site. Existing vegetation which is basically mature woods, is a more substantial buffer than anything that could be created. Because they are substituting the natural vegetation for the buffer specifications in the ordinance, it requires a variance. Also, they are needing relief for the requirements that the loading area being enclosed and otherwise screened. It's a technical variance because first of all, you have the screening that's provided by the woods to the rear of the property, and secondly, there's the fact that the loading area for the self-storage facility is basically enclosed with the tunnel and the tunnel completely screens it from view from the rear of the property or anywhere else on the site. The measures that are implemented to achieve the screening are far superior measures that are implemented if the code was followed. This advances the purpose of the MLUL in terms of a desirable visual environment and appropriate use of land and satisfy the positive criteria.

The next group of variances have to do with the loading area. In terms of the benefits, the self-storage area has unique loading requirements because of operational characteristics of the use, so it doesn't require a loading area with the same configuration and operational characteristics as a typical loading area for a commercial business. It's been designed to accommodate the smaller vehicles that are routinely utilizing the self-storage facility and also, it's encased in the tunnel so that it's a superior design in terms of its potential impact on the surrounding area. Instead of the loading area being outside where it's more visible and the noise would be transmitted more readily, this loading is enclosed. All in all, it's more appropriate for this use.

In terms of the loading for the Chipotle, unlike the storage center, this has loading requirements that are typical of a commercial use. There is no detriment from this relief. It's a better zoning alternative that meets the municipal land use purpose and it satisfies the positive criteria for the C2 variance.

There is a required relief for the facade sign on the Self -Storage building. He can concur with the Architect in that it makes more sense from a design standpoint to have the sign located the way it's proposed, to get it up high enough so that it can be seen from the surrounding area. There are no detriments from the location, it satisfies the positive criteria.

Exhibit A-16 is the site plan of the proposed Chipotle restaurant.

Mr. Turek asked that they continue the buffer by the Chipotle pad A to extend it across to the end of the future pad B for aesthetic purposes. They agreed to have low lying shrubs in order to not block the

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view of the pad. Mr. Turek stated that the decorative fence with the brick piers and wrought iron fencing along the front site on Rt 130 should be kept, again for aesthetic purposes. They agreed to that.

Mr. Turek went through his letter and clarified the comments with Mr. Caponigro. A new item that came up is that lot 13 will be deed restricted. It is the residential property that will be removed. He also wanted to have them make a note on the plan stating that there should be no outdoor waste or outdoor storage and there will be no bulk waste being stored anywhere around the facility. The applicant is agreeable. The hours of operation were discussed stating 5am to 10pm for the self-storage. Mr. Jaffe stated yes.

Mr. Mintz stated that it is his understanding with respect to the landscaping along Rt. 130, that they would work with our Professionals to determine the ultimate utilization for visibility as well as buffer.

Mr. Dochney stated that he is pleased with this latest plan in particular, the buffer along the corner by S. Fairview Street entrance and exit, thereby reducing it to 2 lanes from three. They can provide a much more substantial buffer which is better. He also agrees that since they are purchasing and removing the house on the corner just West on Fairview, that they probably don't need the fence there anymore. It is up to the Board whether they want to keep it or remove it. He doesn't feel that it is necessary right up to the corner. The fence along Rt. 130 with the brick piers and aluminum in between are favored by both Mr. Turek And Mr. Dochney for aesthetic purposes.

Mr. Dochney asked about the plantings in the basins. The original Exhibit A-1 is showing quite a bit more landscaping than the newest version. Mr. Caponigro will comply to Mr. Dochney's letter. He wants the Chipotle to have a solid wall around the dumpster which is required by the ordinance. He was pleased to see that the dumpster was removed from the front of the self-storage. The free-standing signs will be below 20 ft. with the Rt. 130 sign now being 200 sq. ft. and the Fairview St. sign being 75 sq ft. There are 3 facade signs on the Chipotle building, one on the North, South & East sides.

There were no concerns from Mr. Bauer, Township Fire Official.

Mr. Catrambone asked about adequate parking for the employees of the Chipotle site. According to the review, there will be 60 spaces, exactly what it needs to be in order to be in compliance with the Ordinance. They will be picking up a few more spaces once the dumpster in front of the self-storage is removed.

He agrees with our Professionals that the fence on the driveway leading out to Fairview Street does not have to extend to the end. It will be green open space.

It was stated that there is a noise ordinance in town and no trucks that will be delivering to Chipotle can sit with their truck idling before 7am. He asked Ms. Pellegrino if the truck would be delivering before the 7am time. She stated it would depend on where this store would fall in the route. The driver has a master key and they are only there for about 10 minutes. He will unload and be on his way. Even though the self-storage building will act as a buffer from the neighboring homes, Mr. Catrambone wanted to make sure that everyone is aware of that noise ordinance.

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Another concern of Mr. Catrambone is the 5am opening time for the self-storage. Mr. Jaffe stated that at their site in North Jersey, they open at 5am in order to accommodate the Contractors or Medical Sales people and it hasn't created a problem. He stated that he will have his tenants abide by the noise ordinance and should it become an issue, he would address it with that person and make sure everyone else complies. They are able to tell what time each tenant visits the site with their card key access.

Mr. Catrambone asked the Attorney to make sure his client is aware of the tree ordinance in town. Please be mindful of what you might be removing and how it might come into play. If you're taking down mature trees, there's got to be some remedy to that.

Mr. Giles was concerned with the cross walk in the jug handle. He feels that people will run across the site to the Walgreens to grab something and vice versa to the Chipotle from Walgreens. They have plans to put a full-service sidewalk in front of the site and a heavily striped crosswalk in the street entering the jug handle. They talked about possibly putting a sign there. If it becomes an issue, when they come in for the next pad, they will be able to identify it and accomplish his relief as they discussed.

Mr. Macey believes they should take the fence to the end where they will be removing the house and making it green space. It will provide a barrier from the residents and the children that live on the other side of the fence from being able to access the road and then consequently cross the road and access the basin.

Mr. Jaffe agreed to the question from Mr. Macey about he purchasing of that house. Should for some reason it doesn't take place, they would return to the Board and reconsider the request for a variance. Mr. Jaffe stated that they are willing to put as a condition in the Resolution that since there will be a 246-unit apartment complex in the wooded area behind Harkaway's building, if there should be a problem with the hours of operation, 5am to 10pm, the would be willing to adjust it. They are willing to add a provision in the lease that states that any lessee must comply with the Township noise ordinance. He also said that should there be a problem they are willing to evict that tenant.

Mr. Macey doesn't think they should be approved for the second pad site. His concern is that if it is a facility like Chick-fil A, it would be a disaster. He feels it is being over developed.

Mr. Lyon stated that he would like to see the back fence extend to the end of the driveway.

Mr. Lunemann asked if they can restrict deliveries on the back driveway due to noise and have them come in off Rt. 130. Mr. Caponigro stated that they will be coming in off Rt. 130, pull forward, back in and then exit the same way on Rt. 130. He asked if they have considered any EV charging stations. The DCA states that they would have to make a certain number of parking spaces capable of having the EV charging station equipment installed at some future date. Mr. Caponigro stated that they haven't considered it but if required, they will add them.

Mr. Parento agreed with Mr. Macey's comments on the fence to be extended to the end. He also had concerns about the second pad site. Mr. Jaffe stated that whoever they sign as a tenant, they will have to come before the Board for a site plan approval.

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Ms. Cure asked about the windows above the outside units in the tunnel which was discussed earlier as being opened. Her comment was that now there will not only be sound from the front and rear of the tunnel, but also from those windows which face the residents.

Mr. Catrambone made a motion to open to the public. Mr. Lunemann second it. The results are as follows:

Motion passed with a unanimous voice vote.

Mr. Mike Patriarca who lives at 2 Harper Blvd. stated that he feels by granting the variance for the rear driveway out to Fairview St., that they are looking to over develop the site by adding the 2 restaurant pads out front of the self-storage facility. There are many vacant properties up and down Rt. 130. He is also concerned with the start time of 5am.

Mr. John and Maura Dean who live at 4 Harper Blvd. stated that he echo's what Mr. Patriarca mentioned. He feels that the rear entrance should be eliminated. He mentioned the site at the end of Fairview St. in Riverside and how that is lot more added traffic. He is concerned with the trees being removed and the headlights shining in his house. He feels there should be a fence all the way to the end. Mrs. Maura Dean feels that this approval will only benefit the residents and not the existing residents. She feels that they are trying to over develop the site. Another concern is the hours of operation. If other facilities in town can work on shorter hours, then so can they.

Ms. Kim Wagner who lives at 38 Harper Blvd stated that she agrees with everything her neighbors have said. She is concerned with the whole design of the storage facility for safety. They should have surveillance camaras so they know what's going on in there. She thinks the tunnel should be in the front of the building not the back. She doesn't agree to the hours either. She doesn't want an opening onto Fairview Street.

Mr. Lyon made a motion to close to the public. Mr. Parento second it. The results are as follows:

Motion passed with a unanimous voice vote.

Mr. Dankovich stated that they will take a look at moving the tunnel to the front of the building. The building and the tunnel will be equipped with camaras.

Mr. Miller stated that the loading facility of this use isn't of a commercial facility. It's individuals coming usually with small vehicles like vans and pick up trucks and bringing household goods and relatively small loads. It is not a frequently visited place which reduces the amount of traffic. It is a much lower intensity of traffic than that of the previously approved supermarket. With the purchasing of that lot for open space and adding a fence, it will all add to buffering of the area as well.

Mr. Turek stated that when you rip into a forest, there is no undergrowth, you can see through it. There will be a 6' high fence which will take care of some of the headlight glare. He stated that the 6' pine

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trees that you typically plant to buffer should be a staggered a row which would be more appropriate even if you have a fence.

Mr. Catrambone made a motion to reopen to the public. Mr. Parento second it. The results are as follows:

Motion passed with a unanimous voice vote.

Mrs. Jennifer Patriarca lives at 2 Harper Blvd. wanted to comment on the statements that Mr. Miller had after hearing many residents speak. Mr. Miller stated that the benefits of granting the variances would outweigh any detriments. She is wondering who those detriments are too? Because for the residents of anywhere near that area, they will have to deal with the noise issues. She feels this only benefits the Applicant not the residents.

Mr. Catrambone made a motion to close to the public. Mr. Macey second it. The results are as follows:

Motion passed with a unanimous voice vote.

Mr. Parento had a question that possibly was over looked. They added 20,000 sq. ft. to the building. Is that compensating for the third pad that they took away? It is 10 times the size of that third pad. Why did they add the 20,000 sq. ft. to the building which pushed it out and over to compensate for the distance between the back yards?

There was a lot of discussion between the Board Members on whether they should vote now or let the Applicant have a continuance to the March meeting. They heard all the comments from the residents, the Board Members and the Professionals. They would like to address the concerns and consider those comments and come back in March to be heard then.

Mr. Lunemann made a motion to continue this application to the March 3rd meeting. Mr. Catrambone second it. The results are as follows:

Aye: Mr. Catrambone, Mr. Lunemann, Mr. Lyon, Mr. Giles, Mr. Chinnici, Mr. Macey, Mr. Parento & Ms. Cure

Absent: Mrs. Procida, Mrs. Russell & Mr. Ozdemir

MINUTES

Regular meeting minutes from the Reorganization, January 13, 2022.

Mr. Lyon made a motion to approve the regular meeting minutes from January 13, 2022, Re-org. Mr. Catrambone second it. the results are as follows:

Aye: Mr. Catrambone, Mr. Lunemann, Mr. Lyon, Mr. Giles & Ms. Cure.

Abstain: Mr. Chinnici, Mr. Macey & Mr. Parento

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Absent: Mrs. Procida, Mrs. Russell & Mr. Ozdemir

ADJOURNMENT

**Mr. Lyon made a motion to adjourn the Zoom meeting at 11:20. Mr. Catrambone second it.
The results are as follows:**

Motion passed with a unanimous voice vote.

Respectfully submitted

Kathy Phillips, Secretary
Planning Board