

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

OPEN PUBLIC MEETINGS ACT

Delran Township Planning Board regular meeting of Thursday, March 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

**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

A-17 revised aerial site plan

A-18, A, B & C is the architectural footprint per floor

A-19 is the updated aerial showing setbacks to the residents in the rear

Mr. Mintz stated that this application is a continuance from the February 3, 2022 meeting. There have been significant changes. They reversed the building with the internal loading area on the Rt. 130 side of the structure. They initially proposed 3 pad sites, which is now reduced down to 2 pad sites. By doing so, this permitted use is an even less intense use. The abutting second property off of Fairview now has compliant buffering and set back of the rear drive isle. The first property was and still is a setback issue but it is under contract. If they receive approval then that property will be demolished. They are also prepared to deed restrict that property as open space.

Mr. Caponigro, Kimley Horn Engineer showed Exhibit A-17 which is the revised aerial view of the site plan. He showed exhibit A-1A for comparison. You will still have a one way in and one way out on Rt. 130. The 2 pads are still in the same location. The change is in the self-storage. They were able to flip the loading to the front of the site so that a majority if not all the action and activity on the property will occur at the Rt. 130 frontage with the activity of just cars coming in from Fairview.

The prior Exhibit A-19 shows the aerial view of the setbacks to the residents in the rear. The building is now set at approximately 170 feet at the closest point to the residential property and 410 feet from the

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loading area. In the prior plan, it was about 94 feet. By flipping the building, they were able to move it forward. The driveway off Fairview will no longer be straight into the loading area. It will be angled down towards Rt. 130. It will create a 50 ft. setback from the next residential property which is block 65, lot 11. They will now be meeting that required buffer and will be able to increase the buffering and landscaping as they can. They will also have the 6 ft privacy fence with the location and position worked out with the Board Professionals. This area will also have enhanced landscaping. The other thing was that they implemented back into the plan is the plantings with in the basin area. It will help aesthetically improve the area as you come into the property from Fairview St.

Since flipping the building, they have added more green space to the area closest to the new residential apartment complex. The drive to the loading area will be parallel to the existing commercial building, keeping all activity in the front away from the residential properties. There will be 7 parking spaces for the office. The parking count is compliant with the ordinance. They are required to have 57 spaces and the plan has 58.

Exhibit A-18 is the eternal floor plan which shows the loading zone where there are 10 loading spaces which are approximately 12' x 35' and the 1 outside by Chipotle which are now in compliance for the loading spaces. There will be no tractor trailers due to the height limit.

There are 3 different locations for the proposed fencing. A buffer fencing along the access drive from Fairview that extends the entire drive as you enter the site to help with the buffering effect against the residential property. There will be the decorative fence along the frontage on Rt. 130 with landscape trees for buffering. Then there will be a fence along the North side to help the buffering and screening of the future multi-family residential site.

The trash enclosure for future pad B is now removed. They future tenant will deal with that at their site plan. There was a trash enclosure for the self-storage facility which is no longer shown on the plan. For the Chipotle and self-storage, they will be located in the rear of the building and they will be a masonry structure, no chain link.

In regards to the lighting, it will be concentrated it the front of the building. It will be dark behind the building. There will be some lighting on the rear drive isle from Fairview St.

The signage is compliant except the height of the sign on the building which will be on the 2nd floor in order to be able to see from Rt. 130.

Mr. Dankovich, Architect stated that Exhibit A-18A shows the interior for the first and second floor and the location of the loading area and office being moved to the front of the building. With the relocation of the building showing the tunnel in the front, they had to reorganize the interior of the building. Exhibit A-18B is the third floor which extends over the loading area to create a dry space for people to unload in and it's the mansard roof wrapping around the two street elevations which helps reduce the visual mass of the building. On the roof plan, it shows the rooftop units set back far from the roof edge so they will not be visible from the ground. Exhibit A-18C shows the update to the front facade and the self-storage sign, which is above the second-floor sill but below the roofline.

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Mr. Shinton, Traffic Engineer stated that the changes to the plan were to reduce the amount of traffic proposed on the site initially by the reduction of one site pad. With the reduction of a pad, the traffic impact is less intense for storage use than other uses permitted in the zone.

The project is proposing to do roadway widening along Rt. 130, which allows for a slowdown lane to get into the jug handle. Right now, the vehicles have to slow down to sort of abruptly get into the jug handle. They are also providing sidewalk and pedestrian accommodations noted with crosswalks across the jug handle and ADA compliant curb ramps off Rt. 130 and at Fairview St. Through the jug handle, there is widening that will split traffic into two lanes and assist with traffic operations. Fairview St. and Rt. 130 will also be widened with-in the right-of-way to provide addition stacking room along S. Fairview.

Mr. Miller, Planner stated that the changes that the applicant has made has resulted in the reduction of the variance relief. There are still some remaining C variances that are necessary for the project. They include the variance required for the fence along Rt. 130. The variance is related to the buffering along the access drive. To the extent they're necessary, there may be some variance relief required to deal with the buffering for the loading area in the front of the storage structure and there is the sign variance. Relief to these variances would result in a better zoning alternative where the benefits would outweigh the detriments.

Mr. Mintz wanted to confirm with Mr. Corsini that the project carries a low to moderate income housing contribution of 2.5%. Mr. Corsini acknowledged.

Mr. Turek asked about the hours of operation that Mr. Miller spoke about in his testimony being 24 hours a day, seven days a week. Mr. Corsini stated that since they revised the plan and relocated the loading area to the Rt. 130 side, that possibly the Board can revisit the hours and allow them to operate 24 hours a day.

Mr. Dochney asked about the internal circulation and whether they have considered any stop signs or stop bars at the internal intersections. They stated that yes, there will be. He also asked if they had any objection to adding some foundation plantings on the south side on the Fairview St. side and along the frontage of the self-storage. They stated no objections.

Mr. Chinnici had a concern with the 24hour operation of the site.

Mr. Lyon also had the same concern of the hours of operation.

Mr. Macey asked about the rear entrance fence and whether it was going to extend all the way down. He stated that he wasn't happy with this project having the 2 pads on this site plan. Believes they should be eliminated, thus allowing the building to be moved forward, eliminating any variances.

Mr. Lunemann stated his concern was also the hours of operation.

Mr. Catrambone has a concern with the fence. He asked the Engineer if installing the fence to the end could present a problem with the site triangle. What if they go up the back of that property to the neighboring yard? Mr. Catrambone agreed with Mr. Macey in that acquiring the property and deed

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restricting it to be part of the application and that would be a condition that would have to be met in order to have the application approved. Mr. Turek asked Mr. Caponigro if they extend the fence across the rear of Lot 13 and then come forward 25'. It would have to conform to the Township ordinance. Mr. Corsini agreed to it. Mr. Catrambone stated that it would be perfect for protection for the children and additional screening for the neighbors.

Mr. Catrambone has a concern about the hours of operation. He is not looking to have any business stay open 24 hrs. He also stated that Delran just won a grant for safe streets to transit that would include some sidewalks, potentially right in front of the Applicants property and all the way through to the current entrance of the existing Home Depot drive. He asked for the applicant to please reach out to the Township Engineer in reference to the grant received.

Ms. Cure asked Mr. Corsini if they would agree to the 6am to 10pm hours. Mr. Corsini agreed to that. The Board Members were agreeable to those hours. Mr. Lyon asked that the applicant have the keypad disabled for 10pm so that no one comes after hours. It's a sophisticated system so they believe it will be able to be done.

OPEN TO THE PUBLIC

Mr. Lyon made a motion to open up to the public. Mr. Catrambone seconded the motion. The results are as follows:

Motion passed with a unanimous voice vote.

Mr. Norman had stated that a question had arose between last months meeting and this evening's meeting about outside agency approval. There is no waiting for the County to act first before the Planning Board, otherwise a lot of projects would get stalled and nothing would get done. It's the standard operating procedure.

Kim Wagner was sworn in previously. She lives at 38 Harper Blvd. She stated that she is very appreciative of all the changes. She is glad to hear the hours of operation were agreed upon. She still has concerns of the traffic exiting on to Fairview Street and wants to know why that is needed at this point. Mr. Norman stated that it probably was in coordination with working with the County Planning Board. He stated that while it needs a variance from that, it is technically in compliance if the applicant acquires the additional property. It effectively provides the required 25-foot buffer or 50-foot buffer.

Kristen Loreaux stated that her son Adam Loreaux would like to speak. Mr. Norman swore in Adam who is 10 years old. He lives at 3 Harper Blvd. He wanted to say that he is concerned about the traffic and the wildlife and where they will live.

Mike & Jen Patriarca were sworn in previously. They live at 2 Harper Blvd. He has a concern with the 4' fence and the light glare going into his son's bedroom window. He would like it to be 6' if it can. The other concern is the entrance off of Fairview St. and the amount of traffic that will be using that. He stated that a Chipotle will produce traffic like the Chick fil-a across the highway. He thinks it is

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the pads and if they get rid of the pads and move the building forward it would be better. Jennifer Patriarca stated that she is concerned with the light and sound pollution that affects the residents. She is concerned about the hours of operation and that there wasn't a definitive answer on that yet. Their son, Raymond is 13 years old and was sworn in. His concern is that he and his younger brother walk home from the Middle School and they will have to cross Fairview St. and with the Chipotle being there, it will add a lot more traffic. They also, along with their friends play in those woods and they don't want it destroyed and congested with traffic.

John & Maura Dean were sworn in previously. They live a 4 Harper Blvd. He echoed the points that his neighbors have already talked about. He did add that he has worked from home 2 years and he sees probably 20 cars a day doing a U turn on his street just to avoid making a left out of the jug handle heading towards Rt. 130. What will it be like if you add another turn out onto Fairview? He asked that if they eliminate the pads, then they don't need an exit out the back. From the exhibit presented, he sees that the loading for the Chipotle will have the headlights from the trucks facing the residents. It was mentioned at one time the hours for delivery but it was never confirmed. Mr. Norman stated for the record that if any tenant signs a lease for either pad, they will have to come before the Board for a site plan approval. Another concern was if they knock down the house on Fairview St., that it will now allow the light and noise from Barlow Chevrolet to directly affect their house. Will there be trees put there to help screen that and if so, what kind? He would like to see the fence go from Fairview St. all the way across the back to the end. Maura stated that the only person this application benefits is the developer. It will affect their quality of life and the value of their property. She had concerns of the grading, should they be built up higher than their homes, a 6' fence will not help the headlights from shining into their windows. It was stated that all outside agency approvals will need to be gotten before they can start building.

Jeff Pietras stated that his son Vaughn who is 17, approaching 18 wants to speak. He was sworn in. He lives at 66 Stecher Avenue. His concern is that he is a Boy Scout and nature is a big part of his moral right and protecting it. The animals will have to relocate somewhere else. He uses the woods as a recreational spot for hiking and any destruction to the woods is very upsetting. He feels that the land in the town is over developed. Ms. Cure mentioned that we have a lot more open space and woods in Delran other than Amico Island.

Kristen Loreaux who lives at 3 Harper Blvd. was sworn in. She commented on the traffic on that road that it is too much already. She stated that people use Harper Blvd. as a cut through road.

Brianna Robinson who lives 1217 S. Fairview St. was sworn in. Her concern also is the traffic that this will create and the amount of people turning around in her driveway which is on the corner of Harper Blvd where her kids play. She also has concerns of the lights from Barlow shining into her kid's windows when the remove that house.

CLOSE TO PUBLIC

Mr. Macey made a motion to close to the public. Mr. Lyon seconded the motion. The results are as follows:

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Motion passed with a unanimous voice vote.

Mr. Norman wanted to provide a little legal guidance on the application. Since this application involves a commercial property on Rt. 130 S in the C-2 commercial zone and the proposed application are permitted uses, the off-site traffic that already exists on Fairview Street and Rt. 130 are not a basis to deny the application. The only thing that could be considered is if the egress and ingress present an unsafe condition. The County Planning Board Engineering department has a conceptual agreement for the design of the proposed access point on Rt. 130 as well as Fairview Street. There has been no testimony of unsafe conditions.

This is an application for preliminary and final site plan approval. The variances that they are requesting concern the fencing on Rt. 130 S, the fence along the access drive, the 50' buffer which is being addressed via the acquisition of the adjoining property and extending the fence on that location, the sign variance on the building, the facade sign and the setback of the loading area from the requirements of the zone. These are the variances to be considered.

Mr. Norman stated that there are several conditions that the Board is looking to impose on the approval of the application. There will be no tractor trailers for the self-storage but there will be a tractor trailers for the deliveries for the pad sites, no trash facility for the self-storage for the tenant. It will only be internally for employee's, there is a 2.5% contribution for the affordable housing contribution, compliance with the Professionals reports, the applicant will acquire the parcel of Block 65, Lot 13 and Deed restrict it that it is an express condition of the approval and will extend the 6' fencing around the perimeter and 4' when it gets to the front yard, which they will work with the Board Professionals on that since it is a residential zone, the final is the hours of operation to be 6am to 10 pm, 7days a week.

Mr. Lunemann made a motion to approve the preliminary and final site plan with the variances and conditions which were outlined above. Mr. Lyon seconded the motion. The results of the motion are as follows:

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

Nay: Mr. Macey

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

There was a 10-minute break.

NEW APPLICATION

**NVR Inc. Ryan Homes – Foxtail Creek
Hartford & Bridgeboro Road
Block 116, Lot 23
PN2021-03
Amended Final Major Site Plan with Bulk Variance**

Exhibits

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**A-5 is the plans showing the deck
A-6 is the plans showing the fence**

**A-7 is the Dumpster with the bollards
A-8 is the line of site drawing
A-9 is the mature growth line of site drawing
A-10 is the nine site photos**

Mr. Niall O'Brien, Attorney from Archer & Greiner stated that this is an application for amended site plan for the Foxtail Creek Development, which is the implementation of the Stellwag Redevelopment Plan. It is a mixed residential site comprised of singles, townhouses and affordable condos located near the intersection of Hartford Road and Bridgeboro Road. They have been before the Board a few times prior and from those hearings, they have heard the comments from the public and of the Board Members. They have received two additional reports from Mr. Turek & Mr. Dochney and were prepared to discuss the additional comments from those reports.

There are three components to this application for amended site plan approval that involve a refuse enclosure to serve the affordable multi-family units where the original approvals provided for each to have its own original garbage and recycling tote which would be located along the sides of the buildings. They are also asking for some relief to allow the installation of the decks on nine and only nine townhome units towards the rear of the development. Then last, they are proposing a 6' high vinyl fence along the rear and up the side behind the townhouses of the development to mitigate the impact of those decks.

The refuse enclosure was previously proposed near the rear property line and in response to comments that were received from the owners of the nearby properties, they relocated that trash enclosure to a location on Hidden Acres Drive with a setback of about 11' from it and they will be asking for a variance to allow the trash enclosure to be within that 11' of the right of way line when a minimum of 20' is required for a front yard setback by ordinance.

They are asking for variances to allow the decks where the Stellwag Redevelopment Plan doesn't permit them. They are asking for rear yard setback variance's for only three of those nine decks. Two of them are simply .6 of a foot off the required 25' rear yard setbacks where one only has a 16.1' setback so it's a little closer.

The fence will be along the rear of the property line but when you have a continuous fence running along a portion of a fairly large development like this, the fence crosses some side property lines or runs along its side property line and is technically located in the front yard setback of that one individual lot so they are asking for a variance for that also.

Charlie Chelotti the Applicant's Engineer stated that they tried different locations and found that the location by Hidden Acres Lane worked the best. They used an auto turn software to make sure the biggest possible vehicle would be able to safely access this location. They added additional landscape to the already proposed landscaping on the approved plan in order to screen it as much as possible from the adjacent properties. They only lost one parking spot. They still exceed the parking requirements for the COAH units. There's actually a significant surplus of parking throughout the development.

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The proposal for the actual decks themselves has not changed. They went back and reviewed the Professionals comments and provided additional information which will address most of their concerns. The nine units that are along the property line of Block 116, lot 22.05 will be 10' x 14' decks with no stairs. Ryan Homes will not offer any other style deck. If a homeowner in the future would like a different deck, then that is up to them to come before the board for that approval. The HOA docs will reflect what will be approved. There is a variance required for the actual construction of the deck under the Redevelopment Plan. There is also a setback variance that will be needed and that is for lot 23.65. Lots 23.61 and 23.63 which extend slightly into that rear yard setback. Mr. Bauer had a concern about lot 23.65 and the discussion was that the wooden decks would be coated with a suitable fire-retardant material that the HOA would be responsible for maintaining for the life of the buildings and that was acceptable to the Fire Marshall.

Mr. Turek and Mr. Dochney had requested they add a full set of grading along the rear of these buildings along with additional landscaping and then this last plan showing the fence plan which is running along, starting at 101 Swarthmore and runs the entire perimeter of the property all the way back into the end at 111 Haverford Court. This is where they will need a front yard fence variance. The fence will be 6' white vinyl fence or what the homeowners decide on. The plantings behind the townhouse with the proposed decks, up to Mr. Mormando's property on Haverford court, will be 6' to 8' in size for the plantings along the rear.

Mr. Joe Mancini, Planner for the applicant stated that the relief that they are asking for is substantially similar to what they were asking for in the prior meeting. They need a variance to allow construction of the back yard decks of the same nine homes where the redevelopment plan doesn't permit outdoor accessory structures, although the new plan only requires variances for three of those. With regards to the set back specifically, two of them are de minimis, only .6 feet and the closest one is 16.1 feet.

With regards to the trash enclosure, the last meeting which was on the record for the front yard setback, has increased somewhat to be an 11-foot setback to the right-of-way of Hidden Acres Lane where the Redevelopment Plan prohibits bulk storage with waste material within the front yard, which is 20 feet or with-in 100 feet of a street line. It's a better location that allows them to screen it versus the original view.

With regards to the fence variance, it was noted from Mr. Turek that a variance is necessary from section 355-89 which prohibits solid fencing forward of the building. In order to maintain that continuous screen, which is the function of the fence around the perimeter, the configuration of the lots there were it jogs into their site, requires that they extend that fence forward of the building on 23.60. It doesn't extend into the front yard 20-foot setback so it doesn't have any impact on the site line.

Mr. Atlas stated that he met with Mr. Bauer the Fire Official about the decks of those nine units. It is required that whoever builds them, they will provide a coating of fire retardant as part of the deck and the permit inspection process. The HOA documents will reflect that those decks will have it done every 5 years for the life of the buildings.

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As for the recycling, after speaking with the County, Ryan Homes has increased the required size in order to accommodate the Amazon boxes. It will be picked up once a week no matter what. As for the trash collection, Republic Waste or whoever the Township is contracted with, will pick up once a week. The HOA will state that the dumpster for the COAH units will be picked up twice a week with the cost of the second pick up on the HOA.

Mr. Turek went thru his letter dated February 1st. He asked Mr. Atlas who would monitor for bulk pick up, such as a couch, etc. Mr. Atlas stated that the HOA has a company and everyone will be provided that contact number at settlement.

He wants to make sure in the HOA that it would state that there would be no deviation from the 10' x 14' decks approved. No stairs added, no different colors, etc. Mr. Atlas stated that they will have that stated in the HOA documents. Mr. Turek wanted to make sure that if the single homes were allowed to have fences, that they would be the same as the townhomes fencing of 6' solid vinyl.

Mr. Sinclair stated that there had been mention of the white or earth tones for the fencing. They would like the choice of which is first available and not be tied into one particular color.

OPEN TO PUBLIC

Mr. Lyon made a motion to open to the public. Mr. Giles seconded the motion. The results of the motion are as follows:

Motion passed with a unanimous voice vote.

Mr. John Zohlman, Attorney representing Mike & Karen Mormando who live at 109 Haverford Court. They are the ones most impacted with the construction to the development. After meeting with Ryan Homes, they are now satisfied with the changes and are going to withdraw any objection they had.

Patty Goodwin lives 105 Swarthmore Drive was sworn in. She wanted to say that finally after 2 years that she is happy with the communication between Ryan Homes and the residents on Swarthmore Drive and Haverford Court. Ryan Homes listened to all their concerns and addressed and corrected any concerns where they could. She prefers the white fencing.

Matt Goodwin who lives at 105 Swarthmore Drive reiterated what his wife said. After much discussion, Ryan Homes found amicable solutions and he is ready to move forward.

Lauren Pica who lives at 101 Swarthmore Drive. Her husband and her are very happy with Ryan Homes making the changes. Joe Pica was sworn in. He agreed with the changes and both of them would prefer white fencing.

Mike DiNunzio lives at 103 Swarthmore Drive. He asked about the metal boxes for the mail pick up. It looks like where they are placing the trash dumpster, that they don't show the mail box. Mr. Atlas stated that if it is where the dumpster is, they will move the box over. He had concerns about the drainage. Ryan professionals stated that they could meet with him in person to discuss it. It doesn't

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pertain to this approval of this application. He asked about the trash pick-up. Recycling is picked up by the County which is once a week. The trash is picked up by the Township contracted haulers twice a week. The second pick-up of the week will be paid by the HOA.

Mr. Lyon made a motion to close to the public. Mr. Catrambone seconded the motion. The results of the motion are as follows:

Motion passed with a unanimous voice vote.

Mr. Norman stated that the resolution would be for the amended preliminary and final site plan approval with the variances for the setbacks for the trash enclosure. To permit the setbacks for the decks and the variance for the fence. The conditions that the plantings would be 6' to 8' in height when planted. The decks will be fire retardant and this will be added to the HOA that the retardant will need to be reapplied every five years. The trash will be twice a week. Delran will provide one pick up and the HOA pays for the second pick-up. The applicant will have to get written approval from the HOA for the decks. All decks will be matching all decks granted variants in terms of color, materials, etc. with no variations made by the homeowners later. That will be made part of the HOA docs. Mail boxes will be relocated if the dumpster is in the way.

Mr. Lunemann made a motion approve the application with variances for preliminary and final approval subject to the conditions stated above. Mr. Giles seconded the motion. The results of the motion are as follows:

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

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

MINUTES

Regular meeting minutes from October 7, 2021.

Mr. Catrambone made a motion to approve the meeting minutes from October 7, 2021 as written. Mr. Lunemann seconded the motion. The results of the motion are as follows:

Motion passed with a unanimous voice vote.

OPEN TO THE PUBLIC

Mr. Catrambone made a motion to open to the public. Mr. Giles seconded the motion. The results of the motion are as follows:

Motion passed with a unanimous voice vote.

There was no one in the public wishing to speak.

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CLOSE TO THE PUBLIC

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

Motion passed with a unanimous voice vote.

ADJOURNMENT

Mr. Lyon made a motion to adjourn the Zoom meeting at 11:05pm. Mr. Lunemann seconded the motion. The results of the motion are as follows:

Motion passed with a unanimous voice vote.

Respectfully submitted,

Kathy Phillips,
Planning Board Secretary