

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

**OPEN PUBLIC MEETINGS ACT**

Delran Township Zoning Board regular meeting of Thursday, March 16, 2017 was called to order by Mr. Jeney at 7:00pm, in the Delran Township Municipal Building.

The Open Public Meeting Act Announcement was read by Mr. Jeney and the pledge of allegiance was performed.

**ROLL CALL**

**Present:** Mr. Jeney, Mrs. Parento, Mr. Hewko, Mr. Lyon, Mr. Anderson & Mr. McFadden  
**Absent:** Mr. Gonzaga & Mr. Smith  
**Professionals:** Brian Lozuke, Esq. Board Solicitor; James Clarkin, PP, Board's Planner; Joseph Raday, PE, Board's Engineer & Traffic Engineer.

**Let the record show that we took a brief pause waiting for the 7<sup>th</sup> Board Member to arrive.**

**MINUTES**

**Minutes from the February 16, 2017 regular meeting.**

**Mr. Hewko made a motion to approve the minutes from regular meeting for February 16, 2017. Mr. Lyon seconded it. The results are as follows:**

**Aye:** Mr. Jeney, Mrs. Parento, Mr. Hewko, Mr. Lyon, Mr. Anderson & Mr. McFadden

**Absent:** Mr. Gonzaga & Mr. Smith

**Let the record show that our 7<sup>th</sup> Board Member Mr. Smith has arrived at 7:30 pm.**

**PUBLIC HEARING**

**Dunkin Donuts - GNJ Inc.  
Block 115, Lot 32  
4009 Bridgeboro Road  
ZZ2015-10  
Use Variance**

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Mr. Mark Asselta, Attorney from Brown & Connery, LLC representing the applicant Mr. Kalpesh Shaw. The property that they are talking about tonight is a parcel of land located close to the road intersection of Hartford & Bridgeboro. There is a full board of 7 with no one needing to recuse for any reason this evening. They will need 5 affirmative votes for approval.

This application is for the proposed new Dunkin Donuts drive-thru restaurant that will include some additional retail space. Its new construction proposed to a site that has been vacant and never developed on before. It is a bifurcated hearing in the sense that they are not seeking any type of site plan approval. They are here to establish their rights to use the property along with the secondary driveway onto Hartford Road. The drawings will not be full site plan but they will show enough detail in order for the members to make a decision. If the Board grants approval then they will be back before the Board for the full site plan approval.

There will be 2 separate actions they will ask the Board to take tonight. It relates to the unique zoning situation of the parcel which has 2 different zoning districts that are involved on the same block & lot. The parcel is 18 acres in size, the front portion of it is in the NC1 which is Neighborhood Commercial & the majority of the rest of the parcel is in the A1 Agricultural Zone. The first part they will be asking for the permitted use in the NC1 zone. The second part of the relief they are asking for is in the A1 zone. They need approval for a Use Variance for the driveway which crosses into the A1 slightly to have access to Hartford Road. The A1 doesn't allow Commercial so that's why they are seeking the Use Variance.

They were here back in 2016 and they presented the same application with one modification this time. The Board at that time agreed with them that the Dunkin Donuts & retail space was a permitted use in the NC1 zone. Then they moved on to the status of the driveway in the A1 zone. The Board denied them that relief for the Use Variance. They felt they were entitled to that so they took an appeal to the courts to have them look at that issue. It's a complicated issue and unfortunately they couldn't proceed without that second access to Hartford Road without the driveway.

What Judge Bookbinder did was he vacated the Boards action. He never got to the merits of it but found that there was a conflict of interest of one of the Board members that really should have precluded that person from voting so the Judge said was that he is going to vacate the approval, wash it out and send it back to the Board and see what happens. This is like a repeat but that's what the Judge requested plus there are a few new members on the Board that didn't hear anything before and in order for them to vote they have to hear the whole application.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Mr. Lozuke swore in all 4 witnesses they have tonight. Mr. John Pettit, Engineer will provide the overview of the site. Deanna Drumm, Traffic Engineer will talk about the impact on the intersection. Daniel Bloch, Planner will talk about the standards for the grant of Variances and whether or not they meet those standards. Then Kalpesh Shaw the owner who will talk about the operations of the Dunkin Donuts.

Mr. Pettit is a qualified Professional Engineer in NJ for approximately 25 years. He also is a Professional Planner in NJ and has testified before this Board before. He is submitted as an expert qualified to provide expert testimony in the areas of Professional Engineering and Professional Planning. No objections.

Mr. Pettit stated that they are proposing to build an approximate 7300 sq. ft. building. Dunkin Donuts to be roughly 1800 sq. ft. and 5500sq. ft. of retail space. There will be 2 access points, one on Bridgeboro Road and the other on Hartford Road. The front part of the site is in the NC1 zone and the entire back of it is in the A1 zone. The overall site is about 18 acres most of which is in the back portion of the A1 zone.

There was previously a letter of interpretation issued for the property from the Department of Environmental Protection (DEP) which shows majority is wetlands. Most of the property in that A1 zone is undevelopable per DEP standards due to being wetlands. They show the access point out to Hartford will be crossing the wetlands. They understand they have to get a general permit from DEP to allow that which is in their plans assuming they get the Use Variance and proceed with site plan approval.

The drive thru for the Dunkin Donuts will be on the side of the building allowing 11 stacks in the drive thru lane which is much more than what is typical. He has worked on many other drive thru restaurants which most only have 8. They don't anticipate any back up from the drive thru at all.

There will be 47 parking spaces showing on the plan, where the ordinance calls for 42 so they will be compliant with the parking.

Storm water basin will discharge to the wetlands. They will discuss more of that at Site Plan approval assuming they get approval for the Use Variance application.

Lighting will all be part of the Site Plan application assuming they get approvals for this Use Variance application.

If approved and it goes to Site Plan approval, they will be anticipating a Bulk Variance for the parking setback along Bridgeboro Road which is due to the Wetlands line where they are forced to be close to the roadway.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

They reached out to Burlington County in reference to the dedication of Right of Way which was brought up at last application and they indicated that would be depended on what kind of improvements that would be constructed along Bridgeboro Road. That will be something that will be determined once they get into the Site Plan phase. They are required 20' setback and they are at 15'. They can re-examine the site and do some modifications should the Board think it could not be done.

The retail use of the property doesn't have any tenants identified at this point. They are willing to come back before the Board before any tenant would be put in there even if it was a permitted use. They want to make sure the intensity of the use wouldn't affect them. The retail space they are envisioning is an upscale stucco building and all the details can be worked out at Site Plan approval.

They did some preliminary analysis and ran some truck turning movements and the site as designed can accommodate those deliveries and fire apparatus.

The second access on Hartford will help the site because you are not localizing all the turning movements onto Bridgeboro Road. It gives a second access point to the site. People can avoid Bridgeboro. It's always better to have multiple access points to a site rather than a single access point.

As Mr. Pettit stated, they are kind of locked into a small portion of the 18 acres because of the wetlands and associated buffers and they will be applying for the necessary general permits for the roadway crossing as well as transitional waivers to balance out the buffer in this location once they get into final site design.

Mr. Clarkin asked if they know how many stores they might split the retail space into even though there are no tenants at this time. Can't be determined until they get tenants. They will make sure that no one tenant will have the space of 5,500 square feet or they will have to get a variance.

Mr. Lozuke asked if they could tell the Board Members about the small tweak from the original application. Mr. Asselta stated that the application is the same except for the Hartford Road access issue to try to make it a better situation. They are going to create a separate turn in lane to make the left off Hartford so people waiting to make that turn in will not block the traffic and cause more problems with that intersection. Ms. Drumm will discuss further with her testimony.

Mr. Asselta stated that all this that we are talking about in the end has to go before the Burlington County Planning Board for approval. Without they're approval they have nothing.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Mr. Shaw is a Franchisee of a total of 9 Dunkin Donuts. In Burlington, Camden & Gloucester County. He owns the Delran DD on Rt. 130 N for about 20 years. Hours of operation will be 5am to 9pm and deliveries are once during the night either by van or box truck. The dry good deliveries will be once a week or possibly twice, depending how busy that one is. They will delivery by tractor trailer or box truck. The deliveries will vary depending the route. They will work with them if the Board stated a particular time.

The goal of the drive thru traffic is to get them out in about 150 seconds. They generally are in the range of 100 to 110 seconds. They have a drive thru in 4 out of 9 locations. Only one of them has 11 car stacking. Typically 6 to 8 stacking. There should be no problem having 11 spaces.

Mr. Shaw agreed that before he had any specific retail tenants, that he will come back before the Board and get permission from the Board before he did that. He doesn't have any commitments right now. In order of space, since they are going below the 5,000 sq. ft. it won't make a difference if he splits it up or keeps it as one space.

Mr. Shaw wanted to let the Board know that this could ease up the traffic at the Rt. 130 location because of it being in the same town. The customers now come from the area of the proposed location to get there DD on Rt. 130. It will make a slight impact on that traffic just like it did when they opened the DD in Delanco.

Mr. Shaw stated that the need for the driveway on Hartford makes it easier with circulation for the cars to use the drive thru and head back out. It wouldn't work in that location without the second driveway.

The hours of operation will be 7 days a week 5am to 9pm. There will be a morning shift with anywhere from 5 to 8 employees. The rest of the shifts will have 2 to 3 employees. There are typically 3 shifts.

Mr. Raday asked where the unloading of the truck will be. Mr. Pettit anticipates it being in the bypass line. The deliveries will be off hours but it depends on the schedule of the driver.

Mr. Shaw will be the owner of the property should he obtain approval for this project. He has a Contract of Sale contingent upon getting approvals.

Ms. Deanna Drumm is a Professional Engineer for about 20 years. She has specialized as a Traffic Engineer for about 24 years. She is also a licensed Professional Planner in NJ and also certified by the Institute of Transportation of Engineers as a Professional Traffic Operations Engineer. She has testified in well over 100 Boards in NJ. With that, Mr. Asselta offered Ms. Drumm as an expert competent to testify to matters of Traffic Engineering. Mr. Jeney accepted.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Ms. Drumm started with the Bridgeboro Road entrance. She stated she hasn't talked to the County but with all her dealings with them, she feels that they will require them to shift down the access down to align with the access of the Bank across the street as well as to put a dedicated left turn lane likely along Bridgeboro Road based upon the traffic on Bridgeboro Road. There will be an existing left turn lane at the signal and likely have another left turn lane going into the shops and again an opposing left turn lane going into the Dunkin Donuts. The frontage of their site, the County will require a 10' shoulder. There is an approximate 10' shoulder out there now so she doesn't see much more of curb line for permits that will be required along the parking that they may be asking for a setback variance.

Along Hartford Road, in order to enhance the left turn movement into the site they are going to propose to restripe the gore area. There is an existing gore area with yellow striping. They will be restriping with possibly a minor widening of a foot or two right near the access to accommodate the 12' lane that they need for the left turn lane as well to accommodate the approach lane to the signal. The reason why they have choose that is because there is limited right of way on the other side and also there are also some poles and it is just better traffic transportation having basically what she wants to call back to back left turn lanes.

In regards to the use its self, the Solicitor stated that they are requesting interpretation that the Dunkin Donuts is a permitted use. However, if the Board feels that is not a permitted use, they will be seeking a Use Variance.

Dunkin Donuts generate most of their traffic during the peak hours when people are going to work. Not so much in the afternoon as well as Saturday later on in the morning since most people try to sleep in on Saturday. They have taken a look at that intersection during the commuter peak hour as well as Saturday. The volumes at that intersection has approximately 2,000 vehicles during the week during the morning. On Saturday it reduces to about 1,600.00. You have the schools nearby. The studies have shown that about 50 to 80% of the traffic for the majority of those trips that are entering the DD are basically already on the roads. Which means the actual traffic impact meaning people who will be coming there & then going back home or they are diverting by some chance, that's what they call the new trips and that's really your impact.

In regards to the net trips, they are looking at approximately 90 in the morning. That would be 45 people coming in and 45 people coming out. She used the lower percentage more for a conservative basis. Being conservative will give you more of a higher impact.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

In regards to the distribution, since they have an access on Bridgeboro & Hartford Road approximately 50 to 60% of traffic is going to go up thru the intersection. Again, 2,000 trips, take 90, take 50% of it, they are talking about 40 to 50 trips that actually is traveling to the intersection. From a volume basis, it's really an insignificant number.

However, with in the Master Plan, this intersection has been identified as an intersection of concern. They also took a look at the operating standards of this intersection to determine how it operates now before the DD and how it operates after the DD. They found out that the level of service is still going to be the same. The delay may go up a little bit. This is operating about a "C" in the morning from an A to F grading. A "C" is average. They are not going to change that overall level of service. From a negative perspective of any Use Variance if they need one, it is her professional option that they do meet negative criteria and that the impact on the off tract intersections is going to be insignificant.

They are again requesting an access to Hartford Road. From a transportation planning perspective, it is always good to have multiple access points. It helps disburse the traffic instead of concentrating on one access spot. It does give a positive transportation engineering element to the site.

The NC1 has a few other uses that could possible impact the traffic more than what the DD will be generating for new traffic. A convenient store will generate the traffic all day where DD's traffic will be mostly in the peak hours in the morning. She believes that the operational level of service will not be significantly impacted.

According to what they looked at for the left turn lane from Hartford they are projecting about a 2 vehicle queue which is about 50' that will be necessary to accommodate their traffic. Having 75' is more than sufficient to accommodate the left hand turn volume. Approximately one to two cars will be waiting in that left turn lane per their review.

A question from a Board member asked if she visited the site at peak hours also if they are coming up from Moorestown, why can't they just make the left at Bridgeboro instead of going thru the light about 400' just to make a left. She is a local Burlington County residence and visited the site during the am peak hour. Ms. Drumm stated that you have to be careful with impacting what they call the confines of the existing left turn lane. Their left turn lane is far enough back that they will not impact the left turn lane at the light. They are at an optimal location to accommodate those improvements.

A Board member also asked about having an entrance closer to the Ron's Automotive Shop. Ms. Drumm believes that the County wouldn't approve it because you would be too close to the existing left turn lane at the signal which is frond upon by the County.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

A Board member asked about what their plans were for the exiting onto Hartford. His concern is that people will be trying to make a left out & a left in at the same time. Ms. Drumm stated that they are proposing a full turning movement. Right now there is no difference than any other access you have in the state of NJ. The shops across the street have a full movement access to Hartford Road. The issue he is debating is the issue at Conrow where there is always a backup for people making a left turn onto Conrow. In regards to someone making a left in, they have the priority over someone making a left out which are the traffic laws.

The whole intersection is a mess at the peak am hours with the traffic from the schools & all the kids walking. Ms. Drumm stated they can put a crosswalk at the driveway which could be key to alerting visually that there is pedestrian traffic. Mr. Asselta said that he was just speaking with the applicant (side bar) and he has agreed that it would be restricted to right turn out only, no left turn out onto Hartford. They can turn right out & the left turn in from the left turn lane only. They can accept that as a matter of condition if the Board would otherwise approve the application.

Another concern of another Board member was the driveway on the other side of Hartford Road near the proposed DD driveway and how they have landscaping trucks pulling out at the same time leaving for the day making a left out going towards Moorestown. They asked also about the consideration of future housing in the area & if they are aware of it at the time then they could figure that into the study. When they did their analysis back in 2015 that wasn't considered.

Mr. Raday asked if the applicant proposed to the Automotive Shop about combining the driveways to make it one instead of having all the separate driveways which will make it 4 on that side with the DD added if approved. Mr. Asselta stated that considering that, would make them closer to the intersection which would make everything more congested instead of spacing it out.

Mr. Raday also addressed the lining up of the driveway of the DD with the Trucking Company's one across the street. Ms. Drumm stated that because of the wetlands they were designing it to have the least possible amount taken up by the driveway. She's pretty sure that when Mr. Pettit designed it he considered that. With all the driveways Mr. Raday feels that it should be restricted to a right in & right out. The same thing on Bridgeboro Road shows the driveway not aligning to the bank on the other side. Ms. Drumm stated again she believes the County will make them shift it to align. Mr. Asselta & the applicant stated that there would be restrictions on the retail space should they be approved by the Board. They will try to work to strength the plan at site plan approval but for now this is the best. They agree to certainly solve any of the issues & work it as a better alternative for site plan.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Mr. Bloch is a professional Planner in NJ for about 8 years and has testified before 50 different Boards & is qualified as an expert. He is also certified by the American Institute of Certified Planners, The National Certification for Planning. Credentials have been accepted.

The NC1 zone permits the following permitted principal uses including the sales of goods which include Bakery's permitted that the goods baked on the premises are sold there. It is their opinion that the DD is a bakery with the goods sold on premises.

One reason they believe the use is permitted is that the NC1 zone allows for low intensity retail & service uses that are available to the residence of the area without contributing substantial to traffic congestion at the intersection. The traffic engineer testified that there will be no substantial impact to traffic.

That is another reason for approving this as a permitted use. This DD would service the need for the surrounding neighborhood being in a NC1 zone where as the one on Rt. 130 serves as a regional need of the area with the passersby.

Another point is that the drive thru are not specifically permitted. Drive thru are only listed as conditional uses in the C1 & PCD zones, however there are no conditional standards for those conditional uses.

Another issue is about multiple uses on one property. In section 355-4H of the Township code states that nonresidential lots may contain more than one permitted use subject to each building structure development and uses on the lot meeting the area and bulk standards of the zoning district.

They heard from the Engineer before that although there was one or two bulk variances on the current layout that could be reconfigured during site plan so there would be no variances.

You heard testimony previously that compared to other uses permitted in the NC1 zone, that there will be no substantial increase in traffic.

It is his opinion that the DD is a permitted use in the NC1 zone. The previous application also agreed that they found it to be a permitted use. In the court appeal one they recognized that the Board made that determination and there was no question & was no review on whether or not DD itself was permitted in the NC1 zone. It was assumed it was.

Not with standing that, should the Board find tonight that it is not a permitted use, it would be his opinion that they would be allowed a Use Variance under section D1 of the Municipal Land Use Law.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

The MLUL asked whether the site is suitable for the proposed use and in this case, the property is located in a Neighborhood Commercial Zone where there are similar commercial uses on adjacent properties & across the intersection.

The DD will advance several purposes of the MLUL. Purpose A will promote the public health, safety, morals and general welfare because it is suitable with the similar uses nearby & there are no adjacent residential uses to the property. Purpose G asked to provide sufficient space for a variety of uses including commercial to meet the needs of the neighborhood area which is what they are proposing here with the commercial use. Purpose H is to provide of free flow of traffic.

As to the negative criteria, the portion of the property in the NC1 zone is adjacent to other commercial uses. There are no residential properties that would be impacted by this use so there is no substantial detriment to any neighboring properties by the DD use its self. This use is consistent to other kinds of uses and is not more intense than any other uses that are permitted.

That completes his testimony on the NC1 portion of the property and asks for any questions from the Board and Professionals at this time.

Mr. Lozuke asked if this review was going to be an exhibit since it was an extensive testimony. Mr. Layton another planner in his office was the author of the report but is on medical leave and was unable to attend. He has personally reviewed the entirety of the report, including the matters he testified to tonight. He independently adopts and shares his opinions. They will stand on the testimony of the witness without the exhibit per Mr. Asselta.

Mr. Clarkin stated that their Planner has mentioned that the purpose of the NC1 district is for very low intensity retail and service uses for the residence of the immediate area. The traffic consultant mentioned that there will be some diverted traffic that will go out of their way to the DD. He asked the Planner if he would think that it would be outside the neighborhood commercial. Mr. Bloch stated that the testimony was that the majority of the traffic that will come to this location is already passing by and from the local residential area & the High School so he considers that as servicing the neighborhood use.

Mr. Clarkin stated that zone prohibits drive thru banks & thinks that kind of ties to the intent of the neighborhood commercial use in that they don't want drive thru facilities cause that constitutes a larger base than just servicing the neighborhoods. Mr. Bloch finds that a drive thru for a DD is quite common & you find them in residential neighborhoods along arterial roads. It's not the drive thru itself driving traffic, people will come to the DD anyway. The traffic testimony already reflects that.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Mr. Clarkin just wanted to offer his opinion to the Board that intent to prohibit a drive thru bank & he realizes that people go to banks at different hours but the purpose of the neighborhood commercial is to serve the existing neighborhood. He thinks the drive thru could be a bit more intense so keep it in mind.

Mr. Bloch had nationwide examples of the DD in a neighborhood Commercial Zone that have been approved for the use. If you live in one of the surrounding neighborhoods, then this will be your local coffee spot to go to. His belief is it does serve the neighborhood.

Mr. Bloch started testimony on the Use Variance for the driveway. The A1 zone is a residential/agricultural zone. The purpose of that zone is to provide for agricultural uses. The marketing of agricultural products, single family residential housing of low density and certain conditional uses including schools & hospitals.

They are seeking a D1 Use Variance in order to allow for the driveway to cross over the zoning line into that A1 zone and provide access to Hartford Road. The courts have held that where an accessory use, including a drive thru is in a different zone, it takes on the attributes of the principal use. Essentially it is a commercial driveway where they are asking for relief in a residential zone.

The courts have found that there are three instances where you can show special reasons that the site meets the positive criteria. The first is if you have an inherently beneficial use, which they did not. The second is if there is a hardship, which they do have a hardship. The third is if the site is particularly suited, which they are particularly suited.

The hardship aspect is that the lot is a little over 18 acres and approximately 14 acres of it is situated within the A1 zone and almost that entire A1 portion is wetlands which doesn't allow for any of the permitted uses including the agricultural uses can't be established there cause of the wetlands.

What they are looking for is that the Board grant a Use Variance to allow for a very small portion of the property to be used for a commercial driveway.

When you look at particular suitability there are 2 issues to look at. One is the specific location of the use & the property. Part of the property is in the commercial zone and the driveway is directly adjacent to the commercial zone and is directly adjacent to another commercial use on the same corner of the property and additional commercial use is on the opposite side of the Hartford Road. The second item to look at for site suitability is whether there are unique characteristics of the property that make it suitable.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Here they have the property that has no frontage on Hartford Road in the commercial zone due to the layout of the zone lines, they only have frontage in the A1 zone. Due to the layout of the property, the zone lines & the wetlands, the A1 is suitable for a driveway but not for anything else.

As to the purposes of zoning they are promoting purpose H, the free flow of traffic by allowing for additional access options to & from the proposed use to multiple roadways. It's common in this area. Right to the east of the site is the same situation having access to both Hartford & Bridgeboro. It gives people different options for where they need to go.

For the negative criteria, there is no substantial detriment to the surrounding properties by allowing the driveway nor will there be any residences nearby that will be impacted. The majority of the frontage on the south side of Hartford Road is all wooded. That will remain so because it can't be developed. There would be no substantial detriment to either the service station or the businesses across the street.

Mr. Bloch stated that the Board should also consider what the detriments would be if the driveway were located within the NC1 zone where it is permitted if it was shifted 30' to the East. It would be closer to the intersection. The traffic expert stated that sometimes it's better to have it further away from the intersection to give people more option & more time to get in line when they're stacking for the light.

The last of the negative criteria asks whether there is a substantial detriment to the zone plan & zoning ordinance. He looked at the 2009 Master Plan re-exam and there are a number of goals and objectives that would be advanced by this driveway. The goal #2 of the 1999 Master Plan is to maintain viability of non-residential areas. Here they are asking for a driveway to allow access which is critical to the vitality of this proposed use. The goal #4 is to promote the maximization, utilization and preservation of the natural character. In order to utilize this part of the property in the NC1 zone, they are asking for relief to use the driveway.

There were a number of recommended goals in the 2009 Master Plan which they are promoting. Objective #1 is to encourage the development or re-development of vacant and underutilized sites. The testimony of the property owner stated that this driveway is necessary to promote this development of this property. Objective # 15 focuses on an economic development of existing commercial districts which is the NC1 zone. They are promoting the economic development by providing a new use. The goal # 12 is to promote new development that will enhance local & regional access. He believes that the driveway does promote access by promoting different options into & out of the site from both roadways. Mr. Bloch concluded his testimony on the A1.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Mr. Clarkin stated he was satisfied with the positive & negative criteria that he presented. With a stipulation that he would agree with a left out onto Hartford that it wouldn't produce any negative impacts.

Mr. Hewko asked how they would prevent people from turning left out onto Hartford. Mr. Clarkin stated that it would be a site plan issue. They probably will have to put a "no left turn out" sign. Mr. Bloch stated that he isn't the traffic expert but they haven't engineered a site plan yet. If the applicant agrees to a condition that there would be no left out, then the engineer will implement that on site plan. An example of that would be a sign or a turned curbed island pointing in the right out direction only. There are several different designs that can be implemented.

Mr. Asselta asked Mr. Pettit that if the applicant agrees to not making the left out, how can you police that and make sure that they are not going to make the left out on Hartford Road and is there anything from an engineering site plan. Mr. Pettit stated that they can look at putting an island in which they do a lot with NJ DOT on a State highway when they require it to be right in, right out design. They would put in a mountable curved island plus signage in, that is pretty much the only way physically to keep people from making the left out. They don't have a full site plan yet so the Board will have to feel comfortable with what they come up with to implement it because they still have to go through that round of approvals.

Mr. Raday stated that during the last testimony that they will try to make the driveway line up with the existing driveway across the street and if that couldn't be done then you would look at the possibility of just making the right in, right out of the driveway. Mr. Pettit said yes they could look at it again once they have an updated survey completed and the driveways across the roadway. He said that the key to that is going to be the limitations of what they can do within the wetland portions of the A1 zone because they will have to get a general permit from DEP and there are limitations on what kind of disturbance. That's something again that they will have to look at once they get into the full engineering of the site.

Mr. Lozuke asked approximately what portion of the 18 acres is the NC1 zone. Mr. Pettit estimates about 3 to 4 acres. With the respect to the access drive which requires the use variance in the A1, can you approximate the dimensions of the proposed access drive on Hartford? Mr. Pettit believes that is about 25' but previously the Planner, Terry Combs talked about reducing the width of that which will also reduce the impact on the wetlands and possibly allow them to shift it. It is simply a two way flow with no other movement.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Mr. Lyon mentioned that if they reduce the width of the access drive, then the delivery trucks if coming from that area will need a wider radius to turn into there with the island there so that driveway at the skirt will have to be much wider. Mr. Pettit's initial thought was to make that a mountable curved island with the signage off to the side so that the delivery truck can go over it & make the turn into the site. They will look at it at site plan approval showing the delivery vehicle turning template so that Mr. Raday can review them.

Mr. Hewko asked if they are aware that the Fire Official stated that with his review, he recommends it to be a width of 30' for the fire trucks to be able to turn. Mr. Pettit stated that all of this can & will be discussed at site plan time once they get into the engineering work with the fire department and make sure they can comply with the requirements in respect to the wetlands with the limitations of what can be disturbed in there. Once they come to site plan, if they can't work it out with the Fire Department then they don't have a project. According to Mr. Jeney, it would be contingent upon meeting the Fire Departments requirements which will be part of the site plan approval.

Mr. Bloch wanted to add that he was out at the site today after just getting a snow storm and saw that the sidewalk on that side of Hartford Road wasn't shoveled. His inclination is from the Bridgeboro/Hartford Road intersection all the way up to the Mosque that it had not been cleared so he was wondering where all the kids are walking. Most of the housing is on the north side of Hartford Road and the north side doesn't have complete sidewalks. It was just an observation and as they design the site plan that will be something they will look at. Mr. Asselta asked if Mr. Block if he gave his testimony to a reasonable degree of a professional planner. He stated yes.

Mr. Jeney asked if there was going to be sidewalk improvements along the Bridgeboro portion of that site. Ms. Drumm stated that it is a County Road but typically they will refer it back to the Municipality at site plan and it would be whatever the Board desires. Mr. Asselta asked Ms. Drumm if she gave her testimony to a reasonable degree of traffic professional engineering certainty. She stated yes.

**Open to the Public**

**Mr. Anderson made a motion to open the discussion to the public. Mr. Hewko seconded it. The results are as follows:**

**Motion carried with a unanimous voice vote.**

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Dr. Brian Brotschul, Superintendent of the Delran Township Schools. During the day he resides at 52 Hartford Road. He began his comments thanking the Board for the volunteer work they do for the Township sitting on the Zoning Board & making sure that the decisions they make are best for the benefit of the town and its residences. He holds a lot of responsibilities as superintendent but his number one concern is the safety of all the 3,500 students & staff in the Delran school district. He said that once a child leaves their property to & from until they arrive back to it in the late afternoon it is his responsibility even if they decide to take a detour. Truth be told that school security is the easy part once the child arrives in the school building. The hard part is controlling what happens on the walk to school which is why he wanted to speak in front of the Board. In the H.S., there are approximately 450 students who do not qualify for transportation due to the proximity of their homes to school. A large portion of the students live in the surrounding homes come from Bridgeboro, Hartford & Creek Road. While there are businesses on those roads, they are typically late afternoon or evening businesses or businesses that don't generate much traffic. The township has done a terrific job in obtaining funding for sidewalks prior to this application and for what they were most appreciative by the residence by these communities. However, the proposed Dunkin Donuts project doesn't qualify as a late afternoon or early evening business. It's quite the opposite. As such, it will have a negative impact on the safe travel routes that the Township has worked so hard to improve for the residence of Delran. Approving this application will expose approximately 450 students to traffic from a DD project and additionally place them at risk that was not necessary to navigate prior. The increased traffic to the area will place students in the district to exposed risk and frankly a strain to resources that the district & municipality have at their disposal. To that end, he is certain that the Mayor & the Township Counsel do not have the resources to spare a crossing guard. Additionally he can assure that he doesn't have the staff to monitor the area along Bridgeboro Road with the additional risk embedded with the addition of a DD. The traffic concerns are vast & far reaching associated with this application & will have a negative impact on the students who walk on the sidewalks. The right hand turn discussion does not solve the issue of pedestrian traffic at all in the morning time. Hundreds of kids will be approaching that driveway & it doesn't matter which turn into or out of the DD driveway. He is opposed to the DD project site as the current application stands. He believes it will add additional risk for the children who walk to school and have to contend to the additional traffic accessing a business. Mr. Luzoke swore him in.

Mr. John Kakowski was sworn in. He lives at 71 Hartford Road. He is retired but works part time. He waited in his driveway 11 minutes in order to get out because of traffic coming.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

He's property sits right across from Conrow where it meets Hartford road. Between 7 & 9 in the morning he has to wait until a Good Samaritan lets him out. Between the peak hours of 7 & 9am & 2 pm and also 4 to 6 pm at night. The traffic is nonstop. Anything you do will impact the traffic on Hartford. When he bought it was a 2 lane country road. Since then they have built 3 Churches, a High School, an Elementary School, 2 parks & a shopping center and it's still a 2 lane country road. He's really concerned to add another driveway. He isn't objecting to the DD but he feels that the side entrance isn't required. If anywhere on that road should have a left turn lane it should be at Conrow to try to help alleviate some of the traffic holdup? The safety issue of the children was covered by the Superintendent already. It is a night mare already & he along with others residences on that road feel that the Hartford Road driveway is unnecessary.

Kitty Newman lives at 4101 Bridgeboro Road was sworn in. Her question was to Ms. Drumm. The traffic study that she did was from 6/2015 and since then they have 2 developments going in back to back on Hartford Road that will impact it. Stellwag Farms with 87 active adult units and the Old Willow Brook CC which will have 108 active adult units. She doesn't think that any of the future traffic has been considered in any of this situation. She also was wondering about the no left out. The traffic that is traveling towards Rt. 130 on Hartford Road will be making a left in but they want to get back onto Hartford going in the same direction that they were, what they will do is make a left onto Bridgeboro & then make another left at the traffic light. She sees that as being an issue. She doesn't feel that the right only will solve the problem. She works in the guidance office at the HS and two of her colleges that live out of town already said if it gets approved, they will change their route to get coffee at that DD instead of where they go now. Right now she feels that adding these two and many more that are thinking the same way will definitely impact the traffic which Ms. Drumm stated that there will not be a significant impact on the traffic. She asked Mr. Shaw if it was possible that the tractor trailer could deliver between the peak hours of 6am to 9am. He said it is possible but would make a special arrangement to not have any deliveries between that times. She also stated that according to Mr. Bloch that Bakeries are allowed only if the baking was done on the premises. Ms. Newman stated baking will not be done on the premises. She wonders about the fact that the driveway that goes out to Hartford Road is in the wetlands. The part of Conrow is wetlands also where they widened the road. She feels that it is becoming a creeping subdivision. How can DEP allow that? She is concerned about all the empty sites around town with them adding a retail space as part of it, will it stay empty like all the others.

Mr. Steven Jozwiak lives at 601 Longwood Ave., Cherry Hill, NJ was sworn in. He is the owner since 1988 of the property where DD wants to build on. He told a little about the sidewalk that they added from the corner of Bridgeboro up to Conrow where there wasn't one before.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

After they built the communities behind Ott's Tavern on the opposite side of the intersection, the kids were being bused to school until the sidewalks went in. Doing that saved the School District hundreds of thousands of dollars in busing of kids to the school. It was never told to him that by having the sidewalk put in there, that potential development would be prohibited do to safety. Everyone wants safety for the children. However, the Superintendent wants to place the burden on him as the property owner when the children were initially being bused. There is a crossing guard on the corner of Bridgeboro & Hartford Road at a certain time of the day people can walk there. To him, no one is just going to walk across a driveway without looking. He feels that it will be a hardship on the developing of the site should they deny it. It has been over 30 years and Mr. Shaw has been the first to actually come to him about building on it now that it is a NC1 zone. Council is the one who specifically under the Master Plan wanted neighborhood commercial in that area. He is asking respectfully that the Board approve the applicant.

Mr. George McDowell lives at 3111 Bridgeboro Road Delran, NJ was sworn in. He wanted to just reiterate what the prior people have testified to. He has been there for 67 years and the traffic has just gotten worse each year. With the new developments going in, it is only going to get worse. He doesn't feel that the extra driveway is required & that it will be a detriment to the community.

**Close to the Public**

**Mr. Hewko made a motion to close the discussion with the public. Mr. Smith seconded it. The results are as follows:**

**Motion carried with a unanimous voice vote.**

Mr. Asselta wanted to make sure that the comment about all the vacant commercial properties in town doesn't affect their decision and you don't want to create another set of vacant stores. That would be totally irrelevant to the Boards decision of whether or not you think this is not going to be successful, that's not what the Boards job is to determine if this is going to be a vacancy or not. They feel it will be a viable development if not Mr. Shaw would not be investing in it. Similarly the same with the comment on the wetlands. DEP ultimately makes the decision. This is a general permit and there probably will be some wetlands averaging where if they intrude in the wetland or the buffer areas, they have to create or dedicate some additional areas. Once again that's within the unique jurisdiction of the DEP. The Board can't deny the application on the bases that DEP won't approve it. If approved, then DEP will have to grant any necessary DEP approvals. This Board needs to follow the NJ Land Use Law and consider the items that properly be considered & not ones that are not properly of the Board.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

They admit that this project is going to increase the traffic but the real issue in the standard that the Board has to determine is, will there be a substantial increase in traffic such that it will prevent the project from qualifying as a neighborhood use. The only testimony that they have heard from the traffic engineers is that there is no substantial impact on the traffic. They talked about 2%. If you think about it, if the standard was whether a project was going to add traffic, you would not approve any project. In the NJ Land Use Law does not permit a Board to deny a project for a permitted use or even an appropriately variance use simply because it is going to add traffic. It has to be a substantial impact and that would be the proper way to look at that. The safety issue is very important and they are concerned about the children. They haven't heard any of the professionals raise the concern about safety. Unless our professional come out & say this is a safety issue then the Board should not be deciding on approval based on that. The Board has to look at it from the perspective of balancing the rights of the property owner and the rights of the applicant against the rights of the public. That's what the Boards job is & glossing over that is applying what the law says you have to apply. What they are asking again from the Board is to make a finding that the DD & associated 3,000 sq. ft. retail is a permitted use in the NC1 zone. They feel that it is appropriate to take a separate vote that will be a threshold vote and if the Board were to vote in favor of that like they did last time then they wouldn't have to get into the issue with the variance. They said it is a permitted use even though it is not spelled out specifically it is similar enough to those other uses that it will fall under the intent of the NC1 zone. There was a comment that they are not baking the goods on site & that would take them out of the Bakery category. That's not how it reads. How it reads is, Bakeries provided that all goods bake on the premises be for sale on the premises. What that means is you can't have a commercial Bakery selling to other places for them to sell. That would be a manufacturing plant. That's not what they have. All the goods will be delivered to the site & sold at the site as a retail bakery. So they feel they fall close enough to that use. There was a discussion about the low intensity nature with in the NC1 zone & there were two specific parameters that you have in the ordinance that talk about it. They are that any use can't have a substantial impact on the traffic & that it can't be more than 5,000 sq. ft. per use. He stated that they do meet those standards because the testimony shows the traffic won't be substantially increased and none of their uses will be more than 5,000 sq. ft. which they do. They meet those two requirements.

The driveway on Hartford Road is the other issue that they are facing. They know that needs a Use Variance and they are fine with that. They can't think of a more appropriate use for that A1 zone. It's really the only use because there is no way to independently develop the 15 acres of land due to the wetlands. The only way that the lot gives them any utility at all is if it can be used in a supportive way for a proper use on the NC1 zone. Because of the wetlands, they won't allow parking on it so the only possible use would be a driveway.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

If the Board should deny it, it's really a hardship for the applicant because it zones into none utility for the rest of that zone. Mr. Asselta believes that is the definition of hardship. It's a split zone case with the 2 different zoning. One portion can be used & the other can't so it would be useless to them. As he stated before, the driveway is a key to the development and it won't happen unless there is some use of that driveway and the ability to do it.

They tried to address the concerns of the Board by making some concessions. The 3,000 sq. ft. is a nod to the idea that they are trying to keep the intensity down as much as possible. The idea that they will come back to the Board before they put any tenants in there. It will give the Township the control over that intensity and will be able to keep the handle on that. The idea that they are going to eliminate the left hand turn out and create a new left hand turn in is again trying to address the Board's concerns. They have tried to work with the Board & make it something that Mr. Shaw can go forward with. At the same time he wants to address some of the concerns of the Board & the public.

The Board has the ability to put any conditions on any approval that they grant whether it would be at this stage or they would submit those conditions which might be better served for site plan. He is trying to establish the basic ability to use the property as they want to & effectively have a second driveway of some type along Hartford Road. They are hoping that they vote the way they are proposing it to the Board.

Mr. Lozuke wanted to clarify to the Board is that Mr. Asselta is asking of them right now are separate votes. They have elected to bifurcate this application which under the NJ Municipal Land Use Law is permitted in that they are allowed to seek a Use Variance prior and contingent upon any approvals. However, in this instance the Zoning Board of Adjustment has exclusive jurisdiction to interpret the zoning. The testimony that you have heard is that it's the applications position that the Dunkin Donuts is substantially similar in nature to the permitted uses. What's being requested of the Board with respect to this vote is an interpretation that the DD is in fact a permitted use in the NC1 district along with the retail space which will need to come before the Board for any further use.

Mr. Clarkin stated that the Board is supposed to determine if it does meet the permitted uses or the intent. You will have to look at the purpose & take into account their testimony whether you agree that their testimony will have a substantial impact and that therefore it's not more intense than the neighborhood commercial which it is intended to be.

Mr. Raday commented on his concern from the testimony regarding the traffic and the Hartford Road driveway. They will have to see about lining up the two driveways on Hartford Road if not then they will consider right in & right out only per Mr. Raday.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Mr. Asselta stated that they have not agreed to the right in, right out scenario. They agreed to eliminating the left out along with it but they still want to shoot for the left in along with the right in, right out. Mr. Raday was under the impression that if it was possible to align the driveways, that's what they would do and if not then to forget about the left turn in and that would alleviate some of the traffic. Mr. Asselta said he doesn't want to represent that they are agreeing to that. What they have agreed to was to look at it and see what happens but again, it's about all the additional information is going to come in at site plan review and it will put everybody in a better position to decide what is best.

Mr. Lozuke asked Mr. Asselta that should the variance be granted that they would work with our professionals during any site plan review process. Mr. Asselta said yes they would agree to that.

The sole question that would be on the table would be an interpretation that the DD is in fact a permitted use with in the NC1 zone. Mr. Jeney asked for a motion.

**Mr. Anderson made a motion to approve the Dunkin Donuts as a permitted use. Mr. McFadden seconded it. The results are as follows:**

**Aye:** Mr. Jeney, Mr. Smith, Mrs. Parento, Mr. Lyon, Mr. Anderson & Mr. McFadden.

**Nay:** Mr. Hewko

**Absent:** Mr. Gonzaga

Mr. Lozuke stated that because the second access drive on Hartford is technically within a small portion of the A1 zone. Technically that requires a Use Variance. There has been testimony provided. In addition to the Use Variance to permit that drive within an A1 district any approval would be inclusive of the stipulations that have been agreed to. There would be a stipulation to a maximum of an additional 3,000 sq. ft. of Commercial space that any additional commercial uses would require Zoning Board approval prior to obtaining any permit. The approval is contingent upon all outside agency approvals. That would be with respect to NJ DEP for the access drive on Hartford within the wetlands. In addition to any County Board approvals for the ingress & egress movements on the second, Bridgeboro Road. The hours of operation would be 5am to 9 pm. The deliveries would be one or two per day. The maximum employees in the morning would be 5 to 8 and two to three employees for the remaining two shifts. The testimony for the traffic impact would be 2 to 3 percent increase of what exists now. The Hartford Road exit would have no left turn lane out. A generic stipulation saying that if the Board would incline to grant Use Variance approval that the applicant would agree to work with the Boards Professionals regarding any and all conditions including working with the Fire Official.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Mr. Clarkin stated that they testified to the positive and negative criteria especially the unique characteristics of where this access driveway can go. We have a corner lot that is already developed and is driving where we can have the driveway along with the wetlands. They have a hardship but they also feel that it is particularly suited because they are trying to accomplish the free flow of traffic by having 2 access points. There is a concern for the safety of the pedestrians traffic as well as vehicular. Pedestrian safety is also something that they agreed to work with our professional at site plan. They testified that there are no know negative impacts in the neighborhood specifically 2 to 3 % increase is not a substantial amount so you're balancing the positives with the negatives. If you feel that the negatives out way the positives you should give a good reason why you don't agree with the testimony that was given to the Board and why you feel that way. It is an A1 Variance involving the driveway access.

Joe Raday stated that as stated previously that his office will work with the applicant for a smooth transition of traffic in the Hartford Road access for site plan should this application be approved.

Mr. McFadden a Board member asked Mr. Shaw asked about the driveway situation on his store on Route 130 N in Delran. Mr. Shaw stated that both accesses are on Route 130. He asked him what stops him from putting them both on Bridgeboro Road only. The Rt. 130 store is on a highway where all the traffic is. On the Bridgeboro location most of the traffic is from Hartford Road. He wanted to know if it was possible for the people from having to make a right or left onto Bridgeboro Road and enter that way and then precede out the other driveway onto Bridgeboro? Mr. Shaw stated that it will impact the DD. He isn't sure about the retail space since he doesn't know who will be in there. Is there a possibility that it can be done with the entrance & exit on Bridgeboro only. From prior experience he knows that if they are not on the road that has the higher traffic count and you're not getting the access from the higher traffic count, it will lower the sales & it would be significant.

Mr. Lozuke wanted to clarify Mr. McFadden's question. Is your question to have 2 access points on Bridgeboro Road in lieu of Hartford Road? Mr. McFadden answered yes. Ms. Drumm provided testimony on the traffic and according to her, the County requires a certain amount of frontage for one drive way or two driveways a well as location. Her professional opinion that one doesn't meet the frontage criteria for the two driveways. Even if they did where the suggested location is, it's just in the confines of the left turn lane. The County probably is not going to approve one there especially how close the existing auto parts driveway is. There has to be the separation there. The existing confines that's out there it's just unlikely even if they met the frontage requirements that the County would allow them to have a second access. Mr. McFadden wanted to know if they ever asked about it.

**DELRAN TOWNSHIP  
ZONING BOARD  
REGULAR MEETING MINUTES  
MUNICIPAL BUILDING  
MARCH 16, 2017 – 7:00 PM**

Ms. Drumm stated no they have not asked. It's a possibility then asked Mr. McFadden. Ms. Drumm stated it's a very low possibility about a 10% chance.

Mr. Lyon asked about the possibility of adding another crossing guard at that driveway per the last meeting. He wants to know if that still stands as a condition that Mr. Shaw will provide the funds to the school for the school to employ another crossing guard at that driveway during school hours. Mr. Shaw stated he absolutely will.

**Mrs. Parento made a motion to approve the Use Variance for the driveway onto Hartford Road and in addition to the Use Variance to permit that drive within an A1 district any approval would be inclusive of the stipulations that have been agreed to. There would be a stipulation to a maximum of an additional 3,000 sq. ft. of Commercial space that any additional commercial uses would require Zoning Board approval prior to obtaining any permit. The approval is contingent upon all outside agency approvals. That would be with respect to NJ DEP for the access drive on Hartford within the wetlands. In addition to any County Board approvals for the ingress & egress movements on the second, Bridgeboro Road. The hours of operation would be 5am to 9 pm. The deliveries would be one or two per day. The maximum employees in the morning would be 5 to 8 and two to three employees for the remaining two shifts. The testimony for the traffic impact would be 2 to 3 percent increase of what exists now. The Hartford Road exit would have no left turn lane out. A generic stipulation saying that if the Board would incline to grant Use Variance approval that the applicant would agree to work with the Boards Professionals regarding any and all conditions including working with the Fire Official. That Mr. Shaw will provide the funding to the school for them to add an addition crossing guard at the driveway during school hours. Mr. Lyon seconded it. The results are as follows:**

**Aye:** Mrs. Parento, Mr. Lyon & Mr. Jeney

**Nay:** Mr. Smith, Mr. Hewko, Mr. Anderson & Mr. McFadden

**Absent:** Mr. Gonzaga

**Mr. Smith made a motion to adjourn the meeting at 10:15. Mrs. Parento seconded it. The results are as follows:**

**Motion carried with a unanimous voice vote.**

Respectfully submitted,

Kathy Phillips, Secretary, Planning & Zoning Board





