

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING MINUTES
MUNICIPAL BUILDING
MARCH 30, 2017 – 7:00 PM**

OPEN PUBLIC MEETINGS ACT

Delran Township Zoning Board regular meeting of Thursday, March 30, 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, Mr. Smith, Mrs. Parento, Mr. Hewko, Mr. Lyon, Mr. Anderson

Absent: Mr. Gonzaga & Mr. McFadden

Professionals: Brian Lozuke, Esq. Board Solicitor

DISCUSSION

Sat at a round table to discuss issues of the Board Policy & Procedures & what is expected of the Board Members.

Mr. Jeney stated that there is no application to be heard. We are at the meeting to go over some policy & procedures of what is expected of the Zoning Board members. There are a few new members plus Mr. Jeney being a new Chairman. Mr. Brian Lozuke, Attorney is new to our professional team.

Mr. Lozuke gave a brief overview of his background. He has been exclusively in Land Use, Planning, and Zoning & Real Estate for the last 10 years. He comes from his father's firm who was exclusive to this for over 35 years.

He has worked with our professionals before & he said they are very good with what they do. It is important that the members use the Professional's as a resource and guide. Not only at the meetings but also before the meetings. Any questions you might have you need to reach out & utilize their expertise including the Attorney.

A question was raised about asking questions individually of the Professionals. Mr. Lozuke stated that you can't have a full blow discussion about the application but you can definitely ask a question for clarification on it in review of that application.

Mr. Lozuke asked that whether you are for or against a decision that you give him a reason on why.

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It helps him draft the resolution which has the legal bases but also the concerns for the support collectively as a Board. When there is a roll call vote, if it's for an approval, a simple reason that they met the hardship or with respect to Use Variance, the criteria has been fulfilled particularly if there is a challenge.

It would be difficult for him to correct the Resolution either for or against with no members voicing any support for concerns with respect for that particular application.

Board Member stated that an example of an explanation with giving his statement could be "He thinks that the traffic pattern will be severely impacted" would that be ok? Mr. Lozuke said it is but there is a legal principal that the off street traffic which is generated by a particular project, could not be considered in the analysis. That will be part of his job that if he hears that a member is straying off of what they are required to consider, then it will be his obligation to again, get the train back on the tracts as far as whether that is a proper consideration or not. He doesn't expect the members to know that. That is his job & one that again he takes very seriously because litigation is not fun. It's expensive. All Judges are not specialized in Land Use Law. It's the uncertainty & hopefully they won't go down that path if the Board relies on the Professional's including himself.

It won't be the Chairman or the Attorney's responsibility to ask you to state a reason. It isn't required for all to state a reason. One or two of the members on each application stating a brief explanation will be helpful.

Any application that gets granted Zoning Board approval is subject to outside agency approval. Should an applicant receive approval from the Board, they are still half way done because the Boards approval is always subject to and conditioned upon the applicant receiving approval from NJDOT if on state highway, from the County if the property is on a County roadway or impacts a County roadway. DEP for any environmental issues such as wetlands. If the applicant is unable to secure any of those approvals from the outside agencies, then they have no approval. Your approval as a Board is null & void at that point. Should the Board grant approval, it's the Professional's job to ensure before the plans are openly signed off on, that any outside agency approval is secured from NJDOT, DEP or the County.

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OPEN TO THE PUBLIC

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

Motion carried with a unanimous voice vote

No one from the public was there.

CLOSE TO THE PUBLIC

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

Motion carried with a unanimous voice vote

ADJOURNMENT

Mr. Hewko made a motion to adjourn meeting at 8:30. Mr. Smith seconded it. The results are as follows:

Motion carried with a unanimous voice vote

Respectfully submitted,

Kathy Phillips, Secretary,
Planning & Zoning Board

