

**DELRAN TOWNSHIP
PLANNING BOARD
MUNICIPAL BUILDING
REGULAR MEETING MINUTES
MAY 5, 2016 – 7:30 pm**

OPEN PUBLIC MEETINGS ACT

The Delran Township Planning Board regular meeting of Thursday, May 5, 2016 was called to order by Mr. Brady at 7:30pm, in the Delran Township Municipal Building.

The Open Public Meeting Act Announcement was read by Mr. Brady and the Pledge of Allegiance was performed.

ROLL CALL

Present: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow.
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

PUBLIC HEARING

Timber Ridge
4310 Bridgeboro Rd
Block 116, Lot 6, 7, 8 and 10.01
PP2015-02
Preliminary Major Subdivision (Continued)

Mr. Brady asked Mr. Prime to continue with were they left off in previous meeting. He wanted to go over the remainder of the check list items.

1. Item 13 – Certification block – will address at final.
2. Item 24 & 25 – The deed from the title search showed no restrictions, so that item is complete.
3. Item 31 – Boundary limits of trees – They provided a complete tree survey inventory of all the trees that are within the disturbance area so everyone would know what’s in that area and what’s going to be removed.
4. Item 36 – Spot & Finish elevations of property corners, corners of all structures, paved areas, existing or proposed first floor elevations. Last meeting they agreed to provide a site plan at the club house area. Will provide at final.
5. Item 38 – Proposed street name – will be done at final.
6. Item 39 – New lot & Block – will be done at final.
7. Item 43 – Identify signs, traffic signals & directional signs – that issue has been addressed.
8. Item 47 – Preliminary architectural plan & elevations – will be available at final when get builder.

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The applicant is asking the Board for checklist waivers on the items 13, 36, 38, 39 & 47. They will be provided at time of final.

Mr. Catrambone made a motion to grant the waivers as reflected for items 13, 36, 38, 39 and 47 and deem the application complete. Mr. Hejnas seconded it. The results are as follows:

Aye: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

Mr. Prime stated that there is one variance for the lot frontage for the 5 acre lot that is going to be dedicated to the township. As a point, the storm water management basins have been landscaped, they just haven't been screened in a sense that if you were doing a dry basin were you create a wall of vegetation. They did clusters of plantings so you still have a view. For safety purposes, they did a split rail with the vinyl netting behind them. At this point they become an amenity to the community. If the Board chooses to accept that proposal we can address it.

There are 2 discrepancies on the sheets. They stated they swapped out a few species and replaced. They will address it and update the plans showing that. Mr. Brady stated the only issue he has is on the indigenes species. Looking at going to 100% rather than running the risk of introducing additional invasive into the township. Mr. Clemson stated that they are not proposing any species that would be considered invasive or uncommon in South Jersey. No Bradford Pears. The can work that out during preliminary performance. Mr. Pettit said he will check but pretty sure he can tweak it at that point.

Mr. Prime stated that this lot is a settlement agreement with Delran which allowed the zoning that permits the age restricted homes proposed by the applicant. When they amended that agreement, the town agreed that they could have a private Homeowners association owned by the over 55 folks so they could control the open space in the clubhouse. When they amended that agreement, the town also asked them to create a 5 acre lot to be dedicated to the township because the town needed it to satisfy some green acre offsets. They did, but the only trouble is that lot that they created, it's a lot that will not be used. They gave what they could on Hartford Rd.

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Mr. Morrow made a motion to grant the Variance for the minimum lot width as proposed by the applicant. Mr. Catrambone seconded it. The results are as follows:

Ayes: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

There are a few design waivers discussed.

1. The street lights at 200 feet on center on alternation sides of street.
2. To allow shade trees spacing at a greater then required thirty (30) feet on center. A minimum of one tree per property or however that works out with keeping the requirements in mind. They are providing 20' wide driveways so they figured it out with that in mind.
3. To allow a street jog with centerline offsets of less than 125 feet between proposed road "A" and the existing Sycamore Street, at the Bridgeboro Road (CR #613). Final jurisdiction on this matter lies with the county. It is a separate requirement in the township ordinance, their position obviously is that the county has jurisdiction over it but they would like the waiver from township as well just to stay consistent. Rick stated that the offset they are talking about is where Sycamore Street & their proposed road "A" will be. He said they are basically lined up, it's a slight offset. That is the reason the county agreed with their position. Mr. Catrambone asked if what they have proposed have an impact on safety. According to Mr. Jordon, he stated there is no precedence on the safety. It shouldn't affect it virtually at all.

Ms. Kolodi made a motion to grant 3 design waivers for the lighting spacing at 200', the shade tree spacing at 30' and the street off set at entrance. Mr. Hejnas seconded it. The results are as follows:

Ayes: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

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The primary delay in the application was the delay of the County. They need to have the County's approval on the driveway. Their testimony is complete and prepared to answer any additional questions the Board might have. They did do further investigation of the drainage issue that the member of the public raised. Mr. Brady went out there himself during a storm and saw some very unusual conditions. Mr. Clemson stated that the concerns about the water that lays in the area is a condition which looks like with the study that they have done, that it is stemming from the Walton farm project out off of Creek Road. Mr. Brady agreed that the Walton Farm's disturbance is the cause of the sedimentation and siltation in the stream that runs behind Mrs. Powell's house. He isn't sure if it addresses the issues that she raised about the Moorestown side of the golf course development. The surge in the swells to Swedes Run and the overflow and the erosion of the stream walls. Mr. Clemson said they don't have any control over what's happening with in those bodies of water in those streams right now. Anything that's already existing, they don't have control over them. He did say that everything that they are proposing on this property exceeds all of the required State mandates for storm water management. The issue of the storm water exceedance of Swede's Run that effects one of the property owners, it's an issue that appears to be exclusively related to the Moorestown development on this golf course. It is either a design or build issue with the other development but not related to the application tonight. However, if there is an exceedance condition occurring in that stream, it's an issue that is potentially exacerbated unless the flows from your project are going to offset whatever is causing the exceedance. Mr. Clemson stated that anything that is going on with Swede's Run does not impact any of the homes that are along Bridgeboro Road. It flows down the southern end of the clubhouse area, where there is a pump station. Mr. Brady asked Mr. Jordon by design, this applicant's Storm Water Management plan will result in less discharge to Swede's Run during a storm event by State requirements. That's how the State designs the standard. Even though there could be an exceedance occurring in that stream due to other reasons, this particular application should not adversely contribute to that condition anymore then the natural conditions we have today. Mr. Jordon agreed with Mr. Brady's statement. So the issue with the stream needs to be addressed with the developer of the other project. Mr. Catrambone just wanted to clarify with Mr. Clemson that the issue he just spoke about has already been addressed. He stated what he knows is that with talking to the Conservation District, that Moriuchi Farms has been fined over that issue and it's been taken care of. Currently and in the future the applicant's parcel is not going to adversely contribute to any exceedance in that stream. It's how the State design's the code, they minimize, too below what it is naturally.

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Mr. Pettit's letter raised a number of related issues the Mr. Brady questioned.

1. Non-residential lots on adjacent properties. It was differed to Mr. Jordon to review.
2. Home Owners Association Documents defer to Mr. Siciliano which will be done at final.
3. Bulk setback requirements, building height & impervious coverage will be addressed at final once they have the architectural aspects.
4. The 20 foot wide roadway for the entrance. The Fire Marshall gave them specific design requirements and they adhered to them.
5. The fire hydrant spacing was specifically done according to the plan that they received from the Fire Marshall. He wants to make sure they know that they presented the plan and adjusted the plan specifically on his comments. They are willing to jockey around if have to per John's review.
6. The proposed phasing plan will be addressed at final per the builder and how they want to handle that.
7. In accordance with the settlement agreement the intent is to fund the \$250,000.00 to the Township upon the delivery of the first building. It was a condition of the original settlement and also an additional monies due at the time of each CO because of the amendment.
8. They are wanting the Builder to have the input on the recreation plan and the amenities. That will be deferred to a later date when they have one.
9. How are they going to address the requirements to provide public access? Talked about at last meeting a bicycle path from Hartford in the open space lot. The concern is that the people who will live there are not wanting bike paths there. They will not want to make it a pedestrian friendly community or anything like that. It is simply a response as to what the market dictates to them. The developer posted a recreation fee with the township in the amount of \$250,000.00 to be paid in full condition for the issuance of the first permit. The Townships intention was to have it go into the recreation fund in which they used towards the funding of the new Community Park. They are not proposing any type of fencing around that open space so it will remain open to the public.
10. Parking restrictions on the curve of Road "B" and the signage issue but also a no parking zone enforcement issue whether or not they need to have an ordinance to affect that. The plans at the curve of road "B" has signage that shows arrow left, arrow right. It is a Township road so an ordinance will be required per Mr. Prime.

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11. The grading slope as previously noted, the applicant prefers to continue to utilize the 1.5% slope between homes. To clarify their comment, they were referring to the longitudinal slope of the swale that runs between houses and the cross slope.
12. Historically Applied Pesticide Site Technical Guidance will be addressed at final site plan review.
13. The general agreement does provide that the Township will cooperate with the developer in obtaining all necessary approvals and permits from all relevant public entities and utilities including by way of example only the Delran Sewer Authority. It is part of the agreement that Delran would service it. According to the Google Maps, it is directly across from Swedes Run.
14. The storm water report indicates that due to the high groundwater table and the presence of low permeability soils on site, that the site, in the existing condition, provides an insignificant amount of groundwater recharge. They are doing wet ponds instead of infiltration basins. There will be no basements. The groundwater mounding which came up last meeting, they wrote a report demonstrating that type of analysis is associated specifically with an infiltration facility. It has no relevance to a wet pond scenario.

Mr. Cathel made a motion to grant a waiver on the infiltration requirements specified by NJ Storm Water Management regulations and the site conditions effectively preclude the ability to meet that requirement. Ms. Kolodi seconded the motion. The results are as follows:

Ayes: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

OPEN TO THE PUBLIC

Mr. Donald Powell, 4308 Bridgeboro Road was sworn in by Mr. Siciliano. He had a few comments. He encourages that the bike path be provided in community to connect to the path on Hartford Road. The issue with the stream behind his home is not the siltation, the problem is that the stream routinely overflows. The primary problem is the culvert that goes underneath the entrance to the old golf course. It is undersized and when it rains heavy it builds up. In addition to that, the lot adjacent to the driveway between his home and the driveway is lower than the road and lower than the street. It is all overflow from the street where it builds up behind the culvert and flows into the street.

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He understands it is not the Engineers issue but they are asking for some help from him in the process of developing this property and making it into something that is a pride to the Township that it will help the residence and is just asking him to consider. With the overflow of the retention basin, he stated that golf course use to be a lush beautiful fairway and now it's now a mosquito infested swamp. He is asking the Board to look at them having to require the outfall to get to Swedes Run. He hasn't reviewed the plans so he doesn't know how to get the water from the outfall to the stream but it needs to be handled better than that. Lastly the clubhouse, there doesn't seem to be no time frame or schedule for how that is going to be done. He is wondering whether we should be a little more proactive then that. Maybe require some milestones or benchmarks in terms of how that gets done. He said the entrance needs some help because it is a mess and needs some attention. Plus the culvert needs some attention as well. He doesn't feel that it was ever designed or approved by an engineer when it was installed and it is clearly too small.

CLOSE TO THE PUBLIC

Our Board member was concerned about Mr. Powell's concerns. He asked about the entrance to the clubhouse and the water build up. He stated that it is out of their control. There are stretches of the roadside of Bridgeboro Road actually extensive where the water coming off Bridgeboro is draining into a side ditch and that ditch enters a series of pipe culverts that are under driveways. One of the things they have discovered in the course of the design of the improvements along their frontage is there is no consistency to respect to the driveway culverts. In one area it might be a 24" pipe and then get to the driveway and it's a 10" pipe and then get to another area and it's a 24" pipe again. There was no consistency with the pipe sizes. They don't have control of existing pipe culverts under existing driveways. As far as the Engineers knows, it is the property owner's responsibility or the County who would be in charge of the culverts. One of the things that the County asked for them to do is improve the road way frontage along the clubhouse area in addition to the area around Sycamore. If there is any way to make improvements along their frontage, they will do that. Regardless of the upstream or downstream of them. When the County reviews the improvement plans for that section, they will make them size the culvert for what's actually getting there. The County has jurisdiction for the traffic and drainage on a County Road. Mr. Powell states that the culvert that goes under Bridgeboro Road is probably 12" above the bottom elevation of the lot that is between his property and the driveway to the clubhouse. It is probably the reason if fills up. The culvert is misplaced in the setting elevation. The culvert is basically useless. Based on the conditions provided and the County's approval, who will be responsible.

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Mr. Prime stated that it is the County's call. They will wait till the County reviews and addresses it. The applicant will not address it first with the County. Mr. Brady asked that Mr. Jordon reach out to the County and or maybe take a look at it. Suggested by the engineer that maybe Council reach out to the County.

Mr. Morrow made a motion to grant preliminary approval to the applicant subject to the conditions that they committed to fulfil as part of making final application including but not limited to the Resolution of the Historical Pesticide testing. Ms. Kolodi seconded it. The results are as follows:

Ayes: Mr. Catrambone, Ms. Kolodi, Mr. Hejnas and Mr. Morrow

Nay: Mr. Brady, Mr. Cathel

Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

Motion carries, preliminary approval granted

The Board took a 10 minute break before the next application

Sun Delran, LLC
Rt. 130 S & South Chester Avenue
Block 46, Lots 9, 10, 11, 12, 14, 15, 16 & 17
PP2016-03
Preliminary and Final Site Plan

Tim Prime, Attorney representing the applicant Sun Delran, LLC they are proposing a development to renovate, rehabilitate the former Sam's Club shopping center. The applicant recently purchased it. They are experts in bring back centers, bringing good tenants in, and revitalizing centers in much need. They are in addition looking for approval of a 3,400 sq. ft. additional pad site. The Wendy's which is currently there will remain. There are no tenants yet until they know of a time frame and a time line to deal with before they commit.

Mr. Siciliano swore in Mr. Cornelius Brown from Bohler Engineering. He is a professional Engineer who has designed site and land use plans in the State of New Jersey, Has given testimony in the past and is recognized as an expert in Civil Engineering. Mr. Brown explained a brief overview. The proposed tract is 17.51 acres in total. What they are looking for is a 3,400 sq. ft. building located in the southwest corner of the parking area. They are eliminating 39 parking spaces. There will be a parking area on the east side and south sides of the proposed structure. With the addition of the building there will be landscaping of shrubs and some landscape islands with shrub's with area lighting.

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There will be an enclosed trash area with landscaping around it. The loading of the merchandise will be by the front door since it's a small building and they don't anticipate that a loading area would be necessary.

There are a number of checklist items from Mr. Jordan's review letter dated April 19th, Mr. Pettit's review letter dated April 28th. Charles Mannino of Sun Equity Partners has been sworn in and has testified that the taxes are current. The check was hand delivered to Township around April 21st or 22nd.

- Item 2 - Affidavit of Ownership – They will add a signature block on the plans.
- Item 13 - Certification Block – Will be on plans.
- Item 15 - Date of property survey – will provide with survey,
- Item 8 - Title Block – the block and lot will be added to the site plan if Board grants a temporary waiver.
- Item 14 - Map Filing Law – will provide survey they have. No intention to do a new survey but to make the Board more comfortable that will provide a new Survey. TBD
- Item 15 - Date of property survey – on survey when provided.
- Item 20 - Proposed structures and their dimensional setbacks – will provide it.
- Item 23 - Lot lines and area of lots in sq. ft. – will show that on survey.
- Item 24 - Plan delineation of any existing or proposed restrictions – No easement in the title.
- Item 27 - Property owners within 200' - will have a complete depiction on the plan.
- Item 28 - Existing streets, ROW or easements, water, wetlands soils, flood plains or other environmentally sensitive area within 200' – they are not aware of any but requesting a partial waiver.
- Item 30 - Proposed clearing limits – it is similarly showing topo within the 200' parameter, requesting waiver but will provide it at the area where doing the work.
- Item 36 - Spot and finish – at all property corners there will be no changes.
- Item 43 - Locations and details of site identification signs – they will comply with requirement.
- Item 48 - Environmental impact report – provided to Mr. Jordan for his review.
- Item 51 - Applicable outside agencies – conditional on outside agencies. Will have to submit to Soil Conservation District but no NJDEP.

To clarify checklist items, looking for waivers for items 2, 13, 30 & 36.

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Mr. Cathel made a motion to grant the applicants checklist waivers on items 2, 13, 30 & 36. Mr. Morrow seconded it. The results are as follows:

Ayes: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

Application has been deemed complete

Mr. Brady proceeded with the meeting going over the Variances on both Mr. Jordan & Mr. Pettit's review letters.

- 2a. To allow maximum impervious coverage of greater than 60% - It shall be noted that the existing impervious coverage is 86.9% and is being reduced to 86.7%.
- 2b. Required parking setback from a state right-of-way less than 25' where the minimum of 13.7' exists. Note that the existing parking setback for Route 130 is 13.7'
- 2c. Parking setback from any other right-of-way less than 25' – it should be noted existing parking setback from Chester Ave., a County roadway should be 50' while the lot which exists is 14.6'.
- 2d. Parking setback from other rear property line less than 25' – note the rear property line is 10.1'.
- 2e. Additional buffering along the site perimeter.
- 2f. From planting additional trees along Public right-of-ways.
- 2g. To permit the planting of hedges in lieu of trees along Rt. 130.
- 2h. To permit the use of existing and proposed fixtures that are not high pressure sodium. They are proposing to match the height and type of existing lighting fixtures.
- 2i. To permit less than required parking spaces.

Mr. Mannino, VP of Construction for Sun Equity Partner's which is the parent for Sun Delran, LLC stated that they have tenants that are interested. They are waiting on our authority here before signing any of them. They plan on upgrading the façade of the building. Making it more attractive and appealing to want to stop in and shop there. They manage their own properties so they will take a look at the site and determine where and what would benefit with upgrades.

Mr. Morrow made a motion to grant the applicant Variances for items 2a through 2h with an exclusion to item 2i. Mr. Catrambone seconded it. The Results are as follows:

Ayes: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

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Mr. Pettit asked the applicant to provide testimony on the design waivers.

1. On the green space. Existing is 13.1% green space. They are proposing 13.3% green space.
2. They will be adding landscaping around the recycling area which they have already testified.
3. Off-street parking spaces. They already addressed.
7. The maximum height for lighting standard is 20' and they are proposing 25' to conform to the existing lighting.
8. Requires a berm along Rt. 130. They are adding landscaping just not providing the berm.

Mr. Jordan's letter has a series of waivers.

- 3a. Depiction of the existing utilities with in the vicinity of the pad site.
- 3b. Depiction of the existing proposed topographic information with in the vicinity of the pad.
- 3c. Tree caliper with in the vicinity of the pad only.
- 3d. The environmental impact statement.
- 3e. Parking stall dimensions of 9 x 18.
- 3f. Plantings of street trees along Rt. 130.

Mr. Cathel made a motion granting the applicant waivers for item 1, 7 & 8 from Mr. Pettit's letter. Items 3a, b & c from Mr. Jordan's letter. Mr. Catrambone seconded it. The results are as follows:

Ayes: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

OPEN TO THE PUBLIC – NO RESPONSE

Question about traffic study came up from Board Member about Chester Ave. being a County Road and will be subject to review to the State and County. Mr. Prime stated that DOT will probably not review do to being an existing site with retail before.

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Mr. Hejnas made a motion to grant the applicant Preliminary and Final approval subject to 1. That the Storm Water calculations get revised per Mr. Jordan's letter. 2. That they provide a second Handicap parking spot is shown on the vicinity of the pad. 3. That they provide a proper survey. 4. That they certify that the taxes are current. 5. The general provision that they obtain any and all other approvals required. Ms. Kolodi seconded it. The results are as follows:

Ayes: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

Preliminary and Final Application has been approved

MINUTES

From the regular scheduled meeting from April 7, 2016

Mr. Hejnas made a motion to approve the minutes from April 7, 2016 regular meeting. Mr. Morrow seconded it.

Ayes: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

RESOLUTION

Fernando & Maria Pimenta
1012 Oak Avenue
Block 57, Lot 5
PP2015-07
Minor Subdivision (Waiver Checklist – Resolution # PP2016-01)

Mr. Morrow made a motion to approve Resolution PP2016-01. Mr. Hejnas seconded it. The results are as follows:

Ayes: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

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Fernando & Maria Pimenta
1012 Oak Avenue
Block 57, Lot 5
PP2015-07
Minor Subdivision (Minor Subdivision Approval – Resolution # PP2016-02)

**Ms. Kolodi made a motion to approve Resolution PP2016-02. Mr. Morrow seconded it.
The results are as follows:**

Ayes: Mr. Brady, Mr. Catrambone, Ms. Kolodi, Mr. Cathel, Mr. Hejnas and Mr. Morrow
Absent: Mrs. Rovinsky, Mr. Williams and Mr. Singer.

ADJOURNMENT

Mr. Catrambone made a motion to adjourn at 10:45 pm. Mr. Cathel seconded it. The results are as follows:

Motion carried with a unanimous voice vote