

**DELRAN TOWNSHIP
ZONING BOARD
REGULAR MEETING
MUNICIPAL BUILDING
JUNE 19, 2012 – 7:00 PM
MINUTES**



The Delran Township Zoning Board regular meeting of Tuesday, June 19, 2012, was called to order by Mr. Fox at 7:00pm in the Delran Township municipal building.

The open public meetings act announcement was read by Mr. Fox and the pledge of allegiance was performed.

ROLL CALL

Present: Mrs. Parento, Mr. Smith, Mr. Taylor, Mr. Vajapey, Mr. Kohli and Mr. Fox.
Absent: Mr. Harley, Mr. Gonzaga and Mr. Hejnas.
Professionals: Beth Marlin, Esquire, Board's Solicitor; Bryan Hall, PE, Board's Engineer; and Lynn Curry, Board's Secretary.

MATTERS FOR DISCUSSION

1. R.D.M.D.
ZZ2011-9
23 Hartford Road – Block 120.07, Lot 31
Bulk & Use Variance w/Site Plan
Request For Submission Waivers

Kimberly Sutton, the attorney for the applicant, indicated that the applicant was appearing before the Board to obtain certain submission waivers, which would allow the applicant to appear at a later date for a public hearing before the Board for their requested variances and site plan.

Mrs. Sutton requested that the following witness be sworn in to testify before the Board:

1. Mario DiCamillo, Applicant

Mrs. Sutton reviewed the list of submission waivers the applicant was requesting. She indicated that the applicant was proposing to use the property for his landscaping business. He stated that the applicant currently uses six (6) trucks for his landscaping business. He noted that no customers would be visiting the site. She said that the floor plan was provided via e-mail and hardcopies of that plan are being mailed.

Mr. Hall stated that his office has no objections to the Board granting the requested waivers for

1. Checklist Item #24 (deed restrictions)
2. Checklist Item #25 (easements)
3. Checklist Item #26 (phasing plan)
4. Checklist Item #28 (streets, wetlands environmental sensitive areas within 200')

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MATTERS FOR DISCUSSION

1. R.D.M.D.
ZZ2011-9
(Continued)

5. Checklist Item #30 (clearing limits)
6. Checklist Item #38 (proposed street names)
7. Checklist Item #39 (new block and lot numbers)
8. Checklist Item #49 (traffic impact report)

Mr. Hall requested that the applicant provide an updated floor plan showing the intended use of the building on the floor plan in addition to the existing condition currently shown on the existing plan. He indicated that the issue dealing with the number of required parking spaces would need to be addressed by the applicant during their site plan application.

Mrs. Sutton indicated that the garage would be used for storage of landscaping equipment. She agreed to provide an updated floor plan showing the intended use of the building. She stated that the applicant purchased the property with the understanding that a nursery and horticulture was permitted and they proceeded to make the necessary repairs to the property and site work to accommodate his business and was cited by the Community Development office for the use and doing work without permits/approvals.

Mrs. Parento made a motion to grant the requested submission waivers with the exception of the updated floor plan, which must be submitted no less than 15 days prior to the scheduled hearing. Mr. Vajapey seconded the motion. The result of the voting is as follows:

AYES: Mrs. Parento, Mr. Vajapey, Mr. Smith, Mr. Taylor, Mr. Kohli and Mr. Fox.

NAYS: None.

The motion was carried; so ordered Mr. Fox.

The Board noted that the application was considered to be incomplete until the applicant provides the required architectural plan.

2. Fee Schedule Report

Mrs. Curry noted that copies of the proposed recommendations were provided which encompassed a combination of her earlier recommendations and Mr. Vajapey's recommendations. She reminded the Board that the recommendations contained in this report only reflected those applications directly dealing with the Zoning Board and recommendations on items such as site plan and subdivision review would be directed towards the Planning Board for their review.

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MATTERS FOR DISCUSSION

2. Fee Schedule Report
(Continued)

Mr. Vajapey made a motion to except the recommendations for changes to the fee schedule and requested that Mrs. Curry forward a copy of the recommendations to Township Council for their review. Mr. Smith seconded the motion. The result of the voting is as follows:

AYES: Mr. Vajapey, Mr. Smith, Mrs. Parento, Mr. Taylor, Mr. Kohli and Mr. Fox.

NAYS: None.

The motion was carried; so ordered Mr. Fox.

3. Mr. Fox noted that this was Mr. Vajapey's final meeting since he would be moving to Moorestown and therefore would not be eligible to serve on the Board. The Board thanked Mr. Vajapey for his service and dedication to the community and wished him well in his future endeavors.

RESOLUTIONS

1. Scott & Linda Mayes
ZZ2012-4
35 Dartmouth Drive – Block 104, Lot 15
Bulk Variance – Rear Setback

Mr. Kohli made a motion to adopt the resolution granting the requested bulk variance for a rear yard setback. Mr. Smith seconded the motion. The result of the voting is as follows:

AYES: Mr. Kohli, Mr. Smith, Mr. Vajapey and Mr. Fox.

NAYS: None.

ABSTAIN: Mrs. Parento and Mr. Taylor

The motion was carried; so ordered Mr. Fox.

2. Annual Report On Variances

Mr. Smith made a motion to adopt the resolution approving the Zoning Board's annual report on variances for 2011. Mr. Kohli seconded the motion. The result of the voting is as follows:

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RESOLUTIONS

2. Annual Report On Variances
(Continued)

AYES: Mr. Smith, Mr. Kohli, Mr. Vajapey and Mr. Fox.

NAYS: None.

ABSTAIN: Mrs. Parento and Mr. Fox.

The motion was carried; so ordered Mr. Fox.

MINUTES

1. Zoning Board Regular Meeting – 10/20/09

Mr. Kohli made a motion to adopt the Zoning Board regular meeting minutes from October 20, 2009. Mr. Taylor seconded the motion. The result of the voting is as follows:

AYES: Mr. Kohli, Mr. Taylor and Mr. Vajapey.

NAYS: None.

ABSTAIN: Mrs. Parento, Mr. Smith and Mr. Fox.

The motion was carried; so ordered Mr. Fox.

2. Zoning Board Regular Meeting – 3/20/12

The Board noted that the Zoning Board regular meeting minutes from March 20, 2012, were not ready to be adopted and were being continued until the next regular meeting scheduled for July 17, 2012.

3. Zoning Board Regular Meeting – 5/15/12

Mr. Smith made a motion to adopt the Zoning Board regular meeting minutes from May 15, 2012. Mr. Kohli seconded the motion. The result of the voting is as follows:

AYES: Mr. Smith, Mr. Kohli, Mr. Vajapey and Mr. Fox.

NAYS: None.

ABSTAIN: Mrs. Parento and Mr. Taylor.

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ESCROW REFUNDS

1. Clearwire US, LLC
ZZ2008-4
Amount: \$714.92

2. Clearwire US, LLC
ZZ2009-4
Amount: \$916.10

Mrs. Parento made a motion to approve the escrow refunds for Clearwire US, LLC. Mr. Vajapey seconded the motion. The result of the voting is as follows:

AYES: Mrs. Parento, Mr. Vajapey, Mr. Smith, Mr. Taylor, Mr. Kohli and Mr. Fox.

NAYS: None.

The motion was carried; so ordered Mr. Fox.

3. Manhattan Management
ZZ2007-20
Amount: \$1,042.89

Mrs. Curry noted that there was an issue dealing with a delinquent escrow that included the same property. Mrs. Marlin stated that they researching whether the Board could stop the issuance of an escrow refund when there is another escrow account for the same property that is currently delinquent. The Board noted that the escrow refund was being tabled until the next meeting scheduled for July 17, 2012, to allow additional time to research the matter.

BILL LIST

(See Attached Sheet)

Mr. Taylor made a motion to approve the Delran Zoning Board bill list for June 19, 2012. Mr. Smith seconded the motion. The result of the voting is as follows:

AYES: Mr. Taylor, Mr. Smith, Mrs. Parento, Mr. Vajapey, Mr. Kohli and Mr. Fox.

NAYS: None.

The motion was carried; so ordered Mr. Fox.

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PENDING ITEMS

1. R.D.M.D.
ZZ2011-9
23 Hartford Road – Block 120.07, Lot 31
Bulk & Use Variance w/Site Plan

The Board noted that the applicant appeared before the Board earlier during this hearing and was granted certain submission waivers. They noted that the application was currently considered to be incomplete until the applicant provides the required architectural plan, which must be provided at least 15 days prior to any scheduled hearing.

2. Bee Dee Associates
ZZ2012-3
73 & 79 Hartford Road – Block 120, Lots 40 & 42.01
Bulk & Use Variances, Certificate of Nonconforming Use, Amended Subdivision & Amended Site Plan

Mrs. Curry indicated that she had received news that the applicant recently passed away. She stated that she believed the Fire Official and Construction Official received a request from the applicant's attorney requesting a meeting with the executor of the estate in an attempt to clear up some of the current outstanding issues in this matter. She reminded the Board that the application is currently considered incomplete and was not currently scheduled for a public hearing at the present time.

3. T-Mobile Northeast
ZZ2012-5
Parry Road – Block 147, Lot 33
Bulk & Use Variance w/Minor Site Plan

The Board noted that the application was recently certified as an incomplete submission and they were waiting for the applicant to address their completeness issues before this matter is scheduled for a public hearing before the Board.

4. Dredge Harbor Yacht & Basin
ZZ2012-6
67 St. Mihiel Drive – Block 1, Lot 6.01 & 32
Minor Site Plan

The Board noted that the application was currently being reviewed for completeness by the Board's professionals and was not currently scheduled for a public hearing.

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ADJOURNMENT

There being no further business to discuss, Mr. Vajapey made a motion to adjourn the Delran Township Zoning Board regular meeting of June 19, 2012, at 7:45 pm. Mrs. Parento seconded the motion. With all present voting affirmatively, the motion was carried; so ordered Mr. Fox.

Respectfully submitted,

Lynn Curry, Secretary
Zoning Board