

**DELRAN TOWNSHIP
PLANNING BOARD
MUNICIPAL BUILDING
REGULAR MEETING MINUTES
NOVEMBER 1, 2018 – 7:00 pm**

OPEN PUBLIC MEETINGS ACT

The Delran Township Planning Board meeting of Thursday, November 1, 2018 was called to order by Mr. Cathel at 7:00pm, in the Delran Township Municipal Building.

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

ROLL CALL

Present: Mr. Cathel, Mr. Catrambone, Ms. Kolodi, Mr. Morrow Mr. Hejnas, Mr. Parento, Mr. Khinkis, Mrs. Pomeranz

Absent: Mrs. Rovinsky, Mr. Singer

Recused: Mr. Russell

Professionals: Jennifer Johnson standing in for Sal Siciliano; Board Attorney, Joe Raday, Engineer, Mika Apte, Planner

NEW APPLICATION

**Delran Land Investment, LLC
Stellwag Farms Redevelopment Plan
Block 116, Lot 23
Hartford & Bridgeboro Road
PP2017-01
Amended Preliminary Subdivision**

John Gillespie from Parker McKay spoke on behalf of the applicant, Delran Land Investment. He stated that he was here for amended preliminary and final on an application approved in March 2017. The application authorized construction of 88 residential units. After that resolution was adopted his client was joined in litigation with the township and the planning board by Fair Share Housing Center because the 88 units did not have an affordable housing component. Jeff Dubrow of Delran Land Investment worked with the township to assist in the development of enough units to facilitate a settlement with Fair Share Housing Center. That fairness hearing is scheduled before Judge Dow for next Friday, November 9, 2018 at 2:00PM. The application has been modified to include 111 units including an affordable housing component.

Mrs. Johnson stated that some members of the board were not in attendance for the first hearing but they did listen to the tape of the first meeting. Those members were: Mrs. Pomeranz, Mr. Parento, and Mr. Khinkis

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Ms. Johnson swore in the applicant's professionals:

Robert Stout, Licensed Professional Engineer and Managing Member of Stout & Caldwell Engineers, 705 Route 130, Cinnaminson, NJ 08077.

Nathan Mosley, Sr. Project Manager & Licensed Professional Engineer in NJ, Shropshire Associates, 277 White Horse Pike, Atco, NJ 08004.

Mr. Gillespie clarified that Mr. Stout has testified before The Board previously and asked that he be accepted by The Board as an expert. The Board agreed. He asked that Mr. Stout walk The Board through the application rather than go question by question.

Mr. Stout began with Exhibit A-1, Original Landscaping Plan from 2017 and A-2, Modified Landscaping Plan with the COAH component. The site is graded to the north size with a fenced wet basin in the back for discharge which will go out to Bridgeboro Road. Bridgeboro Road will be improved by tying all the existing ditches into the existing storm sewer from the county. The county has given conditional approval for that plan and they are in their third review of that.

The roadway system stays exactly the same as it was on the original plan. The outer ring portion to the east will be single family homes, the portion to the middle, outer ring will be townhomes which will be the same size as originally proposed. The change is the COAH component. The units will be 24' by 48'. They are described as a stacked townhome. The look will be the same but the difference is that you will see two doors instead of one. There will be 20 units.

As far as parking goes, 301 spaces are required plus visitors. They have 459 spaces allocated. There are over 100 extra parking spaces.

There will be a landscaped perimeter which will be graded, with deciduous and evergreens around the back. There will be street trees around the perimeter.

The lighting is a down style light, 18 feet tall with underground electric.

The storm sewer has been designed for the entire site build out.

A-3 – Site Sign: The ordinance requirement is 36 square feet. There will be two piers of stone that will match the development with a fence type picket in the back with a yet-to-be-determined development name in the front. It will be a double sided sign. One will be on Bridgeboro Rd. and one will be on Hartford Rd.

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The unit count has gone up to 111, 14 singles, 77 townhomes, 20 COAH units (stacked townhomes). Previously it was 82 total units with 35 singles and 47 townhouses.

Mr. Stout went over three items not in original application: They are still in the process of selecting a builder which is why their building envelope is generic. It gives the builder flexibility.

A concern expressed by some of the potential builders is that, in the center townhome section, the lots are the bare minimum for lot size. One of the questions was whether the impervious coverage could be increased in that area. The building coverage is 60%. They would like to go to 65% in that section only. (30 units) As a trade-off, they'll minimize the coverage on the others. The overall coverage won't exceed 60%. It will just give greater flexibility for the units.

A second concern is the rear yard setback. They would like to go to a 20 foot rear yard setback to avoid any possible confusion if there is any in that section.

Mr. Stout asking for clarification, mentioning that there is a variance for distance between buildings. The closest building is 21 feet. He said that the redevelopment code is somewhat ambiguous. Required, permitted 22 feet, we're at 21. The planner is requesting a waiver. Mr. Gillespie said the minimum is 20 and permitted is 22 and Mr. Stout is asking for 21. Referencing Ordinance 2018-09, an ordinance to amend Stellwag Farm's Redevelopment Plan, the third page of that document regarding minimum distance between buildings required says 20 feet, permitted 22 feet. Plan calls for 21 feet. That was adopted by the Governing Body on September 11, 2018.

Ms. Apte responded to the question stating that she errs on the side of caution. Usage of the word that it says required and permitted. She is requesting a variance from this requirement for the one foot deviation. Mr. Stout said they will request a waiver.

Mrs. Pomeranz asked questions regarding parking. Mr. Stout said they have two garages per unit plus two cars can park in each driveway so that's four for the outer ring. They also have a parking lot for the COAH units with 23 parking spaces and 26 perpendicular parking spaces plus parking on one side of the street. Mr. Stout said they have 149 extra spaces based on the code. They can't fit much more parking in. Mrs. Pomeranz was concerned about the convenience. She referenced the Summerhill development.

Ms. Kolodi asked about the setback on the COAH units. Mr. Stout said the setback is 50 feet from the right of way with the roadway being another 12 feet in front of that. No deviations in setbacks from the original plan except what they are requesting for the inner loop.

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Mr. Morrow asked about COAH unit parking overflowing into the streets. Mr. Stout said they feel that they have enough spaces and if there is overflow they can park in spots on the street.

Ms. Kolodi asked about parking spaces near the homes. Mr. Stout said that they are still there and that there are two additional spaces added to the original approval.

Mr. Catrambone asked Mr. Stout to point out parking lot in the COAH area. There are no driveways or garages for those units.

Mrs. Pomeranz asked if there is only access to Bridgeboro Road. Mr. Stout explained that there is access from Bridgeboro and Hartford. She also asked about traffic management. That will be discussed by the traffic engineer.

Mr. Catrambone asked about berms and buffering for homes on Swarthmore Court. Mr. Stout said everything is being cleared from the site (with the exception of the wetlands area) but there will be significant shielding from the existing homes. Mr. Stout pointed out the wetlands area. They have already been to the DEP and received their Letter of Interpretation that delineates the wetlands. They also have all of their permitting for their basins and their general permits. There are larger wetland areas in the back of the single family lots plus in the center section there are some wetlands along with trails that people can walk on. They will interconnect with each other.

Mrs. Pomeranz approached the exhibit to clarify her parking questions. Mr. Stout said that the parking stalls are a standard 9' by 18' and the distance between curbs is 28 feet. ADA parking spaces are scattered throughout.

Mr. Catrambone asked about storm water management and water retention/detention. Mr. Stout referenced A-4, a 2015 aerial view of the proposed development. One of the pluses is that the land is considered farm field which is all open. All of the water flows straight across out to the road. By developing the area they are making things much better by stopping the water in a series of inlets around the site and routing it into a basin. There is an existing pond on the property that they are increasing the size of. They will have two fountains to aerate the pond. The whole system gets sectioned out and the water will be collected and discharged out to Bridgeboro Road. They are required by the County to pipe the water. The DEP regulations have been met and reviewed.

Mr. Khinkis asked if the basin has a fence around it. Mr. Stout said there is a fence around it with a gate that people can access in front and a double gate on the other side for maintenance.

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Mr. Catrambone asked whether the water would cause a mosquito problem. Mr. Stout said that by adding the fountains, the water will be kept moving in the hopes to minimize mosquito activity. Mr. Catrambone said that his understanding is that if there is less than an inch of water, mosquitos are more of a problem. Mr. Stout stated that the pond will be six feet deep at the center so depth should not be an issue.

Mr. Cathel asked about the pipe going down Bridgeboro Road as well as the landscaping that will be put in. Mr. Stout referenced A-5, The County Road Plan. Hidden Acres Lane will come out on to Bridgeboro Road. Along the side property line they have a pipe that comes out to an inlet. The County has asked that they pick up all the water coming out from Swarthmore Drive down to Hidden Acres Lane and then on to the intersection of Bridgeboro & Hartford. There will be a series of inlets along the road. The swale that is there now will disappear. The landscaping will be replaced depending on what was there before; grass will be replaced with grass, a shrub will be replaced with a shrub.

Mr. Hejnas asked about a homeowner's association. Mr. Stout there will be homeowner's association. He also said the roadway will be taken over by The Township. The Township will be in charge of snow removal on the roads but not in the parking spaces. It is yet to be determined whether the homeowner's association will take care of snow removal of parking spaces or the homeowner's would be in charge of this task. The curbing will be Belgian Block and all the ADA ramps will be concrete. No speed bumps or traffic calming devices. The design of the streets makes it traffic calming. Trash collection is the municipality's responsibility also.

Planner's Report: In reference to CME's letter dated October 24th. We can skip over the first five Pages because we did discuss the one variance that is noted on page four and the applicant is willing to seek a deviation from that variance.

Circulation Plan (5) on page six of the report, our expert engineer testified about the traffic calming requirement in the circulation plan. We have a comment of adding a crosswalk near the stacked townhouse parking lot for pedestrian safety (5a) and also placing stop signs where the parking lot intersects with Hidden Acres Lane (5b.) The applicant agreed to both.

Open Space Plan (6) The wetlands will be divided into single family lots but will be maintained by the HOA. Mr. Stout said there will be a deed restriction on that area.

Solid Waste Disposal (7) will be handled by the municipality via curb side pickup including the stacked townhomes.

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Signage (8) Referenced back to A-3. The signs will be in two locations. The Bridgeboro Road sign will be on the left hand side. The sign will be double sided. On the Hartford Rd. side there is an island in the center so the sign will be placed in the center of the island between the two driveways. Ms. Apte said that during the initial discussion, the Board was wondering if this would cause any kind of fire truck turning problem. Mr. Stout said they don't believe it does. It was checked using an auto turn which is a computer generated model that routes this type of thing. They will double check this and also check in with the Fire Marshall and they are in receipt of the Fire Marshall's letter.

Lighting (9) Ms. Apte was comfortable with the testimony regarding this. She asked about shade trees and whether they are compliant with the 30 feet on center requirement. Mr. Stout stated that they are not compliant because the driveways limit the factors. They are more uniform along the residential area but once you enter the townhome area they are placed between the units and utilities have to be taken into consideration as well. They have placed them in as many places as they can. Average distance is from 110 feet to 30 feet based on the layout of the driveways.

Inclusionary Development (10) Ms. Apte mentioned that it is a state statute requirement that the affordable, stacked townhouses have to look like the rest of the comprehensive development. Mr. Gillespie clarified that it is not a requirement rather it's an encouragement. Mr. Stout said that the affordable units will be the same material as the other non-affordable units. The width is a little narrower and there will be two doors.

Mrs. Pomeranz asked what type of trees will be planted. Mr. Stout said that they are ornamental trees that will fit in the space. He will let her know what kind later but they are native plants. She asked whether the trees will be on the homeowner's property. Mr. Stout said that in general, they will be right behind the sidewalk since planting them between the curb and the sidewalk can push the sidewalk up eventually. Mrs. Pomeranz asked how far from the sidewalk on the homeowner's property the trees would be located since planting them too close might lead to the same problem.

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Mr Raday Highlighted some of the issues from the Engineer's Review Letter #2 dated October 25, 2018:

Item 2: Mr. Mosley spoke about the comparison as far as traffic generated between the originally approved 82 unit site and the 111 unit site now. Mr. Mosley looked at the trip generation previously submitted and then the current one. One of the main differences is that The Institute of Transportation Engineers issues a new trip generation manual every four to five years. Since a new manual was recently issued some of the rates have changed. It is anticipated that the number of cars traveling in and out of the development at peak hours will decrease from 76 to 49 in the morning (7:30-8:30) and increase from 58-64 at night (5:00). Ms. Pomeranz clarified that there are stop signs at the entrances/exits to the development. Mr. Parento asked whether the exits out of the development will be single or double lanes. There will be a single exit lane. Mr. Morrow asked about potential traffic lights at the entrances of the development. Mr. Mosley stated that it is not necessary now but an engineering study could be done in the future if need be.

Page 5 under Open Space: Mr Raday asked if the applicant will submit the homeowner's documents concerning open space improvements and landscaping. The homeowner's documents has a condition subsequent, not before plans are signed.

Streets, Item 2: The applicant is requesting a waiver for the sidewalk on Hartford Road. Within the development there are sidewalks on both sides of the road and there are sidewalks on Bridgeboro Road. The development will have a series of interconnecting trails which should be shorter. There are also wetlands which prohibit sidewalks on some areas of Hartford Road. Mr. Raday asked about RSIS issue and the need for a waiver from the NJ Department of Community Affairs. Mr. Gillespie said that isn't the case. DCA does not approve or deny. It's a Planning Board issue. Ms. Johnson said while she's not clear on that, their jurisdiction tonight says that they can grant the waiver. Mr. Stout stated one of the requirements of RSIS is that there be sidewalks on one side of the street which is the case. The trails are going to be wood chipped. It will be more of a nature walk. There is also a community garden area and a fire pit.

Page 8, Storm water management, Item 6: NJ BMP manual for wet ponds recommends a liner for the basin. The applicant is not in agreement with that. The liner holds the water in creating a swimming pool. In this situation, it's in the water table. If it's lined the water won't come through which is why they are asking for a waiver to not line it. Mr. Raday said based on that information, they will agree to that.

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Page 9, Item 10: Mr. Raday addressed the spillway that is being directed to a resident in the rear of the property asking that it be redirected so it discharges to the internal parts of the road. It will be redirected to the front corner of the development

Page 10, Item 18: In the original redevelopment zone. It might be a typo. If they're proposing a basement, the minimum has to be two feet above the seasonal high water table and a minimum of one sump pump installed. If you are two feet above you don't need a sump pump so they are saying that it should read "or" not "and". If it's below two feet, they will provide the sump pumps.

Page 12, Item 5: Mr. Mosley asked about Delran's ordinance. There is a requirement for an export permit. Can The Board grant this? Ms. Johnson said this is actually a county jurisdiction. The construction office directed Ms. Johnson to the county.

Page 12, Item 10: Grading

Page 14, Item 7: Utilities; RSIS recommends 20 foot wide easements for all water and sewer laterals. The applicant is asking for a deviation from this. There is a bigger chance of a water or sewer main break. They are asking about the storm sewer line. In between the townhomes in the center there are a couple storm sewer inlets. There was a 20 foot proposed easement which is wide enough for a backhoe to excavate. Since the houses are only 21 feet apart, they are asking for a 10 foot easement instead. This would be just between the units for the storm water. Mr. Raday said he would rather have the 20 foot easement just in case something happens, the township or HOA would have to get in there. Mr. Mosley asked if they could do 15 feet so that there is more wiggle room. Mr. Raday asked for 20 feet and Mr. Mosley agreed.

Mr. Stout said that in the beginning of the testimony the townships will be responsible for snow removal on the roads and the HOA will be responsible for the parking lots. The HOA will be responsible for any of the maintenance not owned by the fee simple lots. The basin, open space, wetlands, buffering, wood chip path, etc. Mr. Raday asked about snow removal for the roadways which will only include the main street not parking spaces.

Page 15, Item 7: Regarding the wood chip path and geotechnical fabric. They are asking for a waiver for that. HOA will be responsible for replenishing the wood chip paths.

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Page 16, Block & Lots: Mr. Raday asked if it would be filed by plat. Mr. Stout said everything will be done on the plat. Mr. Raday stated the HOA documents and individual deeds for all lots submitted to the office prior to signing of plans. Mr. Gillespie said that's not how that works. Mr. Raday said he thinks the HOA documents would have to be submitted to the town before they sign off on the documents. Mr. Gillespie disagreed stating the plan is the subdivision of approval. The HOA documents will be done by the builder after the plan but before anyone gets a building permit. Mr. Raday said he's never seen that happen before. Mr. Gillespie said he's never seen it happen the way Mr. Raday is suggesting it. The HOA documents are done after the approvals, after the plans, the builder is going to be bound by the conditions imposed by The Board and you can't get the building permits unless those things are approved by The Board Solicitor. Mr. Raday said The Board would have to be assured in HOA documents that they have all the storm water maintenance issues that the State of NJ implements. Mr. Gillespie said you don't need to see all of the HOA documents but they will supply storm water and general maintenance plans which will be filed.

General Engineering, Trash & Recycling: Both will be done by the municipality Exactly the way it is done in the rest of the township. All buildings have areas in the garage for trash & recycling. The COAH units will have a trash closet for this purpose.

Page 17, Item D1: Tree Management Plan: They are asking for a waiver of the ordinance. The ordinance says the applicant has to identify and locate trees. Every tree within the conservation area is going to be saved. Everything outside of that will be removed to accommodate the grading of the site. Mr. Catrambone asked if that plan can be as broad brushed as Mr. Mosley is stating. It was agreed that it would be acceptable.

Page 18, Wetland & Transition areas: Mr. Mosley recommends they be protected by a conservation easement. All of that information will be included in the HOA documents for storm water management.

Mrs. Pomeranz asked where the trash closets will be located in the COAH units. Mr. Mosley said he does not know the answer to that question yet since there are no house plans yet. Mrs. Pomeranz asked whether the trash closets would be downstairs for all units. The answer is yes.

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Ms. Kolodi asked about the balance between the trees that are being removed from the property compared to the trees that will be planted. The grading required dictates that all of the existing trees be removed. There is a landscape plan that was provided that shows where vegetation/trees will be placed. It is divided into three different phases. They are putting as much as possible into the right of way because there isn't a lot of space between the townhomes. Ms. Kolodi asked about the possibility of sump pumps in all units with basements. The cost would be prohibitive plus Mr. Mosley considers it overkill. If the homeowner requests it, they can pay to have one put in. Mrs. Pomeranz is calling attention to the fact that basements in the township that never flooded before are now having problems. Mr. Stout also pointed out that the basements in this development are walk-outs. Mrs. Pomeranz also asked if the ground has been tested for Radon. Mr. Mosley said it hasn't and he will let the applicant know. Mr. Gillespie said it's the builder's responsibility and not part of a site plan. The applicant will provide information that the site is not in a known Radon area.

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

The motion carried with a unanimous voice vote.

OPEN TO THE PUBLIC

Robert Paglione, 107 Swarthmore Drive, Moorestown, NJ 08057 asked about the houses that will butt up against Swarthmore & Haverford. Will there be a buffer zone? There will be a 15 foot buffer. There will be no berm and but there will be a series of evergreens. Mr. Paglione asked about how many per foot and who maintains them. There is no specific spacing but there will be a row of them. The HOA will maintain the trees. The township has specific rules regarding plantings. If anything dies within two years, it must be replaced. The township has a bond for that. After two years, the HOA is responsible. There is a deed restriction. The HOA must maintain them forever.

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

The motion carried with a unanimous voice vote.

CLOSED TO THE PUBLIC

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Mr. Cathel asked if we can have a motion to deem the application complete.

Mr. Catrambone made a motion to deem the application complete. Mr. Catrambone asked if there was a list of waivers for completeness.

Ms. Apte said that since this has been a continuing application, most of the waivers have been granted so they carry over and they don't really need any more waivers for completeness. Mrs. Pomeranz asked about the sidewalk. Ms. Apte said that is not a completeness issue

Mr. Catrambone made the motion again to deem the application complete with no additional waivers. Mr. Khinkis seconded the motion. **The results are as follows:**

Ayes: Mr. Cathel, Mr. Catrambone, Ms. Kolodi, Mr. Morrow, Mr. Hejnas, Mr. Parento, Mr. Khinkis, Mrs. Pomeranz

Absent: Mrs. Rovinsky, Mr. Singer

Recused: Mr. Russell

Mr. Cathel spoke about a motion for preliminary and final approval which would include that the applicant has agreed to provide documentation regarding radon. Ms. Johnson clarified that they provide a map that they're in the radon site. Also, that the HOA documents will be a condition subsequent, a waiver for the sidewalk, a waiver for the liner, a waiver for the spillway, a waiver for the sump pump (as an or), grading plan for the cut and fill, the applicant agrees to the typical rear grading detail for the backyard patios or decks, applicant agrees to the 20 foot easement between the buildings, a waiver for the geo tech fabric for the walking paths, a waiver for the tree management plan, agreeing to a broad description. Mr. Raday said the subdivision plan will be filed by plat. Ms. Johnson clarified that the maintenance plan will be provided but not all of the HOA plans.

Ms. Apte asked about the variance for the distance between the buildings. Mr. Cathel asked for clarification on impervious coverage going from 65 to 60. Mr. Stout said that since the requirement is 60% they want to do 65% of impervious coverage in the center section only but they will make sure that overall the townhouses stay at 60%. Mrs. Pomeranz asked why they have to do that. Mr. Stout reiterated that a builder has not been selected yet. They have put a building envelope in and talked with a couple of different builders. Currently they are showing a 28 foot wide by 68 foot deep footprint. The builders they have spoken with have said they might need to go to 70 or 72 feet. The outside lots are bigger so they don't have issues there. They are limited on the inside so they are asking that they are able to exceed that by 5% but the intent is to be 60%. Ms. Johnson asked, technically, how are they going to designate the inner circle? Mr. Stout said he can give the lot numbers specifically. Lot numbers 1 through 10 are allowed to go

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to 65% whereas the overall cannot exceed 60%. Still complies in the overall plan, 30 townhomes would be included in this, 2310 to 2345. Mrs. Apte asked whether it's just building coverage. Mr. Stout agreed. Mr. Raday said he was OK with this. Mr. Stout said they may never need it but it gives a little flexibility. Mr. Stout said they said they are also looking for a waiver for the rear yard setback moving it from 25 to 20 foot setback plus 21 foot variance between buildings. Mrs Apte also mentioned the waiver for the shade trees for the center based upon driveways. Lastly, that no export permit is needed from the township and that they should go through the county.

Mr. Cathel asked for a motion for preliminary and final acceptance. Mr. Khinkis made a motion for preliminary and final acceptance. Mr. Parento seconded the motion. The results are as follows:

Ayes: Mr. Cathel, Mr. Catrambone, Ms. Kolodi, Mr. Morrow, Mr. Hejnas, Mr. Parento, Mr. Khinkis, Mrs. Pomeranz
Absent: Mrs. Rovinsky, Mr. Singer
Recused: Mr. Russell

RESOLUTION

**Resolution #PP2018-05
Wawa, Inc.
5010 Route 130 North
Block 83, Lot 5
PN 2018-04
Preliminary & Final Major Site Plan Completeness**

Mrs. Pomeranz made a motion to adopt Resolution PP2018-05 (Wawa). Mr. Hejnas seconded it. The results are as follows:

Ayes: Mr. Catrambone, Mr. Hejnas, Mr. Khinkis, Mrs. Pomeranz, Mr. Cathel,
Absent: Mrs. Rovinsky, Mr. Singer
Recused: Mr. Russell

**Resolution #PP2018-06
Wawa, Inc.
5010 Route 130 North
Block 83, Lot 5
PN 2018-04
Preliminary & Final Major Site Plan Approval**

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Mr. Catrambone made a motion to adopt Resolution # PP2018-06. Mr. Khinkis seconded it. The results are as follows:

Ayes: Mr. Catrambone, Mr. Hejnas, Mr. Khinkis, Mrs. Pomeranz,
Mr. Cathel

Absent: Mrs. Rovinsky, Mr. Singer

Recused: Mr. Russell

ADJOURNMENT

Mr. Morrow made a motion to adjourn the meeting at 9:07PM. Mr. Catrambone seconded it. The results are as follows:

Motion carried with a unanimous voice vote.

Respectfully submitted,

Kathy Phillips, Secretary
Planning & Zoning