

**DELRAN TOWNSHIP
PLANNING BOARD
MUNICIPAL BUILDING
REGULAR MEETING MINUTES
February 7, 2019 – 7:00 PM**

OPEN PUBLIC MEETINGS ACT

The Delran Township Planning Board meeting of Thursday, February 7, 2019 was called to order by Mr. Macey at 7:00pm, in the Delran Township Municipal Building.

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

ROLL CALL

Present: Mr. Macey, Mr. Reimel, Mr. Catrambone, Mr. Paris, Mr. Morrow,
Mr. Hejnas, Mr. Parento, Mr. Khinkis, Mrs. Pomeranz & Mr. Chinnici

Absent: Mr. Anagnostos

Professionals: Mr. Raday, Engineer, Mr. Luste, Planner & Mr. Gleaner

NEW APPLICATION

**Victory Real Estate Development, LLC
Hartford & Bridgeboro Road
Block 120, Lot 43 & 44
PN 2018-02
Preliminary & Final Site Plan W/Variances**

Mark Rinaldi, Attorney representing the applicant, told the Board this application is for preliminary & final site plan approval with several variances with a handful of waivers. He has several witnesses to testify.

Victor Juliano, applicant, Bob Stout, applicant's engineer, Betsy Dolan, applicant's traffic engineer, Timothy Michel, applicant's professional planner & Walter Olt, applicant's architect. The Board made the decision to swear the witnesses in one by one, as they came up to speak. Victor Juliano was sworn in.

Mr. Rinaldi asked Mr. Juliano to explain to the Board that he is not the owner of the property at this point in time but he is under contract to purchase the property. Mr. Juliano agreed. His obligation to purchase the property, two separate lots, and two separate owners is contingent on the outcome of approval. Mr. Rinaldi asked Mr. Juliano to explain to the Board what efforts he has made to purchase or approach the owner of the property further down on Bridgeboro Road.

Mr. Juliano stated that he has reached out to the neighboring properties numerous times but at this time they are not attainable. The purpose was to acquire that parcel to expand the area that

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he is already under contract for. Mr. Rinaldi asked about the parcel on Hartford Road behind the proposed site. Mr. Juliano said he has spoken to the owner of that property but at this point in time it can't be acquired. Mr. Juliano would like approval for two separate, free standing buildings, both the same size, same brick façade. They would be neighborhood, commercial retail with a convenience store on the corner.

Mr. Rinaldi stated that a representative from 7-11, one of the proposed tenants couldn't be there that evening due to illness. Mr. Rinaldi asked that if the Board was going to grant the application, they would grant it with the following conditions:

The 7-11 would operate seven days per week, 24 hours per day.

There would be at least two employees but no more than four employees working at any given time. (It is more likely that there will be only two employees.)

That the number of deliveries ranges from 1-2 times a day for smaller, box truck deliveries.

That the number of deliveries for a larger truck, known as a WB50 (tractor trailer type vehicle) are limited to off peak hours limited to 1-2 times per week.

Mrs. Pomeranz asked for clarification on the larger truck. Mr. Rinaldi said that in total, it is about 50 feet in length. They will provide a print out of the truck as a supplement which will include a picture along with dimensions. The daily box trucks will fit in a regular parking space. Mr. Paris asked if there is a possibility that they can see how the truck will be coming in and out on to the road. Mr. Rinaldi said that Mr. Stout or Ms. Dolan will be able to address that.

Mr. Gleaner asked what the peak hours for 7-11 are. Mr. Juliano said peak hours are usually 7:00AM – 9:30AM.

Mr. Macey asked about demolishing two residential properties and whether the proposed development would be right at the corner. Mr. Juliano said that was correct. Mr. Macey was making sure that the commercial buildings would not be close to any residential structures. Mr. Macey asked which unit would be closer to the corner. Mr. Juliano stated it would be 7-11. Mrs. Pomeranz asked whether there would be access to 7-11 from Bridgeboro and Hartford. Mr. Juliano said there would be. Mr. Rinaldi said that they have already made it through the county planning board. They have already provided a review letter to the Delran Planning Board approving the Bridgeboro & Hartford access.

Mr. Rinaldi asked Mr. Juliano to explain to the Board about doing the project in phases. Mr. Juliano said that since he already has 7-11 as a tenant, that part is his primary concern but that he is going to be doing the entire site at one time. It's really one phase but the corner section will be his main focus.

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Mr. Rinaldi pointed out that phase one will be entire site improvements for the entire parcel. Also, there will be a lot consolidation. There is no reason to have two separate lots if the application is approved. Phase 1 would be total site improvement for the entire consolidated parcel and construction of the 7-11 building. Phase 2 will be the second retail space. Mr. Juliano said he would still be doing all the improvements, just the verticals would be secondary.

Mrs. Pomeranz asked whether the second retail space would be one business or will it be divided. Mr. Juliano said the space can accommodate a couple of tenants depending on the square footage that the tenant would require. He does not have tenants for that space yet so he can't say how many will be occupying it.

Mr. Morrow asked if Mr. Juliano has done other projects similar to this one. Mr. Juliano said his family is a development family who has been doing this for generations. They have done a lot of projects locally and in other states but it would be their first time in Delran.

Mr. Catrambone asked what the maximum number of tenants in the second building would be. Mr. Juliano said it would be three at the most but he would prefer as few as possible.

Mrs. Pomeranz asked about access in and out, whether there is one access road for each building on each road or one for the complex on each road.

Mr. Robert Stout, Managing Member of Stout and Caldwell Engineers, Professional Engineer and Land Surveyor was sworn in by the Board Attorney.

Mr. Stout gave his credentials. It was deemed that he was qualified to testify for the next phase of the presentation. He referenced A-1, a 2014 aerial image, A-2, a better, larger aerial view, A-3 a colorized rendering of the landscaping plan that are in the packets. He showed how there will be one access in off of Bridgeboro which will service both buildings. There will be a drive aisle in the center, 20 parking spaces in the front and 14 in the back for a total of 34.

Both buildings will be 3,195 square feet. There will be another access road on to Hartford. One of the 7-11 requirements is that they like to see larger drive aisles. Your standard drive aisle is 24/25 feet which is the ordinance requirement. These drive aisles will be 30 feet wide. It gives a lot more movement and allows emergency vehicles easier access.

Mr. Paris asked how far the entrance on Hartford is from the Conrow/Hartford intersection. Mr. Stout estimated it's approximately 830 feet.

Mr. Chinnici arrived late to the meeting.

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Mr. Stout continued speaking about fire safety. He stated that the fire trucks will be coming from Bridgeboro. They have run an auto turn on the area. The Delran fire official also made some comments regarding adjustments that should be made to the driveways.

Mr. Gleaner asked whether they are accepting everything that is in the site plan review by the Delran Fire Department dated February 6, 2019. Mr. Stout said they are.

Mr. Stout discussed the box trucks which can fit into a regular parking space. He said one of the pluses in this design and layout is that the trash enclosure has been pushed back to the back of the buildings which gives a 60 foot area in the center that can be used for box truck delivery or any other deliveries that need to be done.

Mr. Paris asked about tractor trailers. Mr. Stout said tractor trailers would be there at off peak hours when there are no vehicles in the center section. He doesn't expect that there will be tractor trailers making deliveries to the stores next to the 7-11. The tractor trailers will be delivering between midnight and 6:00AM and that could be a condition by the Board. Mr. Paris asked if the tractor trailers will be pulling out or backing up. Mr. Stout said the movement from Hartford is an easier one because there is no conflict with the parking. Mr. Khinkis asked if there will be left turns coming out of the complex. Mr. Stout said that the county has given conditional approval on this already. A couple of conditions that they had; during the peak hours from 7:30 – 9:00 in the morning and 4:00 - 6:00 in the evening, they have restricted left turns into the site from Bridgeboro and left turn out of the site onto Hartford. Mr. Raday said they need some clarification from the county because one part of the county restricted full moment left turns and in the latter part of the letter they said that left turns were prohibited during peak hours.

Mrs. Pomeranz asked how people will know when they can turn. Mr. Stout said there will be signage stating those restrictions.

Mr. Stout said this is basically a 7-11 prototype. It requires concrete around the perimeter. The area in orange will be concrete. The rest which is in gray will be black topped. Mr. Paris asked what the deterrent will be on Bridgeboro to prevent people from turning left. Mr. Stout said that the county is requiring signage so if you are coming down from Moorestown towards Bridgeboro you will see signage on the Ott's side. There will also be striping requirements that will be done. A lot of work needs to be done to get us to a safe movement in this area.

Mrs. Pomeranz pointed out that we don't know what businesses will be in the second building which may generate traffic after the peak hours at 7-11. Mr. Stout said the traffic generated by the second building is not something that they anticipate as being a problem.

Mr. Stout said storm water management ordinance requirements have to be met. He pointed to the rendering which does not show a basin. Instead, they are showing an underground basin. It

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is around the back perimeter on the north, west, and east sides. They have created a series of manifold pipes which are larger plastic pipes in the ground and will store the water and meter it out to the existing township system. One of the pluses is that they are required to lessen the amount of water going there. The ordinance requires that they reduce it by 80% of the run off so the run off coming from the site will be less. They have met with the township engineer and agree to do all of the comments that he is looking for. They will add a cleansing portion of the storm water management called total suspended solids. The system will be added to the end which will make them meet all of the requirements. The underground system is totally enclosed, totally safe, and there is no open water anywhere.

Mr. Chinnici asked how often it needs to be maintained in terms of silt, sand, etc. Mr. Stout said one of the requirements is that there is a maintenance package that has to be done with that. It has to be filed with the deed. The owner gets a copy of that. It outlines all of the restrictions and requirements that have to be done. Basically after every major storm event it has to be inspected. It has to be cleaned. The township engineers asked for additional inspections ports. A sump is put in the bottom of the inlet so any of the sediment will be able to be captured before it goes into the main system. If it gets clogged for any reason it can be jetted because there are access points around the sides. There is also a cleansing system that allows it to pick up the particles. There is a full maintenance package that has to be done with this. It's the same as an open basin except that open basins are a little easier to maintain.

Mr. Stout discussed lighting for the site. It will be all LED lighting, 14 feet tall. There are two items that they think they will need waivers for. The first is for the intensity of the light which cannot be over 10 at any one point. It's an almost impossible standard to meet. Right now they are at 15. The other issue is the light average. The ordinance requires a maximum of two. They are just over that at 2½. They can adjust a little but they would still like a waiver.

Mr. Stout covered landscaping. They have grasses all along the outside edge. Along the open property on the north side they have a row of laurels which will extend back a little bit at the request of the planner. There are a series of headlight glare shrubs along the entire length of the frontage which will prevent headlight glare out onto the roadway. There are also foundation plantings along the left hand side.

Mrs. Pomeranz asked if they are installing sidewalks. Mr. Stout said yes. The county and the Delran engineer have both required it. The sidewalk will wrap around from Bridgeboro to Hartford with a crosswalk.

Mr. Morrow asked if there will be any free standing signs. Mr. Stout began discussing the signs referencing A-4, the signage package. The 7-11 sign will face Bridgeboro Road. Its 30 feet, 9 1/16 by 39. It is 99.94 square feet. It is the prototype that you would see at the Cinnaminson store on

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Rte. 130 & Highland Ave. There is a smaller sign that will face Hartford Road. It is 18 feet, 11 5/16 by 39. It is 61.56 square feet. They need a variance for both signs. One is 58 required and 61 is proposed. The second is 70 required and 99/94 is proposed. The same size signs will be requested for the second building just not with the 7-11 logo. Mr. Paris asked about a side sign for the second building. It will be facing Hartford Road. It will not be facing the residential side. Mr. Khinkis asked whether the signage will remain the same for the second building if there are three separate tenants. Mr. Stout said yes. They are looking for the square footage only.

They also have two free standing signs for two frontages. The minimum requirement for this is 150 feet. The frontage is more than that but the side is only 147 feet. They need a variance for the second sign on a frontage that is not 150 feet long. The signs will be identical monument style signs. They will be brick peered set ups to match the building. The sign area is 20 square feet with the entire sign measuring 48 square feet, with a height of six feet. One faces Hartford. One faces Bridgeboro. The applicant wanted to do a Welcome to Delran Township sign. The Delran logo will be at the top. It is 12 square feet and will sit at a 45 degree angle at the intersection. There will be enter and exit signs that 7-11 uses. They are three square feet. Mrs. Pomeranz questioned how drivers will navigate the conflicting signs showing entrances but also prohibiting entering at certain times. Mr. Stout said they will work the signage out.

Mrs. Pomeranz said that the peak hours of the store particularly in the morning, will also be the peak hours of children going to the high school. How are we ensuring the safety of the kids? Mr. Stout said they are doing everything they can including installing crosswalks, sidewalks, stop bars. He said it will be no different than the intersection at Conrow Road. Mrs. Pomeranz also called attention to the new development that will be built in that area which will add to the traffic. Mr. Stout said that their traffic engineer will be able to answer a lot of these questions.

Mr. Macey wanted clarification regarding turning left from Bridgeboro in terms of the county's involvement. Mr. Stout said the county has jurisdiction over Bridgeboro but that Hartford Road is a county road until you get to the township line in Delran. In Delran, it is the only place on Hartford that is not owned by the county. Mr. Raday pointed out that the applicant is going to have to go to Council to get an ordinance adopted to prohibit those left turns. Mr. Macey asked if there are any kind of engineered curbs that would prevent people from entering at all times. Mr. Stout said that 90% of the time, this is going to be an acceptable, full movement. If they try to put some kind of center triangle it won't allow full movement at any time. Also, it would negatively affect access for emergency vehicles. Mr. Khinkis asked if they would be able to prohibit tractor trailers from making a right turn out of the site on to Bridgeboro. Mr. Stout said it would be too much of a turn for them. He said that the access to Route 130 would be a fairly fluid movement from Hartford.

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Mr. Catrambone wanted clarification regarding tractor trailers. If they come off of Route 130 down Hartford, the easy in would be a left turn off of Hartford and then exiting on to Bridgeboro by making a left? And then also coming from Route 130 down Bridgeboro, making a right into the site and then exiting by making a right on to Hartford? Would the concrete curbing have to be moved and would parking spaces be affected? Mr. Stout said that it's the turning radius that you have to look for. Mr. Stout said that the fire chief has asked that they widen the inbound radius. It is at 15. He would like it to be at 25. Mr. Stout said they use a computer simulated program called Auto Turn that allows you to take a vehicle and show the movements that would be there. Based on this, he doesn't feel that it needs to be widened but they are willing to do that.

The fire chief would also like the trash enclosure five feet away from building number two. Mr. Raday asked if that would affect the parking. Mr. Stout said they are not widening the driveway, they are widening the radii. Mr. Raday said in the second letter, it is recommended that the driveway be widened. Mr. Stout said its 30 feet now and the code requirement is 25. Mr. Raday pointed out that it says 35 feet. Mr. Stout apologized and said he did not see that comment. He said they could widen it to 35 but they might lose a parking space dropping from 34 to 33, 32 is required.

One of the things that the county requires is that for safe movement, you need to be able to come out of the driveway and see clearly on both sides. There is a house that sits right up on the parking lot. The county has said that you can do two things, buy the building and then take it down which Mr. Juliano has been trying to do, or slide the driveway down about three spaces to give a clear sight triangle. Mr. Paris asked if the county recommended one suggestion over the other. Mr. Stout said it doesn't matter although they always like a longer queue so they would probably prefer the first option. If the building stays, they will move the driveway down about 30 feet which would allow trash trucks will be over to move and two parking spaces would be lost.

Mr. Catrambone asked who was responsible for maintaining the height of the hedges along the road. What if they grow too high and block the sight triangle from the intersection. Mr. Stout said there is no landscaping within the sight triangle. They are also adding a sidewalk which obviously is flat & clear. The landscaping will be maintained by the owner which includes the sight triangle of the intersection.

Mr. Stout said that when the intersection was redone 12/15 years ago, the county acquired a portion of the current property at the corner which measure 98 square feet easement. It is technically Mr. Juliano's property but under the county's easement.

Mr. Paris asked if there are any requirements on the Hartford side of the intersection in terms of getting in and out on that side. Mr. Stout said there are no issues.

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Mr. Catrambone asked about where the actual monument signs will be located. Mr. Stout pointed to the Hartford side entry. He referred to D, the two free standing sign. It's a little behind the center of the building, 10 feet off of the right of way line. The other is in the landscaped diamond in the center. The difference is that the ordinance requires a ten foot set back and this is placed about two feet back due to the lack of visibility as you come down Bridgeboro moving away from Riverside. That is why they're asking for a variance for that. He referenced Ott's across the street whose sign is much bigger and sits four feet off the road. The Bridgeboro Square complex has two signs, one is four feet behind the sidewalk.

Mr. Catrambone asked for clarification on the size of the signage. Mr. Stout said the proposed signage is 99.94 square feet. Mr. Stout said that the ordinance allows you to take 7% of the entire façade. That gets them about 94 square feet but there is a maximum which is a smaller of the two so 70 square feet. They are asking for 100 square feet when 70 square feet is allowed. And then on the side, the ordinance allows 58 square feet on the side and they are asking for approximately 61 ½ square feet. Mr. Catrambone asked for clarification on the impervious coverage and the variance for the underground water retention. Mr. Stout said because the site is very small at .84 acres, the ordinance requirement is 60%. What they are asking for is 68% because it will allow them to widen the driveways with all of the water being controlled within its own system.

Mrs. Pomeranz asked where does all the water goes. Mr. Stout said it goes into the municipal system. By ordinance, only a certain amount of water is allowed to go into the system at any given time. The system on site will retain some of that water and then metering it out. Mr. Pomeranz asked whether there will be a Dunkin Donuts going on the opposite corner. Mr. Stout and Mr. Paris said that there is an approval for one behind the service station.

Mr. Catrambone asked about directional signs that may be contradictory stating that as a local he might get used to that but someone from outside of the Delran area may be confused. Mr. Catrambone said he is not comfortable with that possibility of confusion. Mr. Paris said that is a concern that he and other board members have as well. Mr. Stout agreed and said that the county is requiring the signage. Mr. Catrambone asked for clarification on when the turns are allowed. Mr. Stout said that the traffic engineer will cover that.

Mr. Rinaldi said that he was at the county planning board and one of the things they recognized was the nature of this property; corner property, zoned for commercial use. They recognized the challenges because to restrict the flow almost entirely would reduce the utility of the property. You won't get too many commercial enterprises to occupy the space if there was limited access. Mr. Rinaldi introduced Elizabeth Dolan, Professional Engineer specializing in traffic engineering. Ms. Dolan was sworn in & she provided her credentials and Mr. Gleaner

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accepted her as an expert to testify in the field of Professional Engineer specializing in traffic engineering.

Ms. Dolan reference A-5, the site map with a 35 foot wide driveway to Bridgeboro which has been slightly shifted to the intersection and conditionally approved by the county. There would be no left turn in at any time. If Mr. Juliano can acquire the Lot 45 property that is to the north of the site and move the driveway, he can reapply for a left turn in from Bridgeboro. The left turn out is permitted during non-peak hours. On Hartford there is a hatched area to the west that transitions into the left turn lane at the intersection. The county suggested extending the left turn lane. Ms. Dolan said that 7-11 traffic is self-policing, pass by traffic. People go by and typically make a right turn in and a right turn out especially during peak hours. When there are no competing stores in the area, you may see more left turns but there are many options in this area. It is up to the Board as to whether they want a peak hour left prohibition out to Hartford or a full time prohibition which would both need to be done with signage. Mr. Raday recommended prohibiting the left turn at all times. Ms. Dolan said you definitely want a right turn out and a left turn in from Hartford. Mr. Juliano agreed to consent to a full restriction, no left turn out on to Hartford. Mrs. Pomeranz asked about Bridgeboro. Mr. Rinaldi said they will take what they got from the county approval; all the time right turn in permitted, left hand out restricted to off peak hours, and no left in until the driveway can be shifted away from the intersection.

Mr. Morrow asked Ms. Dolan about what grade level the traffic was that was monitored in and out of the intersection. Ms. Dolan said it was a C in the morning and a D in the evening. The counts were done on September 13, 2018. The peak hours were from 7:45AM to 8:45AM and 4:45PM to 5:45PM. She said that Shropshire Associates had also counted this intersection in 2016 so they compared volumes. They were very close with no growth to speak of. Mr. Paris asked about the other projects happening which might increase traffic flow. Ms. Dolan said they projected out over a two year period. The existing peak hour traffic counts were added to the Burlington County Growth Rate published by NJDOT, 1% per year was added, compounded over two years and then the Dubrow development was also included. They used 111 units. They also added the projected 7-11 traffic along with the unknown retail users. Mr. Raday asked Ms. Dolan if she would object to the mayor's comment about adding the anticipated residential complex to the background growth. Ms. Dolan said they included the Dubrow development. They didn't include the Dunkin Donuts. They can include the Dunkin Donuts to their updated report to the county if the Board would like. Mr. Paris said that he would like to know that everything is being considered. Ms. Dolan said the county had said to check with their timing directive to match their field timings so that's one of the things that has been requested at the county level. If they add in Dunkin Donuts new traffic or if there is a timing modification that would be needed that would alter what the schedule is from the county, they can suggest that in the report back to the county as well. Mr. Raday said to put in the prohibitions. Ms. Dolan said

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that is one of the reasons why the county wanted that updated analysis. Ms. Dolan said that they will now analyze the left in volume along with the peak hour prohibition.

Mr. Khinkis asked how things would change at the Hartford entrance if Dunkin Donuts goes in. Ms. Dolan said that from what she has seen, the Dunkin driveway will be much further away from the 7-11 driveway and only approved for inbound movements.

Mr. Catrambone asked about a property that has been approved further down Bridgeboro Road for 108 units called Timber Ridge. Ms. Dolan said that they can take all of the proposed construction and analyze it however typically that traffic will be on the road, going to work and stopping by convenient stores rather than leaving home, going to the store and returning home again.

Ms. Dolan said that in terms of parking it's a very well laid out site plan with a comfortable parking supply. Mr. Rada asked if Ms. Dolan had a chance to look at the Auto Turn program. Ms. Dolan said they don't have Auto Turn and she hasn't seen the truck template but it's typically a WB50.

Mr. Rinaldi introduced Timothy D. Michel, Licensed Professional Planner in NJ. Mr. Michel was sworn in. Mr. Michel outlined his experience and was accepted as an expert by Mr. Gleaner.

Mr. Michel began by pointing out that the two properties in question are both zoned as commercial so if the existing residential dwellings were to be destroyed, residential structures could not be rebuilt on these properties. The uses that are being proposed tonight are neighborhood commercial uses. The convenience store is a specified use that's permitted in the zone. There are also other retail and service type uses that are permitted in the zone and that's what will occupy the second building.

The application is all about coming into compliance with the master zoning plan. They have very few variances involved in this application and for the most part, Mr. Stout has explained what they are and where the deviations are. The first is the maximum impervious coverage. It's permitted to be 60%, it's about 68% and might go as high as 69%. That actually represents 2,983 square feet more than what's permitted on the site. Mr. Michel said he did some quick calculations to determine how the site could come into closer compliance. One of the driveways is 30 feet and it could be 24 to 25 feet which would substantially reduce the square footage. The trash enclosures are put all the way back at the rear of the building to allow for a trash truck to get back there but they could be a little more forward which would also cut down on the amount of impervious coverage. We also have two parking spaces in excess of what is required. With all of those factors combined, Mr. Michel's calculations show that the amount of coverage could be reduced by 3,100 square feet. While that is possible, he feels that it would not be a

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better site plan. For example there would not be a better and clearer traffic flow with the wider driveway aisle. We also have a better orientation with the trash enclosures if they are pushed back on the property to make the trash truck less visible and less of an obstruction in the driveway. There is also a greater amount of parking if it stays the way it is now. Mr. Michel feels like this will fall under the Broad C variance criteria.

The next variance is for the parking setback and that would be at the northern property line where there is a 15 foot setback from the parking lot area. It's required by ordinance to be 20 feet. On the adjoining property, there is an older, obsolete, single family dwelling that is on the property line. He would expect that at some time in the future that property will be redeveloped and would probably be something a lot more appropriate for the site.

There is also landscaping that Mr. Stout explained would take place along that property line which would help to bring that property view into better conformance with the adjoining property.

There are also sign variances that are required. The first sign would be Sign B which is set back two feet and is required to be set back 10 feet. As Mr. Stout explained, they wanted to bring it forward towards Bridgeboro Road so it would be more visible to the traveling public. It's also very similar to what the Ott's property is in this same intersection area. The Planner's Report also indicates that Sign E located at the intersection could also require some relief from that setback. Mr. Michel said he read the ordinance a little bit differently. He believes that section 355-94C2C might look at the sign as a governmental sign because it's going to say, "Welcome to Delran." Which would make it exempt from zoning. Mr. Michel said they will still include that in their request sign relief since it's been mentioned in the planner's report.

In reference to free standing Sign D. You are allowed one free standing sign along a road frontage as long as it's 150 feet of road frontage. This happens to be 147 feet. It is a very small deviation from the ordinance standard. It's only three feet less. It would be a C1 variance. Due to the excessive shallowness of the lot, they are not able to meet the 150 foot standard.

The next variances are for the signs facing Bridgeboro in front of both the convenience store and the retail store. They happen to be the same dimensions and areas. They are 99.94 square feet each. They are allowed to be 70 square feet. It is a 30 foot deviation. Mr. Michel also indicated that additional signs are required for Sign B and Sign B1. They're allowed to be 58.81 square feet. They are 61.56 square feet which is a 2.75 square foot deviation which is very small.

Mr. Michel said the architect will be showing details of the store signs but Mr. Michel pointed out that for the current 7-11 convenience store, the actual message area of the sign is actually

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very small. It is 3 feet high by 6 feet wide equaling 18 square feet. Sign D requires the C1 variance based on the exceptional shallowness of the lot.

The others are all C2 variances whereby the purposes of the act would be advanced by deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment. Mr. Michel said the benefits would promote the public health safety and welfare by bringing to this property complying land uses. It provides adequate light, air and open space. It provides sufficient space at appropriate locations by eliminating the non-conforming uses. It encourages the location and design of transportation routes which promote the free flow of traffic by providing generous areas for the traffic circulation into and out of the site. It promotes a desirable visual environment through creative development techniques and good civic design and arrangements by taking obsolete, vacant, single family dwellings, demolishing them and building brand new buildings that meet zoning and master plan requirements as well as meeting the current building code requirements.

Finally, the negative criteria is satisfied in that the variance can be granted without substantial detriment to the public good and without substantial detriment to the intent purpose of the zone plan and zoning ordinance. Mr. Michel said they satisfy that by recognizing that the site is occupied by non-conforming structures that don't comply in terms of use, in terms of their setbacks, and we are tearing them down and building brand new, state of the art buildings that comply with the master plan and zoning. Mr. Michel said that for all of those reasons, he feels that they satisfy the requirements for variance relief.

Mr. Luste asked if Mr. Michel could give his own opinion as a planner how this particular site fits into the content of the surrounding land uses in the neighborhood. Mr. Michel said the intersection is developed with a bank and some retail stores on one corner, an auto repair facility on another corner and Ott's on the third corner making this a commercial intersection. The master plan vision seemed to be to get rid of the obsolete, single family homes and replace them with neighborhood, commercial uses. Zoning already says you can have the convenience store along with retail spaces which is what is being presented. Mr. Michel said he thinks it very clearly fits within the zoning plan and with the neighborhood development pattern.

Mr. Luste said that the master plan and the reexamination reports recommend that when you have a vacant site that it be appropriately repurposed. It seems to fit into what we are talking about here. Mr. Luste asked whether Mr. Michel had anything to add to what Mr. Stout talked about regarding the signs. Mr. Michel said that from his own, personal observations after visiting the site with his client, Victor Juliano, and also driving the area with him, Mr. Michel feels that the signs that are being proposed here are very much the size and nature.....

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Mr. Rinaldi interrupted to point out that one of the board members excused herself to go to the restroom. He said that unfortunately, he is involved in two legal issues that resulted after a board member left the room. Mr. Macey said that we paused the recording.

Mr. Rinaldi asked him to speak about the 24 hour nature of the store. Mr. Michel said that the modern scope of the convenience store intends for them to be able to operate 24 hours a day, seven days a week. The reason is that people don't just work regular work shifts. We have very important people in the community that have to work off hours including police, fire, medical services, etc. These people stop for drinks and snacks. These stores are needed 24/7. They also get their deliveries at night so that their food is fresh for people who are coming to the store.

Mr. Raday asked what the hours will be for the other building. Mr. Rinaldi said it will probably not be a 24/7 operation. They don't know who the tenants will be at this time. Mr. Raday asked whether the board should designate a particular time period when those shops can be open but it would probably not be a 24/7 operation. Mrs. Pomeranz asked if it could be office space. Mr. Juliano said that, at this point in time, he is not looking at it as actual office space although it could be. Mr. Juliano said that he is focused on the 7-11. Once that is completed, he intends to move to the construction of the second building. All the improvements in the ground will already be in place.

Mr. Catrambone asked if Mr. Juliano does not get tenants for the second building what will the condition of that property be, just pre construction? Mr. Juliano said that he would maintain the space plus 7-11 would expect the site to be maintained. Mr. Rinaldi explained to Mr. Juliano that what the Board was asking is what that second site would look like. The Board does not want it to look unsightly. Mr. Rinaldi outlined complete site improvements, the construction of the 7-11 building, and just the flatwork so it's ready to construct when there are tenants. Mr. Juliano said that is correct and it will be maintained.

Mr. Morrow asked whether parking is affected based on whether the second building has two or three tenants. Mr. Stout said that parking will not change. He also said that his suggestion to the Board is that all of the infrastructure should go in but that they would leave the pad area graded and grassed. It would be maintained as a grass field. Mr. Raday expressed concern about the underground retention system coming in afterward. Mr. Stout said that the underground system is far enough away from the foundations. Anything that needs to be done wouldn't disturb anything else that would be in there. Mr. Chinnici asked about roof drains. Mr. Stout said that roof drains will not be stubbed up and are tied in to the underground system. Mr. Chinnici said that it would be stubbed up from the underground system to the building. Mr. Stout referenced plans showing how it would work and said they can outline that and put it as a detail on the plans so that is covered. They don't want to leave any silt fence, it has to be grass and it has to look good.

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Mr. Walter Olt was called to testify. He is a registered architect in NJ and PA. He was sworn in. Mr. Rinaldi gave his credentials and was seen qualified as a registered architect.

Mr. Rinaldi asked him to begin by going through the floor plan as it is proposed. He referenced P1 that is of the 7-11 building. The floor plan is an exact copy of how 7-11 lays out its merchandise area. The elevation is approved by 7-11, 18' 8" high with parapet walls around the side to cover the air conditioning equipment. Mr. Juliano intends to build the 7-11 with the same brick material on other 7-11s but the color may be slightly different but that is the color he would prefer. If you notice on the color rendering on the 7-11, the sign is shown on the left side near Hartford Road and on the right/front of the building facing Bridgeboro Road. The shape, the form, is all 7-11 and has all been approved by them for the lease that Mr. Juliano has.

The second building is the same brick work, shape and size as the 7-11. The signage is the same size. The color of the signage may be different. In the second building, there may be three individual signs on the background signage if there are three tenants. The second building on the P2 drawing, Mr. Juliano isn't sure of the number of tenants so they have showed an optional plan of three different spaces. There could be a center store of 1,070 square feet. On the right side there could be a store of 1,125 square feet and on the left side a 1,000 square foot space. To get egress out of these spaces, that's about the maximum he could do in this store. He could also do it with two tenants and split it or a single tenant. Mr. Olt said he thought Mr. Juliano would like to build this all at one time. The building would be a shell with no interior finishes.

Mr. Paris asked about the second building. If it was divided into three sections, how would the 2 unit in between access doors work? Mr. Olt said that there is a single door on the right side and two doors on the left side. One of the doors on the left side has a corridor that would connect it to the center store only.

Mr. Morrow asked about poles being placed in front of the store to protect pedestrians and anyone in the store if a car were to jump the curb. He mentioned a small convenience store on Chester Avenue who had that issue and ended up putting the poles in. Mr. Olt said it's an aesthetic point and if 7-11 and Mr. Juliano want the poles in front of the buildings that's fine.

Mr. Chinnici asked about an architectural standard referencing the shopping center that was built behind the bank on the opposite corner. He would like the building to have a nice appearance. Mr. Rinaldi said they are incredibly restricted. Mr. Olt said they will change ultimately and eventually if they have to. 7-11 are incredibly restrictive to exterior look.

Ms. Phillips asked if they were entering as exhibits 6 & 7. Mr. Rinaldi said yes and that Exhibit 6 was the 7-11 and Exhibit 7 was the second building. Mr. Parento asked about snow removal. Is there space to dump the snow without losing a lot of parking spaces? Mr. Stout said there is a

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15 foot strip and some additional areas that can be used. In a heavy snow two spaces might be lost but other stores have much less room than this one.

Joe Raday, Planning Board Engineer reference his letter dated January 18, 2019 stating that on page 2 he was satisfied with the applicant's traffic engineer who outlined the no left turn on Hartford Road rule as well as the left turn into the site from Bridgeboro. On page 3 under engineer's review he reviewed the impervious coverage from the ordinance allowing 60 to what the applicant is asking for which is 68.12% and the variance for the parking setback where 20 is permitted and they are at 8.7' from Bridgeboro Rd. right-of-way. Mr. Catrambone asked about the applicant having sidewalks on one side but not the other. Mr. Stout said that there will be full sidewalks on both sides. On page 4 the applicant's engineer has agreed to all the Board's comments for storm water management. Under landscape and lighting on page 5, the applicant's engineers are also in agreement with all of the comments in the letter. There will be a waiver required for the light level. Also another waiver will be required for the 10' candle coverage. Mr. Stout said they are going to lower them to 14 feet so no waiver is required.

Ms. Phillips asked for the numbers of the waivers so she could mark them. Mr. Raday said that on page 7, under the first one, it's under B and on page 6 under 2A there is a waiver required.

Mr. Raday said that under utilities on page 7, the applicant's engineers agreed to all comments. Continuing on to page 8 under construction details, the applicant's engineers agreed to all comments. On page 9, under block and lots, Mr. Raday asked Mr. Stout that it was his testimony that the lots would be consolidated. Mr. Stout said they will and they will file by deed. Under item number 3, the easements Mr. Stout said he has that deed and he will supply it to Mr. Raday's office. Mr. Raday said under general engineering 185, the applicant's engineers agreed to address all of the comments.

Under environmental review, there is an environmental impact statement that must be submitted. Mr. Stout said they had asked for a waiver of that because the environmental statement is going to tell you if it's a vacant land. These properties are not vacant land. They have been residential homes. They are fully developed. One of the big concerns is the municipal impact and they are already providing that information. They have already provided the dumpster and trash enclosure information. The other issue is wetlands. They have already done all of the wetlands around the area and none of that impacted the site. So a waiver has been requested. Mr. Raday asked if there is a way to do an abbreviated environmental impact statement just so there is something on record. Mr. Stout agreed. He said that as far as something like asbestos, that won't be part of the site plan but will be part of the building permit.

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Mr. Luste asked about the completeness review checklist on page 2. The applicant's engineer agrees to provide the signatures block, item 2A-1. Mr. Stout said yes. Mr. Luste asked about number 2 on that page and number 3 the environmental report that was already discussed. Outside agency approval is contingent upon any action by the Board based on the testimony heard tonight, the Board intends to make a decision that the application was complete. In terms of the variances, outlined in the table on page 3. Where you see a B, that's the item that shows what is required vs what is proposed is. These were discussed by the attorney for the applicant. The setbacks were also discussed in great detail by the applicant. Recommendations also require setback from the right of way line. Sign & flag poles regulations were also discussed & outlined in B on the table.

Continuing on down the page, he did have a question on the Welcome to Delran sign, whether it was a requirement by the Township or by the applicant because it was a good thing to do. Mr. Catrambone said that the location is almost a mile into town. Why would you put a welcome sign in the middle of town? Mr. Stout said that sign can be removed. Mr. Luste said on page 4 under item number 5B, two feet of landscaping and lighting. We will have conversations with the applicant's professionals today. Mr. Stout agreed to what was discussed. Mr. Paris said he would hate to lose the sign. Mr. Macey suggested a sign just saying Delran. Just not a welcome sign. It was decided that it would be a Council decision regarding the type of Delran sign that will be posted. In the meantime, the Welcome to Delran sign will definitely be eliminated.

Mr. Stout asked a question regarding the Fire Marshall's letter which requested the 35 foot driveway. Mr. Walt Bauer asked what the turning radius of the fire vehicle. Mr. Bauer was sworn in. Mr. Bauer said he had an Auto cad drawing that was transferred on to a transparency which can then be transposed on to drawings that are submitted. The outside turning radius of the ladder truck is 45 ½ feet. He used a dimension of 50 feet for an outside turning radius to give the driver a little bit of a buffer. With those dimensions the truck would run over the curb and into the parking stalls. In an attempt to make the truck fit, Mr. Bauer moved the parking spots over 5 feet so the driveway is widened to 35 feet.

Mr. Stout said he is OK with that he was just looking for a determination. If the driveway is increased to 35 feet can they increase the impervious coverage to 69 ½? Because they do have to have additional impervious and that will accommodate the extra five feet. Mr. Raday stated yes.

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Scott Slagle, 359 Huntington Drive, Delran, was sworn in by the board attorney. Mr. Slagle asked if a Phase 1 Environmental Study was submitted as part of the application given that Delran is historically known for having orchards with pesticides and contaminated soil. Mr. Stout said a

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Phase 1 was not submitted because it's not a requirement but Phase 1 was done and the site is clean. Mr. Slagle asked if there were any cell samples taken for pesticides. Mr. Stout said he doesn't believe so but since this is not going to be a residential building. Mr. Slagle said the public will still be on the property. Mr. Stout said most of the property will be paved and they will provide the Phase 1 to the engineer.

By Slagle asked if a By Right Plan was submitted to the Planning Board showing what the site would look like without any of the variances. Mr. Stout said that has not been done. That's why they are asking for variances. Mr. Slagle asked if the applicant has a signed lease with 7-11. Mr. Rinaldi said they do conditioned upon the Board's approval and Mr. Juliano actually acquiring the properties. Mr. Slagle said he is assuming that his land deal is subject to him getting approvals. If he doesn't get the approvals does the applicant get out of his land acquisition price and then he is free to look at another site somewhere else?

Mr. Rinaldi said the applicant's obligation to purchase this property was contingent on financing, the Board's approval, the County's approval, and about ten other things that must fall into place. If the Board grants the application, the approval runs with the land which means that if the Board grant's the application whether the current applicant purchases the property or not, the approval will run with the land for any subsequent potential, purchaser.

Mr. Slagle asked when the municipal approval expires. Mr. Rinaldi said two years. Mr. Slagle said that given the properties surrounding the proposed 7-11 area, the space could be used for something really great. Mr. Slagle asked whether the applicant would entertain a right-of-way access and use easement to the larger piece in the back of the property for a future development expansion.

Mr. Slagle asked about a 50 foot right-of-way so that the properties in the back could access the 7-11 driveways without putting more entrances/exits out on Hartford and Bridgeboro. Mr. Stout said there is no room for a 50 foot right-of-way. Mr. Slagle asked for safety reasons, why there is no access in the rear of the building for emergency vehicles. Mr. Stout said you don't need to have full circulation for everything. It's a small site. Mr. Slagle said then there is no way for police vehicles to patrol the rear of the building looking for suspicious activity. Mr. Stout said there is really no place to hide. He said it is usually a 50/50 split regarding rear access in these types of buildings.

Mr. Slagle noted that most towns have a COAH contribution of 2 ½% of assessed values for commercial properties and asked whether this applicant is exposed to that and if not, would he be willing to volunteer that. Mr. Rinaldi said that the applicant would not volunteer it but if it was a requirement he will certainly comply with any COAH requirement. Mr. Slagle asked if there was an ordinance on the books for a 2 ½ fee? Mr. Catrambone said he doesn't believe the

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2 ½ % fee would apply to this property. Mr. Paris said the COAH attorney would have to be asked that question and he was not at the meeting.

Mr. Slagle asked about an LOI absent letter for the wetlands around the property. Mr. Stout said that yes, they do. Mr. Stout said that none of the buffers in the surrounding property affect us at all. Mr. Slagle said isn't that a determination by the DEP and not a private, civil engineer because only the DEP can regulate wetlands. Mr. Stout said they have to be the ones who go out and investigate. They have an LOI on the Ott's piece of property. It has expired but they did have it. They also have an LOI on the property directly across the street, a 17 acre tract from Conrow to Hartford to Bridgeboro. Mr. Slagle asked if there is an LOI for the actual property. Mr. Stout said that there are no wetlands on the property determined by Stout & Caldwell as well as the township engineer. Mr. Stout said that if a letter was required he could get a presence or absence but that there are no visible signs of wetlands.

There are three parameters, hydric, hydrology and vegetation. Not one of those parameters are on site so the DEP would not have any classification of that on this application. Mr. Slagle asked about off track buffering that would cross over into the property since Ott's is wet. Mr. Stout said they have an LOI. They have a 50 foot buffer and there are no threatening, endangered or environmental sensitive areas. None of the buffers touch the property being discussed.

Mr. Slagle asked about the illumination of the signs stating that the building has an internally illuminated sign at the top of the building which is inconsistent with the neighborhood character. The signs that are being presented are plastic with light bulbs glaring out of it which belongs more on Route 130. Mr. Slagle mentioned the Hartford Corners signage that has prettier more ornate signs. He feels that it gives a quainter village look to the buildings. Mr. Stout said that the illumination is exactly the same as the Ott's sign across the street and the Investors Bank sign that was there. Mr. Slagle said that the lighting and landscape plans were missing some construction details.

Will the parking lot streetlights have shields around them to direct the light downward instead of out? Mr. Stout said that one of the requirements is that all the lights have to be down so there are no shields on them. The new lights are a very low profile light. Mr. Slagle said that all of the proposed lighting is going to be coming into his kitchen. Mr. Stout said that they have worked with the engineer in an attempt to reduce the lighting levels that are on the current plan. Mr. Stout said if light shields are required, they would absolutely put them on. Mr. Stout referenced the site plan. If the light levels are too high, they would put an internal shield on them. He said they have chosen forward throw lighting and have done everything possible to keep the light levels offsite at a minimum. Mr. Slagle said he lives in a townhouse that backs up to Ott's and that in an effort to decrease the light pollution from Ott's and the surrounding

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businesses, he has room darkening blinds on all of his windows so he can sleep. Any consideration for light pollution would be well appreciated by residents.

Mr. Slagle asked for clarification on where the truck deliveries will be going at 7-11. Mr. Stout said the once a week tractor trailer delivery will be in the front. All other deliveries will be either on the side or in one of the parking spaces. They will be small box trucks. Mr. Slagle asked if there is a thruway available so the trucks don't make a beeping noise when they back up. Mr. Stout said there is a crosshatch area that the trucks could pull into however it would depend on whether cars were parked in that section. Mr. Stout said the state has a noise standard based on decibel levels. In this residential area, it is 50 decibels and in the commercial zone it's 65 decibels. They must meet those standards. The back-up noise of trucks is not an impact that is related to this site.

Mr. Slagle said the subterranean basin is pretty ingenious but asked who is maintaining it. Mr. Stout said the applicant will maintain it. Mr. Slagle asked if the applicant does not maintain it does the township have the right to come in and clean it so it doesn't clog their downstream pipes. Mr. Stout said that the township's engineer does have that in his letter. The township engineer said that there needs to be an agreement between the mayor, council and applicant is that ever occurs. Mr. Slagle asked if the township has to step in and clean it, how they recoup that cost. Mr. Raday said they would charge the applicant.

Mr. Slagle said shouldn't the applicant pay an escrow for that instead. Mr. Stout said that the DEP and the township requires a maintenance program that has to be adhered to and it's also a deed restriction. Mr. Gleaner said you are essentially talking about posting a bond. Mr. Rinaldi said that the applicant is required to maintain the basin and he cannot escape that requirement. If he sells the property, the responsibility runs with the property which is why the maintenance plan is being recorded with the deed on consolidation. Any potential purchaser is on notice when they do a title report that they are responsible for maintaining it pursuant to the plan that the Board will approve.

Mr. Slagle said that because it's underground so you won't be able to see it and you won't know there is a clog until you have a downstream clog. Mr. Parento asked about a yearly inspection that is reported to the township. Mr. Stout said that there is a quarterly inspection. Also, what the DEP has done in the last years is that they now inspect the municipal side of it for inspecting these. One of the pluses with this system is, as your wondering about silting, is that your engineers have asked for the manufacturer treatment device which is a way to collect all of the sediment before it gets into there. Even the worst case scenario where it did silt up for six or seven inches, it will still not go into the downstream side because we have to maintain some of that on site but we have designed it not to do that.

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Mr. Slagle asked if the traffic study got any statistics from the police department on how many accidents occur in that intersection per year. Ms. Dolan said no. Mr. Slagle said that he does want retables like everyone else does. He just has concerns that as time progresses, the other properties in that area will be developed and they will all have driveways exiting on to Hartford and Bridgeboro. Also the light and noise is a concern.

Katherine Newman, 4101 Bridgeboro Road, Delran, was sworn in by the board attorney. Ms. Newman is concerned about traffic at the intersection. She mentioned the Dunkin Donuts but said she didn't hear anyone talk about the 5,500 square foot retail store that is being built next to the Dunkin Donuts. She said that Dunkin Donuts received a variance to put a driveway behind the sewer pumping system so they could get their tractor trailers in for deliveries. The decision was made to facilitate the traffic going in on Hartford Road, by striping behind the existing striping when you are sitting on Hartford Road and you're going to make a left onto Bridgeboro Road, heading toward Route 130. She asked everyone to consider how busy and dangerous it is in that area. The peak time for 7-11 will also be the peak time for Dunkin Donuts.

Rohit Patel, 17 Stoneham Drive, Delran, was sworn in by the board attorney. Mr. Patel owns the convenience store across the street from where the 7-11 will be. Mr. Patel said that he has worked in eight different 7-11s in the state of NJ and knows them very well. He said that corporate runs it for the profit only. They will find a franchisee and they will reduce the number of people working at night from two to one. Mr. Patel said there have been many robberies at 7-11s lately which will make more work for the police department. Mr. Patel said that a 7-11 is not something that was needed since convenience store needs are already well served. Mr. Patel said that it's not that they can't come, but he does not feel that a variance needs to be given unnecessarily.

Mr. Patel asked his customers to sign a petition. Mr. Rinaldi respectfully objected to the petitions stating that the courts are clear. Petitions are not admissible because it doesn't give anyone on the board or anyone on the behalf of the applicant, the opportunity to cross examine. The ultimate decision is left to the board's solicitor but based on the law, petitions are generally not admissible. Mr. Gleaner said he has to agree. Mr. Patel said that 7-11 also has some locations that close at midnight. He also said that he was talking to the person who is going to open Dunkin Donuts and he had to go through the DEP and he had to remove the soil four feet and put some kind of material down. He said that the 7-11 should have done the soil sample test too because we don't know what's in the ground.

Mr. Rinaldi said that they do know. As part of Mr. Juliano's due diligence...Mr. Gleaner said that this really is his testimony. If the applicant wants to respond, they can respond in due course. Mr. Patel feels that the parking lot will be too small. Also, he feels that 7-11 has many locations that are closing and he wonders why they are coming to this corner. He feels that they target is

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Moorestown and that Moorestown wants to keep itself a bedroom community and they don't want noise or retails so that is why the store is coming to Delran. He also feels that once the Dunkin Donuts opens, the traffic will be worse and there are so many accidents there. There should also be a right hand turn lane.

Benjamin Estep, 2 Firethorn Lane, Delran, was sworn in by the board attorney. Mr. Estep stated that as far as retails, if we have two convenience stores and one goes out of business, aren't we back in the same position as far as retails go. He feels it doesn't make sense to bring in a second convenience store in the same intersection. Mr. Estep's second concern is a safety issue regarding walkers who must travel through the Hartford/Bridgeboro intersection. He said that the increased traffic will potentially increase the risk of a child being injured or killed while trying to navigate through a very busy intersection.

Walter Bauer, Delran Fire Official, was already sworn in. Mr. Bauer said that he met with the tax assessor and since the lots are being condensed it requires that a new lot number be issued. The lot number will be 43.01. Mr. Bauer also met with the postmaster. The addresses for the proposed buildings will be the same as the current, residential houses on the property. 7-11 will be 3111 Bridgeboro Road and the retail store will be 3109 Bridgeboro Road.

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Mr. Paris asked what the plan is for security. Will there be cameras for safety purposes? Mr. Rinaldi said that 7-11 has its own security for the interior of their location and their part of the parking lot. With regard to the retail, there is no security proposed for it but depending on the tenants that go in and the terms of the leases, the applicant may have to provide security for that building.

Mr. Catrambone asked for a review of the parking spaces in terms of how many are required and how many will be provided. Mr. Luste said it's based on square footage but depending on the popularity of the store it may be more crowded than anticipated. Based on the square footage of this location, 32 spaces were required and 34 spaces will be provided. Mr. Catrambone mentioned the current 7-11 on Haines Mill Road which may have seven parking spaces.

Mr. Khinkis mentioned walking traffic as being a major concern regarding safety and that it warrants discussion. Mr. Macey said that it's important to note the improvement of the intersection since there will be additional sidewalks and crosswalks. In terms of the crossing guards, nothing will change from how the children cross now.

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Mr. Gleaner said that the applicant has submitted their site plan and they have asked for a few variances. Mr. Gleaner said that Mr. Michel started talking about the standards for the C variance and it's also outlined on page four of the planner. The Board will need to decide on the bulk variances, whether or not the applicant has met the standards under the ordinance so that it may be granted; whether exceptional, practical difficulties or undue hardships exist upon the premises, exceptional narrowness or shallowness or shape. You also need to take into consideration whether or not, even if they are not exactly meeting what the ordinance is, if it gets closer to what the zoning plan and ordinance contemplates, whether you want grant those variances or whether you want strict compliance with the way it is. The testimony before you seemed to indicate that there were some areas where they could attempt to comply but it wasn't good from a planning standpoint. That is in your parameters whether or not you want strict compliance or whether the variances advance the goals of the zoning plan.

Mr. Macey asked for clarification on how to go about how to decide on all points. Do we do the variances first? How does it get presented? Mr. Gleaner said he would suggest dealing with the variances. Ms. Phillips said to do the completeness first and then the variances. Mr. Gleaner said there is also the decision as to whether you want to do it as a preliminary and then a final if you think that there are a lot of changes that are on the drawings. There is no hard and fast rule. It is the Board's decision.

Mr. Macey said as it relates to completeness, there was a lot of discussion with Ms. Dolan regarding whether the traffic impact study had taken into account some of the developments and commercial activity that was going on that maybe hadn't been considered. Is that something that we can ask a modification for? I think it's an open item. Mr. Gleaner said in your conditions you can also say, we want you to look at this and have a discussion with the engineer and planner since they have a little more expertise than the Board itself. Mr. Macey said we are looking for a motion for completeness.

Mr. Paris made a motion for completeness. Seconded by Mr. Morrow. The results are as follows:

Aye: Mr. Macey, Mr. Reimel, Mr. Catrambone, Mr. Paris, Mr. Morrow,
Mr. Hejnas, Mr. Parento, Mr. Khinkis, & Mr. Chinnici

Absent: Mr. Anagnostos

Mr. Paris made a motion for the Variances for the 69.5 impervious coverage, 8.7 parking setback, no changes from the letter for the sign variance. Also a waiver for the maximum & the average horizontal illumination of the 2 foot-candles from Page 6, paragraph 2a & 2b of the Engineer's letter dated January 18, 2018. Seconded by Mr. Parento. The results are as follows:

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Aye: Mr. Macey, Mr. Chinnici, Mr. Reimel, Mr. Paris & Mr. Parento

Nay: Mr. Catrambone, Mr. Morrow & Mr. Hejnas

Abstain: Mr. Khinkis

Absent: Mr. Anagnostos

Mr. Chinnici made a motion for Preliminary Site Plan approval subject to all the following conditions: All of the conditions stated in the Engineer & Planner’s letter both dated January 18, 2019, all deliveries to be between midnight & 6AM, maximum of 2 times a week off peak, sign on Hartford Road that prohibits left hand turns always, a revised traffic impact study that would take into account the new residential developments & the commercial businesses that weren’t considered which would have to be presented to the Board professionals & subject to their review & approval, abbreviated environmental impact study, memorandum from 7-11 which confirms & commits to 2 to 4 employees but no more than 4 at one time, more likely 2 a day per daily operation, the number of parking spaces they anticipate, the delivery dimensions for both the smaller trucks & the larger WB50 which will be marked as exhibit A8 & the adjacent lot will be seeded & maintained if not built simultaneously. Seconded by Mr. Parento. The results are as follows:

Aye: Mr. Macey, Mr. Chinnici, Mr. Reimel, Mr. Paris, Mr. Parento & Mr. Khinkis

Nay: Mr. Catrambone & Mr. Morrow

Abstain: Mr. Hejnas

Absent: Mr. Anagnostos

Mr. Rinaldi stated they will be back at the April 4, 2019 Planning Board meeting for a final Site Plan approval.

MINUTES

Regular meeting minutes from September 6, 2018
Regular meeting minutes from October 4, 2018
Regular meeting minutes from November 1, 2018
Regular meeting minutes from December 6, 2018
Reorganization meeting minutes from January 3, 2019

Approval of the minutes will be carried over to the March meeting.

RESOLUTIONS

**DELRAN TOWNSHIP
PLANNING BOARD
MUNICIPAL BUILDING
REGULAR MEETING MINUTES
February 7, 2019 – 7:00 PM**

Resolution #PP2019-01

Pegasus Realty Group, LLC
4000 Rt. 130 North (Heritage Square)
Block 107, Lot 2
PN2018-05
Minor Subdivision Approval for Completeness

Mr. Catrambone made a motion to approve Resolution #PP2019-01 for completeness. Seconded by Mr. Morrow. The results are as follows:

Aye: Mr. Catrambone, Mr. Morrow, Mr. Hejnas & Mr. Khinkis

Resolution #PP2019-02

Pegasus Realty Group, LLC
4000 Rt. 130 North (Heritage Square)
Block 107, Lot 2
PN2018-05
Minor Subdivision Approval

Mr. Morrow made a motion to approve Resolution #PP2019-02 for Minor Subdivision approval. Seconded by Mr. Hejnas. The results are as follows:

Aye: Mr. Catrambone, Mr. Morrow, Mr. Hejnas & Mr. Khinkis

ADJOURNMENT

Mr. Morrow made a motion to adjourn the meeting at 11pm. Seconded by Mr. Catrambone. The results are as follows:

Motion carried with a unanimous voice vote.

Respectfully submitted,

Kathy Phillips, Secretary
Planning & Zoning