

The regular meeting of the Delaware Township Board of Adjustment held on the noted date, was called to order by Chair Cline at 7:32 p.m., in Township Hall, Sergeantsville, New Jersey, as supported by the virtual meeting procedures via ZOOM.

#### PLEDGE OF ALLEGIANCE

#### STATEMENT

Chair Cline read a statement noting that the requirements of the Open Public Meetings Act had been met.

#### ROLL CALL

Present: Buchanan, Emmons, Fowler, Gilbreath, Manley, Cline

Absent: Kenyon, McAuliffe, Warren

Also present: Board Attorney Goodell, Board Engineer O'Brien

#### MINUTES: May 19, 2022

The Board discussed the minutes, noting changes and typographical errors. It was moved by Member Manley to approve said minutes. Member Emmons seconded the motion. Said motion was approved by voice vote, with no abstentions.

#### MEMORIALIZATIONS – none

#### APPLICATIONS

GTG Builders, LLC, Block 23, Lot 6, use variance, preliminary and final major site plan approval for four, two-bedroom apartments, each having an attached garage in the rear of the proposed building; and any other associated variances as need arises.

Chair Cline read into the minutes, a letter from Steven Gruenberg, attorney for the applicant. Mr. Gruenberg cites the Board Engineer O'Brien's June 2, 2022 completeness review correspondence, as follows:

“ The Board may deem the application complete provided temporary waivers are granted for the incomplete checklist items and the requested waivers are granted. Prior to any Board approval, information must be submitted for the incomplete checklist items.”

Applicants Andrew Giannatassio and Paul Giannatassio were present and sworn in. Mr. Andrew Giannatassio stated that their engineer was unable to attend this meeting, but agrees that these items can be fulfilled.

Board Engineer O'Brien was present and noted that having all items addressed prior to the start of the hearing would be appropriate.

Board Attorney Goodell stated that the Board can take jurisdiction. He stated that he had reviewed the notice and found it to be proper. Administrative Officer Klink agreed that the property owners on the list had been served with notice.

Board Engineer O'Brien stated that there are site plan issues to be completed and opined that the application can be deemed complete. The applicants agreed that those items will be submitted. Board Engineer O'Brien stated that he is comfortable with the waivers and that those items to be submitted can be considered temporary for completeness. Board Engineer O'Brien asked that any submissions be made at least ten days before the scheduled hearing.

Member Manley asked about landscape plantings. The applicants stated that this can be deferred to the Board planner.

Chair Cline stated that he had concerns about the drywell. Board Engineer O'Brien stated that there should be more soil testing to add clarification to those details. The applicants noted that the stormwater facility is shown; they also noted that they are aware that more details are needed.

Member Manley stated that he is concerned about item #34, which is a landscape issue, to be address by the Board Planner.

Chair Cline asked the applicants to testify that all of these corrections that need to be done or changed will be completed. The applicants stated that their engineer will review the O'Brien memo and try to have everything completed by July 1 for submission.

Chair Cline asked about an environmental impact study. It was noted that this will be deferred to the professionals. Chair Cline also noted that the history of the property includes material that has been dumped at the rear of the property. The applicants stated that there was a full environmental study of the property when they purchased it. Chair Cline asked that this report be submitted to the engineer for his review.

Member Gilbreath asked about the steep slopes at the rear of the property. The applicants stated that the plan was drawn to avoid impacting these steep slopes.

The applicants were asked for verification of sewer hook-up capacity. The applicants stated that they received an email stating that their hook-up for this use would be contingent on Zoning Board approval. Chair Cline asked to have this information in writing.

Member Fowler asked about the applicant waivers. The applicants noted that incomplete items will be addressed and that some items need more detail. The applicants noted that a waiver is a more permanent determination about information that is not needed, per the waiver request.

Attorney Goodell noted that a waiver is requested for completeness purposes. He noted that at the hearing, the applicant can either provide more information or ask for a permanent waiver on some issues.

Chair Cline asked for a motion to accept the application based on the waivers that are requested, for completeness only. He asked that the application be declared to be complete. It was noted that changes can be made to some issues and that a determination can be made if there are still outstanding items. Board Engineer O'Brien agreed that the Board can decide which items are applicable for waiver.

Member Manley made a motion to accept the application for completeness only. Member Fowler seconded the motion.

**Roll Call Vote**

Aye: Buchanan, Emmons, Fowler, Gilbreath, Kenyon, Manley, McAuliffe, Warren, Cline

Nay: None

Absent: Kenyon, McAuliffe, Warren

It was noted that the next date for this hearing will be July 21  
August 11

The applicants provided a time extension for August 11, no further notice is required.

Planning Board Update: Liaison Cline

Liaison Cline reported that the Planning Board continues to work on the reexamination of Master Plan. He noted that many changes have been completed and that Board Members have received revised copies.

Correspondence

Board members were reminded that the next hearing for the tennis training facility, Switzler, Block 55, Lot 2 will be on June 30, with legal summations from both sides and public comment.

Bill List

**Bill List: Engineering Services – Van Cleef Engineering Associates LLC**

Escrow Charges

55/2, Switzler, #3935008-12

\$612.00

Member Gilbreath made a motion to approve payment of these vouchers from their respective escrow accounts. Member Emmons seconded the motion that was approved by voice vote.

ADJOURNMENT: 7:56 p.m.

It was moved, seconded, and unanimously carried to adjourn at the noted time.

Respectfully submitted,

Kathleen E. Klink,  
Administrative Officer, Secretary