

BOROUGH OF BERLIN
PLANNING BOARD MEETING
January 11, 2010

Jack Gangluff, Chairman, called the meeting of the Board to order and stated that it was being held in compliance with the "Open Public Meetings Act" and has been duly noticed and published as required by law.

SWEARING IN:

New members were sworn in, Carl Canfield Jr., Jack Hall and Ken Clegg.

ROLL CALL:

Mayor John Armano, Councilman Nick Maccaroni, Chairman Jack Gangluff, Joseph Adolf, Carl W. Canfield Jr., Richard Crain, Jack Hall, Gary Knight, Ken Clegg

ABSENT:

Bonnie Deery, Daniel MacDonnell

Jack Hall and Ken Clegg will be voting on all matters in the absence of Daniel MacDonnell and Bonnie Deery.

APPOINTMENT OF SOLICITOR:

A motion to appoint Mark Rinaldi as Planning Board Solicitor was made by Richard Crain, and seconded by Joe Adolf. All members voted aye.

APPOINTMENT OF OFFICERS:

A motion to appoint Jack Gangluff as Chairman was made by Joe Adolf, and Seconded by Richard Crain. All members voted aye.

A motion to appoint Richard Crain as Vice Chairman was made by Mayor Armano, and seconded by Nick Maccaroni. All members voted aye.

APPOINTMENT OF SECRETARY:

A motion to appoint Debbie Simone was made by Mayor Armano, and seconded by Gary Knight. All members voted aye.

APPOINTMENT OF ENGINEER:

A motion to appoint Maser Consulting with James Biegen as their representative as Planning Board Engineer was made by Richard Crain, and Seconded by Joe Adolf. All members voted aye. At this time Mr. Biegen was sworn in.

APPOINTMENT OF PLANNER:

A motion to appoint Brian Slaugh as Borough Planner was made by Mayor Armano, and seconded by Richard Crain. Mr. Adolf abstained from the vote, all others voted aye.

RE-ADOPTION OF RULES AND REGULATIONS:

A motion to re-adopt the existing rules and regulations was made by Joe Adolf and seconded by Carl Canfield Jr. All members voted aye.

FEE FOR NOTICE OF MEETING:

A motion to approve the fee of \$25.00 for notice of meetings was made by Richard Crain, and seconded by Carl Canfield Jr. All members voted aye.

DESIGNATION OF OFFICIAL NEWSPAPERS:

A motion to designate the Record Breeze, Philadelphia Inquirer and Courier Post as the official Newspapers was made by Richard Crain, and seconded by Gary Knight. All members voted aye.

MEETING DATES:

The second Monday of the Month with the exception of October and November due to a holiday and conflict with a Council Meeting for the year 2010. The fourth Monday of each month is reserved for Special Meetings should it be necessary due to large agendas, or special schedules as needed.

A motion to approve the meeting dates was made by Joe Adolf, and seconded by Carl Canfield Jr. All members voted aye.

REPORT BY BOROUGH OF BERLIN PLANNING BOARD ON VARIANCE APPLICATIONS DURING 2009.

A motion to accept the report on Variance applications for 2009 was made by Joe Adolf and seconded by Mayor Armano. All members voted aye.

PUBLIC PORTION:

With no one from the public wishing to speak at this time, Chairman Gangluff closed this public portion.

ADJOURNMENT OF RE-ORGANIZATION:

Mayor Armano made a motion to adjourn the re-organization portion of the meeting, and Gary Knight seconded the motion. All members voted aye.

REGULAR MEETING:

Motion to approve the minutes of December 14th, 2009 was made by Joe Adolf, and seconded by Richard Crain. All members voted aye.

RESOLUTIONS:

Case # 09:11-1

Aubrey

1900 / 12 & 13

85 New Freedom Road

Berlin, NJ

A motion to approve the resolution for Wayne Aubrey was made by Richard Crain, and seconded by Joe Adolf. All those eligible to vote, did so by saying aye.

Case # 09:11-3

Mohinder Mathoan

Gurvinder Singh T/A Sahig Brothers LLC

1108 / 1

33 S. White Horse Pike, Berlin, NJ

A motion to approve the resolution for Sahig Brothers, LLC was made by Joe Adolf and seconded by Richard Crain.

OLD BUSINESS:

Chairman Gangluff addressed the board regarding re-instating the Site Plan Review Committee. This will need to be approved by the Governing Body. Joe Adolf made a motion to reinstate the site plan review committee and Richard Crain seconded the motion. Mayor Armano and Nick Maccaroni abstained from voting, all others voted aye.

Chairman Gangluff addressed the board regarding Dominick Dandrea at 45 E. Taunton Avenue. Mr Dandrea contacted Chairman Gangluff regarding the lack of sales for his properties. The question is if the applicant's attorney will need to be present for an informal review. Mr. Rinaldi stated no attorney is necesasry since no formal decision will be made.

NEW BUSINESS:

Application # 09:12-1

Church of the Good Shepherd

101 Rich Avenue

Block 1309 Lots 4 & 8

Minor Subdivision, C & D variances

Appearing on behalf of the applicant is Richard Marmon, and providing testimony is Elected Property Warden Bruce Cecchini, and Mike Avila from Avila Engineering. Mr. Marmon stated this application is for a minor subdivision. Mr. Rinaldi swore in all those giving testimony.

Mr. Cecchini provided testimony regarding the application. Lot 4 is an irregular lot. The application is to make the lot that the rectory is on a regular lot, and can be used for Church functions. The rectory was used as a residence for the former priest. There was a leak in the plumbing upstairs and there was water damage and mold in the residence. The cost is too expensive for the Church to repair. There is a financial necessity to sell the property for the Church. The Church is not proposing any new construction. Chairman Gangluff asked if the proposed lot numbers were supplied from the Tax Assessor, and Mr. Marmon stated yes. Proof of service and affidavit of advertisement was provided at this time to the board secretary. Mr. Marmon stated there are Bulk Variances for set backs and 1 use variance.

Mr. Avila testified that the bulk variances exist non-conforming and the use variance would be a new created variance request. Mr. Avila gave testimony on the set backs that exist that would not be changes. The garage at the rear of the property also does not meet the required set back. The principal building also has a front yard set back. Mr. Marmon added that since this is a corner lot, there is potentially 2 front yard set backs. These variances exist with or without the subdivision. The new rear yard would be consistent with what exists. Mr. Avila added the request for the D Variance request; there is no new proposed construction. The parsonage is a residential use, and will remain as a residential use, which is consistent with what is there. No changes in use, just configuration of the lots. There is a density variance for lot acreage. With nothing further from the board, Chairman Gangluff opened this portion of the meeting up to the public.

With no one from the public wishing to speak on this application, Chairman Gangluff closed the public portion. Chairman Gangluff asked for a motion first for the subdivision then the variances. Chairman Gangluff asked if the applicant will be filing by plat or by deed, and the applicant stated they will be filing by deed, subject to review and approval of the board solicitor. Mr. Rinaldi added that the applicant is also seeking 3 waivers. The first being waiver of soilerosion calculations, environmental impact, and drainage calculations. Mr. Adolf made a motion to approve both the subdivision and all variances as stated previously, with all waivers requested as well. Mr. Crain seconded the motion. Mayor Armano and Councilman Maccaroni abstained from this application, all other members voted aye.

CORRESPONDENCE:

None

PRIVILEGE OF THE FLOOR:

None

ADJOURNMENT:

Mr. Adolf made a motion to adjourn the meeting, and Mr. Canfield seconded the motion, with all members voting aye.

Respectfully Submitted,

Deborah Simone

Planning Board Secretary

CC: Stacey DiVello, Finance Department Escrow

Theresa Stagliano, Tax Assessor

Michael DePalma, Construction Official

Bill Behnke, Fire Marshall

Lou DeMarco, Captain, EMS

Paul Miller, Fire Chief