

**BOROUGH OF BERLIN
PLANNING BOARD MEETING
June 13th, 2011**

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.

ROLL CALL:

Mayor John Armano	Present
Joe Adolf	Present
Councilman Nick Maccaroni	Present
Richard Crain	Absent
Daniel MacDonnell	Present
Jack Hall	Present
Bonnie Deery	Present
Carl Canfield	Present
Chairman Jack Gangluff	Present
Ken Clegg	Present
Dan Pomponio	Present

MINUTES:

A motion to approve the minutes for the May 9th, 2011 meeting was made by Mayor Armano, and seconded by Carl Canfield. All eligible members voted aye.

RESOLUTIONS:

Case # 11: 4-1

ACI Berlin, LLC

Block: 1800 Lots: 5, 6, and 9

328 White Horse Pike South

Berlin, NJ. 08009

Minor Subdivision, with Bulk Variances

A motion to approve the resolution for ACI Berlin, LLC was made by Dan MacDonnell, and seconded by Carl Canfield. Those eligible to vote:

Councilman Nick Maccaroni	Yes
Dan MacDonnell	Yes
Jack Hall	Yes
Carl Canfield	Yes
Ken Clegg	Yes

Case # 10: 7-1

William Koehler

Block: 800 Lots: 20 & 21

103 Watsontown New Freedom Road

Berlin, NJ. 08009

Bulk Variance

A motion to approve the resolution for William Koehler was made by Jack Hall, and seconded by Bonnie Deery. Those eligible to vote:

Mayor John Armano	Yes
Councilman Nick Maccaroni	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Bonnie Deery	Yes
Ken Clegg	Yes

OLD BUSINESS:

Case # 11:3-1

Harry Schetter

Block: 1601 Lot: 12

1044 S. Route 73

Berlin, NJ. 08009

Request for Continuance

Robert Borbe Esq. submitted a letter to request a continuance of the application. He has not received any correspondence from NJ Pinelands Commission. Mr. Adolf made a motion to approve the request for continuance, for the applicant to return on July 11th, 2011, and Mr. MacDonnell seconded the motion. All members voted aye.

NEW BUSINESS:

Case # 11:5-1

Vito Milillo

Block: 1502 Lot: 5

106 Jackson Road

Berlin, NJ. 08009

Zone: PR-1

Bulk Variance

Appearing before the board is Vito and Valerie Milillo of 106 Jackson Road. Mr. Milillo stated the purpose of the application is to install a 6ft. high fence in the front yard of their property with a 25ft. front yard set back. There are no sidewalks on Jackson road, and he and his wife are concerned for the safety of their children while bike riding, playing, etc. The fence will be aluminum, black, with pickets 4 inches on center. The fence will run from the front and down the sides, and then at the rear the fence will convert to chain link and keep the 6ft. in height. By providing a 25ft. set back for the fence, that gives cars room to pull in off of Jackson Road, and there is an Electric Pole that sits 25ft. back. The house is set back approximately 125 feet. Chairman Gangluff asked Mr. and Mrs. Milillo if they would consider a 35 ft. front yard set back as opposed to the 25 ft.? Mrs. Milillo stated yes. Mr. Pomponio asked by having the fence 6 ft, what is the purpose? Mrs. Milillo stated so the children cannot climb, and it is harder for balls, etc. to go out into the street. Mayor Armano commented on an aerial view that was provided by the Borough Engineer, regarding what appeared to be several vehicles in the driveway. Mrs. Milillo testified that is before they purchased the property in February of 2011. Mr. Adolf asked Mr. and Mrs. Milillo if they would consider reducing the height of the fence to 5ft. as opposed to 6 ft. Mrs. Milillo commented if it helps with the approval, yes they will consider reducing the height. Mr. Clegg asked if there would be a gate? Mr. Milillo stated yes there will be 2 gates, visitors will park inside the fence, and gates will open inward. They will be automatic and activated from the car or the house. 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, the public portion was closed. Mr. Adolf made a motion to approve the

application with a 35 ft. front set back and the fence to be 5ft. in height. Councilman Nick Maccaroni seconded the motion.

Mayor John Armano	No
Joe Adolf	Yes
Councilman Nick Maccaroni	Yes
Daniel MacDonnell	No
Jack Hall	Yes
Carl Canfield	No
Bonnie Deery	Yes
Ken Clegg	Yes
Chairman Jack Gangluff	Yes

With 3 no votes and 6 yes votes the application is approved.

Case # 11: 5-2

Luciano Lamberti

Block: 1800 Lot: 6

328 South White Horse Pike

Berlin, NJ. 08009

Zone: C-2

Minor Site Plan with Bulk Variances

Appearing on behalf of the applicant is Lawrence Luongo, Esq. Luciano Lamberti, applicant and Jack Gravlin, Engineer were sworn in.

Mr. Luongo addressed the variance requests for the application. Mr. Rinaldi commented that the application reflects a Use Variance as well and since the outside deck is an accessory use for the existing permitted use, the Use Variance request is not needed. Mr. Luongo stated that he would withdraw that part of the application.

Mr. Lamberti testified that he is the tenant for the building. He has been given as much parking as needed for the use by the landlord. There will also be a liquor store, with a 10 x 22 cooler added. There is a deck proposed with a bar. Food and Alcohol will be served at the bar on the deck as well as the inside bar and seating area. There will be an awning to cover the deck area in inclement weather. Hours of Operation will be from 10am. To 2am. There will be music

possibly live music. There will be 10 – 15 Employees. Deliveries are in the rear of the building, between 10am to 3pm. No evening deliveries. There are signs, the intention is to utilize the existing cabinets, and replace the sleeve of the existing signs. There will be new landscaping installed, planting beds, shrubs, etc. Mr. Lamberti also testified regarding the parking lot repairs, curbing repairs that are needed, and the landlord has agreed to make all repairs. Chairman Gangluff asked about the parking lot lighting. Mr. Lamberti stated that he believes the lights are on a timer, and will be adjusted. On the building there will be soft lighting added, wall sconces, etc.

Mr. Gravlin commented on the review letter from Mr. Biegen of Maser Consulting. Block 1800 Lot 6 is the leased lot, however it is part of lot 9, which is the larger shopping center lot. The applicant is to renovate the existing restaurant, add a deck and a cooler box. We will install bollards with traffic striping for safety in front of the deck, re-striping of the parking spaces that will be utilized by the restaurant. We will install a pedestrian crosswalk for safety. There will be traffic arrows installed as well. There are some proposed landscape plantings on the proposed deck as well as in front of the property and along the existing driveway side. The lighting appears to be adequate, however they may not be turned on. The landlord controls the overhead lighting.

Regarding the variances, there is a front yard and side yard variances, which exist. Mr. Gravlin stated he would meet with the Borough Engineer to discuss the lighting. The trash enclosure exists, with an existing set back variance. The proposed cooler box, is proposed to go no closer to the property line than the existing trash enclosure. The applicant is also seeking a waiver of an environmental impact statement due to the existing site conditions, and the fact that the use is an existing building.

Mr. Gravlin commented on the survey that was submitted. However there is a discrepancy with our survey and another survey that is in the Borough's files. Mr. Gravlin will work on that. The exterior building elevations will be submitted, to show the board what the building will consist of. Mr. Lamberti testified the building will be horizontal vinyl siding, the roof is in good shape, and the aluminum capping will be redone along the edges. The building will be blue with light grey trim. The existing graffiti on the trash enclosure will be painted to match the building.

Mr. Biegen addressed the proper amount of seating necessary for outside seating to come inside during inclement weather. Mr. Lamberti testified there would be an awning to cover the deck. Mr. Biegen asked about the time difference if any that the liquor store is open and the bar is not, Mr. Lamberti stated none, the liquor store closes before the bar does.

Mr. Gravlin testified that 12 parking spaces would be removed to accommodate the deck. There are more than enough parking on the overall lot, a crosswalk will be installed. Mr. Gravlin also added that he will revise his plan to reflect the parking specific for the restaurant site. Mr. Lamberti stated the owner gave permission to use as much parking as he needs. Chairman Gangluff asked if there was something in writing, in a lease to protect Mr. Lamberti as well as accurate documentation to show accurate parking for the use. Mr. Biegen questioned how the people on the other side of the building that park, how will they access the building? Mr. Gravlin stated it is primarily employee parking in that area. A portion of the asphalt will be removed to

cure a ponding problem, they can access the deck, and walk across that way, as well as an additional walkway could be added. A gate will also be added to the trash enclosure, and Mr. Gravelin will add that detail to his plan. A dumpster will be installed primarily for the restaurant, and will be adequate for the site.

Mr. Gravelin indicated Mr. Lamberti would do the repairs, and the property owner will reimburse Mr. Lamberti. There is some broken sidewalk that will be replaced. An NJDOT permit will be required to repair the depressed curb and sidewalk at the White Horse Pike entrance that will be taken care of. Mr. Biegen added that even though Mr. Lamberti will be doing those repairs, the entrance radius is not large enough and has helped create the current conditions. Mr. Lamberti added that the shrubs, and overgrowth in front of the building along the White Horse Pike has all been removed.

Mayor Armano questioned the 10 x 22 walk in box, as it increases the impervious coverage, along with a sidewalk, where will the water run? Mr. Gravelin stated there is an existing sidewalk, and the walk in box at that size is insignificant. The drainage calculations would not show a change. Any increases less than ¼ acre does not require additional storm water control. Mr. Gravelin stated he could put a recharge pit in. Mayor Armano stated he feels the walk in box is too close to the property line. Where are the drains from the roof going? Mr. Gravelin stated the water goes down the sidewalk. Mayor Armano asked if there are any ideas to move the walk in box inside the building? Mr. Lamberti stated there is not enough room inside the building for the box. Mayor Armano also added that by having outside music, with nearby residential homes, we would be flooded with complaints of the loud noise. Mr. Lamberti stated we could just have background music only with small speakers, and the music inside the building. Mayor Armano asked about the signage as well. Mr. Lamberti stated the sign would be the same as it is, and previously there was a marquis sign that will be replaced with an LED sign. Mayor Armano would like to see some type of sign plan. Mr. Gravelin stated there is an existing freestanding sign noted on the plan, and Mr. Lamberti will change the copy of the sign. By installing the LED sign, it should be a separate application.

Dan MacDonnell commented that when the applicant came to the Site Plan Review Committee meeting, there was a comment to reduce the size of the walk in box, so not to exceed the current trash enclosure variance. The applicant has done so, and reduced the size. Councilman Maccaroni asked what the square footage is of where the packaged goods will be sold. Mr. Gravelin testified 450 or 500 square feet. Bonnie Deery asked if there is enough room for trucks to get back to the enclosure to remove the trash, and Mr. Gravelin stated yes. The entrance from the parking lot seems to be very close to the existing building. Is the parking lot entrance still going to remain, as it exists? Mr. Gravelin stated yes, he is modifying some of the striping, and the deck begins 30 feet behind the front of the building. Mrs. Deery asked how close will the cars be in relation to the deck? Mr. Gravelin stated there would be a 5 ft. area, and bollards with traffic striping will be installed. Mr. Hall asked regarding the awning, will that cover the entire deck, will it be an awning type or a canopy? Mr. Lamberti stated the awning will cover the entire deck. Mr. Hall asked if the liquor store required with part of the license? Mr. Lamberti stated it is a C license, so it is required. Mr. Hall asked what types of material will the deck be? Mr.

Lamberti stated wood. Mr. Hall asked about the bollards and their material type? Mr. Gravin stated he has comments on his plan regarding the bollards.

Mr. Luongo asked for an adjournment of tonight's meeting and a continuation of the application to come back to the July meeting.

Chairman Gangluff opened this portion of the meeting up to the public. Atilio Panpanin from 10 Linden Avenue approached the board and was sworn in. Mr. Panpanin commented that there used to be 3 stores; Walmart was turned down for 4 parking spaces. We are losing our post office, and Mayor Armano addressed the Post Master and he did not know what was going on. Mr. Panpanin feels we need something in the Borough, and he is looking forward to having this approved. This will create jobs and revenue. With nothing further from the public, Chairman Gangluff closed the public portion.

Mr. MacDonnell made a motion to continue this application, and seconded by Carl Canfield. All members voted aye. Chairman Gangluff added that it will not be necessary for the applicant to re-notice.

PRIVELEGE OF THE FLOOR:

None

CORRESPONDENCE:

Township of Berlin Planning Board Agenda

ADJOURNMENT:

With nothing further from the board, Mr. Adolf made a motion to adjourn the meeting, and Carl Canfield seconded the motion. All members voted 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

Andrew Simone, Planning Board Chairman, Berlin Township

