

BOROUGH OF BERLIN
PLANNING BOARD MEETING MINUTES
July 11, 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 Absent

Richard Crain Present

Daniel MacDonnell Present

Jack Hall Present

Bonnie Deery Absent

Carl Canfield Present

Chairman Jack Gangluff Present

Ken Clegg Present

Dan Pomponio Present

In the Absence of Bonnie Deery, Ken Clegg will be voting and in the absence of Councilman Nick Maccaroni, Dan Pomponio will be voting.

MINUTES:

A motion to approve the minutes for the June 13th, 2011 meeting was made by Carl Canfield, and seconded by Mayor John Armano. All eligible members voted aye.

RESOLUTIONS:

Case # 11: 5-1

Vito Milillo

106 Jackson Road

Berlin, NJ. 08009

Block: 1502 Lot: 5

Zoned PR-1

A motion to approve the resolution for Vito Milillo was made by Joe Adolf and seconded by Jack Hall. Those eligible to vote:

Chairman Jack Gangluff Aye

Joseph Adolf Aye

Jack Hall Aye

Ken Clegg Aye

OLD BUSINESS:

Case # 11:3-1

Harry Schetter

Block: 1601 Lot: 12

1044 S. Route 73

Berlin, NJ 08009

Appearing on behalf of the applicant is Robert Borbe, Esq. Mr. Borbe summarized the application stating this is a C Variance requesting to place Equipment on property owned by the applicant used for his Landscaping Business located in the P-C2 zone. Also appearing on behalf of the applicant is Brian Peterman of Peterman Maxy Associates, professional engineer.

Mr. Peterman stated the applicant requested to park the equipment on the stone area on a previous plan, the revised plan dated May 11th, 2011 (exhibit A) shows parking will be on the asphalt so as not to require Pinelands approval. It will be on the left side of the lot. The trash enclosure would be blocked but as the caretaker of the site, Mr. Schetter also has a container business and he will be able to take care of the removal of the trash from the enclosure. The equipment can fit, and the building itself would block the visibility of the equipment. Mr. Peterman stated he spoke with Brian Zur from the Pinelands Commission, and would not need to consider and application as there will be no further disturbance, the Commission has no objection to the proposal. Mr. Peterman stated in the immediate area there is the existing single use office, a hotel, and vacant land. There is no adverse visual impact, the green boxes blend in with the tree backscapes.

Mr. Crain asked what the distance is between the backhoe and the end of the pavement. Mr. Peterman stated approximately 15ft. from the mixer to the edge of the asphalt, this is to assist with maneuverability. Mr. MacDonnell asked how many lost parking spaces would there be? Mr. Peterman stated 8 along the rear for maneuverability.

Mr. Schetter was sworn in, and testified that the units in his building are not rented; he utilizes the 1600 square feet in the rear of the building as his office. Mr. Schetter stated that he would

move his equipment should he rent space in his building. Mr. Schetter also testified that if the building is 75% or greater occupied he would move his equipment. Mr. Hall commented on the hardship issue. Finances are not a reason to consider as a hardship. Mr. Schetter commented that the equipment would have to be placed in different locations, and makes it difficult to operate his business. Mr. Hall asked what the guidelines are for storage containers on public property. Mr. Rinaldi informed him that Mr. Schetter needs the use variance to allow the storage containers. With reference to the Industrial Zone, VS. PC-2 zone the Industrial zone standards can be applied. No materials will be stored in the containers. Chairman Gangluff suggested a stipulation that if an approval was granted, it would be for Mr. Schetter and his equipment only. Mr. Hall questioned blocking of the trash enclosure. Mr. Peterman stated it would be treated as any facility does that increases the pick up schedule. Mr. Hall added it would be blocked. Mr. Peterman stated it would not be accessible to a regular trash truck. Mr. Schetter is the only person occupying that building, and he handles his own trash, he will monitor it, and remove it daily as needed. Mr. Crain commented regarding renting space for the equipment, and asked what the goal was to rent the additional spaces in his building. Mr. Schetter commented he wants to rent the entire building as a goal. The handicap parking will not be affected. Mr. Schetter testified there is an existing list of equipment and trucks that was submitted at the previous hearing, those trucks will be parked to the right of the container, and will be parked on the paved area. Mr. Peterman stated what is on the plan is a true representation of what is there. The trailer is not motorized, and trucks with machinery will be on paved area. Mr. Crain asked what is in the sea containers. Mr. Schetter testified, no fuel, just fertilizer, parts for sprinklers. There are 2 five gallon containers of fuel stored in the box trailer. Mr. Hall asked when this building was initially approved it was approved as a commercial office space, and with the change to permit for an industrial use, there may be an issue with attracting the right type of tenant. Mr. Schetter added that a vacant building might be worse. Chairman Gangluff asked Mr. Schetter if there was a stipulation added, would he consider 50% of occupancy that he would remove the equipment? Mr. Schetter stated if it helped get the approval, he stated yes. 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.

Mr. Rinaldi summarized the application, as a request for a Use Variance in a PC-2 zone to allow the storage of equipment; the I2 zone permits this type of use. The applicant has proven he has plenty of parking. Chairman Gangluff made a motion to approve the application with the stipulation that once 75% of the gross area of the building is occupied, with Mr. Schetter as an occupant, Mr. Schetter must remove the equipment. Mr. Hall seconded the motion.

Joe Adolf No

Richard Crain No

Daniel MacDonnell No

Jack Hall Aye

Carl Canfield No

Chairman Jack Gangluff Aye

Ken Clegg Aye

With 4 no votes and 3 aye votes, the application is denied.

Case # 11: 5-2

Luciano Lamberti

Block: 1800 Lot: 6

328 South White Horse Pike

Berlin, NJ. 08009

Zone: C2

Minor Site Plan with Bulk Variances

Appearing before the board is Larry Luongo, Esq. on behalf of the applicant. Luciano Lamberti, applicant, and Jack Gravelin, Engineer were both sworn in.

Mr. Gravelin addressed a revised plan he prepared. Mr. Gravelin stated the requested variances are less than on the previous plan submitted. Mr. Gravelin shows the total number of parking spaces required as 555 spaces. The new proposed use requires 61 spaces. 655 spaces are existing, and 17 spaces are removed as part of the improvement, so the new parking count is 638 spaces, we show 83 spaces in excess. The parking will be the first 10 spaces in the aisles opposite the restaurant will be re-striped, and the parking at the rear will be re-striped as well as the new handicap spaces, which shows 73 total to be striped. There will be a canopy over the entire deck making it 2383 square feet. Signage is indicated on the new proposed plan.

A revised survey plan has been prepared, and the existing and proposed set backs to the existing building as well as to the proposed addition have increased. The proposed set back line is further. There is a 9.5ft. set back on the side yard, which is an 8 to 9inch difference, and 38.26ft. for the front yard set back. A series of notes and narratives have been added to the plan, requiring repair of various infrastructure on the site. A letter from the Shopping Center owner confirms use of the additional needed parking spaces has been submitted. Regarding the letter from Maser Consulting, Mr. Gravelin addressed all comments, and recommendations.

Mr. Gravelin commented on the sign package submitted. The Free Standing sign will include the LED changeable copy sign. The Logo sign will be internally illuminated, and there will be exterior gooseneck lighting on the exterior building as well. The logo sign will be 80 Square feet, which is consistent with the ordinance.

Mayor Armano questioned the walkway in front of the building will be removed? Mr. Gravelin stated yes it will. Mayor Armano also asked about the concrete walk around the added box. Mr. Gravelin stated there might be no reason to keep that walk, and Mr. Biegen commented that he agrees it is not needed.

Mr. Biegen asked commented on the LED sign. Would there be movement? Mr. Lamberti testified it would not be scrolling, change copy only. The Martini sign cannot exceed 20 feet in height, and the maximum size of the sign must remain 200 square ft. maximum. The set back for the Free Standing sign is pre- existing.

Mr. Hall asked if the Canopy is permanent or temporary. It is a canvas structure that will be permanent. Mr. Gravelin testified that it would be a stand alone structure, and not tied into the building. Mr. Hall is concerned with structural integrity in poor weather. Mr. Gravelin added that information from the Architect would be required at the time of construction. Mr. Hall asked if the stamped concrete would match the building? Mr. Lamberti testified yes. With no further questions 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.

Mr. MacDonnell made a motion to approve the Minor Site Plan application with all the aforementioned variances, and Mr. Adolf seconded the motion. On Roll Call:

Mayor John Armano Aye

Joe Adolf Aye

Daniel MacDonnell Aye

Jack Hall Aye

Carl Canfield Aye

Chairman Jack Gangluff Aye

Ken Clegg Aye

Dan Pomponio Aye

GOOD OF THE ORDER:

Mr. MacDonnell made an announcement that he will no longer be able to serve on the Planning Board as he will be relocating. This will be his last meeting.

Mr. Crain mentioned completeness of all applications. Applicants seem to show up with last minute pieces of the applications, and should not be heard until the application is complete. Our packets come to us in plenty of time, they should be complete, not bringing plans the night of the meeting. Chairman Gangluff added that is set in our Rules as well.

PRIVELEGE OF THE FLOOR:

None

CORRESPONDENCE:

Township of Berlin Planning Board Agenda

ADJOURNMENT:

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

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