

**BOROUGH OF BERLIN
PLANNING BOARD MEETING
November 15th, 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	Absent
Joe Adolf	Present
Councilman Nick Maccaroni	Present
Richard Crain	Present
Ken Clegg	Present
Jack Hall	Present
Carl Canfield	Present
Chairman Jack Gangluff	Present
Dan Pomponio	Absent
Ron Katkocin	Present

All members will be voting as eligible members.

MINUTES:

A motion to approve the minutes for the October 11th, 2011 meeting was made by Richard Crain, and seconded by Carl Canfield Jr. All eligible members voted aye.

RESOLUTIONS:

Case # 11: 8-1

A motion to approve the resolution for George and Karen Grace was made by Joe Adolf, and seconded by Carl Canfield Jr.

Councilman Nick Maccaroni	Aye
Chairman Jack Gangluff	Aye
Joseph Adolf	Aye
Carl Canfield Jr.	Aye

Ken Clegg Aye

Richard Crain Aye

Ron Katkocin Aye

OLD BUSINESS:

Case # 11;7-1

Cingular Wireless PCS LLC

Block: 1502 Lot: 4

Block: 1600 Lot: 4

160 Jackson Road

Berlin, NJ. 08009

Bulk Variance, Use Variance, Minor Site Plan

Mr. Rinaldi stated that this applicant has requested a postponement to the December meeting. Joseph Adolf made a motion to continue this application, and Richard Crain seconded the motion. All members voted aye.

NEW BUSINESS:

Case # 11; 10-1

246-252 Associates LLC

246-252 S. White Horse Pike

Block: 1408 Lots: 14 & 15

Minor Site Plan with Variances

Mark Rinaldi stated he has a conflict with hearing this application. He represented Mr. and Mrs. McPeak for the purchase of the Rita's Water Ice Franchise, he handled the negotiations for the lease term directly, he will need to reclude himself from this application, and in his place will be Michael Ward. Mr. Ward currently serves as the board solicitor for Magnolia, and Brooklawn.

Mr. Rinaldi also mentioned that 2 other board members have had dealings with the Rita's Water Ice owner via one of the member's child worked there, and the second board member played Santa. Mr. Riley stated the applicant has no objection to this.

Appearing on behalf of the applicant is Dennis Riley Esq. Providing testimony is Steve Beppel of 17 Somer Drive, Berlin, owner of both properties, Tom Gillis, from Code Green solar, Architect

on the project, and Robert Hunter, Engineer from Bach Associates. Robert Hunter listed his qualifications for the record. All those giving testimony were sworn in.

Mr. Riley summarized the application briefly. One solar array would be over the retention basin, and the second would be over parking spaces. There was a question of glare from the Barber Shop, and Mr. Riley stated there would be no glare.

Mr. Beppell testified that he is the managing member of the LLC. The canopy will be over both properties. Mr. Gillis testified that there would be one canopy supported in the center, plantings will be along the rear fence line. Easements will offer entry for maintenance, etc. Mr. Beppell testified that trash pick up is curbside and 252 has a container in the rear that will not be effected. Mr. Beppell also testified that there are shade trees added 7 years ago in the middle. The intention is to plant along the rear fence, Mr. Biegen added that there is low lying growth additional plantings will enhance the buffer to the residential area. Mr. Ward added a comment that for easement purposes, to have the foundations of all posts on one side of the property line. Mr. Hunter stated, they are very close to the property line, they have a 3ft. base, and should be able to shift if necessary.

Mr. Hunter testified that there will be one light on Rita's building, and a series of mounted lights under the canopy. A plan will be provided for restoration of the utility line as well as include a lighting plan. Trees will be trimmed at the rear of lot 15, and will be maintained by the Water Ice property. Councilman Maccaroni asked if the panels are over the basin, where would the water drain? They appear to spill outside the basin. Mr. Gillis stated they will stay within that existing fence, Mr. Hunter stated drainage will occur between the panels into the basin. Mr. Gillis stated the panels are 1" offset from the other. Mr. Ward asked if there is a reason to have a gutter on the array? There will be enough space to

Mr. Crain asked about the inverter, and disconnect. Mr. Gillis stated the basin will have it attached to the array, and the canopy array will have it located at the building. Mr. Hall asked what the distance the canopy will extend into the Water Ice parking lot. Mr Hunter testified it will be 13 to 15 feet. There are no posts in the parking lot, no spaces will be lost. Mr. Hall asked for clarification of the set back variances. Chairman Gangluff asked if there was a concern for the 9ft. clearance on the Rita's side for a clearance of a recreational vehicle? Mr. Riley stated the applicant is willing to post a maximum clearance sign. Mr. Gillis stated that he contacted NJDOT and the regulated height is 9ft. referencing ambulance height clearance. Mr. Beigen added with the columns in the center, be careful not to push the array any closer to the edge of the drive aisle. Mr. Gillis added that the panels last 50 years, and the inverters last 15 years, and there are escrow accounts that are set up for maintenance fees.

With nothing further from the board, Chairman Gangluff opened this portion of the meeting up to the public. With nothing from the public, Chairman Gangluff closed the public portion.

Mr. Adolf made a motion to approve the application with all stipulations, and Mr. Canfield seconded the motion. All members voted aye.

GOOD OF THE ORDER:

None

PRIVELEGE OF THE FLOOR:

None

CORRESPONDENCE:

ADJOURNMENT:

With nothing further from the board, Mr. Canfield Jr. made a motion to adjourn the meeting, and Mr. Katkocin 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