

**BOROUGH OF BERLIN  
PLANNING BOARD MINUTES  
February 13, 2012  
CAUCUS: 7:00 PM  
REGULAR MEETING: 7:30 PM**

CALL TO ORDER:

FLAG SALUTE:

SUNSHINE STATEMENT: This meeting is being held in compliance with the "Open Public Meetings Act" and has been duly noticed and publishes required by law.

Due to the absence of Mr. Clegg, Mr. Katcokin will be voting.

MINUTES:

A motion to approve the minutes for January 9<sup>th</sup>, 2012 was made by Richard Crain and seconded by Mayor John Armano. All eligible members voted aye.

RESOLUTIONS:

NONE

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, Minor Site Plan

Judy Fairweather appeared before the board representing Cingular Wireless, AT&T. The proposal is to replace 6 antennas on an existing water tower, to go from 3G to 4G. Those providing testimony were sworn in. Brock Riffel, Radio Frequency Engineer, and Petros Tsoukalas, Civil Engineer, and Paul Gleitz, Planner.

Mr. Tsoukals testified that the applicant proposes to replace 3 antennas that are 4 ft. in height, 2 antennas that will be 6 ft. in height, and 1 antenna that will be 8 ft. in height. The water tower will be painted as well. There will be 2 cabinets installed as well.

Mr. Gleitz commented that there are minor adjustments being made, the only negative impact would be visual due to the height, however it is highly unnoticeable.

The submittals that were part of the original application will remain as submittals as per Ms. Fairweather.

The tower will be painted white. Mr Biegen asked about the existing paint on the tower. Ms. Fairweather added that they will have to comply with DEP regulations as they suspect that the tank may have lead paint. There is no water in the tank, and the applicant does not know if the tank is being used at all. With nothing further from the board, Chairman Gangluff opened this portion of the meeting up to the public. With no one from the board wishing to speak on this application the public portion is closed. Mark Rinaldi summarized the application stating there are 2 variances, one is a rear yard set back, and the other is a height variance regarding the antenna's. Mayor John Armano made a motion to approve this application, Mr. Adolf seconded the motion. All members voted aye.

#### NEW BUSINESS:

Case # 11:12-1

Chad and Valerie Neighbors

19 Leroy Avenue

Block: 2007 Lots: 7 & 12

Bulk C Variance

Appearing before the board is Valerie Neighbors of 19 Leroy Avenue. Mrs. Neighbors testified that the intention is the add a 2 car garage, with a master suite with a master bath. They are looking to maintain the integrity of the area, she likes to garage her cars. There are no elevations provided, the applicant is seeking approval first. The driveway is existing, and would be 9 ft. off of the property line, and they can use the existing driveway. Mayor Armano mentioned the existing drive appears to be 3ft. off the property line on the right side. Mrs. Neighbors stated there is a change in elevation which is why they can have the master suite above the garage.

Mr. Rinaldi mentioned there are 5 variances. Minimum lot size, 13, 500 the lot is undersized this is pre-existing, the minimum lot width is 75ft., again undersized, and is pre-existing. There is a minimum front yard set back the existing house is 33ft. where 45 is required, a side yard set back of 9.76, where 20 ft. is required, the side where the addition will be is 8.7 ft., where 20 ft. is required. The applicant is well under the maximum lot coverage.

Mr. Katkocin asked if the new addition would match the main house. Mrs. Neighbors added that is the intention. Chairman Gangluff added there is a change in the elevation. Mayor John Armano asked if the neighbor to the right has done work, and how far to the property line their house is? Councilman Maccaroni commented the applicant is almost doubling the width of the house. Mr. Hall asked if there would be any modification to the driveway? Mrs. Neighbors stated

no. Councilman Maccaroni asked if there is consideration to lessen the size of the garage? He feels that the side yard clearance is cut down, and very close to the property line. Mayor Armano also asked if there is consideration to reduce the size of the garage. Mrs. Neighbors commented that she would have to speak with her husband he is away on business.

With nothing further from the board, Chairman Gangluff opened this portion of the meeting to the public. Appearing before the board is Robert Boal of 23 Leroy Avenue. His concern is with water run off. There is an existing 20ft. 1 inch of his house to the property line, and there is an existing water run off with the driveway now. With nothing further from the public, Chairman Gangluff closed the public portion. Mrs. Neighbors requested to carry the application to the March 12<sup>th</sup> meeting, and she will agree to waive the 45 day right of action by the board. Mayor Armano made a motion to continue the application to March 12<sup>th</sup>, and Joe Adolf seconded the motion. All members voted aye. No further notice will be required of the applicant.

Case # 11:12-2

Daniel & Christine Redner

258 Clementon Road

Block: 700 Lot: 3

Minor Subdivision

Appearing on behalf of the applicant is Donna Platt. The application is for a minor subdivision approval for 1 lot into 3 lots.

Christing Redner of 50 Woodbridge road, and Brian Peterman of Peterman Maxy Associates, 20 E. Taunton Road Suite 550, Berlin, NJ. Both parties were sworn in.

Mr. Peterman testified the property located at 258 Clementon Road is 3.4 acres, and currently grades from the front to the rear. The right side of the lot is a development, the left side is the Lakeworth development, and the rear of the property is the Boy Scout property. The applicant proposed to build their home on proposed 3.02, and utilize the existing curb cuts. There is a slight encroachment from the neighbor that will be utilized. The existing home will be on lot 3 and will remain. Lot 3.01 is 1 acre, Lot 3 is 24,302

And lot 3.02 is 79,707. If the existing septic needs upgrades there is room for upgrades, and adequate area in the front of the dwelling as well. Outside agency approvals will be need such as the Camden County Board of Health. Lot 3.01 dwelling will be closer to the road frontage; the septic is proposed to be in the front yard. Mr. Peterman stated there are no variances or waivers being requested. A letter of presence/absence of any wetlands has been applied for and is pending.

Mr. Biegen commented that the septic systems are better in the front yard, to give more usable rear yard. The septic systems should be approved before the Boro Planning Board finalizes any approval. Some of the design criteria could have an effect of the design layout. Mr. Peterman

asked for that to be a condition of approval. Lot 3.01 is the most questionable as to where the system will be.

Mayor Armano asked on lot 2 regarding the encroachment of the driveway. Mr. Peterman stated it is not their primary driveway, and the postman uses this. The applicant will improve the area to eliminate the encroachment. Mr. Hall asked what the long term purpose of lot 3.01? Mr. Peterman stated lot 3 is a rented property and lot 3.02 will be for the applicant and lot 3.01 will be for an outside agency to build on. Mr. Hall asked how far the existing residence on lot 2 how far from the property line is it? Mr. Peterman is not aware of that measurement that was not part of his scope of work. Mr. Crain commented on the driveway, would it remain 10 feet? Berlin Boro Fire Marshal indicated that 10 feet is too narrow. Mr. Peterman stated they will satisfy that comment. Mr. Katkocin asked if there was consideration to build the house back further? Mr. Peterman commented that the idea is to have room left for a rear yard, as well as maintain a buffer for existing properties. With nothing further from the board, Chairman Gangluff opened this portion of the meeting up to the public.

Appearing from the public is Rich Scheer of 126 Juniper. He is concerned of the width of the lot, being 106 ft. at the street and from the street to the house is 300 ft. There is a concern of having a house perpendicular to theirs. The ground is low, and mushy. There is a lot of water in that area, and he is concerned with the elevations and grading. There are a lot of leaves and debris against the property line that will need to be removed. He is interested in maintaining his privacy. With the septic going in the front, will the neighbors receive more information on location, and installation?

Next to appear is Joseph Fontano of 116 Juniper. Mr. Fontano commented that the houses will face Clementon road, there is a culvert that goes out to Lakeworth. There groundwater changes, and what guarantees do the existing homes have that they will not have water in their basements. This is a swampy area. Can they install a perforated pipe leading to Lake Worth? As far as esthetics, can the developer leave the trees?

Next to appear is Barbara Beraio of 120 Juniper. She is concerned that once the excavating starts, there will be erosion. The new proposed dwelling is considering a pool, and septic along with the house there is a concern of flooding. Mrs. Beraio asked if the trees can stay. Chairman Gangluff commented the applicant is not proposing clearing those trees.

Next to appear is Phil Schmidt of 122 Juniper. He asked if the homes will have basements or on slabs.

Next to appear is Robert Schunemann of 6 Overlook Court in Lake Worth. He stated he has an environmental concern of the existing eco system. There are environmental impact concerns; this backs up to the Boy Scout camp. Lake Worth is a preserved area, there is wildlife present, it is a sensitive area, and he is not happy with the application. There is existing deer and pine snakes.

Mr. Ralph Odorosio at 266 Clementon Road, asked what the distance between the proposed homes are.

With nothing further from the public, Chairman Gangluff closed the public portion.

Mayor Armano asked for the proposed dwelling, is the intention for a basement or a crawl space? Mr. Peterman stated that the soil borings have not been done yet, but the desire of the applicant is to have a basement. Also the Fire Marshall has listed a concern of widening the driveway, and is it asphalt? Mrs. Platt commented that the applicant will comply with all Borough and outside requirements.

Councilman Maccaroni added that lot 3.02 is 106 ft. frontage along Clementon Road, the corner of lot 3, what is the distance to the property line? Mr. Peterman explained that it is an irregular shaped lot, but at that point it is 65ft.

Mr. Biegen, there is a ¼ acre disturbance, and cannot exceed the maximum square foot of disturbance. All state standards for site improvements will be met.

Mrs. Platt informed the board that the applicant will be filing by deed. Chairman Gangluff asked that Mr. Rinaldi review the deeds for specific verbage dealing with clearing limits, etc.

Joe Adolf made a motion to approve the application, Mayor Armano seconded the motion. All members eligible voted aye.

Case # 12: 1-1

Trinity Solar

Keith Hohing

160 S. White Horse Pike

Block: 1304 Lot: 11

Minor Site Plan with Variances

Appearing before the board is Richard Stone, esq. Also providing testimony is Larry Murphy of Greensite Engineering at 227 Bakers Basin Road, Lawrenceville, NJ, as he was sworn in, and qualified.

Mr. Murphy addressed the site characteristics, this is a C-1 zone, and there are 12 existing parking spaces. The proposal is for a 30 x 40 solar canopy over 3 parking spaces. Mr. Murphy addressed Exhibit A-1 on the site plan sheet #2, showing the canopy. The existing building set back is very close to the property line, and the proposed canopy would be in the rear of the building. The canopy is free standing, and would hover over the 1<sup>st</sup> story roof. There is 10ft. from the ground surface to the bottom of the canopy to allow for vehicles and pedestrians. There are no new variances, there are existing non conforming variances with the building. The power from the solar will be used for the user on site.

Mr. Biegen had no comments. Mayor Armano asked about a buffer around the canopy? Mr. Murphy showed exhibit A-2 elevation rendering dated 1/24/12. The canopy mimic's the features of the existing building, the black will blend in. The solar array will look like an extension of the

existing roof line. Mr. Hall asked why use the canopy, can the solar panels be put on the roof? Mr. Murphy stated the design of the existing roof would then have an adverse impact. 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.

Councilman Maccaroni made a motion to approve the application, Richard Crain seconded the motion. With 9 aye votes and 1 no vote, the application was approved.

CORRESPONDENCE:

PUBLIC PORTION:

ADJOURNMENT OF REGULAR MEETING:

With nothing further, Joe Adolf made a motion to adjourn the regular meeting, Carl Canfield Jr. seconded the motion. Motion carried by assenting voice of the board.