

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
July 9th, 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.

ROLL CALL:

Mayor John Armano	Present
Councilman Nick Maccaroni	Present
Chairman Jack Gangluff	Present
Joseph Adolf	Present
Ken Clegg	Present
Richard Crain	Present
Jack Hall	Present
Carl Canfield Jr.	Present
Dan Pomponio	Present
Ron Katcokin	Present
John McCall	Absent

MINUTES:

A motion to approve the minutes for June 11th, 2012 was made by Jack Hall and seconded by Carl Canfield, Jr. All eligible members voted aye.

RESOLUTIONS:

Case # 01:8-28

WaWa Inc.

Block: 1200 Lots: 2,3, & 6

Block: 1412 Lots: 1, 7, 8 & 8.01

Chairman Jack Gangluff	Yes
Joseph Adolf	Yes
Ken Clegg	Yes
Richard Crain	Yes
Jack Hall	Yes
Carl Canfield Jr.	Yes
Dan Pomponio	Yes

Case # 12: 6-2

Dylan's RV

19 S. White Horse Pike

Block: 1107 Lot: 5

Amended Final Site Plan

Appearing before the board on behalf of the applicant is Edward Paul Esq., also appearing is Steve Minghenelli, and Greg Fusco, of Key Engineers.

Mr. Rinaldi summarized this application request, 1989 before the property was zoned C2, Joseph Minghenelli owned the property and came before Mayor and Council. There was an approved resolution for an approved Mercantile license for 15 cars. Mr. Pancrazio previous tenant exceeded that limit of cars, so several citations were issued. Due to the previous use being auto sales, a Use Variance is not required.

Providing testimony on the application is Greg Fusco, of Key Engineers. Mr. Fusco testified that this the current Meineke lot. There are 8 spaces along Harker Avenue for customers for car care. There are 4 spaces along the rear adjoining lot for stored vehicles or waiting area. There are 2 employees in the car care, and 1 employee for the sales. The proposed trash enclosure on the Jiffy Lube side of the lot is proposed to have a chain link fence, the area will be large enough to handle tires and existing dumpster, along with an oil drum and waste oil tank above ground. The building does not meet the current ADA requirements; there is no handicap access to the building. There is 1 proposed handicap space, along with 15 spaces for users. There is a proposed area along the White Horse Pike that will be for sales. That section is 115ft. long, and 30ft. deep. The lot has lights, flood lights, 2 poles, and 3 lights on a sign pole, there are 2 free standing signs existing as well. There is a 12 foot fire lane around the building as requested by the Fire Marshall. The property is located in the C2 zone, with a 25 foot additional set back required for the corner lot. There are pre-existing variances for set backs, the improvements at Cross Keys Road the NJDOT dictated the driveway entrances. Mr. Fusco commented that he is in agreement with the Fire Marshall letter.

Steve Minghenelli provided testimony. He has been in this business for 2 years, 1979 his father Joe purchased the lot in 1979 and used to service vehicles. The lot operated with 15 cars for sale, new and used, all prior to Mr. Pancrazio selling cars on that lot. This is a satellite location, there are 2 driveways, however only Harker Avenue is the access driveway to prevent accidents on the White Horse Pike side. There are environmental issues on the site, there are some spots in the asphalt that needs fixing, as well as the lot needed to be seal coated and striped. The Original use of the site was automotive, and Mr. Minghenelli stated he tried to purchase the Jiffy Lube lot however there is a contamination issue, waivers are requested due to existing conditions of the site. The front space near the sales area, can be labeled for compact cars only. The only deliveries to the site are for UPS, Fed Ex, and small trucks for parts deliveries. Planters will be added, as they used to be on the site, Mr. Minghenelli has agreed to put them back. The hours of operation are Monday through Friday 8am to 6pm, and on Saturdays 8am. to 4pm. Mr. Minghenelli has agreed to the comments in Mr. Biegen's letter, and will comply with all suggestions. Mr. Fusco will prepare a revised plan showing all changes, a limit line will be striped on the lot for the vehicles for sale, and there will be 4ft. between each vehicle as suggested by the Fire Marshall. There will be no more than 15 vehicles for sale at any time. The trash enclosure will have a chain link fence with slats, and Mr. Biegen agreed that the location is appropriate. The vehicles will be displayed perpendicular, and the pavement will be filled, fixed, seal coated, and striped. The RV's will be sales only no repairs, there is no outdoor lift. The fire lane will be labeled on the lot. There will be bumper curb on the lot, additional wheel stops, and the revised plans will show that. Mr. Minghenelli agreed to 15 parking spaces along Harker Avenue and the rear of the lot including the handicap space, so no variance is needed for that. Mr. Minghenelli testified that the delivery of the RV's will be at the Berlin location.

Mr. Adolf addressed Mr. Minghenelli regarding previously RV's were parked on the Jiffy Lube lot and across the street in the vacant lot. Mr. Minghenelli stated that will not be the case. This is not the primary location. Councilman Maccaroni commented that he has a concern of all RV's being sold. Mr. Minghenelli added that the intention is someone can trade in a truck or car to buy the RV, and he will not exceed 15 vehicles, and they will remain in the lined or striped area painted on the surface. Mr Crain asked if there are other vehicles being sold, will there be a delivery of vehicles?. Mr. Minghenelli stated no. Mr. Katkocin asked what recourse does the Borough have if more vehicles are parked, or if they are not parked in the designated area? Mr. Hall commented that we need to ensure that there is no overlay onto the sidewalk, no encroachment. We should be more restrictive with dual uses. With nothing further from the board, Chairman Gangluff opened this portion of the meeting up to the public.

Appearing is Mark Vondertann, of 3 Harker Avenue. His mother is a partner with Frank Bartelone on the Harker Avenue property. Mr. Vondertann commented that in the past, trucks have parked on 3 Harker Avenue to remove scraps, oil, etc. from the dumpster area. By moving the waste oil to the rear where the employee parking is, how will a trash truck maneuver the site if cars are parked there. Mr. Vondertann suggested a fence across the back, or move the bumpers back so that there are no encroachments. Mayor Armano asked if the parking areas on 3 Harker are on the same plane, bumper to bumper with the proposed site, and they stated yes.

Respectfully Submitted,

Deborah Simone

Planning Board Secretary