

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
May 13th, 2013**

CAUCUS: 7:00PM

REGULAR MEETING: 7:30PM

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 published by law.

ROLL CALL:

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

MINUTES:

A motion to approve the minutes from April 8th, 2013 was made by Rick Miller, and seconded by Dan Pomponio. Those eligible to vote, all voted aye.

RESOLUTIONS:

**Case # 13:2-1
Raymond Rockwell
257 S. White Horse Pike
Berlin, NJ. 08009
Use Variance**

A motion to approve the resolution for Raymond Rockwell was made by Dan Pomponio, and seconded by Jack Hall.

Chairman Jack Gangluff	Yes
Rick Miller	Yes
Jack Hall	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes

Case # 13:3-1

Dennis DeSalvo

213 W. Broad Avenue

Block: 1314 Lot: 5

Use Variance

A motion to approve the resolution for Dennis DeSalvo was made by Jack Hall, and seconded by Rick Miller.

Chairman Jack Gangluff	Yes
Rick Miller	Yes
Jack Hall	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes

OLD BUSINESS:

Case # 13:3-2

Evinos Corporation

81 W. White Horse Pike

Block: 304 Lot: 1.01

Bulk Variances for Signs

Appearing before the board on behalf of the applicant is Dimitris Kolovos Esq. Mr. Kolovos addressed the board, explaining that a sealed survey has been submitted to show location of the monument sign. The sign is not in a sight triangle, nor any right of way. There is an additional variance request as the sign is proposed at 49 sq. ft, and a set back variance is requested as well.

Mr. Kapatos of Sign Pros also testified the purpose of the sign is the new logo and it is a reverse channel letter sign that illuminates at night. The monument height allowed is 5ft, the applicant has requested 8.5ft. Mr. Biegen mentioned the 3ft. set back from property line as the additional set back variance. Mr. Kolovos added that there is no negative impact regarding these variance requests. The wall mounted sign cannot exceed the second floor window as is stated in the ordinance due to the design of the building, and

larger windows that is another variance request for the second sign. There is no other signage on the building. The same type of sign will be used as the monument sign, it will be backlit, subdued giving a halo effect. Mr. Rinaldi marked the new survey as exhibit # 3 and the new sign renderings as exhibit # 4. Exhibit # 1 was the original rendering of the monument sign, and Exhibit # 2 was the original rendering of the wall sign. 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. Mayor Armano made a motion to approve this application, and Mr. Miller seconded. On roll call vote:

Mayor John Armano	Yes
Councilman Nick Maccaroni	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Richard Crain	Yes
Ken Clegg	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes
Rick Miller	Yes

This application was approved.

NEW BUSINESS:

Case # 13:4-1

Family Dollar Stores of New Jersey

2 Route 73 South

Block: 1002 Lot: 4

Bulk Variance for Signage

Appearing before the board on behalf of the applicant is Robert Mintz. Also providing testimony is Ty Taylor of 308 Woodbridge Lane Media PA, Edward Voorhis of 225 Route 46 Totalla, NJ., and Nick Kappatos of Sign Pros 1215 Blackhorse Pike, Glendora, NJ.

Mr. Mintz addressed the board summarizing the application. This is an existing shopping center. Within the center, there are design breaks, with peaks. The peak will form the background of the sign. There is a variance request for 122 sq. ft. of “family dollar sign with logo” that would be above the allowable 20ft. in height. This is the front of the building which faces a parking lot and the former McDonalds building. Mr. Mintz stated that the 92 sq. feet is the lettering on the sign and the additional sq. ft. includes the logo making the total 122 sq. ft.

Mr. Mintz addressed some site issues called out in the letter from Jim Biegen. Mr. Mintz stated they are the tenant only, and the letter was forwarded to the landlord. Mr. Mitchell

Beck had conversation with Mr. Biegen and have committed to replacing 1 handicap ramp that effects this tenant. Mayor Armano requested that any banner signs existing be removed. Mr. Mintz stated they will be removed. The peak is 27 1/2 ft. above the sidewalk, leaving 8 1/2 ft. for the walkway. 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. Councilman Maccaroni made a motion to approve this application, and Mr. Crain seconded the motion. On roll call vote:

Mayor John Armano	Yes
Councilman Nick Maccaroni	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Richard Crain	Yes
Ken Clegg	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes
Rick Miller	Yes

This application is approved.

Proposed Amendments to the Housing Element and Fair Share Plan of the Borough of Berlin Master Plan.

Brian Slauch, Borough Planner of Clarke Caton, and Hintz summarized the changes in the proposed amendments to the housing element and fair share plan of the Borough of Berlin Master Plan. Mr. Slauch stated that in December of 2012 we adopted the last amendment and the Court Master required significant changes related to the documentation for the previous credits, or prior rounds. Mr. Slauch explained that the Borough has an obligation to provide affordable housing, for example for a family of 4 that makes up to \$60,000. The rounds of affordable housing that were created, were supposed to be 6 years long. The prior rounds, Berlin Borough did not meet the required credits. These provisions are the result of litigation. We are now in the 3rd round, it has lasted 6 years, this allows building at a higher density and we are currently dealing with 2 settlement agreements. We are aiming for June 10th to hold a fairness hearing for the Nexus Property, and Armstrong capital. 3rd round rules are pending decisions from the NJ Court related to the rules. Only oral arguments have taken place on the lawsuit. Rounds 1 and 2 are tied together. The documentation, policy and operating manuals for prior rounds are components of the plan. The documentation regarding rehabilitation we relied on information from Camden County which addressed Berlin Township not Berlin Borough. This would require Council to apply the owner occupied component. There also has to be a rental component. This allows landlords to rehab their units this would be tied into the County program. This must be deed restricted, and fairly marketed. Part of the program requires the Borough put flyers in the tax bills for a period of time for 1 year, then every 6 months. This would be piggy backed with the County. H.U.D. funds this owner occupied component through the Community Block Grant, where we could execute an interlocal services agreement with Camden County. We are seeking credits

for Carriage stop, or Lonaconing, (Haverhill) owned by Schaffer has 28 units, and Lonaconing has 40 units, and continue to be owned by Schaffer. There is supposed to be a split of 50% or less is low to moderate income and the split ratio is now 75% moderate and 25% low. The court master or technical expert caught this. We have been digging to get to the bottom of this with the Administrative Agents and they handle the affirmative marketing. We need to make sure we meet the prior round requirements which are listed in the table in the written housing plan. BAM developers built a 6 unit complex, and one of those units had to be affordable. It is currently rental, however it was meant to be a unit for sale. With the current market it is difficult for low to moderate income to be qualified to get a mortgage. Armstrong has had their fairness hearing, no bonus credits can be obtained until something is built. There are 3 special needs or group homes in town. Part of the documentation is where there is capital funding provided by the State, that requires them to have 30 year deed restrictions. In this instance 2 of the projects are privately funded. Where there were 4 special needs housing, we only have 2. Twin Oaks (Burlington Family Services) purchased their own. This plan is designed to fulfill our prior rounds of Affordable housing units.

Stuart Platt, special COAH council for the Borough of Berlin explained that on June 10th, we are trying to approve the settlement that the Governing Body has agreed upon with Nexus and compliance with 2nd round of affordable housing, and this will give the Borough a 6 year period of repose. 3rd round we do not know our obligation at this point. Mr. Platt would like to ask that the 6 years or through the end of 2018 is what is stipulated. We have to see that this policy gets implemented. All deed restrictions get recorded, the proper rents are being charged, etc. In order to receive 2nd round compliance, we need the board to approve this, have the Governing Body approve it, then convince the court master that we are in compliance. We are not adding new projects we are implementing the deed restrictions and attempting to receive the bonus credits for the existing units that are constructed. Mr. Slauch added that he sees a favorable report from the Court Master. Mr. Platt added that if in the future any subdivision comes before the board, the Planning Board Engineer should always check that in a review letter for each project, and it will end up in minutes and resolutions in the future. Mr. Platt also mentioned that July 1st the non-residential development fee will be re-instituted for anyone who has not received previous approval if it is not stricken. With nothing further from the board, Chairman Gangluff opened this portion to the public. With nothing from the public, Chairman Gangluff closed the public portion. Councilman Nick Maccaroni made a motion to approve the Proposed Amendments to the Housing Element and Fair Share Plan of the Borough of Berlin Master Plan, and Richard Crain seconded the motion. On roll call vote:

Mayor John Armano	Yes
Councilman Nick Maccaroni	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Richard Crain	Yes
Ken Clegg	Yes
Dan Pomponio	Yes

Ron Katkocin	Yes
Rick Miller	Yes
Carl Canfield Jr.	Yes

**RESOLUTION SP-1
Housing Element and Fair Share
Housing Plan of the Master Plan**

Mayor John Armano made a motion to approve the resolution for the Housing Element and Fair Share Housing Plan of the Master Plan of the Borough of Berlin, and Carl Canfield Jr. seconded the motion. On roll call vote:

Mayor John Armano	Yes
Councilman Nick Maccaroni	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Richard Crain	Yes
Ken Clegg	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes
Rick Miller	Yes
Carl Canfield Jr.	Yes

Chairman Gangluff called for a short recess. Meeting reconvened at 9:02pm.

**Case # 09:6-1
Diocese of Camden
Gate of Heaven Cemetery
Block: 100 Lots: 1 & 4
Amended Site Plan**

Appearing before the board on behalf of the applicant is David Patterson Esq. Mr. Patterson asked that those providing testimony were sworn in. Larry Reader of 7 Laurel Drive, Mullica Hill, and Pam Pelligrini, of Kernan Consulting Engineers, 935 Kings Highway, Thorofare.

Mr. Patterson stated the applicant has received a waiver letter from the Camden County Planning Board, which is marked as exhibit 1. Ms. Pelligrini gave her licensing and experience on the record to be listed as an expert. Mr. Reader, the Executive Director for the Diocese of Camden and the owner of the property in question, and he has authorized this application on the record.

Mr. Patterson summarized the previous approvals for this applicant. Ms. Pelligrini handed out a plan marked as exhibit 2 as the Expansion of the Site Plan. Ms. Pelligrini addressed 4 changes that were made to the plan. The diocese has demolished the existing

residential structure. There will be a new structure built. The maintenance building has front entry doors vs. the side entry. The end doors were problematic so the change was necessary. The trailer parking has a 4 pole shelter over it. Phase I includes all improvements except the chapel mausoleum, garden mausoleum, and related parking in front as well as the mausoleum and the road C in the back. Ms. Pelligrini stated the new office structure is 344 sq. ft. smaller the previous proposed, and has the same employees. The new plan shows 6 spaces for 2 employees and office hours are 8am to 4pm. Ms. Pelligrini added that the buffer, fencing, and landscaping will all remain the same as previously approved.

Ms. Pelligrini addressed the Borough Planner's letter from Brian Slaugh. The parking variance request has had testimony. The uses of the building are the same, and less in size. The office building layout needs to stay as it is oriented towards the entrance of the site, so people have a view of the front of the building to know where the cemetery is. Additional landscaping was requested, and we agree to that. The office building will have a landing and steps and a small porch that will be added to the plan. Landscaping will be added to the top portion of the parking lot to screen the parking from the main road. The shelter for trailer parking will be 30 x 36, and not to exceed 20ft. in height. Architectures will be provided. The Maintenance building will have the additional plantings as requested by the Borough Planner, along the south edge of the building. The storage bins will be defined using pre-cast concrete bin blocks that are 30 inches by 30 inches by 60 inches. Additional buffering will be provided for the maintenance building. Some of the natural vegetation would like to be kept as there is selective clearing for selective burial plots. Mr. Slaugh asked how close burial plots will be on the west side of Day Avenue property lines. Ms. Pelligrini stated she believes the original approval was for a 25 ft. buffer. Mr. Slaugh also mentioned that from 2 directions it appears that you have a parking lot vs. a building lot. Supplemental plantings would be effective behind the fence, maybe something low lying between the parking and the entrance drive. Mr. Biegen from Maser Consulting stated that storm water has not been effected, and the only other issue would be if there will be sanitary sewer or septic? The applicant has agreed to check with regards to the availability of the sanitary sewer. With nothing further from the board, Chairman Gangluff opened this portion of the meeting to the public. With no one from the public wishing to speak on this application, the public portion was closed. Mr. Rinaldi summarized the application and all variances. Mayor Armano made a motion to approve this application, and Mr. Hall seconded the motion. On roll call vote:

Mayor John Armano	Yes
Councilman Nick Maccaroni	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Richard Crain	Yes
Ken Clegg	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes
Rick Miller	Yes

This application was approved.

GOOD OF THE ORDER:

None

CORRESPONDENCE:

Berlin Township Planning Board Agenda

PUBLIC PORTION:

None

ADJOURNMENT OF REGULAR MEETING:

Ken Clegg made a motion to adjourn the meeting, Carl Canfield Jr. seconded the motion.
Meeting Adjourned.

Cc: Bill Behnke, Fire Marshall, Fire Chief
Stacey DiVello, Escrow Financial Department
Michael DePalma, Construction Official
Terry Stagliano, Tax Assessor
Lou DeMarco, Captain, EMS
Chairman Andrew Simone, West Berlin Planning Board