

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
April 14th, 2014**

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
Jack Gangluff	Present
Rick Miller	Present
Ken Clegg	Present
Richard Crain	Absent
Jack Hall	Present
Dan Pomponio	Absent
Ron Katkocin	Present
Carl Canfield Jr.	Present
John McCall	Present

REGULAR MEETING:

With the absence of Richard Crain, and Dan Pomponio, both alternates, Carl Canfield Jr. and John McCall will be voting on all matters.

MINUTES:

A motion to approve the minutes from March 10th 2014 was made by Carl Canfield Jr. and seconded by Rick Miller. Those eligible to vote, all voted aye.

RESOLUTIONS:

**Case # 14: 2-2
Charles Pfluger**

**38 N. Franklin Avenue
Block: 103 Lot: 1
Bulk Variances/Addition**

A motion to adopt the resolution for Charles Pfluger was made by Mayor John Armano, and seconded by Councilman Nick Maccaroni. On roll call vote:

Councilman Nick Maccaroni	Yes
Ken Clegg	Yes
Ron Katkocin	Yes
Rick Miller	Yes
Carl Canfield Jr.	Yes

**Case # 14:2-3
Robert Graham
101 Thackara Avenue
Block: 1310 Lot: 4
Bulk Variances/Addition**

A motion to adopt the resolution for Robert Graham was made by Ron Katkocin, and seconded by Carl Canfield Jr. On roll call vote:

Councilman Nick Maccaroni	Yes
Chairman Jack Gangluff	Yes
Ken Clegg	Yes
Ron Katkocin	Yes
Rick Miller	Yes
Carl Canfield Jr.	Yes

SELECTION OF CONFLICT ENGINEER:

A motion to adopt the resolution for CME as the conflict Planning Board Engineer was made by Rick Miller, and seconded by Mayor John Armano. On Roll call vote:

Councilman Nick Maccaroni	Yes
Chairman Jack Gangluff	Yes
Ken Clegg	Yes
Ron Katkocin	Yes
Rick Miller	Yes
Carl Canfield Jr.	Yes

ZONING OFFICERS REPORT:

Craig Fallstick, Zoning Officer prepared report from March 10th, through April 14th 2014.

OLD BUSINESS:

NONE

NEW BUSINESS:

Case # 04:4-19
KB Property LLC
81 W. White Horse Pike
Block: 401 Lot: 4
Amended Site Plan, Use Variance

Due to the application dealing with a Use Variance, Mayor John Armano and Councilman Nick Maccaroni recused themselves, they will not be voting.

Appearing on behalf of the applicant is Tim Kalavruzos Esq. Also appearing for testimony on the application is Chris Kolovos of 15 Presidential Drive, Berlin.

Mr. Kalavruzos stated the applicant is looking to permit a worship center to occupy space at the retail center, they operate on Sundays, and a lease agreement has been provided. Mr. Kolovos testified that the worship center typically has an office person Monday through Friday during normal business hours and they are open on Sundays from 10am to 2pm. The space is 2812 ½ square feet. Also Lucien's Bakery would be in the retail space as well.

Chairman Gangluff asked for clarification of the current tenants in the various spaces. The Units are lettered starting with A. Space A is vacant, Space B is the Limo Company and the DJ, Space C is vacant, Space D was the gift shop, however that was never an approved use. Space E is the florist, and part of space F. Mr. Kolovos confirmed this. Mr. Kolovos also confirmed that the Bakery will stay in conformance with the hours of operation already listed in the previous resolution.

Mr. Biegen of Maser Consulting asked how many seats will be there for the worship center. Mr. Kolovos stated a maximum of 75 to 80 seats, Mr. Biegen added that would exceed the allowable amount of parking per square footage. Mr. Kalavruzos pointed out that for Churches, there is normally multiple people in one car as a family. Also, none of the other uses are open on Sundays. Mr. Biegen addressed the Limo's and the bus that takes up multiple spaces. Mr. Kolovos testified that Sundays the overflow parking for Luciens is rarely used. 88 spaces are designated as the overflow for Lucien's. Mr. Kolovos testified that the Bakery would be in space A, and will not exceed 2500 square feet, the Bakery will not be open on Sunday's. Mr. Biegen addressed the rear of the property housing kitchen equipment, trailer with the statue, pavers all that needs to be

removed and cleaned up. Mr. Kolovos stated it will be cleaned up. Mr. Hall asked what the exact hours of operation are. Mr. Kolovos stated Monday through Friday 9am to 7pm, Saturday and Sunday 9am.to5pm. Mr. Hall asked if the Churches extracurricular activities would be after hours. Mr. Kolovos stated no there will be specific office hours and this is a short term lease.

Mark Rinaldi addressed the board, per the Borough ordinance in the R2 zone which this is in the R2 Zone, churches are permitted, however the Bakery is not permitted and will need a use variance. All other retail space is existing. Mr. Hall asked about a Fire Inspection if there has been one. Mr. Rinaldi stated that will be dealt with at the time of Construction Permits and any other approvals they may need beyond the board approval.

Chairman Gangluff opened this portion of the meeting up for public questions. With no questions from the public, Chairman Gangluff closed this portion of the meeting. Chairman Gangluff then opened this portion of the meeting up for public comment. Appearing before the board is Susan Mantz of 13 Kerhart, and was sworn in. Ms. Mantz commented that the overflow parking ends up in front of her house, and with the church she is concerned there will be additional cars in front of her house. There is also trash and debris that blows into her yard from this area. Mr. Kolovos stated that the overflow parking is by valet, and some people avoid the valet and park themselves. Mr. Kolovos will provide Ms. Mantz the Lucien's Manor contact information and if the problem happens again, to call Lucien's Manor, and it will be taken care of. As for the trash, if it is from Luciens he will get that taken care of as well, but he has dumpsters that the trash goes into. With nothing further from the public, Chairman Gangluff closed the public portion. Mr. Rinaldi summarized the application to be a use variance for the bakery, with no hours on Sundays, and then an amended site plan for the Church this will be 2 part voting. On the use variance for the bakery Jack Hall made a motion to approve the application, and Carl Canfield Jr. seconded the motion. On roll call vote:

Chairman Jack Gangluff	Yes
Rick Miller	Yes
Ken Clegg	Yes
Jack Hall	Yes
Ron Katkocin	Yes
Carl Canfield Jr.	Yes
John McCall	Yes

For the send part of the voting for the amended site plan approval for the Worship center Carl Canfield Jr. made a motion to approve the amended site plan, and Jack Hall seconded the motion. On roll call vote:

Chairman Jack Gangluff	Yes
Rick Miller	Yes
Ken Clegg	Yes
Jack Hall	Yes
Ron Katkocin	Yes

Carl Canfield Jr.	Yes
John McCall	Yes

Case # 14: 4-2
Deb Christy/ Al Panaccio
56 Jackson Road
Block: 1405 Lot: 18
Bulk C Variance

Appearing before the board is Debbie Christy, and Alesio Panaccio. Both applicants were sworn in at this time. Mr. Panaccio informed the board, he built his shed not knowing he needed a permit. He needed more storage, they have a 2 car garage with 4 cars, he built the shed 12 x 30, 6ft. from the property line. Mr. Panaccio added they live on 1 acre of ground, he built the shed on the side to the rear of the lot, it is not an eyesore, and is fully enclosed. This is not a garage as a car would not fit through the doors.

Mr. Rinaldi explained this is in the R2 zone, the shed is 13 ft. high where 10 ft. is permitted and 360 sq. ft. where 150 is permitted. Mr. Panaccio testified there is no electric or plumbing to the structure. The base is on crushed stone with plastic, pressure treated base with OSB plywood for garden equipment, lawn tractor, furniture, and some personal belongings. Mr. Canfield asked what the measurement to the peak of the shed is, Mr. Panaccio stated 13 ft. to the peak. He wanted to create a small loft to store things on top, the shed is built already. With nothing further from the board, Chairman Gangluff opened this portion of the meeting to the public for questions. With no one from the public with any questions, Chairman Gangluff closed the public question portion. Chairman Gangluff then opened the meeting for public comments. With no one from the public appearing with any comments, Chairman Gangluff closed the public comment portion. Mr. Rinaldi summarized this application for the board, this is a Bulk C variance asking for relief from 2 requirements on the size and the height of the shed. Mayor John Armano made a motion to approve this application, and John McCall seconded the motion. On roll call vote:

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

GOOD OF THE ORDER:

Mayor Armano addressed a situation at 115 W. Taunton with a shed that needed to be moved in order to comply with an approved resolution for a subdivision application. The board secretary informed everyone that the shed was indeed moved since December, and the permit was just paid for today. The board discussed other matters with issues that needed to be dealt with in town pertaining to violations, and conditions of approvals on resolutions.

CORRESPONDENCE:

NONE

PUBLIC PORTION:

Appearing from the public is Francis Ballak of 13 Tansgate. Mr. Ballak asked when the Nexus project will be coming before the board. Chairman Gangluff explained what stage the application is in, and how the public will be noticed. Only property owners within 200 feet will be noticed. The board secretary will make sure the agenda's are up online, and plans are in the Construction Office if anyone would like to view them. With nothing further from the public, Chairman Gangluff closed the public portion.

ADJOURNMENT OF REGULAR MEETING:

Mayor John Armano 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