

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
July 28th, 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	Absent
Ken Clegg	Present
Richard Crain	Absent
Jack Hall	Present
Dan Pomponio	Absent
Ron Katkocin	Present
Carl Canfield Jr.	Present
John McCall	Absent

REGULAR MEETING:

Due to the absence of Rick Miller, Richard Crain and Dan Pomponio, Carl Canfield Jr. will be voting on all matters before the board.

MINUTES:

A motion to approve the minutes from June 9th, 2014 was made by Mayor John Armano and seconded by Carl Canfield Jr. Those eligible to vote, all voted aye.

RESOLUTIONS:

Case# 14: 4-1
Travis McAllister
9 Washington Avenue
Block: 1400 Lot: 16
Bulk C Variance

A motion to approve the resolution for Travis McAllister was made by Jack Hall, and seconded by Carl Canfield Jr. On roll call vote:

Mayor John Armano	Yes
Councilman Nick Maccaroni	Yes
Jack Hall	Yes
Ken Clegg	Yes
Ron Katkocin	Yes
Carl Canfield Jr.	Yes
Carl Canfield Jr.	Yes

ZONING OFFICERS REPORT:

June 10th, through July 28th Craig Fallstick, Zoning Officer

OLD BUSINESS:

NONE

NEW BUSINESS:

Case # 14:6-2
Winters Gun Specialty
Joe Winters
66 W. White Horse Pike
Berlin, NJ. 08009
Block: 302 Lot: 6

Appearing on behalf of the applicant is Dave Patterson Esq. Those providing testimony, Joe Winters, owner, and Brian Peterman of Peterman Maxy Associates were both sworn in. At this time the secretary Debbie Simone verified that all public notice requirements for this application have been met.

Mr. Winters testified that this is a family business that has been in operation since 1955. He has owned the business since 1988. Exhibit 1A is a copy of the police report stating the sign was demolished due to a drunk driver smashing into the sign at 2:45am on December 27th, 2013. Exhibit 1B are 4 photos of the sign completely demolished, and

Exhibit C is the new proposed sign. The new sign is proposed to be moved back a few feet from the original location away from the White Horse Pike. At this time Chairman Gangluff opened this portion of the meeting up to the public for any questions for Mr. Winters based on his testimony.

Next to appear on behalf of the applicant is Brian Peterman of Peterman Maxy Associates. Mr. Peterman stated he is the engineer for the applicant. Mr. Peterman stated the sign is a free standing sign in the C2 Zone, and the proposed location is out of the site triangle. The existing sign location was in the Right of Way, and the sign's new location is pushed back. The lot that the sign is on is an irregular lot and with the dwelling on the same lot, creates variances. The sign is proposed to be within 1 ft. of the side lot line where 40 ft. is required, an additional variance is requested to have more than one free standing sign. Lot 14 has an existing sign, as well as to permit a double pole sign where a single pole sign is permitted, also within 1 ft. of the right of way, where 20 ft. is required, and for the bottom of the sign to be 6' 2" where 7' is required. There are 3 lots, calculated as a whole there are 2 buildings totaling 125 sq. ft. of signs permitted, the applicant is proposing 50 sq. ft. The request is for a continuation of an existing non-conforming condition which is consistent with adjoining properties. Exhibit 1D revised on 7/11 plan shows lot 6 non-conforming lot, and lot 7 has the dwelling close to the White Horse Pike and lot 6. Chairman Gangluff asked if the applicant would consider a deed of consolidation, Mr. Peterman commented that there are different owners. Mr. Peterman mentioned a cross access easement as a condition of approval where lot 6 would grant access to lot 14 through a shared driveway. The applicant is willing to raise the sign to have 7 ft. from grade to bottom of the sign. With nothing further from Mr. Peterman, Chairman Gangluff opened this portion of the meeting up to the public for comment on Mr. Peterman's testimony. With no one from the public wishing to speak, this portion of the application was closed.

Mr. Hall asked if the board can limit the transfer of the variance? Mr. Rinaldi explained that all variances stay with the property regardless of ownership. Mayor Armano asked if the sign is the same size and height? Mr. Peterman stated yes and it was a double pole sign previously as well. Mr. Katkocin asked if the sign is not destroyed could it stay on the lot and just be repaired. Mr. Rinaldi stated yes the ordinance states if it is destroyed more than 50% it is subject to current regulations. Mr. Hall asked if lot 6 is a buildable lot. Mr. Peterman stated no. With nothing further from the board, Chairman Gangluff opened this portion up to the public. Mr. Hall asked if the sign has electric, Mr. Winters verified it does and power comes from the house. With no one from the public wishing to speak, this portion of the application was again closed. Mayor John Armano made a motion to approve this application, Councilman Nick Maccaroni seconded the motion. On roll call vote:

Mayor John Armano	Yes
Councilman Nick Maccaroni	Yes
Chairman Jack Gangluff	Yes
Ken Clegg	Yes
Jack Hall	Yes

Ron Katkocin
Carl Canfield Jr.

Yes
Yes

Case # 14:6-1
Cellco Partnership d/b/a Verizon Wireless
427 S. White Horse Pike
Berlin, NJ. 08009
Block: 1601 Lot: 1.01
Minor Site Plan with Variances

James Mitchell of Hambro & Mitchell appeared on behalf of the applicant. The board secretary Debbie Simone has verified that the application is complete, and all proper notices have been served. Mr. Rinaldi stated this application will not require a use variance, this is not an expansion of the previous use that was approved, it is an increase in the antennae, the tower itself is not effected. Mr. Mitchell stated the applicant is looking to install additional antennae, equipment shelter adjoining the existing base. The antennae would reach 140 ft. where the existing antennae reaches 150ft. This is in the PC2 zone.

Those also providing testimony are Ron Igneri, PE, Stanteck Consulting Services located at 1971 Route 34 Wall Township was qualified as an expert engineer for the project. Mr. Igneri presented exhibit A-1 drawing, noting the site at Mount Construction facility. The building is towards the front, the central building is in the middle of the lot and there is a driveway to the back. The existing 50 x 50 compound will not be expanded. There is an existing gate, and a meter bank exists behind the meter bank is fiber optic that is already in place. The conduit will be ran back to the meter bank. There is a proposed propane tank with bollards this will allow for refueling and opens up a corner in the compound. There is a 100 foot monopole that currently exists. FCC provides their own frequency, and construction will follow the current building code ANSI TIAEIA (2). The compound has a gravel surface and will remain gravel. There is a generator for emergencies only and remote access testing is done once per week. There will be no solid waste generated, and there will be no changes to access. The site goes 4 to 6 weeks with no trash generated. Chairman Gangluff commented that we would need specifications on the structural integrity of the existing pole. Mr. Biegen, Planning Board engineer agreed. With nothing further in this testimony, Chairman Gangluff opened this portion of the application to the public. With no one wishing to question or comment on this testimony, this public portion of the application is closed.

Next to appear on behalf of the applicant is the Radio Frequency Engineer Brian Grieves. Mr. Grieves was qualified as an expert, and displayed Exhibit A-1 he current map coverage for Verizon shoed lack of capacity, and the need for the additional antennae. The next option would be to build another cell tower site. There is one other site at the Berlin water tower. Exhibit A-2 reflects the re-distribution of coverage, reports and analysis. With nothing further from the board, the Chairman opened this portion of the application up to the public. With no one from the public wishing to speak on this application, the public portion was closed.

Next to appear is James Kyle, Planner for the applicant. Mr. Kyle was qualified as an expert. Mr. Kyle testified that there are both positive and negative criteria, C1 there are limited locations with a propane tank for re-fueling, and C2 that adequate wireless service is needed. There was intention that some equipment would be there, there is no impact on the surrounding properties. With nothing further, Chairman Gangluff opened this portion of the application to the public. No one from the public with questions on this application or testimony the public portion was closed.

Chairman Gangluff addressed the letter from Maser Consulting our board Engineer. Mr. Mitchell stated the applicant has no questions, and will provide all contact information dealing with the landlord of the Monopole and any site issues. Mr. Biegen asked about the landscaping, and Mr. Mitchell stated that will be replaced pending cooperation from the landlord. This application is an amended minor site plan with 2 bulk variances. Mr. Hall commented that the 2 adjoining sites in the rear and eastbound side are undeveloped and could effect future development. Mr. Rinaldi added that the work is contained within the same site, nothing outside of the original approval. This is a removable site if need be. Mayor Armano suggested to make a condition of approval the landscaping items. With nothing further from the board, Chairman Gangluff opened this portion up to the public. With nothing further from the public, the public portion is closed. Chairman Jack Gangluff made a motion to approve this application, and Jack Hall seconded the motion. On roll call vote:

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

Case # 14:6-3

Pat Castrataro

22 McClellan

Block: 1206 Lot: 2

Bulk C Variance

Appearing before the board is Pat Castrataro and Babette Castrataro owners of 22 McClellan. This application is for a Bulk C variance for an accessory structure. The board secretary Debbie confirmed that the applicant has paid all application fees, and all proper notices have been served. The shed dimensions are 10 x 20 and the existing structure will be removed along with the tent type structure. The existing shed is an eyesore and is in bad shape. The new proposed shed is an A frame roof, with vinyl siding, and 1 door that faces the property. Mr. Hall asked if the shed was already up. Mr. Castrataro stated yes, the board secretary Debbie confirmed that the applicant applied for

a permit, paid for it and realized the size was listed wrong, called the office right away and completed the paperwork for the variance. Mayor Armano asked if the shed is in conformance with the proper set backs and the applicant stated yes. 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 John Armano made a motion to approve this application, Carl Canfield Jr. seconded the motion. On roll call vote:

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

Case # 14:6-4

Tom Regan

15 Ridgeview Avenue

Block: 2102 Lot: 17

Bulk C Variance

Appearing before the board is Tom Regan of 15 Ridgeview Avenue. The board secretary Debbie confirmed that all application fees have been paid, and all notices have been served properly. At this time Chairman Jack Gangluff stepped down from this application due to a conflict and Vice Chairman Jack Hall chaired this portion of the meeting.

Mr. Regan stated this is an application for a Bulk C variance, for an 8ft. 6inch x 28 ft. garage open addition to his existing garage. The garage as it exists does not comply with the proper set backs, as this is a corner property and needs 45 ft from the side yard where he has 32 ½ ft. and with the addition proposes 24 feet. There will be no utilities to the addition, and the walls will not be finished. No sheetrock, no electric. This is more of a lean to with an A-frame roof all 3 sides will be open. The existing garage already has electric. Mr. Regan testified that the garage is for storage. He has a business but it is not run from his residence, and he does not store building materials at his place of residence. Mr. Regan recently purchased 25ft. of property from the Borough. Mr. Regan testified that the roof line will be similar to what is existing, and the purpose of the addition is to store bikes, lawn mowers, etc. The intent is to close in the addition at a later date. The purpose is to eventually create a 4 car garage, the existing garage is 28 x 32. There will be no overhead door, there will be a door in the front, and on the side, and Mr. Regan agreed to close in the addition. There will be a concrete foundation, no basement to the addition. This property is in the R1 zone and is a corner property, so the side yard must meet the front yard set back of 45 ft. which is why the applicant is asking for the variance. With nothing further from the board, Vice Chairman Hall 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 Nick Maccaroni made a motion to approve this application with the applicant closing in the addition, and Mayor John Armano seconded the motion. On roll call vote:

Mayor John Armano	Yes
Councilman Nick Maccaroni	Yes
Ken Clegg	Yes
Jack Hall	Yes
Ron Katkocin	Yes
Carl Canfield Jr.	Yes

GOOD OF THE ORDER:

NONE

CORRESPONDENCE:

NONE

PUBLIC PORTION:

NONE

ADJOURNMENT OF REGULAR MEETING:

Mayor John Armano. made a motion to adjourn the meeting, Carl Canfield Jr. seconded the motion. All in favor, 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