

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
July 13th, 2015**

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 Jim Bilella	Present
Chairman Jack Gangluff	Present
Jack Hall	Present
Richard Crain	Absent
Nick Maccaroni	Present
Dan Pomponio	Present
Ron Katkocin	Present
Carl Canfield Jr.	Present
John McCall	Present
Nick Guerere	Present

John McCall will be seated as a voting member for Richard Crain in his absence.

MINUTES:

A motion to adopt the minutes from June 8th, 2015 was made by Carl Canfield Jr. and seconded by Dan Pomponio. On roll call vote:

Mayor John Armano	Yes
Councilman Jim Bilella	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Ron Katkocin	Abstain
Carl Canfield Jr.	Yes

John McCall	Yes
Nick Guerere	Yes

RESOLUTIONS:

Case # 15: 5-1

KB Properties LLC

37 Clementon Rd.

Block: 401 Lot: 4

Use D Variance, Site Plan Waiver

A motion to approve the resolution for KB Properties LLC for a Use D Variance was made by Dan Pomponio and seconded by John McCall. On roll call vote:

Chairman Jack Gangluff	Yes
Jack Hall	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Carl Canfield Jr.	Yes
John McCall	Yes

A motion to approve the resolution for KB Properties LLC for a Site Plan Waiver was made by Mayor John Armano, and seconded by Councilman Bilella. On Roll call vote:

Mayor John Armano	Yes
Councilman Jim Bilella	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Carl Canfield Jr.	Yes
John McCall	Yes

Case# 15:5-2

Rocky Nova LLC

162 White Horse Pike

Block: 603 Lot: 3

Sign Variances

A motion to approve the resolution for Rocky Nova LLC for sign variances was made by Mayor John Armano and seconded by Jack Hall. On roll call vote:

Mayor John Armano	Yes
Councilman Jim Bilella	Yes

Chairman Jack Gangluff	Yes
Jack Hall	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Carl Canfield Jr.	Yes
John McCall	Yes

Case: 15:5-4
Roseann Perkins
8 Liberty Court
Berlin, NJ. 08009
Block: 900 Lot: 19
Bulk C Variance

Mayor John Armano	Yes
Councilman Jim Bilella	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Carl Canfield Jr.	Yes
John McCall	Yes

OLD BUSINESS:

None

NEW BUSINESS:

Case # 15:6-2
JC3 Construction
80 Tansboro Road
Block: 1900 Lot: 20.02
Use D Variance

Mr. Dave Patterson Esq. approached the board and explained that there is an outstanding item that needs to be addressed. He has requested that this matter be placed on the next available regular agenda. Mayor Armano made a motion to continue the matter to the next meeting, Nick Maccaroni seconded the motion. All members voted aye.

Case # 15:5-3
Keith Hohing
150 S. White Horse Pike

Block: 1304 Lot: 5
Use D Variance

Appearing on behalf of the applicant is Dave Patterson, Esq. Mr. Hohing on 1 Chillemi Court as the applicant does I.T. Consulting work, he has owned the building at 150 S White Horse Pike since February of 2015. Previously the building was a bank, he also owns 160 S. White Horse Pike since 2008. Mr. Hohing stated he provided a survey of the lot showing a proposed 22 parking spaces, one of which is handicap. There are 5 spaces on Estaugh Avenue, 5 are adjoining 160 S. White Horse Pike, 5 facing the residential area. There is outside lighting, 2 street lights, 1 on Estaugh and 2 lights have timers attached. The property has sewer, and water, there are no structural changes proposed. Exhibit A-2 shows the first floor plan. Mr. Hohing testified he is a musician, and has had an interest in the recording aspect. He is proposing the name, White Rabbit Studios. There would be live recording which would be private events by invitation only. There is a pre-existing sound proof room which was the vault and Mr. Hohing could tape back-ups, and hold a preservation area of older music. Mr. Hohing addressed the parking of 22 on site spaces, there are an additional 13 spaces on the adjoining lot at Comtek. The hours of operation are 8am.-5pm. Monday through Friday by invitation only. Weekends would be 4pm. till midnight again by invitation only, and closed on Sundays. There will be no full time employees, and the occupancy would be 50 to 100 people maximum. Mr. Hohing testified that the decibel level was 85 within 50 ft. and normal is 95-100. Mr. Hohing stated he is looking for groups such as the Graham Alexander Band which is Broadway music, or classic rock type music. Mr. Hohing stated this is a good use in the C1 Zoning, it is minimally disruptive, and will bring something iconic to the area. The building will have no structural changes, only internal. The downtown area has an older look to it, and he is hoping this helps to restore some of the downtown area. This meets the criteria, there is no detriment and both sides of the building are commercial uses. This is close to additional parking as well. At this time the applicant discussed the review letters from the board professionals.

Mr. Biegen, board engineer of Maser Consulting LLC asked about deed restrictions, Mr. Hohing stated there are none. Mr. Biegen asked if there will be any retail sales, and Mr. Hohing stated not now, and there will be no food, and no beverages. Mr. Hohing stated there will be no lines outside, he would like to create an app for pre-entry, no signage for solicitation, just for identification. There will be no advertising of entertainment. Mr. Biegen also asked if the free standing sign could be removed if there is no advertising for the building. Mr. Hohing agreed. Ms. Bheam, board Planner of CME Associates requested testimony for D1 Variance of the positive and negative criteria on the application. Ms. Bheam also asked if the drive thru will be removed, Mr. Hohing stated it is his intention to leave the canopy for the drive thru, he is looking to preserve the building as is. Mr. Hall commented on the hours being 4pm. till midnight, being very late. Mr. Hohing stated the doors close at 11 pm, and by 12 pm the parking lot would be empty. With nothing further from the board, Chairman Gangluff opened this portion of the meeting to the public.

Appearing before the board is Joan Behnke of 3 Estaugh Avenue. Mrs. Behnke was sworn in. Mrs. Behnke testified that this would be an asset to Berlin. The building has been vacant for 15 years, and now it is lit up, and is safer.

Next to appear is Jose Hernandez of 161 S. White Horse Pike mentioned the negative and positive criteria, there is a concern with crowds and parking. This area allows on street parking but if this is a private club, that would change his opinion. With nothing further from the public, Chairman Gangluff closed the public portion of the meeting.

Mr. Hohing testified that the music would be of the 60's and 70's era or earlier, the sound decibel would be no louder than traffic on the White Horse Pike. Councilman Bilella asked that at 85 decibels if that was at the boarderline or property line. Mr. Hohing stated yes it was. He is willing to provide additional sound proofing. Councilman Bilella commented that our ordinance states 65 decibels at the property line. With nothing further from the board, Mr. Hall made a motion to approve this application, and Mr. McCall seconded. On roll call vote:

Mayor John Armano	Yes
Councilman Jim Bilella	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes
Carl Canfield Jr.	Yes
John McCall	Yes

At this time there was a 10 minute recess. 9:15pm. back on the record and all board members are present.

Case # 15:6-1

John Callandrello

95 S. White Horse Pike

Block: 1108 Lot: 2

Appeal of Administrative Officer's Decision

Appearing before the board is Robert Borbe, Esq. attorney for the applicant John Callandrello. Mr. Callandrello of 510 Surrey Avenue, Albion, NJ. was sworn in. Mr. Callandrello testified that he is a sole proprietorship, he is a coin collector and precious metals. Previously the store was a comic book store. He is open Monday through Friday 9am. until 5pm. and on Saturdays 9am to 4pm. There is driveway access with 12 to 15 parking spaces in the rear. Mr. Callandrello anticipates 4 to 5 customers per day, he does sales on ebay as well. There is parking available on the White Horse Pike also. Mr. Callandrello has received his mercantile license, however he has not received is C.O. approval.

Appearing before the board is Mike DePalma, Zoning Officer for the Borough of Berlin. Mr. DePalma was sworn in, and gave testimony. Mr. DePalma testified that Mr. Callandrello applied for a Zoning permit for the use, and Mr. DePalma denied the permit application. He was concerned with parking, hours of operation, and the requirement of handicap parking. Mr. DePalma stated this is a permitted use. Mr. Hall commented is there a restriction on these types of businesses? Councilman Bilella stated there is a new

ordinance that Council is working on for Pawn Collections, there is a county wide system registration, and it does not restrict the number of Cash for Gold businesses. After discussion, the board determined that it will not be necessary for Mr. Callandrello to make a formal application to the board, and he may proceed.

Case # 15: 4-3
Lenape Solutions
London Avenue
Block: 1600 Lots: 2 & 3
Minor Subdivision

Appearing before the board is Dave Patterson, Esq. Mr. Patterson introduced Mr. John Criscione of Lenape Solutions LLC who was sworn in at this time. Mr. Patterson summarized this is a 9ft. by 55ft. subdivision due to a billboard sign that has been in place since 1983, and owned by Lenape Solutions since 2012. There is an agreement of sale pending the outcome of the subdivision. 1/16/2015 is the date of the agreement, exhibit A-2. A-3 is the Building Inspector Anthony Saccomanno at the time 4 signs were noted on 8/6/1983, and A-4 shows the current permit from the State dated 3/31/15. It is a 2 year permit for outdoor advertising, along with A-5 which is the Pinelands approval. Ms. Bheam of CME Associates stated this is a lot line adjustment, and the balance of lot 3 is still conforming. With nothing further, Chairman Gangluff opened this portion of the meeting to the public. No one from the public wishing to speak on this application, the public portion was closed. At this time Mayor Armano made a motion to approve the subdivision application, and Mr. McCall seconded the motion. On roll call vote:

Mayor John Armano	Yes
Councilman Jim Bilella	Yes
Chairman Jack Gangluff	Yes
Jack Hall	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes
Carl Canfield Jr.	Yes
John McCall	Yes

ZONING OFFICER'S REPORT:

Mr. DePalma was available for questions. Report submitted from June 1st, to June 30th 2015.

CORRESPONDENCE:

None

PUBLIC PORTION:

GOOD OF THE ORDER:

ADJOURNMENT OF REGULAR MEETING:

Nick Guerere made a motion to adjourn the meeting, Carl Canfield Jr. seconded the motion. All in favor, meeting adjourned.

Respectfully Submitted,

Deborah Simone, Planning Board Secretary

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 Craig DeGeorge, West Berlin Planning Board