

**BOROUGH OF BERLIN  
PLANNING BOARD MINUTES  
June 8<sup>th</sup>, 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	Present
Nick Maccaroni	Present
Dan Pomponio	Present
Ron Katkocin	Absent
Carl Canfield Jr.	Present
John McCall	Present
Nick Guerere	Present

**MINUTES:**

A motion to adopt the minutes from May 11<sup>th</sup>, 2015 was made by Jack Gangluff and seconded by Nick Guerere. On roll call vote:

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

**RESOLUTIONS:**

**Case # 15: 4-1**

**Nathanael & Laura Swamy**

**102 Rutgers Blvd.**

**Block: 2302 Lot: 10**

**Bulk Variance**

A motion to approve the resolution for Nathanael & Laura Swamy for a Bulk C Variance was made by Jack Hall 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
Carl Canfield Jr.	Yes
John McCall	Yes

**Case # 15: 4-2**

**Heidi Silvestro**

**16 Chillemi Court**

**Block: 2100 Lot: 2.14**

**Bulk C Variance**

A motion to approve the resolution for Heidi Silvestro for a Bulk C Variance was made by Jack Hall, and seconded by Carl Canfield Jr. 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

**OLD BUSINESS:**

**None**

**NEW BUSINESS:**

**Case # 15: 5-1**

**KB Properties LLC**

**37 Clementon Rd.**

**Block: 401 Lot: 4**

**Use D Variance, Site Plan Waiver**

Appearing before the board is Tim Kalafruzos Esq. representing Chris Kolovos of KB Properties LLC 81 W. White Horse Pike, Berlin. Also appearing before the board is Tania Sanders of 9 Kensington Lane, Berlin, Stephanie Matteo of 624 Jaeger Court in Erial, and Daniel Dellamarine Sr. of 252 Conestoga Drive, Marlton. All were sworn in at this time.

All board professionals and the board secretary were sworn in at this time. The board secretary verified all escrows have been paid, proper notice to the newspaper, and to property owners was verified.

Mr. Kalafurzios stated Mr. Kolovos is applying for a Use D variance for a special needs training as well as a regular training studio. Both occupants will have a minimal amount of traffic. Mr. Dellamarine testified that he represents Helping Hands Gym, this is a fitness center for autistic, ADD, ADHD, and special needs people. Mr. Dellamarine testified that this is an exclusive center with 1 on 1 fitness sessions with credentialed fitness instructors. Mr. Dellamarine testified that he is the president of the company, he is the sole employee through 2015. He anticipates being open 7 days a week, 8:30 am to 8:30pm/ each session would be for 1 hour. The sessions would be small group with the family to have interactive sessions. The space is 1875 sq. ft., parking is adequate, and 7-10 spaces are all he needs. No more than 10 occupants at a time for group sessions. Mr. Hall asked if there would be special needs transportation to and from the site. Mr. Dellamarine stated the sessions are family oriented and family would bring them and stay with them. Mr. Kolovos testified that all of his units are ADA compliant. Mr. Kolovos received approvals in 2004 for a Use variance as the property is in the R2 district.

Next to testify is Stephanie Matteo. Mr. Rinaldi placed on the record that he represented Ms. Matteo in the past with a former business Slim Chicks Fitness, there was no concern of conflict. Ms. Matteo explained her business is 1 on 1 training transformation including nutrition and fitness for executives, business persons, etc. Typically there would be 5 or 6 people in the class, 8 maximum. Ms. Matteo testified she has 8 pieces of equipment and hours would be from 5:30am. till afternoon, then close, and re-open in the evening hours. The sessions are by appointment, and the business is closed on Sundays. All trainers are

certified there is 1 full time, and 1 part time employee. She would occupy Suite A 2250 sq. ft. Councilman Bilella asked is the Bakery still an option? Mr. Kolovos asked to rescind the approval for the Bakery as he is not pursuing that. Mr. Kalfruzos discussed the positive and negative criteria, the spaces have ample parking, and both uses are low impact on the town, yet brings people to the Borough. Mr. Biegen, board engineer addressed the trash container being placed back into the enclosure and the debris that needed to be removed in the rear or side of the property. Mr. Kolovos stated it was a statue of David, and landscaping materials that has been removed, and the trash container will be back in the enclosure properly. Mr. Hall addressed Mr. Kolovos regarding a previous application, and residents testimony regarding trash clean up, and enclosures, to make sure the property is maintained. With nothing further from the board, Chairman Gangluff opened this portion of the meeting up to the public.

Appearing from the public is Ronald Hendron of 20 Kerhart. Mr. Hendron asked if the special needs included behavioral issues. Mr. Dellamrine stated this are individuals with the inability to have conversation, they have sensory issues for example loud noises, bright lights, etc. He will teach them proper behavior. No one is left unattended, there is no drop off. This is family oriented and the family is included in on the fitness and therapy. The children range from 1<sup>st</sup> grade to 12th grade. There are no clients from the criminal justice system, or probation, or anything of that nature. With nothing further from the public, Chairman Gangluff closed the public portion. The voting will be separate first the Use Variance, then the Site Plan Waiver. On the Use Variance, Dan Pomponio made a motion to approve the application, and John McCall seconded the motion. On roll call vote:

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

On the Site Plan Waiver, Carl Canfield Jr. made a motion to approve the application, and Councilman Bilella seconded the motion. On roll call vote:

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

John McCall

Yes

### **ZONING OFFICER'S REPORT:**

Mr. DePalma the Zoning Officer appeared before the board. He discussed Mercantile Licenses, he was signing the license application, however the applicant still needed to apply to zoning as a permitted use. He will no longer sign the application until the applicant comes to the board as needed. Mr. Hall questioned Mr. DePalma on the signs noted in the report, Mr. Rinaldi explained the new sign ordinance is a property maintenance issue not enforcement by the board or the zoning officer.

#### **Case# 15:5-2**

**Rocky Nova LLC**

**162 White Horse Pike**

**Block: 603 Lot: 3**

**Sign Variances**

Appearing on behalf of the applicant is Tara Magitz Esq. Those providing testimony is Michael Bowen of Rocky Nova LLC who was sworn in. Ms. Magitz explained that the applicant is applying for a sign variance for an LED sign, a set back variance for the location of the sign to the White Horse Pike, the number of poles on the sign, and the height to the bottom of the sign. Mr. Bowen testified that there will be no additional tenants just his insurance and real estate company. Mr. Bowen also testified that the LED sign will not flash, there will be no scrolling, no harsh colors. Currently the sign has 2 posts, and placement will depend on where the water lines are.

Chairman Gangluff commented on the visibility from North Brill. Ms. Magitz submitted exhibit Applicant #1 photos from North Brill forward. Carl Canfield agreed there is a visibility issue with the signs too close to the White Horse Pike. Mr. Bowen testified that the sign will not be any closer than the existing sign. The proposed sign will be 12ft. 8 inches, it is taller than the existing sign, however it is consistent with the existing signage along the White Horse Pike. The sign will be internally illuminated there will be no spot lights, it is a 2 sided sign and when the business is closed, the sign will be off. Mr. Biegen asked what the timing of the scrolling will be, and what is the exact height of the sign, for concern that the sign may be higher than the building? Mr. Bowen agreed that the sign will not be any higher than the building, and not to exceed 12 ft. from the existing location. Mr. Maccaroni asked what the width of the sign is. Mr. Bowen testified that the new sign will not be any wider than 84 inches. Mr. Pomponio asked what the width of the old sign was and the poles. Mr. Bowen stated old poles are 6 inches, new poles are 8 inches. With nothing further from the board, Chairman Gangluff opened this portion of the meeting up to the public. No one from the public wishing to speak on this application, Chairman Gangluff closed the public portion and asked for a motion. Richard Crain made a motion to approve this application, and Councilman Bilella seconded the motion. On roll call vote:

Chairman Jack Gangluff	Yes
Jack Hall	Yes
Richard Crain	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**

Appearing before the board is Robert Perkins of 8 Liberty Court who was sworn in at this time. Mr. Perkins stated they are proposing an addition to the rear of the house. There is a 25.6 ft. addition existing, and he is not going past that. The wood deck shown on the survey will be removed, the new addition will be in that area. Chairman Gangluff summarized that the applicant is expanding an already non-conforming use. Mr. Perkins stated the addition is a dining room. Mr. Crain asked what the distance from the addition to the pool is, and Mr. Perkins stated about 22 ft. The shrubs shown on the survey have been removed, there is a 3ft. walkway around the pool that brings the concrete 19ft. from the addition. 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, Chairman Gangluff asked the board for a motion. Dan Pomponio made a motion to approve this application, and Councilman Bilella seconded the motion. On roll call vote:

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

**CORRESPONDENCE:**

None

**PUBLIC PORTION:**

Appearing before the board is Tina McGuckin of 41 London Avenue. Mrs. McGuckin stated she wants to open a pet grooming business on her property, and asked what the process would be. There was discussion from the board that Mrs. McGuckin would need a dual use variance, and a site plan waiver. She will be subject to ADA requirements. She knows she has to go to Pinelands.

**GOOD OF THE ORDER:**

Mr. Hall addressed the storage containers around town, the 2 clothing bins and vehicles at the Coastal Gas station. The board has taken time to work with property owners, create a resolution to follow and the properties end up in disarray. This is a zoning issue and now Mr. Hall has familiarized himself with the process of making a complaint, he will now make formal written complaints regarding the blighting effects of other people's properties.

**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