

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
December 12th, 2016**

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 Jim Bilella	Absent
Andrew Simone	Present
Councilman Ron Rocco	Present
Dan MacDonnell	Present
Ron Sabatini	Present
Nick Maccaroni	Present
Jack Hall	Present
Dan Pomponio	Present
Ron Katkocin	Present
John McCall	Absent
Cynthia Jennings	Present

REGULAR MEETING:

MINUTES:

A motion to approve the minutes from November 14th, 2016 was made by Jack Hall and seconded by Dan Pomponio. On roll call vote, those eligible:

Andrew Simone	Yes
Councilman Ron Rocco	Yes
Chairman Dan MacDonnell	Yes
Ron Sabatini	Yes
Nick Maccaroni	Yes
Jack Hall	Yes
Dan Pomponio	Yes

Ron Katkocin	Yes
Cynthia Jennings	Yes

RESOLUTIONS:

Case # 15:12-2
Wyndam Road LLC
Block: 2406 Lot: 25
Request for Extension

A motion to approve the resolution for Wyndam Road LLC request for extension was made by Jack Hall and seconded by Dan Pomponio. On roll call vote, those eligible:

Chairman MacDonnell	Yes
Councilman Ron Rocco	Yes
Andrew Simone	Yes
Ron Sabatini	Yes
Ron Katkocin	Yes
Jack Hall	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Cynthia Jennings	Yes

Case # 15:11-1
Schaeffer Land LLC
170 New Freedom Road
Block: 2211 Lots: 5.01 & 14
Request for Extension

A motion to approve the resolution for Schaeffer Land LLC request for extension was made by Jack Hall and seconded by Andrew Simone. On roll call vote, those eligible:

Chairman MacDonnell	Yes
Councilman Ron Rocco	Yes
Andrew Simone	Yes
Ron Sabatini	Yes
Ron Katkocin	Yes
Jack Hall	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Cynthia Jennings	Yes

ZONING OFFICERS REPORT:

Report from Mike DePalma, no comments.

OLD BUSINESS:

None

NEW BUSINESS:

Case # 16:11-1

Paul Maguire

Block: 1307 Lots: 2 & 3

111 & 107 Estaugh Ave.

Minor Subdivision/ Lot line adjustment

Appearing before the board is Paul Maguire of 111 Estaugh Ave. Mr. Hall being a neighbor to this property, recused himself, and stepped down. Ms. Jennings will be voting on this matter.

Mr. Maguire stated he is proposing a Minor Subdivision, he has been a lifelong resident of Berlin Borough, and the property next to him at 107 Estaugh has had 5 owners since 1988-1990. He is asking for additional 15ft, and he has maintained that area for some time with landscaping, mowing the grass, etc. Mr. Beigen, Board Engineer mentioned that the application consists of 2 lots, undersized, the request is for a lot line adjustment. He asked for a title report of both properties to avoid any circumstances that could prevent this subdivision or lot line adjustment from happening. Mr. Platt commented we can make that a condition of approval. Mr. Maguire addressed the fact that the side yard would be wider for him, and he could add a walkway to the rear of his property. The framed shed that is there will be moved. Mr. Biegen also added that the plan should reflect that Mr. Maguire is the owner, and that the lots will be filed by deed, descriptions should be submitted for review prior to filing indicating area conveyed, and indicate if there are any easements. The shed cannot be any more non-conforming will be listed as a condition of approval. Ms. Stanley of CME Associates asked about the BBQ grille and the fish pond. Mr. Maguire stated he basically cleaned up the property, those were existing. Ms. Stanley asked for testimony on the negative criteria, Mr. Maguire commented that there is nothing negative, and regarding the size of the lots, there are other lots in close proximity that are smaller.

Ms. Jennings asked what is in that area now? Mr. Maguire stated just grass, he plans to keep the area as is, and pull out the tree stump that is there. Mr. Katkocin asked about the title search for lot 3. Mr. Iannelli of 107 Estaugh Ave was sworn in, he testified that he has a title report for 107. The shed on 107 Estaugh will be moved as well. Mr. Iannelli stated he bought the property and they have made quite a few improvements and will be selling the property. Mr. Simone asked if Mr. Iannelli thought that by reducing the size of the lot would that deter people from buying? Mr. Iannelli stated no. Ms. Jennings asked about a fence that is shown. Mr. Iannelli stated there are no plans to fix the fence, as it goes around a stump. If it has to be fixed, he will do it, he thinks it is the neighbor's fence on lot 3. Chairman MacDonnell asked about the newly undersized lot frontage of

60ft. Mr. Maguire testified regarding several 50ft. lots across the street, and behind his lot. With nothing further from the board, Chairman MacDonnell opened this portion of the meeting up to the public.

Appearing before the board is John Hall of 102 Central Ave, Berlin. Mr. Maguire has made a significant investment in the community, and the property is an asset to the community, and he encouraged the board to vote in favor of the application. With nothing further from the public, Chairman MacDonnell closed the public portion. Nick Maccaroni made a motion to approve the application with all conditions and variances, Dan Pomponio seconded the motion. On roll call vote:

Chairman MacDonnell	Yes
Councilman Ron Rocco	Yes
Andrew Simone	Yes
Ron Sabatini	Yes
Ron Katkocin	Yes
Jack Hall	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Cynthia Jennings	Yes

CORRESPONDENCE:

None

PUBLIC PORTION:

None

GOOD OF THE ORDER:

Mr. Hall thanked the members of the board, Merry Christmas to all. Ron Katkocin also thanked everyone, and wished all a Merry Christmas. Councilman Ron Rocco, this is his last Planning Board Meeting, Merry Christmas to everyone. Chairman Dan MacDonnell thanked everyone for their confidence in voting him as Chairman.

ADJOURNMENT OF REGULAR MEETING:

Mr. Hall made a motion to adjourn the meeting, and Councilman Rocco 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

