

**BOROUGH OF BERLIN  
PLANNING BOARD MINUTES  
February 8th, 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	Present
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	Present
Cynthia Jennings	Present

**REGULAR MEETING:**

**MINUTES:**

A motion to approve the minutes from January 11<sup>th</sup>, 2016 was made by Dan Pomponio and seconded by Andrew Simone. On roll call vote, those eligible:

Mayor Jim Bilella	Yes
Andrew Simone	Yes
Councilman Ron Rocco	Yes
Dan MacDonnell	Yes
Ron Sabatini	Yes
Nick Maccaroni	Yes
Jack Hall	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes

**RESOLUTIONS:**

**Case# 15:12-1**

**Wyndam Road LLC**

**New Freedom Road**

**Block: 2406 Lot: 25**

**Minor Subdivision/Bulk Variances**

A motion to approve the resolution for Wyndam Road LLC was made by Mr. Hall, and seconded by Mr. Pomponio. On Roll call vote all eligible members voted aye.

**Resolution # 16-01**

**Resolution appointing Planning Board Solicitor**

A motion to appoint Stuart Platt, Esq. of Platt & Riso, P.C. was made by Mayor Bilella, and seconded by Jack Hall. Roll Call:

Mayor Jim Bilella	Yes
Andrew Simone	Yes
Councilman Ron Rocco	Yes
Chairman MacDonnell	Yes
Ron Sabatini	Yes
Jack Hall	Yes

**Resolution # 16-02, and 16-03**

**Resolution appointing Maser Consulting as Board Engineer, and resolution appointing CME Associates as Board Planner.**

A motion to appoint Jim Biegen, of Maser Consulting as Board Engineer, and Jennifer Beahm of CME Associates as Board Planner was made by Mayor Bilella, seconded by Jack Hall. Roll Call:

Mayor Jim Bilella	Yes
Andrew Simone	Yes
Councilman Ron Rocco	Yes
Dan MacDonnell	Yes
Ron Sabatini	Yes
Nick Maccaroni	Yes
Jack Hall	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes

**Resolution # 16-04**

**Resolution appointing CME Associates to perform a preliminary investigation to determine proposed study areas in need of redevelopment.**

A motion to appoint CME Associates was made by Councilman Rocco, and seconded by Mayor Bilella. Roll Call:

Mayor Jim Bilella	Yes
Andrew Simone	Yes
Councilman Ron Rocco	Yes
Dan MacDonnell	Yes
Ron Sabatini	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes

**ZONING OFFICERS REPORT:**

**NONE**

**NEW BUSINESS:**

**Case. # 16:1-1**

**DeCicco**

**18 Winding Way**

**Minor Subdivision/Lot Line Adjustment**

Appearing on behalf of the applicant is Alan Nickerson, Esq. Mr. Nickerson stated he represents Mr. and Mrs. DeCicco, and has reviewed the comments from the board professionals, and requests that this application be continued to the March meeting. In its present form the notification was not required, however if the applicant moves forward with the variance request, notice will be required. The board secretary confirmed that the applicant did not notice for this hearing, and there is a potential variance, so the application cannot be heard this evening. No vote is required since proper notice was not provided to the public. Mr. Nickerson requested to be on the next agenda in March.

**Case# 15: 12-2**

**Alan Blair**

**211 Cross Keys Rd.**

**Block: 902 Lot: 10.01**

**Zone C2**

**Preliminary/Final Major Site Plan**

**Completeness**

Mr. Alan Blair was sworn in at this time. Mr. Blair stated that in lieu of information that was provided to Mr. Blair, he asked for a continuance to the next meeting. Mr. Blair will be amending his application and plans. Ms. Walters, Esq., board solicitor informed Mr. Blair that we have an obligation to open the meeting to the public limited to the request for an adjournment. Chairman MacDonnell explained that we do not have a complete application, and cannot answer specific questions at this time.

Appearing before the board is Keith Giberson of 25 Constitution Blvd. Mr. Giberson was sworn in at this time. Mr. Giberson asked if the public could be re-noticed about the next meeting in a broader scale. Ms. Walters explained that the law states the list is generated by the tax assessor's office, and the law requires 200 ft, the board cannot require an applicant to do more than that.

Next to appear before the board is William Meyers of 11 Hillcroft Road. Mr. Meyers was sworn in at this time. Mr. Meyers asked if there will be a public portion in March. Chairman MacDonnell stated it will be open. Ms. Walters stated this public portion is only for the request of a continuance.

Next to appear before the board is Patricia Lambiase of 1 Briarhill Road. Ms. Lambiase was sworn in at this time. Ms. Lambiase questioned how many meetings will there be? Will there be other meetings, or will the next meeting be the last meeting. Ms. Walters stated we could get to the end of the application, or we may need to carry to the next meeting after that, it would be impossible to determine that right now. Ms. Walters stated the Site Plan will be revised which is why the continuance is being requested. Construction does not start until after Site Plan approval and other things that have to be in place.

Next to appear is Nancy Grover of 24 Hillcroft. Ms. Grover was sworn in at this time. Ms. Grover asked how long the public will have to review the new plans. Ms. Walters stated the applicant is required to submit plans prior to the meeting. The board secretary explained once new plans are submitted anyone can come in during normal business hours to review them. With nothing further from the public, Chairman MacDonnell closed the public portion. Mr. Hall made a motion to carry the application to March 14<sup>th</sup>, and requiring the applicant to re-notice to the public, Mr. Katkocin seconded the motion. On roll call vote:

Mayor Jim Bilella	Yes
Andrew Simone	Yes
Councilman Ron Rocco	Yes
Dan MacDonnell	Yes
Ron Sabatini	Yes
Nick Maccaroni	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes

## **OLD BUSINESS:**

### **Discussion on Redevelopment/Master Plan**

Megan Stanley of CME Associates gave an update on the redevelopment needs study, and the timeline of the needs study. On January 15<sup>th</sup>, Megan went to the Owens Corning site, K-Mart property, corner of Cross Keys Road and White Horse Pike, and Route 73. Photos were taken, a site analysis was done, reviewed zoning of the area, and collected environmental data. Megan reached out to Pinelands, in the case of study area 1, who has no issues with the study, with the exception of block 1502 lot 12 but right now there is no issue. A preliminary draft was completed. CME went through everything in the area, listed owners, and properties based on criteria of what areas are in need. We want to finalize the draft for the next meeting on March 14<sup>th</sup>. There is a notice requirement 10 days prior to the meeting, and for 2 consecutive weeks. Final draft should be submitted by March 1<sup>st</sup> to prepare for comments. Mr. Maccaroni asked how this is different from the areas that are redevelopment zones already. Megan stated it has been awhile, and we are giving it a fresh look as there have been some changes. Mayor Bilella added that the plan was done in 2005, and there have been changes in the laws to comply with the current regulations. Megan stated now when you declare an area of need, you have to determine if there will be eminent domain or not, and we are looking at non condemnation and no eminent domain.

Megan discussed the Master Plan re-examination. This is required every 10 yrs. Most information she handed out is taken from the Municipal Land Use Law. The re-examination looks at zoning, if there have been any issues, major problems. This talks about changes in policy, changes in recommendations, and the entire process would be 8 months to a year would be the longest. Mr. Hall asked about the additional elements of the Master Plan, elements A through N, will we address them all? Megan responded that is a list, we do them on a case by case basis. Mr. Hall asked who chooses what we decide to investigate, Chairman MacDonnell stated a joint committee of Council and Planning Board. Mayor Bilella stated 1996 was the last re-examination and the Board Secretary sent that out to everyone. As the Planning Board, what do we see for the Borough, and Council sees for the future of the Town? The issues that were a concern in 1996 are still a concern today 20 years later. Residents are concerned with the walkability, and connectivity of the town. Create a subcommittee, come up with ideas, bring back to the board, could be 3 or 4 committees that meet independently, or as individual members come up with ideas. As a group decide what need to be included. Chairman MacDonnell asked the board to take the time to read through the 1996 master plan, and everyone come back with some ideas to create subcommittees, maybe talk to residents and deal with different elements of the Master Plan. Mr. Simone asked the 1<sup>st</sup> sheet is mostly cosmetic, what about historic significance. What is the protocol for historical districts, or if the structure is historic? Some sites go back to Colonial era. Is that beyond the study? Megan stated NJDEP does a historical data base for arrowheads. She is not aware of any sites like that. With nothing further from the board, Chairman MacDonnell closed this portion of the meeting.

## **CORRESPONDENCE:**

**None**

## **PUBLIC PORTION:**

At this time, Chairman MacDonnell opened this portion of the meeting up to the public. Appearing before the board is Keith Giberson of 25 Constitution Blvd. Mr. Giberson mentioned his concerns with the traffic safety and congestion the proposed project on Cross Keys Road will bring. Chairman MacDonnell addressed a Borough traffic study being done not related to this or any other site plan. Mr. Giberson asked if an environmental study has been done, that site was an old farm. Mr. Giberson feels this will decrease the property value, and he is concerned with the esthetics. Currently there are no issues with dumpsters, lights, etc as it is a 9 to 5pm. business. Mr. Giberson has a signed petition against the application. He added concerns with the dumpsters related to a restaurant, the frequency of pick up, and what type of restaurant it is, if it is a BYOB, and a potential of intoxication, urinating, fighting near a residential area. Mr. Giberson questioned the water run off, where will it go. Will there be deliveries, hours for deliveries, and Centennial Square is a walkable community, there is a safety concern. Is there any historical significance to the current building there. Mr. Giberson asked for clarification of a bulk variance. Ms. Walters explained there are several general requirements for height, set backs, impervious coverage, etc. Mr. Giberson also asked if there will be a tax abatement for this structure. He is not anti business, he is concerned of an empty strip mall, and lack of tenants.

Next to appear is Don Falato of 45 Wayside Road. Mr. Falato was sworn in at this time. There was discussion of a Redevelopment plan, however a widening of Cross Keys Road is necessary. A traffic light at Constitution and Cross Keys Road is necessary. Mr. Falato objects to the requirement of 200 ft. being notified, he feels it should be more. He would like a larger notification. He would not want to see a tax abatement of any kind.

Next to appear is Virgil Johnson of 22 Constitution Blvd. Mr. Johnson was sworn in at this time. Mr. Johnson stated 14 years ago he was on the Board of Education, he thanked the board members for their civic duty and willingness to serve.

Next to appear before the board is Kathleen Healy of 34 Hillcroft Road was sworn in at this time. Ms. Healy stated that as a resident of Centennial Square for over 33 years, if the property gets developed, and whether or not Cross Keys Rd. gets widened, is there another way we can have another entrance, exit. Can we talk to the County regarding boxing the area to allow ingress and egress there?

Next to appear before the board is Dan Mazziotta of 6 Constitution Blvd. Mr. Mazziotta was sworn in at this time. He appreciates the job the Planning Board does. He also stated concerns of traffic on Cross Keys Road. To create a new entrance or exit off Cross

Keys road, what is the requirements or laws? Will this add to the current traffic problem, and where people will think they can cut through the development? What does the County require?

Next to appear before the board is Roseann Perkins, 8 Liberty Court, and was sworn in. Mrs. Perkins asked if the road is changed to 4 Lanes, will that change the set backs? Ms. Walters explained any application that fronts on a County Road, has to also gain County Planning Board Approval. She is concerned with the proposed increase in traffic, and she feels that her kids will no longer be able to ride their bikes.

Next to appear before the board is Shannon Healy of 34 Hillcroft Rd., and was sworn in at this time. Ms. Healy stated her concern as a school teacher. Cross Keys Rd is dangerous and safety for the kids is her main concern. She asked who she would contact in regards to the widening of Cross Keys Rd. Chairman MacDonnell explained the County Engineer.

Mr. Giberson asked who he could give the petition to that he has. Ms. Walters explained to hold onto it, until the application is deemed complete and moves forward. With nothing further from the public, Chairman MacDonnell closed the public portion.

#### **GOOD OF THE ORDER:**

Mayor Bilella commented on the traffic study, that Council and Mayor have committed to move forward and work with the County regarding the traffic concerns. As far as the widening of Cross Keys Road we will continue to have discussions with the County.

Chairman MacDonnell mentioned Site Plan Review Committee meeting. He would like to have them on the same day as the Planning Board Meeting, and at 4pm. Chairman MacDonnell and Mayor Bilella will be on the Committee he asked for one more person and an alternate. He explained it is less formal. Vice Chairman Andrew Simone volunteered to serve on the committee. No additional members are able to volunteer for an alternate. In the event there is a meeting, and someone cannot make it, the Board Secretary will email everyone on the board to see if anyone can fill in that one time.

Jack Hall mentioned and email that he sent out last month referencing an article on the current redevelopment in Evesham on Philly.Com, and Courier Post. It included the process for the redevelopment, as it is a sample of a successful redevelopment, and an article with discussion of the viability of numbers in the reports for affordable housing.

#### **ADJOURNMENT OF REGULAR MEETING:**

Chairman MacDonnell made a motion to adjourn the meeting, and Mr. Pomponio seconded the motion, all in favor, meeting adjourned at 8:40pm.

Cc: Bill Behnke, Fire Marshall, Fire Chief  
Stacey DiVello, Escrow Financial Department  
Michael DePalma, Construction Official  
Terry Stagliano, Tax Assessor  
Lou DeMarco, Captain, EMS