

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
January 11th, 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.

SWEARING IN OF NEW AND RE-APPOINTED BOARD MEMBERS:

Mayor Jim Bilella	Class I	Present
Andrew Simone	Class II	Present
Councilman Ron Rocco	Class III	Present
Dan MacDonnell	Class IV	Present
Ron Sabatini	Class IV	Present
Nick Maccaroni	Class IV	Present
Jack Hall	Class IV	Present
Dan Pomponio	Class IV	Present
Ron Katkocin	Class IV	Present
John McCall	Alternate # 1	Present
Cynthia Jennings	Alternate # 2	Present

APPOINTMENT OF SOLICITOR:

A motion to appoint Stuart Platt Esq. from the office of Platt & Riso PC as Solicitor made by Mayor Bilella and seconded by Dan MacDonnell. On roll call vote:

Mayor Bilella	Yes
Andrew Simone	Yes
Councilman Rocco	Yes
Dan MacDonnell	Yes
Ron Sabatini	Yes
Nick Maccaroni	No
Jack Hall	Yes
Dan Pomponio	No
Ron Katkocin	Abstain

APPOINTMENT OF OFFICERS:

A motion to appoint Dan MacDonnell as Chairman was made by Ron Rocco and Seconded by Mayor Bilella, Mr. Katkocin asked if we could have a discussion on the motion. He asked for Mr. MacDonnell's credentials on the record. Mayor Bilella placed on the record that Mr. MacDonnell has served on the board in previous years as Vice Chairman. At that time it was the intention that Mr. MacDonnell would be Chairman at some point when the previous chairman retired. On roll call vote for the current motion on the floor:

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

A motion to appoint Jack Hall as Vice Chairman was made by Ron Katkocin, And seconded by Nick Maccaroni, on roll call vote:

Mayor Bilella	No
Andrew Simone	No
Councilman Rocco	No
Dan MacDonnell	No
Ron Sabatini	No
Nick Maccaroni	Yes
Jack Hall	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes

With a majority of No votes, a new motion to appoint Andrew Simone was made by Mayor Bilella, and seconded by Dan MacDonnell. On roll call vote:

Mayor Bilella	Yes
Andrew Simone	Yes
Councilman Rocco	Yes
Dan MacDonnell	Yes
Ron Sabatini	Yes

Nick Maccaroni	No
Jack Hall	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes

APPOINTMENT OF SECRETARY:

A motion to appoint Debbie Simone as Secretary was made by Dan MacDonnell, and seconded by Ron Katkocin. On roll call vote:

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

APPOINTMENT OF ENGINEER:

A motion to appoint Maser Consulting LLC, Jim Biegen as Planning Board Engineer was made by Ron Katkocin and seconded by Mayor Bilella. On roll call vote:

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

APPOINTMENT OF PLANNER:

A motion to appoint CME Associates, Jennifer Beahm as Planner was made by Mayor Bilella and seconded by Dan Pomponio. On roll call vote:

Mayor Bilella	Yes
Andrew Simone	Yes
Councilman Rocco	Yes

Dan MacDonnell	Yes
Ron Sabatini	Yes
Nick Maccaroni	Yes
Jack Hall	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes

RE-ADOPTION OF RULES AND REGULATIONS:

A motion to re-adopt rules and regulations was made by Mayor Bilella and seconded by Dan MacDonnell. On roll call vote:

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

FEE FOR NOTICE OF MEETING:

A motion to approve the fee of \$25.00 for notice of meetings was made by Dan Pomponio, and seconded by Jack Hall. On roll call vote:

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

MEETING DATES:

The Second Monday of every month is reserved for Planning Board Meetings, and the Fourth Monday of each month is reserved for Special Meetings should it be necessary due to large agendas, or special schedules as needed.

A motion to approve the meeting dates as provided was made by Dan Pomponio and seconded by Jack Hall. On roll call vote:

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

At this time, the board professionals were sworn in and listed their credentials on the record.

PUBLIC PORTION:

ADJOURNMENT OF RE-ORGANIZATION:

A motion to adjourn re-organization was made by Chairman MacDonnell and seconded by Mayor Bilella. On roll call vote, all members voted aye.

REGULAR MEETING:

MINUTES:

A motion to approve the minutes from December 14th, 2015 was made by Jack Hall and seconded by Dan Pomponio. On roll call vote, those eligible:

Mayor Bilella	Yes
Nick Maccaroni	Yes
Jack Hall	Yes
Dan Pomponio	Yes
Ron Katkocin	Yes

RESOLUTIONS:

**Case # 15:11-1
Schaeffer Land LLC
Block: 2211 Lots 5.01 & 14
Minor Subdivision**

A motion to approve the resolution for Schaeffer Land LLC was made by Mayor Bilella and seconded by Jack Hall. On roll call vote all eligible members voted aye.

Case # 15:9-1 (Revised)
57th Street Homes, LLC
Block: 519 Lot: 3
Minor Subdivision

A motion to approve the resolution for 57th Street Homes, LLC was made by Jack Hall, and seconded by Dan Pomponio. On roll call vote all eligible members voted aye.

Case# 01:8-28 (Revised)
WaWa, Inc.
Block: 1200 Lots: 2, 3, 5, & 6
Amended Major Site Plan

A motion to approve the resolution for WaWa, Inc. was made by Jack Hall, and seconded by Mayor Bilella.

ZONING OFFICERS REPORT:

NONE

NEW BUSINESS:

Case# 15: 12-2
Alan Blair
211 Cross Keys Rd.
Block: 902 Lot: 10.01
Zone C2
Preliminary/Final Major Site Plan
Completeness

The board secretary informed the board that the applicant has not provided proper notice to the public and will not be heard this meeting. The applicant has requested to be continued to the February meeting.

OLD BUSINESS:

Case# 15:12-1
Wyndam Road LLC
New Freedom Road
Block: 2406 Lot: 25
Minor Subdivision/Bulk Variances

Appearing on behalf of the applicant is David Wollman Esq., and providing testimony is the applicant Charles Insalaco of 1107 Brookview Circle, Marlton, as well as Brian Peterman of Peterman Maxcy Associates professional engineer for the applicant 189 S. Lakeview Drive, Gibbsboro, NJ. Both witnesses were sworn in at this time. Mr. Wollman stated this is a minor subdivision application to create 2 lots at approximately .98 acres each. Mr. Insalaco testified that he has owned the property since 2003 and it is approximately 1.98 plus acres it is in the I-3 zone. Mr. Insalaco stated he was approached by the owners of the Carousel Academy who discussed the needs for a new day care facility. Mr. Peterman presented 2 plans, one is the minor subdivision plan, prepared by Peterman Maxcy Associates, dated 12/1/15 as exhibit A1, and a conceptual site plan, prepared by Peterman Maxcy Associates dated 7/23/14 last revision date as exhibit A2. Mr. Insalaco stated each parcel would conform to the C2 zoning, and the newly proposed uses are less intense than what is permitted in an I-3 zone. Light industrial is not conducive near residential uses. Mr. Insalaco mentioned that bank financing is difficult when dealing with “condo” type uses for commercial offices. Day Care facilities typically need fencing, things of that nature need approval from associations, and the subdivision makes sense here.

Mr. Peterman testified the day care facility is the driving force to this application. The balance of the land would be offices, it would be a transitional use that would be compatible with the area. The Day Care under the zoning ordinance requires ½ acre lot, there would be buffering in the rear of the lot there will be storm water management onsite with parking access. The site plan will be a separate application, the applicant is seeking subdivision approval before he addresses a site plan application. Mr. Peterman stated there is a proposal for a loop driveway to support the use for drop off and pick up of the children, the sites will act together. Mr. Peterman testified he would file the deed with cross easements, and the applicant is in agreement with comments from the board professionals. Day Care use is permitted, variances are required with this application, and at this time we are still anticipating the location of the sewer, and will be part of a future site plan. Mr. Peterman discussed the ordinance referencing set-backs and road frontages, the driveway will be on Wyndam Road since Watsonstown New Freedom is a county road, the residential access would be more appropriate. Upon discussion of the professional’s letters, there are some items that will be deferred to site plan application. Mr. Biegen mentioned there is a specific user the Day Care, and would the site plan be a single site plan application, or would there be 2 applications? Mr. Peterman stated it could be both, maybe phase 1 and phase 2. Ms. Stanley of CME asked about other comparable commercial lots in this area, being concerned with the character of the area. Mr. Insalaco explained there are other commercial lots, and pointed out where the residential lots are. Mr. Pomponio asked for clarification of the application, dealing with only the minor subdivision. Mr. Platt explained there are variances, although none are a Use Variance, and it is a minor subdivision based upon an idea of a Day Care facility proposed site plan. With nothing further from the board, Chairman MacDonnell opened this portion of the meeting up to the public.

Appearing before the board is Bill Bansch of 79 New Freedom Road, Berlin NJ. Mr. Bansch has 5 grandchildren that attend Carousel Academy. It is a first class operation,

but the building is very old, steps in need of repair and overall outdated. He would like to see as much commercial rateables as possible. With nothing further from the public, Chairman MacDonnell closed the public portion. Mr. Platt summarized the application, this is a minor subdivision creating 2 lots, with variances listed on page 2 of the Maser Consulting letter, and page 3 of the CME report. As a condition of approval, the applicant will comply with all comments from the Board Engineer review letter with the exception of comments regarding a site plan, and filing by deed, not plan. Mayor Bilella made a motion to approve the minor subdivision and Mr. Pomponio seconded the motion. On roll call vote:

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

Discussion on Redevelopment/Master Plan

Mayor Bilella explained to the board that as part of the Re-organization of the governing body, 2 resolutions were passed one being an area of needs study. One resolution was given to our planner to have them look at a redevelopment plan Kmart, Owns Corning, surrounding properties, the old Forte property and the Faciola property. Our Master Plan has not been comprehensively looked at in some time, we have areas of zoning where zoning made sense 20 years ago, but is questionable now. This year we are authorized into looking at our Master Plan, an evaluation of the school area, ideas of a more walkable community. One of the discussions is what else we should be looking at, what we want to see. This is a major function of the Planning Board to set the strategic plan for the town, give us direction. The Economic Development Plan will allow us to make decisions on properties that are distressed. Mayor Bilella asked the board to put forth a good significant effort that we take on these responsibilities and put the vision into the town that we need. Where do we want to see the future of our town? Ms. Stanley put together a proposal for a needs study, and a packet of aerials for reference. When a redevelopment need study is done, we put them against criteria of the local redevelopment housing law. There are 8 criteria that have various ranges. To decide we typically do a site study for each location. GIS is reviewed, environmental data, and study area 1 is in the Pinelands. We have to let them know we are undertaking this. We will put together a report, present to the board, then the board will vote to recommend the areas, then send to the governing body, then develop a redevelopment plan. Mr. Platt commented on the redevelopment process, due to the condemnation aspect of the redevelopment process, and the governing body has to determine if it is a non-condemnation plan. Eminent domain is not necessary with this. There will be a complete analysis done. If the property is determined in need of redevelopment, then an

ordinance is created for a zoning overlay. It stays away from spot zoning, in the redevelopment criteria you can give an overlay. If it all goes through correctly, then a developer would come in with a development plan for site plan approval. The only action tonight is to authorize CME to commence an A&R study. A motion was made by Mayor Bilella to authorize CME to conduct an area of need study, and Chairman MacDonnell seconded the motion. On roll call vote:

Mayor Bilella	Yes
Andrew Simone	Yes
Councilman Rocco	Yes
Dan MacDonnell	Yes
Ron Sabatini	Yes
Nick Maccaroni	Yes
Jack Hall	No
Dan Pomponio	Yes
Ron Katkocin	Yes

Mr. Platt stated there are several elements of the master plan. There are optional provisions in a master plan, open space, energy, recreation, etc. Mr. Platt asked Megan to prepare a list of elements for the board. The Planning Board is the only one that approves the Master Plan, then implement ordinances that become the Borough Code. Chairman MacDonnell to distribute a copy of the Master Plan to the board members. Mr. Hall encouraged the board members to research projects in other communities and redevelopments that they have done. Mayor Bilella explained this Master Plan exercise has not been done in many years, we will need more than one public meeting, get the public involved with their concerns of the town. This will be a 6 to 9 month process, and won't have a feel to get started until February, it is a major document for us. Mr. McCall mentioned incorporating the White Horse Pike in the study. Mr. Pomponio commented that whenever possible that we could have more time to review things before voting on something, so we have more time to understand what is in front of us. Mayor Bilella mentioned that the Borough Re-Organization was January 2nd and CME was appointed then, and apologizing there is an urgency in this matter. The Kmart property and Route 73 are daily questions and concerns from residents.

CORRESPONDENCE:

None

PUBLIC PORTION:

None

At this time a motion was made by Mayor Bilella to go into executive closed session, and Chairman MacDonnell seconded the motion. On roll call vote, all members voted aye.

GOOD OF THE ORDER:

Mr. Maccaroni asked about the site plan review committee. Chairman MacDonnell explained the process and what the committee is, and asked for volunteers that may want to get involved, Chairman MacDonnell, and Mayor Bilella both agreed to be available for that committee. Chairman MacDonnell commented on giving everyone more time to think about this and will officially appoint committee members at the next meeting.

ADJOURNMENT OF REGULAR MEETING:

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