

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
April 10th, 2017**

REGULAR MEETING: 7:00PM

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	Class I	Present
Michael McGowan	Class II	Absent
Councilman Dan MacDonnell	Class III	Present
Cynthia Jennings	Class IV	Absent
Ron Sabatini	Class IV	Present
Nick Maccaroni	Class IV	Present
Andrew Simone	Class IV	Present
Dan Pomponio	Class IV	Present
Thomas Dulin	Class IV	Present
Jeannine Schumacher	Alternate # 1	Present
Patricia Cummings	Alternate # 2	Present

REGULAR MEETING:

Chairman Simone informed the board that due to the absences of Ms. Jennings, and Mr. McGowan both alternates will be voting on all applications.

MINUTES:

A motion to approve the minutes from February 13th, 2017 was made by Mayor Bilella and seconded by Dan Pomponio. On roll call vote, those eligible:

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

Thomas Dulin	Yes
Jeanine Schumacher	Yes
Patricia Cummings	Yes

RESOLUTIONS:

NONE

ZONING OFFICERS REPORT:

3-1-17 through 3-31-17 Michael Depalma, Zoning Officer

Mr. DePalma read his report, asked for questions, there are none.

NEW BUSINESS:

**Case# 17:3-2
Hassbro LLC
175 Cross Keys Road
Block: 906 Lots: 1, 2, and 3
Minor Site Plan**

Appearing before the board on behalf of the applicant is Alex Wixted esq. The property is located at 175 Cross Keys Road, and is in the C2 Zone with 3 commercial buildings. Building # 200 is part of Hassman Research Institute, and we are seeking approval for a concrete pad, and 6ft. vinyl fence to assist with compliance for the type of studies the research Institute does. Those providing testimony were sworn in. Joy Kennedy, CFO for Hassbro LLC, and Clifton Quay, Planner and Engineer for Stantec Consulting Land Development Design Group. Mr. Wixted confirmed with Ms. Kennedy that the concrete sidewalk that was installed at the back unit, will be removed, and the applicant will work with the Board Planner for ideas to improve the buffer and screening.

Mr. Quay testified this is a 3 acre site, in a C2 Zone, with 3 buildings with a variety of medical uses. Mr. Quay added that the low hedge row that was removed there is an intention of replanting and adding some evergreen to the buffer. The fence is a 6ft. vinyl fence. Mr. Quay referenced an aerial plan dated 4/10/17 as A-1, and A-2 the minor site plan rendering, and A-3 the Arborvitae hedge row, that it grows 6ft. to 10ft. and he will work with the Board Planner for other onsite areas. All parking faces the building so there is no concern of headlights to the residential area. Mr. Quay requested submission waivers for a landscape plan, a facilities plan, as there are no new uses proposed, and no new buildings, this property is also not in a flood hazard area. Mr. Sabatini asked what the purpose of the pad is. Ms. Kennedy, CFO for Hassman Research stated the pad allows a controlled environment that is also monitored by employees of the research institute. Ms. Kennedy stated they have met with neighbors to hear their concerns with regards to noise, so they are changing their time that no one be outside after 10pm. All lighting will be re-directed to the parking lot, not towards the residences, and the

residents will be involved in the process for esthetics. There are no easements, no covenants, and no restrictions. Mr. Pomponio asked what the other uses are. Ms. Kennedy stated building # 300 is and advocate outpatient study building, and Building # 100 is a dental office and foot doctor.

Mayor Bilella asked if it the applicants testimony that outdoor activity will be restricted after 10pm, and the sidewalk will be removed on Wayside Road side. Ms. Kennedy stated yes. There is ample parking in the general lot, employees and patients will not be parking on Wayside. We will also extend the landscaping to avoid usage of that area. Councilman MacDonnell questioned a similar pad on Wayside Road side, Ms. Kennedy stated that was done in 2014. Mayor Bilella added that there is conjuncture as to what goes on at the facility. Ms. Kennedy stated research for Cholesterol, Diabetes, ADD, depression, etc. The arrival times are during normal business hours, and from 10pm to 6am. There will be restrictions of no outdoors. Chairman Simone asked if the current shrubbery is removed will the replacement be larger and what is the timeline? Mr. Wixted stated no removal until they are ready to install new. This will be done by a professional landscape company. Mr. Pomponio asked if the fences should be solid with no gates? Mr. Wixted stated the gates are for emergency exits.

Mr. Biegen of Maser Consulting asked if the exit in the back is a ramp if it is handicap accessible, and is ADA compliant. Michael Clark of Beacon Construction was sworn in, and placed on the record he is the general contractor and has been in the business for 30 years. Mr. Clark stated the ramp is ADA compliant. Mr. Hess from CME Associates requested that a landscaping plan be submitted for review. Mayor Bilella mentioned that employees walk the neighborhood on their lunch hours, and it is concerning to the residents. Mr. Wixted and Ms. Kennedy confirmed they can address that with the employees. Mr. Sabatini asked if there is a door that leads to each pad, and Mr. Clark confirmed that there is a door that leads to each pad from the building. With no further questions from the board, Chairman Simone opened this portion of the meeting up to the public. No one from the public wishing to speak on the application, the public portion was closed. Ms. Walters summarized the application to be no outside activity from 10pm to 7am. The applicant will work with the board planner to maintain landscaping in good condition, instruct employees to remain onsite, and request for a design waiver of 335-C. Mr. Pomponio made a motion to approve the application, and Mr. Sabatini seconded the motion. All members voted aye, motion carries.

OLD BUSINESS:

None

CORRESPONDENCE:

None

PUBLIC PORTION:

None

GOOD OF THE ORDER:

Chairman Simone addressed the board regarding the next meeting as a special meeting for the Berlin Multi Family LLC application. The board secretary will be sending packets out as soon as possible to give the board time to review prior to the meeting.

Mayor Bilella addressed the forthcoming special meeting, and thanked the board members for their response to their availability. Our COAH obligation is wrapped up with the judgement of repose the for the Master Plan draft for the May Meeting, and June for the public portion for adoption.

ADJOURNMENT OF REGULAR MEETING:

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