

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
August 14th, 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	Present
Councilman Dan MacDonnell	Class III	Late 7:05pm.
Cynthia Jennings	Class IV	Present
Ron Sabatini	Class IV	Absent
Nick Maccaroni	Class IV	Absent
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:

Ms. Schumacher will be voting in place of Mr. Sabatini who is absent.

MINUTES:

A motion to approve the minutes from July 10th, 2017 was made by Dan Pomponio, and seconded by Mike McGowan. On roll call vote, those eligible:

Mayor Jim Bilella	Yes
Michael McGowan	Yes
Cynthia Jennings	Yes
Andrew Simone	Yes
Dan Pomponio	Yes
Thomas Dulin	Yes
Jeanine Schumacher	Yes
Patricia Cummings	Yes

RESOLUTIONS:

Resolution #2017-6

Land Use Element of the Master Plan

A motion to approve the Resolution 2017-6 was made by Mayor Bilella and seconded by Dan Pomponio. On roll call vote, those eligible listed by Cherylynn Walters voted aye.

Case# 17:5-2

Richardson

Block: 2011 Lot: 5

28 Summit Ave.

Bulk C Variance

A motion to approve the variance for Stephanie Richardson was made by Mayor Bilella and seconded by Cynthia Jennings. On roll call vote, those eligible listed by Cherylynn Walters voted aye.

Case# 17:4-1

PB BB, LLC

Block: 1300 Lots 2 & 4

Final Major Site Plan

A motion to approve the Final Major Site Plan for PB BB, LLC was made by Mayor Bilella and seconded by Cynthia Jennings. On roll call vote those eligible listed by Cherylynn Walters voted aye.

Case # 17:5-1

Mark & Caroline Houck

4 Greenleigh Court

Block: 2203 Lot: 7

Bulk C Variance

A motion to approve the resolution for Mark & Caroline Houck was made by Cynthia Jennings and seconded by Mayor Bilella. On roll call vote those eligible listed by Cherylynn Walters voted aye.

Case# 01:8-28

WaWa

401 Route 73 S.

Block: 1200 Lot: 2

Extension of Approval

A motion to approve the resolution for WaWa was made by Dan Pomponio and seconded by Councilman MacDonnell. On roll call vote, those eligible listed by Cherylynn Walters voted aye.

Case # 17: 6-1
Virtua West Jersey
100 Long A Coming Lane
Block: 1805 Lot: 24
Minor Site/ Bulk C Variance

A motion to approve the resolution for Virtua West Jersey was made by Councilman MacDonnell and seconded by Mike McGowan. On roll call vote, those eligible to vote listed by Cherylynn Walters, voted aye.

Case # 17:3-3
India Temple
Block: 1103 Lots: 3 & 4.01
Preliminary and Final Site Plan

A motion to approve the resolution for India Temple was made by Cynthia Jennings And seconded by Mike McGowan. On roll call vote, those eligible to vote listed by Cherylynn Walters, voted aye.

ZONING OFFICERS REPORT:

7-1-17 through 7-31-17 Michael DePalma, Zoning Officer

OLD BUSINESS:

NONE

NEW BUSINESS:

Case # 17: 7-1
DFSB Properties LLC
194 Clementon Road
Block: 609 Lot: 12
Use D Variance

Charles Petrone Esq. appearing on behalf of the applicant. Mr. Petrone mentioned that along with the Use Variance, the applicant is seeking waiver of site plan. Those giving testimony were sworn in. Ryan Sullivan, Assistant Vice President of Delanco Federal Savings. Mayor Bilella and Councilman MacDonnell stepped down from hearing this application as it is a Use Variance. Mr. Sullivan stated that Delanco Federal Savings was

the owner of the property, it was in foreclosure. Mr. Sullivan acquired title to the property on August 4th, 2014, and property has been vacant. The property has been listed the entire time, and been unsuccessful in selling it. Previously the property was used as a nursery. Next to appear is Joseph Russo. Mr. Russo is the contract purchaser of the property. His business is Russo's Landscaping Design located in the Shoppes at Voorhees. Previously Mr. Russo stated he utilized space on this property. Mr. Russo stated he is looking to rent the residential dwelling as a single unit. The parking spaces will be designated for residential as well as the nursery part. There are 6 spaces total, 2 residential, and 4 for nursery. There are 4 employees plus 2 owners, hours of operation are 7:30am to 6pm. Monday through Friday, 5 days per week unless it rains then they work on Saturday. Employees report at 7:30am, mowers are in an enclosed trailer, there are 4 trailers. There are 2, F-550, larger pick up with dump body. The trailers are 14ft, and the landscaping business operates about 8 months out of the year. There is sufficient parking for trailers, trucks, and residential use, along with customers. Mr. Russo testified that he is willing to mark the specific spaces for trucks with trailers. Most of the business is lawn cutting, mulching from April to October, and Mulching is April and May. He also will sell firewood. Mr. Russo testified that he plows snow in the winter months. Employees report to the site, and take the trucks home. Salt is not stored, the trucks have salt boxes on them. Mulch and crushed stone would be stored in and outside concrete bin. There is 1 storage bin proposed 15 x 10. Mulch is delivered by tractor trailer 2 times per month totaling 4 loads for the season. 3 chords of wood would also be stored, it is already split, and picked up by the consumer. Storage would be next to the block framed building, screened by the house, the fence, the shed and greenhouse. The fence is 6ft., and the wood shed is 8-9ft. high. Flats of flowers would be picked up by the consumer they would grow in the greenhouse. Fertilizers would not be stored. The onsite equipment consists of a bobcat type skid steer, and would be stored in front of the mulch bin. No sale of Christmas trees, the nursery is closed in November. The plants sold would be grown on site, and sell during the landscaping business time. It would be 90% landscape, 10% retail. There would be 1 additional employee to run the Nursery 7:30am. to 5pm, 6 days a week Monday through Saturday. Growing is February to October, sales are March/April. Mr. Russo testified there is a well onsite for irrigation purposes, and services all 3 greenhouses, the front building, and office. There is public water and sewer to the residence along with gas. There is no other bathrooms onsite, the intention is to have a port-a-john. Mr. Russo testified that there are no customers onsite, and the existing sign would be a changeable copy. The existing lighting is adequate for the use. Mr. Russo added that the trash collection is not much, and mulch is purchased off site from Camden County Conservation that is delivered 2 times per week. Mr. Russo testified that he existing greenhouses need plastic liners over the frames, minor repairs. The property needs to be cleaned up along with the driveway apron, and cracked sidewalk that Mr. Russo agrees to fix. There will be plantings down the property lines, physical improvements including privacy buffers. There are large pine trees across the rear. The equipment and trucks are at a normal noise level, and repairs or servicing are done in the garage 2-3 times per week, there are no other outside garage repairs. Oils are donated to Ed's Rentals for heating, and all oil is stored in containers.

Ms. Jennings asked where the trucks, and any other equipment be stored when not in use? Mr. Russo stated the trucks would be parked on the crushed stone area, and the plows would be in the garage. Mr. Russo added that pallets of pavers and mulch would be stored outside. The lighting serves both uses for the residential flood light parking, and a light on the block building for the crushed stone area, that would be repaired and replaced. There is a bathroom in the residential dwelling only, a port-a-john would be placed until a bathroom could be installed. Mr. McGowan addressed the equipment, and other storage that would be on the property, and location of the crushed stone. Mr. Russo stated it is an 80ft. section (area) that would hold the outside storage of equipment, and materials. He feels it is large enough.

James Miller, professional planner for the applicant, previous planner for the Borough for a number of years. Mr. Miller testified that this is in the R1 zone, and is surrounded by residential. The lot is 195 x 320 1.35 acres. Mr. Miller stated the applicant is seeking relief from D1 variance, and through testimony can seek relief from D2 variance. This property is suited for this type of use, to promote needs for residents. The landscaping use is often associated with the nursery use. There is adequate parking there are 2 crews, 2 trucks and all activities are off site, with limited impact on the neighbors. This site has the capacity to accommodate this use, with landscaping activities that occur offsite. There is a good match with the scale of the landscaping business, and nursery, along with the residential use. There are no major improvements proposed, some transition with the residential use in the front of the property. This is low impact, and will not change the intensity of the use. There is no detriment to the public good. Mr. Miller testified to the existing buffer, and its condition. There is a substantial row of pine trees along the rear, a stockade fence on both sides, and the front is the residential use. Mr. Clarkin asked how this use is beneficial to the area, and to the Borough. Mr. Miller stated the use provides a service, and it is an appropriate use for the area. Mr. Clarkin asked about the parking on the site. He asked if the trailers stay connected to the trucks, and are parked on the westerly side of the residential structure. Mr. Russo stated yes, the day to day trucks will be parked there. Mr. Clarkin asked how many customers, and where would they park? Mr. Russo stated there are 4 spaces for customers, and when the trucks are gone, they utilize those spaces. The existing greenhouses will be sufficient for the use. Mr. Russo testified that there are 4 total deliveries by tractor trailer for mulch. Bobcat would be stored in the rear. Mr. Biegen questioned the proposed sign. Mr. Russo stated it is a wood sign and would stay the same dimensions. Mr. Biegen stated that there would be a requirement for handicap accessible parking for the retail area. Mr. Biegen addressed that the driveway is also in need of repair, and specific improvements that will need to be shown. Mr. Petrone stated that the survey will be marked up to show any changes.

Ms. Walters asked when the property was marketed, what use was it marketed for? Mr. Sullivan stated it was marketed simultaneously as both commercial and residential. Ms. Walters stated that there was an abandonment issue, as the property has been vacant/abandoned for 3 years. The previous owner walked away from the property with no intent to continue the nursery use. Mr. Petrone commented that it was used as a nursery, there are greenhouses on site, and vacancy is not the equivalent as abandonment. The greenhouses remain, and there was no intent to remove the greenhouses which are

needed for a nursery use. The testimony was given that it would be more of a landscape use vs. a nursery. Mr. Miller commented that there is no substantial change of character, and the non-conformity becomes more conforming. Ms. Walters reminded the board that the application before them is for a Use Variance, and a waiver of site plan that can be voted together or separate. With no questions from the board, Chairman Simone opened this portion of the meeting up to the public.

Appearing before the board is Joe Nocella of 44 S. Arlington. Mr. Nocella testified that since 1993 his parents owned the property, and about 20 years ago both passed away. He and his brother ran the property and 7 years ago his brother passed away, then there was a deed in lieu of foreclosure. At that time, Mr. Nocella wanted to expand the greenhouses, and no variance was granted for the expansion. Mr. Nocella stated that Mr. Russo used to have mulch and firewood previously and was asked to leave the property because of the mess. Mr. Nocella also stated that the port a john was removed because the smell was so bad. Clementon Road now being down to 2 lanes from 4, tractor trailer deliveries, and the 2 trucks with trailers will be a problem for traffic. There is no plumbing for any bathrooms, the only bathroom is at the residential property.

Next to appear before the board is Michael Iuliucci of 100 Maine Ave. His property is across the street. He would have to look at the parked trucks, no site plan about providing a buffer, would be unsightly. Now Clementon Road has become much busier over the years. Kids walk to school as there are no buses in that area. The building is in rough shape, it was being maintained when the tenants lived there. By adding a landscaping business with trucks and trailers is not good for the community. With nothing further from the public, Chairman Simone closed the public portion. At this time, Chairman Simone asked Ms. Walters to provide a re-cap. Ms. Walters stated the application is for relief from a D1 variance to use as an existing Nursery and expand the use to include the landscaping business, a waiver of site plan, the applicant has agreed to comments from Maser Consulting, and questions from CME as well.

Mr. Pomponio asked if the use variance is denied does the site plan become void? Mr. McGowan asked if the use variance is approved, but not the waiver of site plan what is the procedure. Ms. Walters explained. Ms. Jennings made a motion to approve the D1 use variance only, and to come back with a site plan application, Mr. Dulin seconded the motion. On roll call, all members voted aye.

CORRESPONDENCE:

None

PUBLIC PORTION:

None

GOOD OF THE ORDER:

ADJOURNMENT OF REGULAR MEETING:

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