

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
March 12th, 2018**

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
Jeannine Schumacher	Class IV	Present
Ron Sabatini	Class IV	Present
Nick Maccaroni	Class IV	Present
Andrew Simone	Class IV	Present
Dan Pomponio	Class IV	Absent
Thomas Dulin	Class IV	Present
Patricia Cummings	Alternate # 1	Present
Fran Ballak	Alternate # 2	Present

REGULAR MEETING:

Due to the absence of 2 regular members, Mr. Ballak and Mrs. Cummings will be voting.

MINUTES:

Minutes February 12th, 2018

A motion was made by Mayor Bilella to approve the minutes from February 12th, 2018 and Jeannine Schumacher seconded the motion. On roll call vote those eligible all voted aye.

RESOLUTIONS:

**Case# 17:10-2
McGuckin
41 London Ave
Use D Variance**

A motion was made by Tom Dulin to memorialize the resolution for Tina McGuckin, and seconded by Ron Sabatini. On roll call vote those eligible all voted aye.

ZONING OFFICERS REPORT:

2-1-18 through 2-28-18

OLD BUSINESS:

NONE

NEW BUSINESS:

Chairman Simone announced that the Clyde application on the agenda will not be heard due to a notice deficiency and has been placed on the April 9th agenda.

Case# 13:1-1

Berlin Residences LLC

Spring Oaks

Extension of Approval

Appearing before the board on behalf of the applicant is Steve Fabietti, Esq., also appearing is Shalom Kesselman of 2095 W. County Line Road, Ste. 3 Jackson NJ. Mr. Kesselman stated he is the Regional Maintenance Director for Berlin Residences LLC. Mr. Fabietti stated that an approval has been received for 396 S. White Horse Pike for a Site plan with Variances. Resolution was adopted March 10th, 2014. A proposed final and perfected plan was signed in January 2017. Original Council was unavailable to follow through with the request for extension. Applicant is seeking an extension of March 2019 to prepare for construction. Mr. Platt asked if the applicant received preliminary and final Major Site Plan approval at that time? Mr. Platt explained there is 8 years total for preliminary and with final there can be 2 one-year extensions permitted. How does the permit extension act effect this application? Mr. Fabietti stated March 2014 approval was received and MLUL states not to exceed 3 years extension. Mr. Platt stated accordingly the expiration time would be May 2108. Mr. Fabietti stated even with the permit extension act the applicant is in the 3rd and final year from March 2014 to March of 2016 with 3 extensions bringing us to March of 2019. Mr. Kesselman explained that upon waiting for the Vineland project to get started, DCA changed the codes, and it was required for resubmittal to DCA (Department of Community Affairs). Previously local municipalities were permitted to review fire sprinkler plans, and now with the Department of Health being a part of this, the DCA does all reviews. Once plans

are reviewed and approved, permits can be submitted hopefully with in 6 months, but to allow a buffer we are requesting March 2019.

Mr. Meiser of CME Associates, mentioned that under Planning review his only concern is the time frame of approvals, and the board solicitor has clarified that. Mr. Biegen of Maser consulting asked if there were any changes or modifications? Mr. Kesselman stated no. Mr. Biegen addressed an issue with trash, and Mr. Kesselman stated the plan is to have a proper enclosure, Mr. Platt added that each property owner is responsible for the maintenance and clean up regardless of approvals. Chairman Simone mentioned if the application required Pinelands approval or if there is any impact on the Master Plan. Chairman Simone opened this portion of the meeting up to the public, with no one appearing, the public portion was closed. Mr. Platt clarified that the original application was that of a Planning Board function not a Zoning Board function. Mr. Platt summarized the request for extension, Councilman MacDonnell made a motion to approve the extension until March 2019, and Mayor Bilella seconded the motion. On roll call vote:

Mayor Jim Bilella	Yes
Dan MacDonnell	Yes
Jeannine Schumacher	Yes
Ron Sabatini	Yes
Nick Maccaroni	Yes
Andrew Simone	Yes
Tom Dulin	Yes
Patricia Cummings	Yes
Fran Ballak	Yes

CORRESPONDENCE:

None

PUBLIC PORTION:

None

GOOD OF THE ORDER:

ADJOURNMENT OF REGULAR MEETING:

Mayor Bilella made a motion to adjourn the meeting, and Ms. Schumacher seconded the motion, all in favor, meeting adjourned.

Cc: Bill Behnke, Fire Marshall
Stacey DiVello, Escrow Financial Department

Michael DePalma, Construction Official
Terry Stagliano, Tax Assessor
Lou DeMarco, Captain, EMS