

**BOROUGH OF BERLIN  
PLANNING BOARD MINUTES  
August 14th, 2023**

**CALL TO ORDER:**

M. McGowan called the meeting to order at 7:00 PM

**FLAG SALUTE:**

M. McGowan called for everyone to rise and recite the pledge of allegiance to the flag.

**SUNSHINE STATEMENT:**

M. McGowan announced that this meeting is being held in compliance with the Open Public Meetings Act and has been duly noticed and published by law.

**ROLL CALL:**

On roll call vote, the following members answered present to roll call: Mayor R. Miller, Councilman M. Wilkinson, M. McGowan, D Pomponio, F. Ballak, J. Cole,

M. McGowan asked if there were any questions or comments on the minutes for July 10th, 2023, none heard.

**MINUTES:**

A motion to approve the July 10th, 2023, minutes was made by F. Ballak and seconded by D. Pomponio.

**Roll Call:**

Mayor R. Miller - AYE  
Councilman M. Wilkinson -AYE  
M. McGowan -AYE  
D Pomponio -AYE  
F. Ballak -AYE  
J. Cole-AYE

**RESOLUTIONS:**

**Case 23-04  
White Horse Pike/Jackson Road  
Block 1400 Lot 1.12  
Use D Variance  
Site Plan Waiver**

**D. Pomponio stated that on the ‘record of vote for action taken’ on the resolution, his vote needs to be corrected because he voted, nay and on the resolution it states aye. Chairman M. McGowan noted on record that D. Pomponio voted nay. Attorney Chris Norman stated that will be corrected.**

A motion to approve Case No. 23-04 was made by F. Ballak with that minor correction and seconded by J. Cole.

Roll Call:

Mayor R. Miller - ABSTAIN  
Councilman M. Wilkinson -ABSTAIN  
M. McGowan -AYE  
D Pomponio -ABSTAIN  
F. Ballak -AYE  
J. Cole-AYE

**Case 23-05**  
**Gujjar 1, LLC**  
**33 S. White Horse Pike**  
**Block 1108 Lot 1**  
**Amended Application**  
**Use “D” Variance**

A motion to approve Case No. 23-05 was made by D. Pomponio and seconded by J. Cole.

Roll Call:

Mayor R. Miller - ABSTAIN  
Councilman M. Wilkinson -ABSTAIN  
M. McGowan -AYE  
D Pomponio -AYE  
F. Ballak -AYE  
J. Cole-AYE

**Ordinance No. 2023**  
**Redevelopment Plan (Block 1100, Lot 4, 6, 7, 8, 9, and 9.01)**

A motion to approve Ordinance No. 2023 was made by D. Pomponio and seconded by J. Cole.

Roll Call:

Mayor R. Miller - AYE  
Councilman M. Wilkinson -AYE  
M. McGowan -AYE  
D Pomponio -AYE  
F. Ballak -AYE  
J. Cole-AYE

Mayor R. Miller stated that ordinance for the redevelopment Plan is scheduled for the next council meeting. The Borough solicitor is reaching out to the applicant and his attorney to see if he can attend the next council meeting to make a presentation for the public.

**ZONING OFFICERS REPORT:  
JULY**

**Chairman McGowan asked if there were any questions or comments on the July zoning report, none heard.**

**OLD BUSINESS:**

**Closed Session on Berlin Wall Holdings Litigation. (Attorney Client Privilege)**

A motion to go into closed session was made by D. Pomponio and seconded by J. Cole.  
All were in favor.

**CORRESPONDENCE:**

NONE

**GOOD OF THE ORDER:**

NONE

**ADJOURNMENT OF REGULAR MEETING:**

A motion to adjourn the meeting was made by Mayor R. Miller and all in favor at 7:40pm

cc: Bill Behnke, Fire Marshall  
Stacey DiVello, Escrow Financial Department  
Al Hallworth, Construction Official  
Michael Bernardins, CTA Tax Assessor