

**BOROUGH OF BERLIN
PLANNING BOARD MINUTES
June 10th, 2019**

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

REGULAR MEETING:

At this time Class III member Andrew Simone was sworn in.

**SELECTION OF CHAIRMAN
SELECTION OF VICE CHAIRMAN**

Due to all members not being present, the board Solicitor explained that the members absent should be included, and the most senior member would run the meeting. Andy Simone made the motion to appoint Dan Pomponio as temporary acting chairman, and Mayor Bilella seconded the motion. On roll call vote: all in favor.

MINUTES:

Minutes May 13th, 2019

A motion to approve the minutes for May 13th, 2019 was made by Mr. Sabatini and seconded by Mrs. Cummings. On roll call vote, all in favor.

RESOLUTIONS:

CASE # 15:8-3

Lambertista Financial, LLC

110 Route 73

Block: 1100 Lot: 6

Extension of time

A motion to approve the resolution for extension of time for Lambertista Financial LLC was made by Mayor Bilella and seconded by Mr. Simone. On roll call vote, those eligible voted in favor. Motion carried.

CASE # PB19-004

Eric Wolf

5 Columbia Terrace

Block: 2207 Lot: 19

Use D Variance

Bulk Variances

A motion to approve the resolution for Use D Variance, and Bulk C Variances for Eric Wolf was made by Mr. Ballak and seconded by Mrs. Cummings. On roll call vote, those eligible voted in favor. Motion carried.

ZONING OFFICER'S REPORT

NONE

OLD BUSINESS:

NONE

NEW BUSINESS:

CASE# 08:2-20

WaWa

195 W. White Horse Pike

Amended Final Site Plan

Appearing on behalf of the applicant is Duncan Prime Esq. of Prime Law firm. Mr. Prime summarized this application is for the existing WaWa parcel being 3 ½ acres and is in the C2 zone. The existing WaWa is currently open and operating with fuel stations. The store was approved to be 5,589 sq. ft., which has since been reduced in size. The store and fuel pumps have been open and operating for less than 10 years. The store is currently under performing, and this application is for an 1,100 sq. ft. addition, which is still less than what was originally approved on the site plan, the existing trash enclosure

will be reconfigured as well. With the addition WaWa will be losing 6 parking spaces bringing the count of spaces to 48. There are no variances, and no waivers being requested and no modifications to the Gas Canopy.

Those providing testimony were sworn in at this time. Ronald Kloss of Bohler Engineering, he stated his credentials and was accepted as an expert. Nathan Mosley of Shropshire Associates, LLC also stated his credentials and was accepted as an expert. Mr. Kloss testified that the addition would be in the rear of the site, 16 x 68.5ft. The trash enclosure would be modified, the trash compactor would be in its place, and all recycles would be inside. The loading zone would be relocated to the right of the building, making WaWa lose 6 parking spaces on the right side. Currently there are 54 spaces, this project would make it 48 spaces. The Air machine will be handicap accessible with accessible parking. 95 to 100 ft. of sidewalk will be replaced with compliant handicap accessible ramps, and there will be no changes in impervious coverage.

Nathan Mosley testified regarding his traffic report submission. Mr. Mosely testified that no NJDOT permit or approval is required. The right side of the parking lot will go from 17 to 11 spaces. At the peak hours parking is 37 vehicles, so there is more than enough parking to accommodate during peak times. Mr. Biegen of Maser Consulting commented on his review letter. The stormwater is existing and may need to clean out debris from the inlets. Mr. Biegen also commented on the restricted parking in the rear for the law firm that is 13 spaces from 8am to 6pm. That will drop the parking to even less than the proposed 48 spaces. Mr. Prime commented that the spaces are used mostly in the morning and included those cars in the overall count. The 37 cars included all spaces except the cars at the gas pumps. Mr. Simone asked what the timeline of construction would be.

Joe Campbell preconstruction coordinator for WaWa was sworn in. Mr. Campbell testified there is a 32 -day period beginning of October, work around the clock for the first week, then lessen the 2nd week to 6am to 5pm., totaling about 4 weeks. Mayor Bilella asked if this addition will generate additional employees and Mr. Campbell stated no. Mr. Ballak asked about accidents onsite, and when was the traffic study completed. Mr. Mosley commented the study was done on June 7th, 6:30am. to 9am, and again 11am to 4pm. The original study was done in 2008. Mr. Pomponio asked for some clarification on the application. Mr. Ballak asked about no parking signage for the loading zone. Mr. Prime stated that title 39 has been granted to the Borough. With nothing further from the board, Mr. Pomponio opened this portion of the meeting up to the public.

Debra Orem of 38 Dover Ave was sworn in. Ms. Orem stated she lives directly behind the loading zone. The addition will make it a smaller more confined area, and traffic backs up in the lot. She has witnessed cars in the lot prior to 6am. She asked how this project will effect the burms that currently have dead trees. Mr. Mosley stated the parking in the rear will stay the same. Ms. Orem stated the constant loading and unloading there is always meetings in the back, it's disturbing. With no one else from the public, Mr. Pomponio closed the public portion. Mayor Bilella commented that the burm

and dead trees needs to be addressed. Mr. Prime suggested to send the Zoning Officer. Mr. Norman the board solicitor summarized the application and testimony. Mr. Pomponio made a motion to approve the application, Mr. Sabatini seconded. On roll call vote: AIF motion carried.

19-005

Doug Sanders

15 Monmouth

Bulk C Variance

Mr. Sanders was sworn in and gave testimony. He is proposing a 792 sq. ft. detached garage to be set back 8ft. where 20ft. is required in the rear. The garage will be 14ft. in height dimensions are 22 x 36. The house is 2900 sq. ft. and the lot is .9 acres. Mr. Sanders testified he wants the garage for additional storage. There will only be one single garage door, and no driveway. Mr. Simone asked the applicant to describe the 3 sides of his property. Mr. Sanders stated the current driveway is off Monmouth, the property does not have a side entrance. The proposed area for the garage has been cleared, and behind the tree line is a basin. Mr. Sabatini asked what the distance from the house to the garage is. Mr. Sanders testified 22ft. from the back corner and will be parallel with the house. The garage will have a man door. Mayor Bilella asked if it's a 2 car garage, why not connect it to the driveway? Mr. Sander testified he will pour and expand the existing driveway 22ft. x 16ft. The gas line for the pool is on that side of the house and was looped out, and back to the pool. Mayor Bilella asked about shifting the garage 10ft. to make an 18ft. set back. Mr. Ballak added that the front of the garage only one corner needs a variance. Mr. Ryker asked what the current driveway width is, and Mr. Sanders stated 12ft. Mr. Sanders submitted Exhibit A1 revised survey dated 6/12/18. Mr. Sanders testified that he is adding a bathroom for a pool house inside the garage. Mayor Bilella added by shifting the location it reduces the variance. Mr. Biegen questions the location and lot coverage. He did a quick measurement. With nothing further from the board, Mr. Pomponio opened this portion of the meeting up to the public.

Anthony Covello of 5 Stephanie Court was sworn in. Mr. Covello stated that location is a question. The plan is not to scale, and the rear corner is 70.9ft. minus the 20ft. side yard set-back. There would be 30ft. between the garage and the house. The applicant has not proven that the lot is narrow or shallow or exceptionally shaped, its not a perfect rectangle, but it is the largest lot in the subdivision. There are no exceptional topo graphics, and no unique physical features. The location of the pool and the gas line are both self created. There are no extra ordinary conditions on the lot all required for a C1Variance, and a C2 Variance should represent better planning. Mr Sanders testified there would be no heat, no air, but he intends on installing electric for lights.

Next is Kathleen DeCicco of 3 Stephanie Court, also sworn in. Her only question was if the garage will match the house, and Mr. Sanders testified yes it will. Mr. Biegen added that the applicant would be within the allowable 35% allowable lot coverage and will not need a variance for that. Mayor Bilella commented that by averaging the distance to the

property line being 15 ft., if you move it 5ft. the average is 20ft. Mr. Sanders agreed to move the garage 5ft. closer to the house, and as a condition of approval there would be no heat and no air. Mr. Norman summarized the application the applicant is requesting a 13ft. set back minimum, will be parallel with the house, and will not be climate controlled, color will match the house, and will not be used for habitability. Mr. Ballak made a motion to approve the application, Mr. Simone seconded. On roll call vote, AIF motion carried.

CORRESPONDENCE:

None

PUBLIC PORTION:

None

GOOD OF THE ORDER:

Chris Dochney of CME addressed the Historic Preservation and Economic Development portion of the master plan being about 50% complete. The downtown revitalization committee will be invited to hear and review the presentation at our next board meeting in July as there are currently no other pending applications.

ADJOURNMENT OF REGULAR MEETING:

Mr. Ryker made a motion to adjourn the meeting, and Mr. Ballak seconded the motion, AIF, meeting adjourned.

Cc: Bill Behnke, Fire Marshall, Administrator
Stacey DiVello, Escrow Financial Department
Michael DePalma, Construction Official
Terry Stagliano, Tax Assessor
Lou DeMarco, Captain, EMS