

SEPTEMBER 13, 2011
REGULAR SCHEDULED MEETING
OF THE
PLANNING AND ZONING BOARD

**LET THE RECORD REFLECT THAT THE MEETING
WAS HELD AT 135 ROUTE 73 SOUTH.**

CHAIRMAN

**CH. SIMONE OPENED THE MEETING WITH THE OPEN
PUBLIC MEETINGS STATEMENT SEPTEMBER 13, 2011 AT 6:30 PM
FOLLOWED BY THE SALUTE TO THE FLAG.**

ROLL CALL

MR. RIEBEL	P
MR. ROWAN	P
KELLEY MCCAULEY	P
MAYOR MAGAZZU	P
CH. SIMONE	P
MR. DEPALMA	P
MR. DEGEORGE	P
V. CH. MCHENRY	P
COUNCIL PRESIDENT	
MORRIS	ARRIVED @ 6:40
MR. PANTANO	P
MR. EPIFANIO	P
MR. BALISKI	P

HJ PETROLEUM

**MR. ROBERT BORBIE IS THE ATTORNEY FOR THIS APPLICATION AND IS
REQUESTING A CONTINUANCE, AND IS REQUESTING THAT HIS CLIENT
WILL NOT HAVE TO NOTIFY THE OWNERS WITHIN 200 FEET, BUT WILL
RE-ADVERTISE IN THE NEWSPAPER FOR THE NEW MEETING DATE
WHICH WILL BE 10-25-2011. MR. BORBIE EXPLAINED TO THE BOARD
THAT THE REASON FOR THIS CONTINUANCE IS ON AUGUST 31, 2011 A
NOTICE WAS SENT TO THE COURIER POST FOR PUBLICATION, A FAX
CONFIRMATION WAS RECEIVED, A WEDNESDAY REQUEST MEANS
THAT THEY WILL PUBLISH ON FRIDAY, THEY NEVER RAN THE ADD
UNTIL MONDAY SEPTEMBER 5, 2011.**

**MR. DAVE ROWAN THE BOARD ATTORNEY CONFIRMED THAT HIS
APPLICATION IS BEING CONTINUED UNTIL OCTOBER 25, 2011, AND
THAT THE APPLICANT DOES NOT NEED TO RE-NOTICE THE
NEIGHBORS WITHIN 200 FEET, BUT WILL REPUBLISH IN THE
NEWSPAPER. MR. ROWAN ALSO WANTED THE BOARD TO KNOW THAT
HJ PETROLEUM IS A CLIENT OF HIS AND AT THE MEETING OF
OCTOBER 25, 2011 WE WILL HAVE A CONFLICT ATTORNEY SIT IN ON
THIS APPLICATION.**

RESINTECH

**CONTINUED FROM THE AUGUST 9TH MEETING
MINOR SITE PLAN APPLICATION AND USE VARIANCE
160 COOPER ROAD
BLOCK 1101, LOT 17**

**MITCHELL GRAYSON IS THE ATTORNEY FOR THIS APPLICATION. HE
EXPLAINED THAT APPROXIMATELY ONE YEAR AGO THE BOARD
APPROVED 10 ROWS OF SOLAR PANELS, AND THEY ARE BACK BEFORE**

THE BOARD TO AMEND THE SITE PLAN APPROVAL AND EXPAND THE USE APPROVAL TO PERMIT ADDITIONAL PANELS.

MR. DAVE ROWAN SWORE IN ALL OF THE WITNESSES FOR THIS APPLICATION.

BRIAN PETERMAN – PROFESSIONAL ENGINEER FOR THE APPLICANT CAME FORWARD ON BEHALF OF THIS APPLICATION. MR. PETERMAN STATED THAT THEY ARE IN RECEIPT OF THE ENGINEER'S AND THE FIRE MARSHALL'S REVIEW LETTER. HE ALSO STATED THAT THIS APPLICATION WILL REQUIRE SOME DESIGN WAIVERS SUCH AS THE SITE LIGHTING WHICH IS NOT REQUIRED FOR SOLAR, AN ADJUSTMENT WITH THE BUFFER, A REDUCTION OF THE DRIVE ISLE AND WHATEVER THE BOARD RECOMMENDS.

MR. PETERMAN BROUGHT FORWARD MR. NOAH CHRISTY WHO WILL BE THE CONTRACTOR OF PHASE 2. MR. CHRISTY EXPLAINED THAT PHASE 2 OF THE SOLAR IS NEARLY IDENTICAL TO PHASE 1. HE ALSO EXPLAINED TO THE BOARD MEMBERS THE SIZE, HEIGHT, MECHANICAL OPERATIONS AND THE NOISE LEVEL, WHICH HE STATED IS EQUAL TO THE LEVEL OF A NORMAL CONVERSATION AND THE CLOSEST NEIGHBOR, IS 150 FT AWAY AND IN HIS OPINION IT WILL BE INAUDIBLE. MR. CHRISTY STATED THAT THE SOLAR PANELS FACE SOUTH SO IF THERE IS ANY LIGHT REFLECTION IT WOULD GO TOWARDS RESINTECH. HE STATED THAT SOLAR PANELS DO NOT CARRY ANY HEALTH RISKS, NO SAFETY CONCERNS; THEY DO NOT PUT OFF RADIATION, NOTHING HAZARDOUS.

CH. SIMONE ASKED WHAT IS THE LIFE EXPECTANCY OF THE SOLAR PANELS.

MR. CHRISTY REPLIED THAT TYPICALLY 15 YEARS, BUT IN HIS OPINION 30 YEARS.

THE PARCEL IS LOCATED WITHIN THE C-2 COMMERCIAL ZONE. THE PROPOSED SOLAR PANEL FIELD IS NOT A PERMITTED USE WITHIN THIS ZONING DISTRICT. THE USE HAS BEEN DETERMINED TO BE "INHERENTLY BENEFICIAL". AS WITH THE PREVIOUS APPLICATION FOR THE EXISTING SOLAR FIELDS, I BELIEVE THAT THE APPLICANT MUST OBTAIN A USE VARIANCE TO PERMIT THE EXPANSION OF THIS NON-CONFORMING USE.

OPEN AND CLOSE
TO THE PUBLIC

A MOTION TO OPEN THE MEETING TO THE PUBLIC WAS MADE BY MR. PANTANO AND SECONDED BY MR. EPIFANIO.

THERE WAS NO ONE IN THE PUBLIC TO COME FORWARD. A MOTION TO CLOSE THE MEETING TO THE PUBLIC WAS MADE BY MR. DEGEORGE AND SECONDED BY MAYOR MAGAZZU.

MOTION
USE VARIANCE

A MOTION TO GRANT THE EXPANSION OF A USE VARIANCE WAS MADE BY MR. DEGEORGE AND SECONDED BY MR. MCHENRY. THIS MOTION WAS CARRIED OUT BY ROLL CALL WITH AN ABSTENTION MADE BY MR. BALISKI.

*MOTION
SITE-PLAN*

A MOTION TO APPROVE THE SITE PLAN WITH THE CONDITIONS AND WAIVERS THAT WERE OUTLINED BY THE BOARD SOLICITOR WAS MADE BY V. CH. MCHENRY AND SECONDED BY MR. DEGEORGE. THIS MOTION WAS CARRIED OUT BY ROLL WITH AN ABSTENTION MADE BY MR. BALISKI.

*INFORMAL
GB COLLECTS*

*GB COLLECTS
145 BRADFORD DRIVE
WEST BERLIN NJ 08091
BLOCK 1203, LOT 5*

MR. GEORGE BRESSLER CAME FORWARD AND STATED TO THE BOARD HE IS THE CEO AND PRESIDENT OF BRESSLER BOYS AND GB COLLECTS. HE IS BEFORE THE BOARD ON AN INFORMAL BASIS REGARDING AN ADDITION TO HIS LOCATION.

THE CURRENT BUILDING IS 6706 SQUARE FEET AND MR. BRESSLER IS PROPOSING A 6400 SQUARE FOOT ADDITION AN EXPANSION OF HIS PARKING ALONG WITH SITE IMPROVEMENTS.

MR. PETERMAN WHO WILL BE THE ENGINEER FOR THIS APPLICANT STATED THAT AN APPROVAL WAS GRANTED ROUGHLY IN 1992 WITH A 60 % IMPERVIOUS COVERAGE. MR. PETERMAN IS LOOKING FOR SOME DIRECTION WITH RESPECT TO THE STORM WATER REGULATIONS. THIS ADDITION WILL BRING ABOUT 40 JOBS WITHIN THE COMMUNITY.

THERE WAS MUCH DISCUSSION WITH THE DRAINAGE BASINS AND OUTLETS. MR. RIEBEL STATED THAT THE APPLICANT WILL HAVE TO DEMONSTRATE THAT THEY ARE MANAGING THE WATER UNDER THE CURRENT STORM WATER LAWS.

PUBLIC PORTION

A MOTION TO OPEN THE MEETING TO THE PUBLIC WAS MADE BY MAYOR MAGAZZU AND SECONDED BY MR. EPIFANIO.

THERE WAS NO ONE IN THE PUBLIC TO COME FORWARD. A MOTION TO CLOSE THE MEETING TO THE PUBLIC WAS MADE BY MAYOR MAGAZZU AND SECONDED BY MR. EPIFANIO.

ZONING OFFICER

NOTHING TO REPORT

RESOLUTION

THE FOLLOWING RESOLUTIONS WERE MEMORIALIZED:

*2011-24 SAHARA SAM'S OASIS
 535 NORTH ROUTE 73
 WEST BERLIN, NJ 08091*

*ADMINISTRATIVE AMENDMENT FOR THE EXTENSION
OF ORNAMENTAL FENCE.*

MR. RIEBEL STATED TO THE BOARD THAT THE PINELANDS IS PUSHING THE TOWN TO ADOPT ORDINANCE 2011-21, AMENDING ZONING FOR THE PINELANDS AREA IN BERLIN TOWNSHIP.

THE PINELANDS IS REQUIRING AMENDMENTS TO THE ZONING ORDINANCE, AS A RESULT OF RECENT AMENDMENTS TO THE PINELANDS COMPREHENSIVE MANAGEMENT PLAN, REGARDING DEFINITIONS, RESIDENTIAL CLUSTERING PROVISIONS, WETLANDS MANAGEMENT AND FORESTRY.

MR. RIEBEL STATED THAT MAYOR AND COUNCIL HAVE INTRODUCED THIS ORDINANCE AT THERE MEETING HELD ON SEPTEMBER 12, 2011, AND HAVE NOW REFERRED IT TO THE PLANNING BOARD FOR THERE REVIEW AND RECOMMENDATIONS.

MOTION

A MOTION TO MAKE A MOTION OF RECOMMENDATION WAS MADE BY V. CH. MCHENRY AND SECONDED BY MR. DEGEORGE. THIS MOTION WAS CARRIED OUT BY VOICE VOTE.

ADJOURNMENT

A MOTION TO ADJOURN THE MEETING WAS MADE BY CH. SIMONE AND SECONDED BY MAYOR MAGAZZU. THE MEETING ADJOURNED AT 8:00 PM.