

RESOLUTION NO. 2013-7

Applicant: Harmonson Stairs, LLC

Property: 301-321 Pinedge Drive
Block 2602, Lot 3

Zone: C2-I Zoning District

Application: Minor Site Plan Approval with Variance (Final)

**RESOLUTION OF THE BERLIN TOWNSHIP PLANNING/ZONING BOARD
GRANTING FINAL MINOR SITE PLAN APPROVAL WITH VARIANCE AND
CONDITIONS**

Whereas: The Applicant, Harmonson Stairs, LLC., is the intended occupant of a portion of the lands and premises situate at 301-321 Pinedge Drive, Block 2602, Lot 3; and

Whereas: The Applicant has submitted a Minor Site Plan dated November 28, 2012 prepared by Richard J. Clemson, P. E., and a plan of Alterations to Warehouse Building dated November 29, 2012, prepared by Ronald Faul, R.A.; and

Whereas: The Site Plan submitted by the Applicant has been reviewed by the Township of Berlin Engineer, who by review letter dated December 6, 2012 made certain comments and recommendations; and

Whereas: The Applicant gave testimony as to the nature of the business to be located at the site and the possible future expansion of the building at the location; and

Whereas: The Applicant agreed to certain recommendations and requirements set forth in the Review Letter date December 6, 2012; and

Whereas: It has been determined that the intended use of the Applicant at the location is a permitted use within the C2-I Zoning District.

Whereas: There was no opposition by the public to the Minor Site Plan of the Applicant.

NOW THEREFORE, BE IT RESOLVED, that after hearing and considering the testimony of the Applicant and experts on behalf of the Applicant, review of the plans submitted and considering the recommendations of the Township Engineer, and determining that the granting of the minor site plan approval with variances does not materially affect the purpose or intent of the applicable zoning ordinances, the Planning/Zoning Board of the Township of Berlin has made the following determinations:

1. The intended use of the Applicant at the location is a permitted use within the C2-I Zoning District. It has been determined that the existing outdoor storage of irrigation and piping materials by one of the tenant units of the property is a pre-existing, non-conforming use and thereby requires no variance for its continued use, however an expansion of this outside storage area shall not be permitted.

2. The Applicant is granted final approval of the Minor Site Plan dated November 28, 2012, as prepared by Richard J. Clemson, P.E., subject to the following conditions:

A. The Applicant shall install temporary trash enclosures, as per the recommendations of the Engineer for the Planning/Zoning Board, for the use of the existing tenants and for any waste generated by the Applicant at the site. The Applicant shall construct fences, as per the recommendations of the Engineer for the Planning/Zoning Board, which will screen view of the trash enclosures and existing out-

door storage area used by Atlantic Irrigation from Commerce Lane.

B. The Applicant shall repair the failures in the existing paved areas as per the recommendation of the Engineer for the Planning/Zoning Board.

C. The Applicant shall repair and/or replace any exterior lighting fixtures so that such fixtures are in proper working order.

D. The Applicant shall top coat the existing exterior paving, with the exception of those areas which may be disturbed by future expansion of the building.

E. The operation of the Applicant's business shall not be permitted to exceed acceptable sound levels as may be established by the State of New Jersey.

F. The Applicant shall paint or place stop lines and stop signs at all exit lanes at the intersection with any abutting streets.

G. The Applicant shall install a curbed grass island within the right-of-way of Pinedge Drive between the two curb depressions.

H. The Applicant shall replace the concrete curb, where it is missing near the type "B" inlet within the parking along Commerce Lane, and shall epoxy all chipped curbing.

I. The Applicant shall paint line stripping, diagonal lines and "No Parking" along the drive aisle along Pinedge Drive frontage, between the handicap space aisle and the corner of the existing landscape planter, at the northwest corner of the building.

J. The Applicant shall comply with Section 77-85G which provides that a five (5) foot wide shade tree easement shall be deed to the Township of Berlin.

K. The Applicant shall add topsoil and seed the grass strip along Commerce Lane.

L. The Applicant shall comply with any other recommendations set forth in the Review Letter dated December 6, 2012, to which the Applicant agreed at the time of the

hearing.

M. The Applicant agrees that certain items contained in the Review Letter dated December 6, 2012 will be deferred until the Applicant makes an application for the expansion of the existing building.

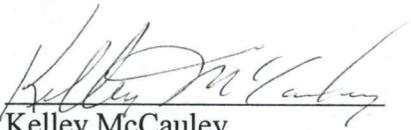
N. The Applicant shall comply with the recommendations and requirements of the Fire Marshall as set forth in that certain letter dated February 7, 2012.

3. The Applicant is granted a variance from the requirements of Section 129-60A(5)(a) of the Zoning Ordinance which requires a building front set back of forty (40) feet in C2-I Zoning District, so that the present building, as built at the northwest corner along Pinedge Drive shall be permitted to be located and maintained within 29.6 feet of Pinedge Drive.

3. The Applicant is granted a waiver from the requirement that sidewalks be installed along all streets fronting a building, so that the Applicant shall not be required to install sidewalks along Pinedge Drive or Commerce Lane.

4. This approval shall be subject to any and all other approvals required to be obtained by the Applicant, including any Federal, State, County or Local Agency approvals.

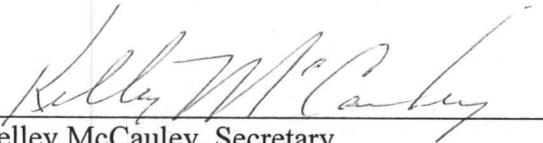
Attest:


Kelley McCauley
Secretary

Township of Berlin Planning/Zoning Board


Andrew Simone
Chairman

The undersigned, Secretary of the Township of Berlin Planning/Zoning Board, hereby certifies that the above is a true copy of a resolution adopted by the Board on the 24th day of January, 2013.



Kelley McCauley, Secretary
Township of Berlin Planning/Zoning Board