

RESOLUTION NO. 2012-8

Applicant: H2O Entertainment Group LLC
Property: Block 1002 Lot 1.01 and Block 1101 Lot 16
545-549 and 535 Route 73 North
Zone: C-2 Highway Commercial

Application for minor subdivision - with lot consolidation

RESOLUTION OF THE BERLIN TOWNSHIP PLANNING/ZONING BOARD
GRANTING APPLICATION FOR MINOR SUBDIVISION TO
CREATE TWO LOTS - WITH LOT CONSOLIDATION

APPLICATION IS APPROVD

WHEREAS. On October 25th 2010, the above application was considered by the Planning/Zoning Board of the Township of Berlin, Camden County, New Jersey, for a minor subdivision to create two lots, one lot will be consolidated with an existing lot occupied by Sahara Sam's Indoor Water Park (Block 1101 Lot 16). The applicant was represented by Brian Guest Esq., and

WHEREAS. The Planning Board having received a plan for the minor subdivision, and the Plan being prepared by Robert Scott Smith P.L.S., P.P. of Key Engineers Engineers, dated 10/10/11, and the plan having been reviewed by the Board's engineer Charles J. Riebel Jr., P.E., P.L.S., P.P., C.M.E, with a report submitted and dated October 20th 2011, and

WHEREAS. The Board has determined that the application was properly before the Board with notice and publication being submitted.

WHEREAS. The Board received all the testimony and has further determined;

- a) The applicant proposes to subdivide property owned by Future Fitness, known as block 1002 lot 1.01 into two lots. The applicant has submitted documentation that Future Fitness has consented to the subdivision.
- b) The applicant proposes to consolidate one subdivided lot with the lot owned by the applicant (block 1101 lot 16). Due to the intended consolidation of the lot, the application does not create any non-conforming conditions.
- c) The property in question contains the storm water retention basin, which services the Future Fitness site and improvements located thereon. The applicant testified that the applicant would assume maintenance of the storm water basin once the lot is consolidated. The applicant also presented testimony that the applicant was considering this consolidated

lot for additional parking for their site. The applicant recognized that any additional improvement and use of the consolidated lot, other than storm water retention basin would require application to the Board.

d) There was further discussion on the necessity of a storm drainage easement recorded granting the drainage discharge of storm water into the basin from the Future Fitness site. The applicant agreed to submit the form of easement for review by the Board's engineer and attorney and to properly record the easement with the Camden County Clerk's Office.

e) There was also discussion of the need for the recording of a sanitary sewer main easement as part of the improvements on the site as it relates to Future Fitness and the applicant's property. The applicant agreed to follow-up on this easement preparation and recording, with copies to the Board's engineer and attorney.

f) There was also discussion on the location of underground conduit and wiring for site lights located on the Future Fitness site. The applicant agreed that this would be reviewed and any necessary easement would be prepared and recorded at the Clerk's Office, with copies to the Board engineer and attorney.

f) The applicant testified that he has received and reviewed the report filed by the engineer for the Board, dated October 20th 2011, and will comply with the comments contained in the report.

g) That there was no opposition presented at the public portion.

h) The Board determined that the approval of the application presents no substantial detriment to the public good as well as no substantial deviation from the intent and purpose of zoning.

NOW THEREFORE, after considering the foregoing, it is herein RESOLVED that the above application for a two lot minor subdivision, with a consolidation of lot with the lot owned by the applicant, as shown on the submitted plan, be and is hereby GRANTED.

BE IT FURTHER resolved that as a condition of this approval, the applicant Agreed as follows;

a) The applicant will prepare and record a storm water drainage easement granting the drainage discharge of storm water into the basin, now located on the applicant's property, from the Future Fitness site.

b) The applicant will prepare and record a sanitary sewer main easement as part of the improvements on the site as it relates to Future Fitness and the applicant's property.

c) The applicant will prepare and record an easement for underground

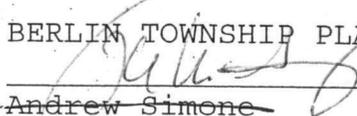
conduit and wiring for site lights located on the Future Fitness site.

BE IT FUTHER Resolved that the applicant must comply with any and all applicable recommendation contained in the report filed by the Board's engineer dated October 20th 2011 as well as Federal, State and County and Local laws, rules and regulations.

ATTEST:


KELLY MCCAULLY
Secretary

BERLIN TOWNSHIP PLANNING/ZONING BOARD


~~Andrew Simone~~
Chairman


FRANK McHENRY

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Berlin Township Planning/Zoning Board at a meeting held on October 25th 2011.


KELLY MCCAULLY, Secretary
TOWNSHIP OF BERLIN
PLANNING BOARD