

RESOLUTION NO. 2011-19

Applicant: Yashraj Shabd

Property: 594 Route 73 South
Block 1001, Lot 5.01

Zone: C-1 Highway Commercial Zone

Application: Minor Site Plan with Expansion of Non-Conforming Use Variance

Whereas: the Applicant, Yashraj Shabd, is the occupant/tenant of the lands and premises situate at 594 Route 73 South Block 1001, Lot 5.01 on which the Applicant operates a Shell Oil Service Station and car wash; and

Whereas: The Applicant has requested an expansion of the present use, which is a non-conforming use for which relief was previously granted, in order that the applicant may operate an ancillary business at the site and install a liquid propane tank at the site and in accordance with the plan prepared by Chestmont Engineering dated March 8, 2010 and

Whereas: by Review Letter dated March 16, 2011 prepared by Charles J. Riebel, Jr., Township Engineer, made certain recommendations and comments to which the Applicant agreed to revise his plan; and

Whereas: the Applicant has agreed to revise the site plan in accordance with various items set forth in the review Letter dated March 16, 2011; and

Whereas: the Planning/Zoning Board has given careful consideration of the application and testimony of the Applicant, and it appearing that no member of the public appeared in opposition to the relief requested by the Applicant, and it further appearing that

the grant of such use variance does not conflict with the intent of the zoning ordinance which sets forth the permitted uses within a C-1 Highway Commercial Zone,

NOW THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Township of Berlin as follows:

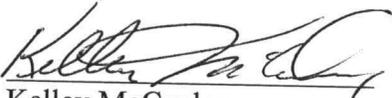
1. The Applicant is granted a use variance in order to expand the existing non-conforming use and shall be permitted to install a liquid propane tank on the premises in accordance with the site plan submitted, subject to the following conditions:

a. The Applicant shall place the proposed propane tank on a concrete pad to be installed at the site. The concrete pad shall be a least 10 feet wide by 30 feet long. The applicant shall also install a concrete service walk at the propane tank location and in accordance with the recommendation of the Township Engineer.

b. The Applicant shall comply with Items 4a., 5a., 5b., 5c., 6., 9, 11a., 11b., 12., 13 and 16 as set forth on the Review Letter dated March 16, 2011 as prepared by Charles J. Riebel, Jr., Township Engineer, and shall revise the site plan accordingly. The applicant shall also remove the 55 gallon steel drum along the rear of the existing pave area.

c. Subject to any and all State, County or Local government approvals which may be required.

Attest:


Kelley McCauley,

Township of Berlin Planning/Zoning Board


Andrew Simone, Chairman

Secretary

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 May, 2011.


Kelley McCauley, Secretary
Township of Berlin Planning/Zoning Board