

APRIL 12, 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 APRIL 12, 2011 AT 5:00 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	ARRIVED @ 5:14
V. CH. MCHENRY	A
COUNCIL PRESIDENT	
MORRIS	A
MR. PANTANO	P
MR. EPIFANIO	A

JOHN LONGO

**311 HARRISON AVENUE
WEST BERLIN, NJ 08091
BLOCK 811, LOT 1.05**

**MR. JOHN LONGO CAME FORWARD TO PRESENT HIS VARIANCE
APPLICATION TO THE BOARD. HE DID EXPLAIN THAT HE WOULD BE
PUTTING AN 8 FOOT ADDITION TO HIS KITCHEN AND BATHROOM
AND WOULD REQUIRE A 3FT VARIANCE IN THE REAR YARD. THIS
ADDITION WILL ONLY BE ONE STORY AND NO HIGHER THAN HIS
EXISTING ROOF LINE.**

**OPEN AND CLOSE
TO THE PUBLIC**

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

**THERE WAS NO ONE IN THE PUBLIC TO COME FORWARD ON THIS
APPLICATION.**

**A MOTION TO CLOSE THE MEETING TO THE PUBLIC WAS MADE BY
MAYOR MAGAZZU AND SECONDED BY MR. PANTANO.**

MOTION

**A MOTION TO APPROVE THIS APPLICATION FOR A 3 FT REAR YARD
VARIANCE WAS MADE BY MAYOR MAGAZZU AND SECONDED BY MR.
PANTANO. THIS MOTION WAS CARRIED BY ROLL CALL.**

YASHRAJ SHABD
SHELL GAS STATION

594 ROUTE 73 SOUTH
WEST BERLIN, NJ 08091
BLOCK 1001, LOT 5.01

MR. ROWAN SPOKE WITH MR. ROBERT BORBIE THE ATTORNEY FOR THIS APPLICATION AND EXPLAINED THAT WE DO NOT HAVE ENOUGH ELIGIBLE MEMBERS TO VOTE.

AT THE MARCH 22, 2010 IT WAS DETERMINED THAT THIS APPLICATION WILL REQUIRE A USE-VARIANCE AND AT THAT MEETING THERE WERE NOT ENOUGH MEMBERS ELIGIBLE TO VOTE, SO THE APPLICATION WAS CONTINUED TO TONIGHT'S MEETING APRIL 12, 2011 AND WE DO NOT HAVE ENOUGH ELIGIBLE MEMBERS THAT CAN VOTE. THIS APPLICATION WILL BE CONTINUED TO MAY 10, 2011 MEETING.

MAGIMA LLC

157 COOPER ROAD
WEST BERLIN, NJ 08091
BLOCK 2502, LOT 7.02

MR. ROBERT WASHBURN THE ATTORNEY FOR THIS APPLICATION ALONG WITH JERRY SILVI THE MANAGER OF MAGIMA LLC, JACK GRAVLIN THE ENGINEER AND MR. KIRK WYNN THE PROPOSED BUYER ALL CAME FORWARD AND WERE SWORN IN BY MR. DAVE ROWAN.

MR. ROWAN STATED ON RECORD THAT A REQUEST WAS MADE FOR A 200' FOOT PROPERTY OWNERS LIST AND THE LIST THAT WAS PROVIDED HAD AN ERROR WITH THE BUSINESS WEMTJ LLC., PROPERTY ADDRESS BEING 153 COOPER ROAD UNIT C, WEST BERLIN, NJ 08091. THE BOARD SECRETARY IN PREPARING THE LIST PROVIDED THE ADDRESS AS 152 COOPER ROAD UNIT C, WEST BERLIN, NJ 0809. THE BOARD SECRETARY WAS ADVISED BY THIS BUSINESS THAT THEY DID NOT RECEIVE NOTICE BY MAIL A BUT WERE NOTICED ABOUT THE HEARING BY A NEIGHBOR AND THEY WANTED TO VOICE THERE OBJECTION. MR. ROWAN WANTED THAT INFORMATION PLACED ON RECORD FOR ANY MEMBER OF THE PUBLIC THAT WAS HEAR FOR THIS APPLICATION.

MR. WASHBURN EXPLAINED TO THE BOARD THAT THIS IS THE FORMER SITE OF RAM MORTGAGE, WHICH CLOSED DUE TO THE ECONOMIC CONDITIONS WITH THE REAL ESTATE AND THE PROPERTY HAS BEEN VACANT SINCE. MR. WASHBURN'S CLIENT HAS BEEN MAINTAINING THE SITE.

THEY DO HAVE A PROSPECTIVE BUYER AND A REPRESENTATIVE OF THE COMPANY IS HERE TONIGHT

MR. WASHBURN STATED THAT A MINOR SITE PLAN APPROVAL WAS GRANTED ON JULY 12, 2005, RESOLUTION # 2005-27 AND THAT HE IS HERE TONIGHT TO AMEND THAT APPROVAL.

MR. WASHBURN DID STATE TO THE BOARD THE REVISIONS THAT HE IS SEEKING AND HAD MR. JERRY SILVI EXPLAIN THE BASIS FOR HIS REQUEST IN DETAIL; HE ALSO HAD MR. JACK GRAVLIN REVIEW ON THE PLAN THE CHANGES/AMENDMENTS THAT THEY ARE SEEKING.

CHAIRMAN SIMONE DID ASK MR. SILVI IF SINCE 2005 HAVE ANY IMPROVEMENTS BEEN MADE. MR. SILVI COMMENTED THAT THE SIGN IS THE ONLY IMPROVEMENT MADE.

CHAIRMAN SIMONE ASKED IF THE PROSPECTIVE BUYER COULD COME FORWARD TO EXPLAIN A LITTLE ABOUT HIS BUSINESS.

MR. KIRK WYNN CAME FORWARD AND WAS SWORN IN BY MR. ROWAN. MR. WYNN STATED THAT THE NATURE OF HIS BUSINESS IS SELLING PRINTING AND LOGOS, SUCH AS SHIRTS, PENS, MUGS, WHICH ARE PURCHASED THROUGH A BROKER. THE ITEMS ARE ORDERED AND SHIPPED DIRECTLY TO THE CUSTOMER.

MR. WYNN CURRENTLY HAS 3 EMPLOYEES. HE STATED THAT THE REQUEST FOR THE 14 X 24 SHED IS FOR HIMSELF TO STORE SAMPLES, LAWN EQUIPMENT, AND SNOW BLOWER.

THE BOARD HAD MUCH DISCUSSION REGARDING THE FOLLOWING:

- 1. THE REMOVAL OF THE CURBING AND REPLACING WITH A BERM AND WATER RUNOFF.*
- 2. THE REMOVAL OF THE TRASH ENCLOSURE AND INSTALLATION OF A RUBBERMAID TRASH CONTAINER.*
- 3. PROPOSED 14X 24 SHED*

CHAIRMAN SIMONE PLACED ON RECORD THAT WE HAVE RECEIVED A COMMENT FROM THE FIRE DISTRICT WITH CONCERN TO THE SHED. AFTER THEY HAD REVIEWED THE PROPERTY IN PERSON AND THE SITE PLAN, THE FIRE DISTRICT STRONGLY FEELS THAT PLACING THE SHED IN THE PROPOSED LOCATION WILL REDUCE THE EFFECTIVENESS OF THE FIRE DEPARTMENTS OPERATIONS IN THE EVENT OF A FIRE FOR THE CURRENT BUSINESS.

- 4. REMOVAL OF THE BASIN (MR. WASHBURN HAS STATED THAT THE BASIN IS NOT REQUIRED UNDER CURRENT STORM WATER REGULATIONS.)*
- 5. REMOVAL OF PINE TREES AROUND THE PERIMETER OF THE PROPOSED ELIMINATED TRASH ENCLOSURE. REMOVAL OF (2) PROPOSED TREES ALONG NORTH PROPERTY LINE.*
- 6. REQUESTING THE WAIVER FROM THE INSTALLATION OF THE IRRIGATION SYSTEM.*
- 7. REVISION OF THE SITE LIGHTING.*

OPEN TO THE PUBLIC

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

MR. JOE CORNFORTH OF THE WEST BERLIN FIRE DEPARTMENT CAME FORWARD AND STATED THAT THE CONCERN OF THE FIRE DEPARTMENT IS THE ACCESS IN THE EVENT OF A FIRE.

MR. PHIL CUBITT OF 362 THURMAN AVENUE, CAME FORWARD AND HAD A QUESTION REGARDING THE 336 SQUARE FOOT SHED THAT IS BEING PROPOSED IF IT IS BEING PLACE ON GRASS OR DIRT AND WOULD THAT INCREASE THE IMPERVIOUS COVERAGE?

*NICK MACCARONI OF 67 GARDEN AVE, BERLIN NJ 08009.
MR. MACCARONI IS THE OWNER OF MAX GRAPHICS LOCATED AT 195 COOPER ROAD, WEST BERLIN NJ 08091.*

MR. MACCARONI DOES NOT FEEL THAT A SHED IS VIABLE IN THE INDUSTRIAL ZONE. THIS BUILDING IS HIS RETIREMENT.

IN 2005 WHEN THE APPROVAL WAS GRANTED TO RAM MORTGAGE THE ECONOMY WAS FINE AND AT THE MEETING MR. MACCARONI WAS HAPPY WITH THE APPROVAL THAT THE PLANNING AND ZONING BOARD HAD GRANTED TO RAM MORTGAGE. THE PROBLEM NOW IS THAT NOT ONE THING HAS BEEN DONE AND THE WATER RUNOFF PROCEEDS TO RUN AND THERE IS A MAJOR IMPACT TO MR. MACCARONI'S PROPERTY. HE WAS TOLD THAT HE WOULD HAVE A CURB FROM THE FRONT OF HIS PROPERTY TO THE BACK AND NOW THE APPLICANT IS TRYING TO CHANGE THAT TO A BERM.

MR. MACCARONI IS NOT IN FAVOR OF A BERM 5YEARS AGO HE WAS TOLD HE WOULD BE GETTING A CURB. THE SHED IN HIS OPINION IS THE SIZE OF A GARAGE.

CLOSE TO THE PUBLIC

A MOTION TO CLOSE THE MEETING TO THE PUBLIC WAS MADE BY MR. DEGEORGE AND SECONDED BY CH. SIMONE.

IT IS THE RECOMMENDATION OF THE BOARD SOLICITOR TO ADDRESS EACH ITEM INDIVIDUALLY.

MOTION

A MOTION TO DENY THE INSTALLATION OF THE BERM AND INSTALL AS PREVIOUSLY APPROVED THE CURB ON THE SOUTH SIDE WITHIN 60 DAYS OF THE MEMORIALIZED RESOLUTION. A MOTION WAS MADE BY CH. SIMONE AND SECONDED BY MR. DEGEORGE. THIS MOTION WAS CARRIED OUT BY ROLL CALL.

A MOTION TO WAIVE THE INSTALLATION OF IRRIGATION WAS MADE BY CH. SIMONE AND SECONDED BY MR. PANTANO. THIS MOTION WAS CARRIED OUT BY ROLL CALL.

A MOTION TO WAIVE THE TRASH ENCLOSURE ONLY IF THE TENANT SHALL BE PREFORMA, SHOULD THE SALE FALL THROUGH THE ORIGINAL APPROVAL WILL GO BACK INTO EFFECT. THIS MOTION WAS MADE BY MR. DEGEORGE AND SECONDED BY MR. PANTANO. THE MOTION WAS CARRIED OUT BY ROLL CALL.

A MOTION TO WAIVE THE PLANTING OF NEW TREES AROUND THE TRASH ENCLOSURE AND THE WAIVER OF (2) TWO MAPLE TREES ON THE NORTH SIDE PROPERTY LINE. A MOTION WAS MADE BY CH. SIMONE AND SECONDED BY MAYOR MAGAZZU. THIS MOTION WAS CARRIED OUT BY ROLL CALL.

A MOTION TO DELETE THE INSTALLATION OF THE DRAINAGE BASIN WAS MADE BY CH. SIMONE AND SECONDED BY MR. PANTANO. THIS MOTION WAS CARRIED OUT BY ROLL CALL.

A MOTION TO REVISE THE SITE LIGHTING ONLY PER THE APPROVAL OF CHUCK RIEBEL. A MOTION WAS MADE BY MR. DEGEORGE AND SECONDED BY CH. SIMONE. THIS MOTION WAS CARRIED OUT BY ROLL CALL.

A MOTION TO DENY THE INSTALLATION OF A 14 X 24 SHED WAS MADE BY MR. DEGEORGE AND SECONDED BY MAYOR MAGAZZU. THIS MOTION WAS CARRIED OUT BY ROLL CALL.

A MOTION TO GRANT THE OPTION TO RELOCATE TO THE REAR YARD SETBACK THE PREVIOUSLY APPROVED 10 X 10 SHED. A MOTION WAS MADE BY MR. PANTANO AND SECONDED BY CH. SIMONE.

BREAK

7:04PM CH. SIMONE ANNOUNCED THAT WE WILL BE TAKING A 5 MINUTE BREAK.

RESUMED

7:09PM

MAHLON KAIGHN

CH. SIMONE MADE THE ANNOUNCEMENT THAT MR. MAHLON KAIGHN 1040 INDUSTRIAL DRIVE UNIT # 8 WEST BERLIN, NJ 08091, BLOCK 2301, LOT 11, HAS WITHDRAWN HIS APPLICATION.

GREEN GROVE

PASTOR HOLLAND OF GREEN GROVE BAPTIST CHURCH HAS COME BEFORE THE BOARD ON AN INFORMAL BASIS. STATED TO THE BOARD THAT HE HAS BEEN THE PASTOR FOR 18 YEARS AND GREEN GROVE HAS BEEN IN EXISTENCE FOR 85 YEARS. TONIGHT HE HAS WITH HIM CPM COMMUNITY PROPERTY COMMUNITY MANAGEMENT OF PHILADELPHIA.

MR. DAVID HYNN OF CPM HOUSING GROUP CAME FORWARD AND EXPLAINED THAT THEY ARE PROPOSING A AFFORDABLE SENIOR PROJECT. WHICH WILL INCLUDE THE FOLLOWING:

- 1. NEW 4 STORY APARTMENT BUILDING*
- 2. 60 UNITS*
- 3. ONE (1) BEDROOMS 659 SQ FT*
- 4. NEW PARKING LOT WITH 62 SPACES*
- 5. FUTURE CHURCH ADDITION OF 4500 SQUARE FEET*
- 6. 62 YEARS AND OLDER*
- 7. TERRACE AREA*
- 8. MANAGEMENT OFFICE*
- 9. LOUNGE AREA INSIDE AND OUTSIDE SEATING*
- 10. MEDICAL SUITE FOR VISITING DOCTORS*
- 11. COMMUNITY ROOM*

PUBLIC PORTION

A MOTION TO OPEN THE MEETING TO THE PUBLIC WAS MADE BY MR. DEGEORGE.

MR. JOE PANTANO CAME FORWARD TO GIVE THE BOARD FEEDBACK ON THE GOLDEN CORRALL. THE PRIOR LIGHTING ISSUE IS SOLVED IT SEEMS THEY HAVE DISCONNECTED THE LIGHT, HE DOE NOT HEAR THE NOISE THAT HE HAD HEARD FROM THE VACUUM TRUCK AND HE HAS NO MORE CONCERNS.

MR. ROB MARTIN THE ZONING OFFICER FOR BERLIN TOWNSHIP CAME FORWARD. HE IS ASKING THE BOARD FOR A LITTLE LEE-WAY WITH APPROVING NEW BUSINESSES IN TOWN, SOME USES ARE COMING UP THAT SEEM LIKE THEY FIT, THEY JUST ARE NOT LISTED AS PERMITTED USES SO THEY ARE PROHIBITED, OR MAYBE THE BOARD WOULD CONSIDER ADDING SOME PERMITTED USES TO THE ZONES.

RESOLUTION

THE FOLLOWING RESOLUTIONS WERE MEMORIALIZED:

2011-16 HOVBROS BERLIN LLC

COPPER ROAD AND TAUNTON AVENUE

BERLIN TOWNSHIP PLANNING AND ZONING BOARD GRANTING THE APPROVAL FO AN AMENDED SITE PLAN TO REDESIGN BASIN #2 AND THE RELOCATION OF THE TRASH CONTAINERS.

ADJOURNMENT

A MOTION TO ADJOURN THE MEETING WAS MADE BY MR. PANTANO AND SECONDED BY MR. DEGEORGE. THE MEETING ADJOURNED AT 7:50 PM.