

MAY 14<sup>TH</sup>, 2013  
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 MAY 14<sup>TH</sup>, 2013 AT  
6:30 PM, FOLLOWED BY THE SALUTE TO THE FLAG.*

**ROLL CALL**

MR. RIEBEL P  
MR. ROWAN P  
Mr. CARLAMERE A  
KELLEY MCCAULEY P  
MAYOR MAGAZZU ARRIVED @ 7:05 PM  
CH. SIMONE P  
MR. DEPALMA P  
MR. DEGEORGE P  
V. CH. MCHENRY P  
COUNCIL PRESIDENT  
MORRIS P  
MR. PANTANO P  
MR. BALISKI A  
MR. SYKES P

**BERLIN HADDON**

*152 HADDON AVENUE – BLOCK 625, LOT 8.01  
(THE OLD C&M SITE)*

*MR. LARSEN THE ATTORNEY, IP SINGH OWNER, ALAN BLAIR  
ARCHITECT, JACK GRAVLIN ENGINEER ALL CAME FORWARD AND  
WERE SWORN IN BY DAVE ROWAN.*

*THIS SITE IS LOCATED AT THE POINT OF HADDON AVENUE  
AND VETERANS AVENUE. THIS SITE IS CURRENTLY OCCUPIED BY  
C & M MOTORS AUTO REPAIR. THERE IS AN EXISTING, ONE-STORY  
BUILDING, WHICH SERVES AS A REPAIR SHOP.*

*THE APPLICANT IS PROPOSING TO UTILIZE THE EXISTING BUILDING  
FOR AN OFFICE, RESTROOM, UTILITY STORAGE ROOM AND RETAIL  
FOOD MART. TWO GASOLINE DISPENSING ISLANDS ARE PROPOSED  
ON THE SITE, IN SERIES TO ALLOW FOR THE SIMULTANEOUS FUELING  
OF FOUR VEHICLES.*

*THE APPLICANT ATTENDED THE PLANNING BOARD MEETING ON  
DECEMBER 11, 2012 AND MADE AN INFORMAL PRESENTATION. THE  
PLANNING BOARD HAD COMMENTED ON THE PROPOSAL FOR THE  
PROPOSED USE, SITE AND BUILDING IMPROVEMENTS.*

*THE PARCEL IS LOCATED WITHIN THE CENTRAL BUSINESS DISTRICT.  
THE APPLICANT WAS INFORMED AT THE PLANNING BOARD MEETING  
ON DECEMBER 11, 2012, THAT THE PROPOSED AUTOMOBILE SERVICE  
STATION IS NOT A PERMITTED USE WITHIN THIS ZONING DISTRICT.*

*THEREFORE, THE APPLICANT MUST OBTAIN A USE VARIANCE FROM THE PLANNING AND ZONING BOARD.*

*THE USE VARIANCE PART WILL BE HEARD FIRST AND JACK GRAVLIN PROVIDED TESTIMONY REGARDING THE USE VARIANCE AND PROVIDED 5 SPECIAL REASONS OF WHY THIS USE VARIANCE SHOULD BE APPROVED:*

- 1. THE EXISTING SITE HAS DOUBLE WALL UNDERGROUND PIPES THAT MEET THE CURRENT STANDARDS.*
- 2. APPROVAL BY THE BOARD WILL ALLOW FOR THE REMMOVAL OF THE EXISTING NON-CONFORMING AUTO REPAIR USE.*
- 3. THERE ARE SOME ENVIROMENTAL ISSUES ON THE SITE AND THE OWNER/APPLICANT HAS EXPERIENCE OPERATING GASOLINE SITES AND ONE OF THE PRINCIPALS OWNS AN ENVIROMENTAL FIRM.*
- 4. APPROVAL BY THE BOARD WILL ALLOW THE CONSTRUCTION OF A PEDESTRIAN AND HANDICAPP SIDEWALKS THAT CURRENTLY DO NOT EXIST.*
- 5. AN APPROVAL WILL ALLOW FOR THE CONSTRUCTION OF A MORE PLEASING FACADE THAT BETTER SUITS THE EXISTING AREA.*

*HOURS OF OPERATION WERE STATED TO BE FROM 6 AM TO 10 PM, GAS DELIVERIES WILL BE TWICE A WEEK BETWEEN 8 AM AND 5 PM. THERE WILL NOT BE OUTSIDE SALES AND/OR STORAGE OF TRUCKS. TRASH PICK UP WILL BE DONE WEEKLY.*

*OPEN TO  
THE PUBLIC*

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

*MR. JOE GRASSI  
317 FISKE AVENUE  
WEST BERLIN, NJ 08091*

*MR. GRASSI HIGHLY RECOMMENDS THAT THE BOARD APPROVES THIS APPLICATION, AND FEELS THAT THE SHOULD ADD SOMETHING THAT STATES CAN NEVER BE USED AS A REPAIR SHOP.*

*CLOSE TO  
THE PUBLIC*

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

*MOTION*

*A MOTION TO APPROVE THE USE VARIANCE PORTION OF THIS APPLICATION WAS MADE BY CH. SIMONE AND SECONDED BY V. CH. MCHENRY. THIS VOTE WAS CARRIED BY ROLL CALL. PLEASE NOTE THAT MAYOR MAGAZZU AND COUNCIL PRESIDENT MORRIS ARE UNABLE TO VOTE ON A USE VARIANCE.*

*MR. GRAVLIN WENT THROUGH WITH THE SITEPLAN PORTION*

*OF THE APPLICATION.*

*MR. SINGH PROVIDED TESTIMONY REGARDING THE BUILDING HOURS AND OPERATIONS.*

*MR. RIEBEL QUESTIONED THAT THIS SITE HAS BEEN DESIGNATED AS A CONTAMINATED SITE BY THE NJDEP AND REMEDIATION IS REQUIRED.*

*MR. SINGH PROVIDED TESTIMONY REGARDING THE ENVIRONMENTAL REMEDIATION AND UNDERGROUND TANKS ON THE SITE.*

*MR. GRAVLIN STATED THAT THEY HAVE REDUCED THE REQUESTED SIGN VARIANCES AS FOLLOWS:*

*FREE STANDING SIGN REDUCED TO 6'W X 8'H, SB'S NOW 3'X 2'.  
A REVISED BUILDING FAÇADE IS NOW PROPOSED, CONSISTENT WITH THE AREA.*

*FREE STANDING SIGN IS REDUCED TO 6' W X 8' H, 16' TOTAL HEIGHT.  
ONE CANOPY SIGN, WALKER AVE, 21.3 SQ FT NOW REQUESTED.  
VETERANS AVENUE CANOPY SIGN IS NOW ELIMINATED.  
TWO BUILDING FAÇADE SIGNS, BOTH 20 SQ FT, NOW REQUESTED.*

*MR. SINGH STATED THAT ALL SIGNS WILL BE INTERNALLY ILLUMINATED WITH NO SIGNIFICANT GLARE.*

*THE LIGHTING PLAN HAS BEEN REVISED TO NOTE THE REQUIRED MINIMUM ILLUMINATION LEVEL.*

*MR. GRAVLIN HAD STATED DURING HIS PRESENTATION THE ANTICIPATED ROUTE OF THE FUELING TRUCKS. MR. SINGH ADDRESSED THE HOURS OF FUEL DELIVERY WILL BE BETWEEN 8 AM AND 5PM.*

*THE PLAN HAS BEEN REVISED TO NOTE THE CONSTRUCTION OF THE PROPOSED 6 FOOT HIGH VINYL FENCE ALONG THE PROPERTY LINE .*

*MR. ROWAN WENT OVER WHAT RELIEF THE APPLICANT IS ASKING FOR:*

- LOT DEPTH VARIANCE OF 77 FEET*
- 0.8 FT SETBACK IN FRONT YARD AREA*
- VARIANCE FOR ACCESSORY USES THAT CANNOT BE MORE THEN 20FT FROM THE PROPERTY LINE*
- PARKING VARIANCE OF ONLY 7 PARKING SPACES*
- ONE FREESTANDING SIGN 6 X 8 AND 16 FEET HIGH*
- TWO BUILDING FAÇADE*
- CANOPY SIGN*
- VARIOUS ADVERTISEMENT SIGNS*
- VARIANCE FOR TRASH ENCLOSURE ALONG WALKER AVENUE*
- VARIANCE FOR PROPOSED PARKING MINIMUM OF 11 FEET*
- VARIANCE FOR THE BUFFER REQUIREMENT FROM THE REQUIRED 6 FOOT WIDE SHRUBBERY BUFFER ALONG VETERANS AVENUE*

- VARIANCE FROM THE SHADE TREE EASEMENT ALONG VETERANS
- AVENUE AND WALKER AVENUE
- WAIVER REGARDING TO ALLOW METAL LIGHT FIXTURES INSTEAD OF THE HIGH PRESSURED SODIUM

FOOD DELIVERIES ARE TO BE MADE FROM THE WALKER AVENUE SIDE ONLY, NOT PERMITTED FROM VETERNS AVENUE  
GASOLINE DELIVERY WILL BE FROM VERTERNS AVENUE SIDE.  
AIR WILL BE PROVIDED TO BERLIN TWONSHIP RESIDENTS FOR FREE

**MOTION**

A MOTION TO APPROVE THE SITE PLAN PORTION OF THIS APPLICATION WAS MADE BY MR. DEGEORGE AND SECONDED BY MAYOR MAGAZZU. THIS MOTION WAS CARRIED OUT BY ROLL CALL.

**ZONING OFFICER**

MR. MARTIN CAME FORWARD REGARDING ARLENE SCUTTI'S PIECE OF PROPERTY, WHAT RECOMMENDATIONS CAN WE OFFER THIS PROPERTY OWNER REGARDING HER RESIDENTIAL LOT, IT IS UP FOR SALE AND BECAUSE OF THE UNIQUE SHAPE OF THIS LOT AND THE FACT THAT IT IS RESIDENTIAL SHE IS HAVING A VERY HARD TIME SELLING IT. MOST ASK IF THEY CAN USE IT FOR STORAGE.

DAVE ROWAN STATED THAT IF SHE GETS A BUYER INTERESTED IN PURCHASING THIS LOT FOR STORAGE TELL THEM TO MAKE A USE VARIANCE APPLICATION BEFORE THE BOARD AND HE ALSO RECOMMENDS THAT MS. SCUTTI ASK HER NEIGHBOR IF THEY WOULD LIKE TO PURCHASE THIS LOT AND IF THEY SAY NO, SHE CAN GET THAT IN LETTER FORM OR SHE CAN STATE ON RECORD AT A MEETING. THAT HER NEIGHBOR IS NOT INTERESTED.

**PUBLIC PORTION**

A MOTION TO OPEN THE MEETING TO THE PUBLIC WAS MADE V. CH. MCHENRY AND SECONDED BY MR. PANTANO.

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

**RESOLUTIONS:**

N/A

**ADJOURNMENT**

A MOTION TO ADJOURN THE MEETING WAS MADE BY V.CH. MCHENRY AND SECONDED BY MAYOR MAGAZZU. THE MEETING ADJOURNED AT 8:40 PM.