

DECEMBER 17<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 DECEMBER 17<sup>TH</sup>, 2013 AT  
6:30 PM, FOLLOWED BY THE SALUTE TO THE FLAG.

ROLL CALL

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

PLAN LAND

USE VARIANCE APPLICATION  
BLOCK 2404, 42 & 43

BRIAN LAZUKE THE ATTORNEY FOR THIS APPLICATION  
CAME FORWARD.

MR. CARLAMERE STATED THAT THIS APPLICATION IS PROPERLY  
BEFORE THIS BOARD.

MR. CARLAMERE STATED THAT SOME CALLS HAVE COME IN  
FROM RESIDENTS THAT FEEL THEY ARE WITHIN 200 FEET OF THE  
PROPERTY AND THEY WERE NOT NOTIFIED AND MR. CARLAMERE  
ASKED FOR THOSE RESIDENTS TO COME FORWARD AND PLACE  
THEIR NAME AND ADDRESS ON THE RECORD.

1. DAVID HURWITZ  
114 PIEDMONT
2. SHARON MADDEN  
116 PIEDMONT
3. MICHAEL MATT  
122 PIEDMONT

MR. CARLAMERE STATED HE HAD AN OPPORTUNITY TO DISCUSS  
WITH SOME RESIDENTS REGARDING THE NOTIFICATION ISSUE

**THE OBLIGATION OF THE TOWNSHIP AND THE OBLIGATION OF THE APPLICANT IS TO PROVIDE NOTICE TO ALL RESIDENTS WITHIN 200 FEET BY A TAX CERTIFIED NOTICE PROVIDED BY THE TAX OFFICE. MR. CARLAMERE STATED THAT HE HAD REVIEWED THE CERTIFICATION AND THAT THE APPLICANT DID NOTICE EVERY PERSON THAT WAS ON THE CERTIFIED LIST. THE APPLICANT HAS MET THE JURISDICTIONAL REQUIREMENT.**

**HOWEVER, WITH THAT BEING SAID MR. CARLAMERE HAD DISCUSSED THIS ISSUE WITH THE APPLICANTS ATTORNEY MR. BRIAN LOZUKE AND THEY WANT EVERY RESIDENT TO FEEL COMFORTABLE THAT THIS APPLICATION IS GOING TO BE HEARD AND AIRED WITH EVERYONES CONCERN. THEN THERE WAS FURTHER DISCUSSION OVER THE PHONE WITH MR. CARLAMERE AND MR. LOZUKE THAT SEVERAL RESIDENTS HAVE SOME CONCERN WITH THE NATURE OF THE APPLICATION AND SOME OF THE ISSUES BEING PRESENTED AND BECAUSE OF THE JURISDICTIONAL ISSUES WITH SOME OF THE RESIDENTS NOT BEING NOTIFIED WE THOUGHT IT WOULD BE IN THE BEST INTEREST AND BEST PLAN OF ACTION IS TO CONTINUE THIS APPLICATION AND SECONDLY ADJOURN THE FORMAL PORTION OF THIS HEARING AND TAKE THIS OPPORTUNITY TO HEAR SOME OF THE CONCERNS THAT THE RESIDENTS HAVE. THE TOWNSHIP FELT THAT THIS IS THE BEST COURSE OF ACTION THE BOARD FELT THAT THIS IS THE BEST COURSE OF ACTION. THIS WILL GIVE EVERYONE AN OPPORTUNITY TO VOICE THERE CONCERNS TO THE APPLICANT.**

**IT IS THE RECOMMENDATION OF MR. CARLAMERE THAT THE MAYOR AND COUNCIL PRESIDENT STEP DOWN AND DO NOT PARTICIPATE ON THE INFORMAL HEARING. REASON BEING RESIDENTS CAN APPEAL A USE VARIANCE APPLICATION TO THE GOVERNING BODY.**

**MR. CARLAMERE STATED THAT ONCE WE ANNOUCE THE CONTINUED DATE THE RECORDING WILL BE TURNED OFF AND THE INFORMAL HEARING WILL NOT BE RECORDED TO PROTECT THE RECORD.**

**THE FORMAL MEETING WILL BE CONTINUED TO FEBRUARY 25<sup>TH</sup> 2014 AT 5:00 PM AND LET THE RECORD REFLECT THE APPLICANT WILL NOT BE OBLIGATED TO RE-NOTICE RESIDENTS, THIS ANNOUCEMENT WILL SERVE AS THE NOTIFICATION TO THE RESIDENTS.**

**MOTION**

**A MOTION TO CONTINUE THE FORMAL APPLICATION FOR PLANLAND TO FEBRUARY 25<sup>TH</sup>, 2014 AT 5:00 PM WAS MADE BY CH. SIMONE AND SECONDED BY V. CH. MCHENRY. THE MOTION WAS CARRIED OUT BY ROLL CALL WITH ABSTENTIONS MADE BY MAYOR MAGAZZU AND COUNCIL PRESIDENT MORRIS.**

**ZONING OFFICER**

N/A

**PUBLIC PORTION**

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

*THERE WAS NO ONE IN THE PUBLIC TO COME FORWARD. A MOTION TO CLOSE THE MEETING TO THE PUBLIC WAS MADE BY MR. DEGEORGE AND SECONDED BY MR. PANTANO.*

**RESOLUTIONS:**

**2013-13**

***FRANK AND PHYLLIS MAGAZZU  
236 GROVE AVENUE  
BLOCK 903, LOT 15***

*RESOLUTION OF THE BERLIN TOWNSHIP PLANNING AND ZONING BOARD GRANTING A VARIANCE TO PERMIT THE CONSTRUCTION OF AN ADDITION TO A SINGLE FAMILY HOME WITH A SIDE YARD VARIANCE OF 8 FEET.*

*A MOTION TO MEMORIALIZE THIS RESOLUTION WAS MADE BY V.CH. MCHENRY AND SECONDED BY MR. PANTANO. THE MOTION WAS CARRIED OUT BY ROLL CALL AND ABSTENTIONS WERE MADE BY MAYOR MAGAZZU, CH. SIMONE, MR. DEGEORGE, MR. DEPALMA, MR. PANTANO.*

*DAVE CARLAMERE STATED THAT THERE ARE 8 MEMBERS PRESENT 3 ARE NOT QUALIFIED TO VOTE (MAYOR, MR. DEPALMA, MR. PANTANO) 5 ELIGIBLE VOTERS AND 3 AFFIRMATIVE.*

**2013-14**

***BRSA PROPERTIES LLC  
219-223 HADDON AVE  
BLOCK 521, LOT 8 & 10***

*RESOLUTION OF THE BERLIN TOWNSHIP PLANNING AND ZONING BOARD GRANTING PRELIMINARY & FINAL SITE PLAN APPROVAL WITH A VARIANCE.*

*A MOTION TO MEMORIALIZE THIS RESOLUTION WAS MADE BY CH. SIMONE AND SECONDED BY V. CH. MCHENRY. THIS MOTION WAS CARRIED OUT BY ROLL CALL AND LET THE RECORD REFLECT THERE WERE ABSTENTIONS MADE BY MR. DEGEORGE AND MR. DEPALMA.*

**ADJOURNMENT**

***A MOTION TO ADJOURN THE MEETING WAS MADE BY MR. DEGEORGE AND SECONDED BY V. CH. MCHENRY THE MEETING ADJOURNED AT 6:55 PM.***