

DECEMBER 16TH, 2014
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. DEGEORGE OPENED THE MEETING WITH THE OPEN PUBLIC
MEETINGS STATEMENT DECEMBER 16TH, 2014 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 P
MR. DEPALMA P
MR. DEGEORGE P
V. CH. MCHENRY A
COUNCIL PRESIDENT
MORRIS P
MR. PANTANO P
MR. BALISKI P
MR. SYKES A

BURGER KING

**BURGER KING RESTAURANT AND PROPOSED RETAIL CENTER
593 AND 595 ROUTE 73; BLOCK 1002, LOTS 10, 10.02 AND 11.**

**THIS SITE IS LOCATED ALONG THE NORTHBOUND SIDE OF ROUTE
73. ON THE REAR LOT (LOT 11) THERE IS A VACANT DWELLING
WITH AN ABOVE GROUND HEATING OIL TANK. THE LOT ALSO
CONTAINS AN OUTHOUSE AND A WELL.**

**THE APPLICANT IS PROPOSING A 2740 SQUARE FOOT BURGER
KING RESTAURANT ALONG ROUTE 73 AND A 10,000 SQUARE FOOT
RETAIL STRIP CENTER.**

**THIS PROPERTY IS LOCATED IN THE C-2 ZONE THE PROPOSED
USES ARE PERMITTED WITHIN THE ZONING DISTRICT. THE
CURRENT DEED AND SURVEY THAT HAVE BEEN SUBMITTED WITH
THE SITE PLAN APPLICATION REFERENCE A 20 FOOT WIDE
RIGHT-OF-WAY AND AN UNRECORDED EGRESS EASEMENT.**

**THE APPLICANT MUST OBTAIN THE NECESSARY PERMITS AND
UTILITY DISCONNECTS FOR THE DEMOLITION OF THE EXISTING
DWELLING. THE ABOVE GROUND HEATING OIL TANK MUST BE
PROPERLY DISPOSED OF AT A LAWFUL FACILITY. IT IS
RECOMMENDED THAT THE TESTING BE PERFORMED TO
DETERMINE ANY CONTAMINATION, RESULTING FROM LEAKING
HEATING OIL, AND THE NEED FOR CLEAN UP.**

**THE APPLICANT MUST OBTAIN THE NECESSARY APPROVALS AND
PERMITS FOR THE ABANDONING OF THE CESSPOOL, AT THE**

OUTHOUSE, AND WELL IN ACCORDANCE WITH THE GOVERNING STATE AND COUNTY REGULATIONS.

THE PLAN NOTES 20 PARKING SPACES ARE REQUIRED FOR THE PROPOSED RESTAURANT AND 50 PARKING SPACES ARE REQUIRED FOR THE PROPOSED RETAIL CENTER FOR A TOTAL OF 70 PARKING SPACES. THE PROPOSED PARKING SPACES ARE 20 FEET LONG.

THE PLAN PROPOSES A 60 FOOT LONG BY 30 FOOT WIDE LOADING ZONE, ALONG THE BACK SIDE OF THE PROPOSED RETAIL CENTER.

THE APPLICANT EXPLAINED THE MESSAGE BOARD WHAT TYPE FOODS WILL BE SERVED AT WHAT TIME OF DAY.

THE APPLICANT EXPLAINED THE TYPES OF DELIVERIES AND THE TIMES AND HOW OFTEN.

THE APPLICANT WILL HAVE A TRASH ENCLOSURE WHICH IS SHOWN ON THE PLAN FOR EACH USE.

THE APPLICANT SUBMITTED A LIST OF VARIANCES THAT THEY ARE REQUESTING.

- 1. REQUESTING A VARIANCE FROM CHAPTER 340 ARTICLE XVI SECTION 340-94B.(1) TO PERMIT THE ELIMINATION OF THE REQUIRED 35 X 12 FT LOADING AND DELIVERY AREA.**
- 2. REQUESTING A VARIANCE FROM CHAPTER 340 ARTICLE XIII SECTION 340-83 I. TO PERMIT FAÇADE SIGNS**
- 3. REQUESTING A VARIANCE FROM CHAPTER 340 ARTICLE XIII SECTION 340-83J. TO PERMIT AN INCREASE IN THE MAXIMUM FREESTANDING SIGN AREA OF 64 SF TO THE PROPOSED 100 SF.**
- 4. REQUESTING A VARIANCE FROM CHAPTER 340 ARTICLE IX SECTION 340-59C.(3) TO PERMIT AN INCREASE IN THE MAXIMUM RATE OF 2.5:1 TIMESS THE HEIGHT OF THE BUILDING EQUAL TO THE LENGTH TO THE PROPOSED RATE OF 8.3:1 9(SHOPPING CENTER.)**
- 5. REQUESTING A VARIANCE FROM CHAPTER 200 ARTICLE X SECTION 200-69 E.(21) TO ELIMINATE THE REQUIRED HIGH PRESSURE SODIUM LIGHT TO PERMIT THE PROPOSED L.E.D. SITE LIGHTING.**

OPEN AND CLOSE TO THE PUBLIC

THE MEETING WAS OPENED TO THE PUBLIC AND WITH THERE BEING NOONE IN THE PUBLIC TO COME FORWARD, A MOTION TO CLOSE THE MEETING TO THE PUBLIC WAS MADE BY MR. PANTANO AND SECONDED BY MR. DEGEORGE.

MOTION

A MOTION TO APPROVE THIS APPLICATION WAS MADE BY MR. PANTANO AND SECONDED MAYOR MAGAZZU. THIS MOTION WAS CARRIED OUT BY ROLL CALL.

PUBLIC PORTION

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

RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS MEMORIALIZED AT THE MEETING OF DECEMBER 16TH, 2014.

***2014-14 Dana Steiner
 174 Second Ave
 West Berlin, NJ 08091
 Block 623, Lot 3***

Berlin Township Planning/Zoning Board granted approval for a side yard bulk variance to construct an accessory structure.

ADJOURNMENT

A MOTION TO ADJOURN THE MEETING WAS MADE BY MAYOR MAGAZZU AND SECONDED BY MR. PANTANO THE MEETING ADJOURNED AT 8:30 PM.