RESOLUTION NO. 2014-13

Applicant: Republic First Bank D/B/A Republic Bank
Property: 220 Route 73 North
Block 703 Lot 12

Preliminary and Final Site Plan Approval - with variance

RESOLUTION OF THE BERLIN TOWNSHIP PLANNING/ZONING BOARD GRANTING PRELIMINARY FINAL SITE PLAN - WITH VARIANCE

WHEREAS. The applicant appeared before the Board on September 23rd 2014, and is applying for preliminary and final Site Plan approval for property known as Block 703 Lot 12, and

WHEREAS. The applicant has submitted a site plan for approval, which plan has been reviewed by Charles J. Riebel Jr. P.E., P.L.S., P.P. the Engineer for the Board. The report of the Board's Engineer is dated September 15th 2014. The applicant appeared before the Board and was represented by the law office of Damien O. DelDuca Esq., and

WHEREAS. Also appearing for the applicant was Rhonda S. Costello Executive V.P., applicant.

WHEREAS. The applicant provided the following reports;

a. Site Plan dated September 4th 2014 prepared by Clifton W. Quay P.E.
b. Boundary Topography Survey, dated August 20th 2014 by Edward S. McConnell P.L.S.
c. Architectural Building Elevations and Footprint plan.
d. Storm Water Management Narrative dated September 5th 2014 by Clifton W. Quay P.E.
e. Republic Bank Trip Generation Plan Analysis dated September 4th 2014 by Adam Catherine P.E.

WHEREAS. The Board has received and reviewed all reports filed by the applicant and the Board engineer, and

WHEREAS. The site is located in the C-1 Commercial District. The proposed Bank use is a permitted use in the C-1 Commercial District, and

WHEREAS. The Board determined that the application is properly before the Board and the proof of notice and publication is appropriate, and

WHEREAS. The applicant has received and reviewed a copy of the Board Engineer's report. The applicant introduced various exhibits to establish building renderings, proposed site plan, landscape plan, lighting and signs. The exhibits noted on the record as A-1 through A-8, and

WHEREAS. The applicant seeks approval for a 3,372 sq ft. Branch Bank with drive-thru lanes. As part of the application, the applicant seeks the

following variances;

1. The applicant must obtain a variance to exceed the maximum number of attached signs. One is permitted per street frontage - the applicant proposes five.
2. TO permit Logo Advertising on a freestanding sign and three directional signs.
3. To permit a freestanding sign within three feet of the property line, right-of-way of Route 73.
4. To increase the total façade sign area to 92.1 sq. ft.
5. To permit a façade sign on the side of the building not fronting on a street.
6. To permit a variance design from building façade material requirements.
7. To permit a variance from the trash enclosure requirement.

The applicant also seeks the following waiver;

1. From the requirement for a five feet wide shade tree easement along Rout 73.

Following a review of the application, and the receipt of testimony, the Board determined;

A). The applicant has made application for preliminary and final site plan approval. The site is located along the northwest corner of N.J.S.H Route 73 and the Berlin Circle Plaza shopping center main drive. There exist a current Burger King Fast Food Restaurant with drive thru. The applicant propose to demolish the Burger King and construct a 3,372 square feet Republic Bank and related site improvements.

B) The parcel is located in the C-1 Commercial Zoning District. The proposed bank use is a permitted use in the zone. The applicant provided testimony that the hours of operation will be 7:30 am to 8:00 pm Monday thru Friday, 7:30 am to 6:00 pm on Saturday and 11:00 am to 4:00 pm on Sunday. The applicant proposes approximately 11 employees at the site (8 full time and 3 part-time)

The applicant proposes 34 parking spaces, with two handicapped parking spaces. The parking spaces are in compliance with the local zoning regulations. The applicant proposes a drive thru capable of stacking 20 cars. The Board expressed concern over customers stacking in drive aisles. The applicant agreed to install signage prohibiting stacking of vehicles in the drive access aisles.

The applicant testified that all trash is removed by cleaning crews, and all private documents are shredded and removed from site. Any delivery vehicles will normally consist of Fed. Express type vehicles and security type pick-up vehicles.

C) There was some discussion concerning on site traffic circulation. The applicant agreed to install "Right Turn Only" sign at the rear entrance drive where it intersects the internal drive aisle. The applicant also agreed to install "Do Not Enter" signs at the intersection of the right-side entrance drive and the internal drive to face the internal drive. The applicant will work with the Township Engineer on traffic circulation signs. The applicant also agreed to work with the Township Engineer on repair and or replace of existing curb sections that are damaged

D) There was discussion over the existing damaged storm drainage pipe. The applicant proposes the use of the existing storm drain pipe and has agreed to

repair the pipe and over pavement area.

E) There was discussion concerning the proposed landscaping and lighting plan. The applicant agreed to work with the Township Engineer to assure that landscaping trees are located so as to not obscure illumination of the site lighting or interfere with storm water and sewer lines.

F) The Board was satisfied by testimony that there was not a need for an on site trash enclosure, loading zone site and building exterior construction. The applicant testified that all trash will shredded inside the building and removed as part of janitorial clean-up and delivery was mostly by Federal Express or coin pick-up type vehicles. The applicant proposed a modern exterior concept plan, being open look glass front and earth tone rear. The applicant desires the design banding to be consistent with all constructed Republic Banks. The Board accepted the modern exterior design proposed by the applicant as not a substantial deviation from the intent and purpose of the ordinance plan.

G) There was discussion on site signage. The applicant proposes multiple façade signs, a façade sign not facing a front street, signage in excess of the allowable square feet, and signage within three feet of the right-of-way line of Route 73. The applicant presented testimony supporting the requested sign variances. The Board determined that the testimony supported the sign variances requested by the applicant as not being a substantial deviation from the ordinance plan, intent and purpose of zoning nor a substantial detriment to the community.

H) There was a recommendation provided by the Fire Marshall's office requesting the applicant agree to install a KNOX BOX key security for emergency access. The applicant agreed that said KNOX BOX can be installed in the rear of the building. The applicant also agreed to install bollards to protect gas and electric meters as well as a fire alarm system.

I) The meeting was opened to the public with no objection being noted.

J) Following testimony, the Board determined the applicant was in agreement with the Board Engineer's recommendations contained in his report dated September 15th 2014, unless noted herein.

NOW THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Township of Berlin that the application for preliminary and final site plan approval, be and is hereby GRANTED.

BE IT FURTHER RESOLVED, by the Planning/Zoning Board of the Township of Berlin that the following variances is Granted;

1. A variance to exceed the maximum number of attached signs. One is permitted per street frontage - the applicant proposes five.
2. A variance to permit Logo Advertising on a freestanding sign and three directional signs.
3. A variance to permit a freestanding sign within three feet of the property line, right-of-way of Route 73.
4. A variance to increase the total façade signage area to 92.1 sq. ft.
5. A variance to permit façade signage on the side of the building not fronting on a street.
6. A variance to permit exterior design from building façade material requirements to a modern glass concept.
7. A variance from the trash enclosure requirement.

BE IT FURTHER RESOLVED, that the following Waivers have been approved;

1. A waiver from the Loading Zone requirement
2. From the requirement for a five feet wide shade tree easement along Route 73.

BE IT FURTHER RESOLVED, that the following conditions of this approval have been approved and agreed to by the applicant;

1. The applicant will install a KNOX BOX emergency access at the rear of the building.
2. The applicant will install Bollards to secure gas and electric meter area.
3. The applicant will work with the Board Engineer on all areas of recommendation contained in the Engineer's report dated September 15th 2014.

The applicant shall receive all approvals as may be necessary from applicable Local, County, State or Federal agencies, and shall comply with all such laws, rules and regulations. The applicant shall post any necessary performance and maintenance guarantee and inspection escrow as may be determined necessary and required pursuant to MLUL.

ATTEST:

KELLY McCAULEY
Secretary

BERLIN TOWNSHIP
PLANNING/ZONING BOARD

Craig DeGeorge
Chairman

CERTIFICATION
I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Berlin Township Planning/Zoning Board at a meeting held on September 23rd 2014.

KELLY McCAULEY, Secretary