RESOLUTION NO. 2015-16

Applicant: Continental Cast Stone
Property: 450 Taunton Avenue
Block 1906 Lots 2.02 and 2.03

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 August 11th 2015 and October 27th 2015, and is applying for preliminary and final Site Plan approval for property known as Block 1906 Lots 2.02 and 2.03, and

WHEREAS. The applicant has submitted a preliminary and final 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 applicant appeared before the Board and was represented by the law office of Jeffrey I. Baron Esq., and

WHEREAS. Also representing the applicant was William Russell III owner/applicant, JTS Engineers and Land Surveyors Inc. Wayne J. Ingram P.E., P.L.S, P.P., C.M.E, C.P.W.M., and

WHEREAS. The applicant provided the following reports;

a. Preliminary Final Site Plan dated September 24th 2015 by Eric J. Raes P.E.

WHEREAS. All intended witnesses were sworn-in by the Board Solicitor,

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

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

WHEREAS. The applicant seeks the following Variances;

1. The applicant seeks a variance to reduce the buffer from 25 feet to 15 feet along the residential zone south side of the property.
2. The applicant seeks a variance to permit crushed stone base on the storage yard instead of paving, and

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

WHEREAS. The site is located in the I-1 Light Industrial Zoning District., and

WHEREAS. The applicant proposes a gravel surfaced storage yard for building material. Access to the intended storage is proposed through an existing asphalt drive and stone drive on lot 2.02. The proposed use is a permitted use in the I-1 Light Industrial Zoning District. The applicant intends to connect this storage facility with the existing Continental Cast

Stone facility. This facility is owned by the applicant and located on the adjacent Block 1907 Lot 10, and

WHEREAS. The applicant has received and reviewed a copy of the Board Engineer's report.

WHEREAS. There was discussion on the applicant's intended storage of architectural cast stone items, placed on wood pallets. The applicant testified the height of the storage would not exceed the height of the fence, and

WHEREAS. The applicant proposes a six (6) feet high solid vinyl fence along the right side and rear lines of adjacent lot 3 and continuing along the rear of the adjacent lots 2.01 and a ten feet section along the right side of lot 4. Following a discussion on the fence, the applicant agreed to continue the fence along the remainder of the side yard and rear yard of lot 4, and

WHEREAS. There was discussion on the hours of operation. The Board permitted Mr. Michael S. Greenblatt Esq., representing the Taunton Run Apartments, to address the Board early in the meeting due to Mr. Greenblatt having a prior engagement requiring him the leave the public hearing.

Mr. Greenblatt expressed concern over the intended hours of operation, ingress and egress rom the site on to Taunton Avenue and buffering the site from Taunton Avenue.

The applicant agreed to limit the hours of operation from 7:00 am to 5:00 pm on Monday through Friday, 7:00 am to 4:00 pm on Saturday and not operation on Sunday, and stated there would be approximately 4 trucks a day leaving from this site location.

The applicant also agreed that all trucks, while exiting lot 2, will exit with a right-turn only. The applicant will install a stop bar and "Stop" Sign as vehicles exit onto Taunton Avenue. No trucks will be left to idle while on the site.

The applicant also agreed that buffering will remain on the frontage as currently exist to the left of the driveway as you exit from the site, and

WHEREAS. There was discussion on the current driveway having the structural capacity to handle the applicant's tucks, vehicles and equipment. The applicant agreed to determine the current thickness of the concrete driveway and provide the information to the Board Engineer. Also, the applicant will monitor the site for damage to the driveway and perform repairs as are necessary, and

WHEREAS. The applicant does not propose any freestanding sign for the for the site, and

WHEREAS. At the conclusion of the applicant's presentation, the meeting was open to the public for comment. There was public response to the application. There were four residents from the area that addressed the Board. One resident expressed opposition to the application. The other residents spoke in agreement with the applicant's willingness to provide buffering, fencing, limit to the hours of operation, truck traffic safety upon exiting the site, no truck stacking along the driveway and no trucks permitted to remain at idle for period of time, and

WHEREAS. Following the conclusion of the public hearing the Board determined that the applicant meet all requirements of the Board and addressed all concerns of the residents.

The Board determined that approval of the requested variances

would not be a substantial deviation to the intent and purpose of zoning and would not be a substantial detriment to the public good.

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 reduce the buffer from 25 feet to 15 feet along the residential zone south side of the property.
2. A variance to permit crushed stone base on the storage yard instead of paving, and

BE IT FURTHER RESOLVED, that the following waiver be GRANTED

1. A waiver from the requirement that the applicant revise the plans to include contours of all property within 200 feet of site.

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

1. The Buffer that currently exists in the area of the south drive ingress egress to Taunton Avenue is to remain.
2. Truck traffic shall enter the site from Cooper Avenue down Taunton Avenue and make a left turn into the site; and truck traffic exiting lot 2 onto Taunton Avenue shall make a right turn only onto Taunton Avenue.
3. Hours of operation on the site shall be Monday through Friday from 7:00 am to 5:00 pm, and Saturday rom 7:00 am to 4:00 pm, and No hours on Sunday.
4. The applicant will provide a core test, acceptable to the Board's engineer, to determine the structural ability of the existing driveway to handle the weight of the trucks, to be provided to the Board Engineer. The applicant is required to monitor the driveway for damage and keep the driveway in a good state of repair.
5. The applicant will install a solid vinyl fence along all common properties line abutting residential property and shall maintain the fence three feet in from the property line and there shall be no storage within ten feet of the property lines.
6. Most trucks will be instructed to enter the site from Cooper Avenue. No more than four tucks a day will enter from and exit the site onto Taunton Avenue.
7. 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:

Kelley Shendock

KELLY McCAULEY Shendock
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 October 27th 2015.

Kelley Shendock

KELLY McCAULEY, Secretary
Shendock