RESOLUTION NO. 2015-11

Applicant: COOPER & TAUNTON LLC
Property: Block 1906 Lot 2.02
Zone: I-1 INDUSTRIAL

Application for a minor subdivision - no variance

RESOLUTION OF THE BERLIN TOWNSHIP PLANNING/ZONING BOARD GRANTING MINOR SUBDIVISION-NO VARIANCE

WHEREAS. On April 28th 2015, the above application was considered by the Planning/Zoning Board of the Township of Berlin, Camden County, New Jersey, for minor subdivision, with no variances being requested, and

WHEREAS. The Planning Board having received a plan for the minor subdivision, and the Plan being prepared by James T. Sapio of JTS Engineers, dated 4/10/2015, and the plan having been reviewed by the Board's engineer KEI Associates, P.A., Charles J. Riebel Jr., P.E.,P.L.S.,P.P. with a report submitted and dated April 20th 2015. The applicant was represented by Robert J. Borbe Esq., and

WHEREAS. The Board has determined that the application was properly before the Board with notice and publication being submitted.

WHEREAS. The Board received all the testimony and has further determined;

a) The property in question is on the southeast side of Tuanton Avenue and is located in the I-1 Industrial Zone District. The property currently consists of one residential dwelling previously used as apartment without municipal permits. The dwelling has been unoccupied for a period more than six months. The applicant testified his intent is to demolish the residential building and shed and metal shop/office building currently located on the property.

b) From a review of the nature of the application, the Board determined that the application is proper and is classified as a minor subdivision.

c) The applicant testified that he has received and reviewed the report filed by the engineer for the Board, dated April 20th 2015, and will comply with the comments contained in the report.

d) The applicant proposes to subdivide the parcel into two lots, both fronting of Taunton Avenue. The proposed lot 2.03 conforms to the area and bulk requirements of the ordinance. The proposed plan for lot 2.03 shows the lot will contain approximately 73.24 foot frontage, where a minimum of 100 feet is required by ordinance. The applicant initially requested a variance to permit the front width to be 73.24 feet.

Following testimony and much discussion, and considering the residential building will be demolished along with the metal shop/office building, the applicant agreed to adjust the subdivision line to reflect the proposed lot 2.03 to contain the required 100 feet front on Taunton Avenue, both lots will now be in conformity with the Land Use Ordinance of the Township.

Further, with the buildings being demolished, there was no need to require the grant of a cross easements for sanitary sewer main connection.

e) There was discussion on the requirement for sidewalk and curb. The applicant agreed to construct concrete sidewalk along the entire frontage of the property as part of any development of the site. Concrete curb already exist along Tuanton

Avenue and will be preserved, repaired and maintained as may be requied.

f) There was also discussion on the requirement of a 13.5 feet right of way to be dedicated to the Township. The applicant was in agreement with this requirement as reflected in paragraph 6a, b & c of the Board engineer's report.

g) There is an existing wood fence, in poor condition, along the northeast side of the property with lot 3. The applicant agreed to remove and replace the fence with a metal fence containing green slots.

h) There was an open public portion with comments from the public. There was no opposition presented at the public portion.

e) The Board determined that the approval of the application presents no substantial detriment to the public good as well as no substantial deviation from the intent and purpose of zoning. The minor subdivision being in compliance with the zoning ordinance of the Township of Berlin.

NOW THEREFORE, after considering the foregoing, it is herein RESOLVED that the above application for minor subdivision to provide for two approved lots as shown on the submitted plan be and is hereby GRANTED.

BE IT FURTHER resolved the following conditions are required;

1. The applicant is required to restore the portion of the disturbed wetlands area that was cleared and filled by the previous owner.
2. The applicant will preserve the existing concrete curb along Taunton Avenue and install concrete sidewalk along the entire frontage of Taunton Avenue. (paragraph 6 of the Board engineer's report)
3. The applicant will grant of Deed of Right of Way for 13.5 feet along the frontage of Taunton Avenue to the Township of Berlin. (paragraph 6 of the Board engineer's report)
4. The applicant will also grant a 5 feet wide shade tree easement to the County of Camden to exit behind the 13.5 right of way easement. (paragraph 6 of the Board engineer's report)
5. The applicant agreed to remove the present stockpiled material (stone, asphalt, etc.) and the surface to be restored.
6. The applicant will remove the existing wood fence along the property line with lot 3 and replace with a metal fence with green slats.
7. The applicant is required to return to the Board with any future development use proposed for the site, and to require concrete curb, sidewalk and driveway aprons.

The applicant must comply with any and all applicable Federal, State, County and Local laws, rules and regulations.

ATTEST:

Kelly Shendock

KELLY ~~McCAULY~~ Shendock
Secretary

BERLIN TOWNSHIP
PLANNING/ZONING BOARD

~~Craig DeGeorge~~ Frank Vettery
Vice 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 April 28th, 2014.

Kelly Shendock

KELLY ~~MCCAULY~~, Secretary
TOWNSHIP OF BERLIN
PLANNING BOARD