

Applicant: Spring Mill Realty Holdings LLC
Property: 159 Cooper Road
Block 2502 Lot 6

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 October 24th 2017, and is applying for preliminary and final Site Plan approval for property known as Block 2502 Lot 6, 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 October 17th/18th 2017. The applicant appeared before the Board and was represented by the Erin A. Szulewski Esq. of Parker McCay PA., and

WHEREAS. Also appearing for the applicant was Jefferson L. Moon AIA PP of TAO Architecture Design, Melissa Crook LEED of Architecture Design and Kyle Humphreys PE, LEED, AP of T&M Associates, applicant.

WHEREAS. The applicant provided the following reports;

- a. Preliminary and Final Site Plan dated October 5th 2017 prepared by David J. Fleming P.E.
- b. Storm Water Management Report, dated October 5th 2017 by Kyle R. Humphreys PE.
- c. Floor Plans dated October 5th 2017 by Erick O. Timber RA.

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 L-1 Industrial Zone District. The applicant's proposed retail, office and distribution/shipping use is a permitted use in the L-1 Industrial Zoning 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-3, and

WHEREAS. The applicant seeks approval for a 753 sq. ft. retail area, and the remaining 3,334 square feet office area and the remaining floor area to be used as a distribution/shipping area. As part of the application,

WHEREAS. the applicant seeks the following variances;

1. to permit a pre-existing side yard variance to 13.9, where 15 feet is required.
2. To permit pre-existing (prior variance approval) parking spaces at 10 feet from the curb line where 20 feet is required.

WHEREAS. The applicant also seeks the following waiver;

1. to permit the trash enclosure constructed with wood Board on Board rather than matching building façade material.
2. to permit site LED lighting fixtures rather than high pressure sodium site fixtures.
3. from the requirement of an in ground installed irrigation system.

WHEREAS. 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 EAST SIDE OF Cooper Road. The site contains an existing building, parking and loading area. The site was previously occupied by Max Graphics. The applicant is a medical supply distributor with approximately 97% of their sales being by the internet. They currently operate their business within the Township at the Bloomfield Business Park.

B) The parcel is located in the L-1 Industrial Zoning District. The proposed retail, office and distribution use is a permitted use in the zone. The applicant currently has 8 employees and plans an expansion to approximately 17 employees. The applicant proposes approximately 11 employees at the site. The applicant proposes the hours of operation Monday through Friday will be 6:30 am to 7:30 pm, Saturday 9:30 am to 5:00 pm and no hours on Sunday.

The applicant testified that most deliveries will be by usual UPS delivery trucks and an occasion tractor trailer. Deliveries are mostly in the morning hours.

The only change to the site proposed by the applicant is a 12'X6" canopy and handicap ramp at the entrance area. The plan shows the canopy side yard set back will be placed within the existing building set back at 13.9 feet. The applicant proposes 23 parking spaces where 22 are required by the Township regulations. The site and building comply with all other area and bulk requirements for the zone district.

C) There was discussion on the 10'X10' trash enclosure at the end of the parking area. The applicant proposes a wood board on board enclosure. The Township regulation requires the trash enclosure be constructed with material to match the façade construction. Following discussion the Board requested a reasonable time to allow the applicant to reconstruct the trash enclosure to match the material construction of the building façade. The Board suggested and the applicant agreed to reconstruct the trash enclosure within a two (2) year period.

D) There was much discussion on the maintenance of the proposed landscaping. The Township Code requires the installation of an in-ground irrigation system. The applicant offered testimony that an irrigation system was not appropriate as the landscape area was too close to the septic system. The applicant proposed a manual drip-system to keep water on the landscape area. The applicant also testified that they would hire a private landscape company to maintain and monitor the landscape area for a period of two (2) years to determine if the drip-system is sufficient. If it is determined that the manual drip-system is not sufficient, the applicant agreed to install an automatic timer system, with direct permanent connection, at the end of the two (2) year period.

E) There was a review of the Board Engineer's report. Specifically noted was the Board Engineer's report at the following paragraphs, with no objection from the applicant;
paragraph 8a - the wetlands and existing vegetation are sufficient to serve the 25 feet buffer area for the Montebello Development, with future evergreen tree in fill behind the applicant's building if necessary.
Paragraph 14c - a 5 feet wide shade tree easement along Cooper Road.
Paragraph 14d - a dedicated or reserved strip of land for widening of Cooper Road as may be required by Camden County.
Paragraph 15a - concrete curb along Cooper Road.

F) 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, a fire alarm annunciator panel in the area of the main entrance, an additional horn and strobe on the exterior of the building on the front side facing Cooper Road. The applicant was in agreement.

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

H) Following testimony, the Board determined the applicant was in agreement with the Board Engineer's recommendations contained in his report dated October 17th /18th 2017, unless noted herein.

I) There is no sign approval as part of this application. Any future sign request must return to the Board by application for sign review and approval.

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. to permit a pre-existing side yard variance to 13.9, where 15 feet is required.
2. To permit pre-existing (prior variance approval) parking spaces at 10 feet from the curb line where 20 feet is required.

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

1. to permit the trash enclosure constructed with wood Board on Board rather than matching building façade material.
2. to permit site LED lighting fixtures rather than high pressure sodium site fixtures.
3. from the requirement of an in ground installed irrigation system.

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

1. The applicant will hire a private landscape company to maintain and monitor the landscape area for a period of two (2) years from this approval. If it is determined that the manual irrigation drip-system utilized by the applicant is not sufficient to maintain the landscape area, the applicant agreed to install an automatic timer system, with direct permanent connection, at the end of the two (2) year period.


2. The installation of concrete curb and sidewalk along Cooper Road is deferred until the time the applicant returns to the Board for approval for repaving the parking area or two (2) years from the date of this approval, whichever ever first occurs.

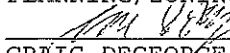
3. An sign approval was part of this application. Any future sign request

must return to the Board by application for sign review and approval.

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
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 24th 2017.~~

January 9th 2018


KELLEY SHENDOCK, Secretary