

RESOLUTION NO. 2020-7

Applicant: Cosmo Salon, LLC

Property: 155 N. Route 73
Block 1301, Lot 6

Zone: C-1 Commercial Zoning District

Application: Preliminary and Final Site Plan Approval with Variances and Waivers

Whereas: the Applicant, Cosmo Salon, LLC, being represented by David C. Patterson, Esquire, is the intended occupant of the lands and premises situate at 155 N. Route 73, Block 1301, Lot 6, which property is located in the C-1 Commercial Zoning District. The Applicant proposes to establish a hair and nail salon opened to the general public, which is a permitted use within the C-1 Commercial Zoning District pursuant to Section 340-51.8(1) of the Zoning Ordinance; and

Whereas: the Applicant has submitted a Site Plan, dated November 20, 2019, prepared by Minhu Hu, P.E., of PMD Construction Consulting, LLC; Plan of Survey with Topography, dated September 12, 2019, by Robert L. Valle, P.L.S., and a Floor Plan and Elevations Plan, unsigned and dated November 20, 2019, in support of the Application; and

Whereas: the Applicant has requested that the Board grant certain variances and waivers as set forth on behalf of the Applicant; and

Whereas: the Board has considered that certain Review Letter dated December 2, 2019 prepared by Charles J. Riebel, Jr., P.E., P.L.S., P.P., C.M.E., Township Engineer

for Berlin Township; and

Whereas: the Board has given careful consideration to the application and testimony of the Applicant and the Applicant's expert, and has reviewed and considered the Review Letter dated December 2, 2019, prepared by the Township Engineer and Letter prepared by the Township Fire Marshall, and finding that the granting of Preliminary and Final of Site Plan approval with the variances and waivers requested by the Applicant will not be a detriment to the existing zoning ordinance or the public good, and it further appearing that the public was given an opportunity to question the Applicant, and no member of the public objected to the relief requested by the Applicant.

NOW THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Township of Berlin as follows:

1. The Applicant is granted Preliminary and Final Site Plan Approval in accordance with the Site Plan dated November 20, 2019, prepared by Minhu Hu, P.E., of PMD Construction Consulting, LLC; Plan of Survey with Topography, dated September 12, 2019, by Robert L. Valle, P.L.S., and a Floor Plan and Elevations Plan, unsigned and dated November 20, 2019, subject to the conditions set forth in that Review Letter dated December 2, 2019, prepared by Charles J. Riebel, Jr., P.E., P.L.S., P.P., C.M.E., Township Engineer for Berlin Township, and further conditioned on the following requirements:

A. The Applicant shall repair the existing fence and then plant evergreens along the fence in accordance with the suggestions of the Township Engineer.

B. The Applicant shall paint the building in a neutral color.

C. The Applicant shall seed the property in the rear of the building and add landscaping as suggested by the Township Engineer.

D. The applicant shall maintain the landscaping on a scheduled basis and regularly water the seeded and landscaped areas.

E. The Applicant shall revise the plans as per the Review Letter dated December 2, 2019 prepared by the Township Engineer.

F. The basement and second floor of the building shall not be used for commercial purposes and shall be only on an incidental basis by employer and employees.

G. The Applicant shall install a Knox Box on the premises pursuant to the requirement of the Fire Marshall for the Township of Berlin.

H. The Applicant shall revise the plans to show that the lighted roof mounted sign to be installed shall not exceed 37 square feet.

2. The Applicant is granted the following variances:

A. A variance from Section 340-55A(2) of the Zoning Ordinance which requires a minimum lot area of 20,000 square feet, so that the Applicant can continue to use the lot consisting of 16,191.8 square feet, more or less, which is a pre-existing non-conforming condition.

B. A variance from Section 340-55A(3) of the Zoning Ordinance which requires a minimum lot width of 100 feet so that the Applicant can continue to use the lot with a width of 62.7 feet, which is a pre-existing non-conforming condition.

C. A variance from Section 340-4 of the Zoning Ordinance which requires a minimum lot frontage of 66.67 feet so that the Applicant can continue to use the lot

with a lot frontage of 61.4 feet, which is a pre-existing non-conforming condition.

D. A variance from Section 340-55A(5) (c) of the Zoning Ordinance which requires a minimum side yard set-back of 15 feet so that the Applicant can continue to use the lot with a side yard set-back of 9.86, which is a pre-existing non-conforming condition.

E. A variance from Section 340-93J of the Zoning Ordinance so that the Applicant is permitted the maneuvering of vehicles in that portion of the entrance that is within 20 feet of the right-of-way of Route 73.

3. The Applicant is granted the following waivers:

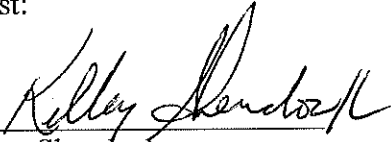
A. A waiver from Section 200-69E(12) of the Zoning Ordinance which requires the installation of an irrigation system for all lawn and landscaped areas. This waiver is granted on the representation of the Applicant that regular watering of all lawn and landscaped areas will be done on a regular scheduled basis.

B. A waiver from Section 340-22 of the Zoning Ordinance which requires the installation of a trash enclosure, so that the Applicant shall not be required to install such enclosure. This waiver is granted on the representation of the Applicant that the trash container to be used, shall not exceed 95 gallons in volume.

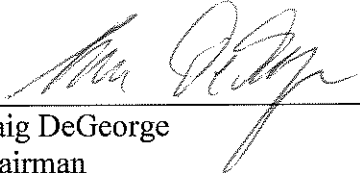
4. This Preliminary and Final Site Plan Approval, variances and waivers are further conditioned upon the Applicant obtaining any and all other approvals which may be required from any and all other State, County or Local governmental agencies.

Attest:

Township of Berlin Planning/Zoning Board

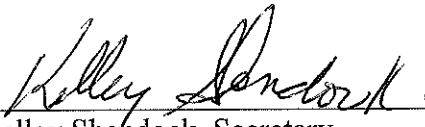


Kelley Shendock
Secretary



Craig DeGeorge
Chairman

The undersigned, Secretary of the Township of Berlin Planning/Zoning Board, hereby certifies that the above is a true copy of a resolution adopted by the Board on the 28th day of January, 2020.



Kelley Shendock, Secretary
Township of Berlin Planning/Zoning Board