

RESOLUTION NO. 2020-9

Applicant: Jiffy Lube International, Inc.

Property: 500-506 Route 73 North
Block 903, Lots 19 and 20

Zone: C-1 Highway Commercial Zoning District

Application: Preliminary and Final Site Plan Approval with Bulk Variances

Whereas: the Applicant, Jiffy Lube International, Inc. the intended owner/occupant of the lands and premises situate at 500-506 Route 73 North, Block 903, Lots 19 and 20, which property is located in the C-1 Highway Commercial Zoning District; and

Whereas: the Applicant, through their attorney, Robert Mintz, Esquire, has submitted an Application for Preliminary and Final site Plan Approval with Bulk Variances supported by a Site Plan, revised to February 5, 2020, prepared by Timothy B. Kratz, P.E., a Site Development Stormwater Plan, dated February 6, 2020, prepared by Timothy B. Kratz, P.E., and Architectural Plans, dated February 6, 2020, prepared by James A. Schmitt, in order for the Applicant to operate an automobile service facility, which is a designated conditional use with a C-1 Highway Commercial Zoning District; and

Whereas: the Applicant and the Applicant's experts have given testimony as to the nature of the business to be conducted at the site and in support of the Applicant's pending application; and

Whereas: the Board has considered a certain Review Letter dated February 17, 2020 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 and representations of the Applicant, the Applicant's expert, and has reviewed and considered the Review Letter dated February 17, 2020, prepared by the Township Engineer, and finding that the granting of Preliminary and Final Site Plan Approval, with Bulk Variances 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, and further finding that the type of business proposed by the Applicant is a permitted conditional use with the C-1 Highway Business Zoning District.

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

1. The Board has determined that the use proposed by the Applicant is a conditional use under Section 340-53A(1) of the Zoning Ordinance and is an appropriate use within the C-1 Highway Commercial Zoning District.

2. The Applicant is granted Preliminary and Final Site Plan approval in accordance with the Site Plan, consisting of 16 sheets, revised to February 5, 2020, as prepared by Timothy B. Kratz, P.E., subject to the following conditions:

A. The Applicant shall prepared and file a Deed of Consolidation for Lots 19 and 20 located in Block 903.

B. The Applicant shall revise the plan submitted to show a retention basin slope of 3:1.

C. The Applicant shall add shrubbery around the retention basin.

D. The Applicant shall store any and all discarded tires within the building.

E. The Applicant shall not store new or used parts or tires outside of the proposed building.

F. The Applicant shall submit of a basement floor plan for the proposed building for the review by the Township Engineer.

G. The Applicant shall comply with item 3C as set forth on the Review Letter dated February 17, 2020.

H. The Applicant shall install a raised concrete island with sloped concrete Curb pursuant to item 4B as set forth on the Review Letter dated February 17, 2020.

I. The Applicant shall comply with item 6C as set forth on the Review Letter dated February 17, 2020.

J. The Applicant shall comply with item 7A(1) as set forth on the Review Letter dated February 17, 2020.

K. The Applicant shall comply with item 7A(8) as set forth on the Review Letter dated February 17, 2020.

L. The Applicant shall comply with item 7C as set forth on the Review Letter dated February 17, 2020.

M. The Applicant shall comply with item 7D as set forth on the Review Letter dated February 17, 2020.

N. The Applicant shall comply with item 7D as set forth on the Review Letter

dated February 17, 2020.

O. The Applicant shall comply with item 8A as set forth on the Review Letter dated February 17, 2020.

P. The Applicant shall install an irrigation system for all lawn and landscaped areas.

Q. The Applicant shall comply with item 10B as set forth on the Review Letter dated February 17, 2020.

R. The Applicant shall comply with item 10C as set forth on the Review Letter dated February 17, 2020.

S. The Applicant shall comply with item 10D as set forth on the Review Letter dated February 17, 2020.

T. The Applicant shall comply with item 10G as set forth on the Review Letter dated February 17, 2020.

U. The Applicant shall comply with item 14A as set forth on the Review Letter dated February 17, 2020.

V. The Applicant shall comply with item 16C as set forth on the Review Letter dated February 17, 2020.

3. The Applicant agrees to provide a cross-access easement between the commercial properties abutting the property of the Applicant, at such time in the future, if and when implemented by the abutting property owners, for purposes of allowing customer vehicles access and circulation between the businesses located on such properties, but not intended for construction or large delivery truck vehicles which may negatively impact the business of the Applicant.

4. The Applicant is granted the following variances and/or waivers:

A. A variance from Section 340-55B(1)(b) of the Zoning Ordinance which sets a maximum building height at 16 feet when a commercial property abuts a residential property, so that the Applicant can construct a building with a proposed height of 22.17 feet.

B. A variance from Section 340-83J of the Zoning Ordinance which sets a minimum set-back of 10 feet from the right-of-way line along Route 73, for the installation of a monument type sign, so that the Applicant can install the proposed monument type sign 6 feet from the right-of-way line along Route 73.

C. A variance from Section 340-82Q of the Zoning Ordinance which provides that a monument type sign shall have a maximum sign message area of 32 square feet, so that the Applicant can install the proposed monument sign with a message area of 50 square feet.

D. A variance from Section 340-82Q of the Zoning Ordinance which requires that monument signs be externally illuminated so that the Applicant can internally illuminate the proposed monument sign.

E. A variance from Section 340-83I of the Zoning Ordinance so that the Applicant can install a total of 10 wall mounted signs along the front and north sides of the proposed building, as depicted on the plan submitted.

F. A variance from Section 340-83I of the zoning Ordinance which provides that wall mounted signage shall not exceed a total of 64 square feet, so that the Applicant can install a total of 100 square feet of wall mounted signage.

G. A variance from Section 340-18D of the Zoning Ordinance which provides

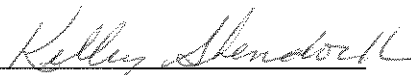
that no fence shall exceed 6 feet in height in a commercial zone, that the Applicant can install a vinyl fence 8 feet in height along the rear of the property and along the right of way facing Lincoln Avenue. The granting of this variance is conditioned on the requirement that the vinyl fence to be installed shall be beige in color.

H. The Applicant is granted a waiver from the applicable section of the Zoning Ordinance which governs the permitted types of lighting fixtures, so that the Applicant is permitted to install LED type lighting fixtures.

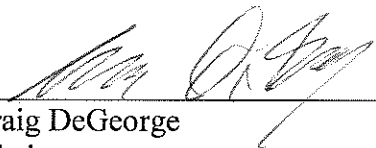
5. This Preliminary and Final Site Plan Approval with variances and waivers is further conditioned upon the Applicant obtaining any and all other approvals which may be required from all other State, County or Local governmental agencies.

Attest:

Township of Berlin Planning/Zoning Board

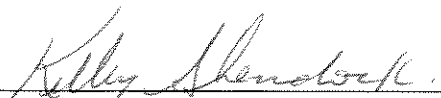


Kelley Shendock
Secretary



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 11 day of August, 2020.



Kelley Shendock, Secretary
Township of Berlin Planning/Zoning Board