

RESOLUTION NO. 2020-10

Applicant: Chick-Fil-A

Property: New Jersey Route 73 at Minck Avenue
Block 703 Lot 11

A - Variance to permit Storage Shed front yard set back to 28.3 feet
B - Variance to permit Storage Shed rear yard set back to 15.8 feet

RESOLUTION OF THE BERLIN TOWNSHIP PLANNING/ZONING BOARD
GRANTING AMENDED SITE PLAN APPROVAL

WHEREAS. The applicant appeared before the Board on August 11th 2020, and is applying for amended final Site Plan approval for property known as Block 703 Lot 11, Route 73 at Minck Avenue, and

WHEREAS. The applicant has submitted an amended 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 report of the Board's Engineer is dated March 10th 2020. The applicant appeared before the Board and was represented by the law office of Duncan Prime Esq., and

WHEREAS. Also appearing for the applicant was John Martinez PE., chick-Fil-A development manager, and Patrick Lynmann of Maser Consulting, PA,

WHEREAS. The applicant provided the following reports;

- a. Amended Preliminary & Final Site Plan prepared by Justin R. Thornton P.E. dated February 12th 2020 and Land Title Survey prepared by John J. Pankok dated June 22nd 2016.

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 the reports filed by the applicant and the Board engineer, and

WHEREAS. The site is located in the C-1 Commercial District. The original site plan for the Chick-Fil-A Restaurant was approved on November 29th 2016, later amended on May 19th 2018 and September 10th 2019.

On January 9th 2020, the Chick-Fil-A project manager met with Township Officials to discuss traffic congestion and proposed improvements to resolve the traffic situation, and

WHEREAS. The applicant proposed and agreed to extend the painted line for the drive-thru, with appropriate pavement markings and to install Drive-Thru and Parking Entrance signs and DO-Not Enter signs at the restaurant exit drive, and

WHEREAS, The applicant now request this amendment for a variance to permit the storage shed to be set at 28.3 feet from Minck Avenue and a variance to permit the storage shed to be 15.8 feet from the rear yard property line, and

WHEREAS. At the conclusion of the applicant's presentation, the meeting

was open to the public for comment. There was no public comment on the application, and

WHEREAS. In considering the applicant's request for variances, the Board determined that there would be no substantial detriment to the public good nor substantial deviation from the intent and purpose of zoning.

NOW THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Township of Berlin that the following variances is Granted;

1. to permit the storage shed to a front yard set back to 28.3 feet along existing line of Minck Avenue.
2. to permit the storage shed to a rear yard set back to 15.8 feet.

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

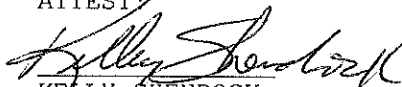
1. to permit a 22 feet wide two way drive aisle for the car and dog was as designated on the plan.
2. to permit a drive-thru lane for the restaurant to be 9.4 feet from the curb line of Minck Avenue.
3. to permit a waiver for a 5 feet shade tree easement along Route 73.

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

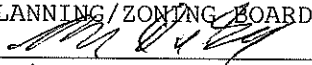
1. All lines, markings and wording on the pavement is to be thermoplastic or epoxy resin - not latex traffic paint.

BE IT FURTHER RESOLVED, the applicant will seek and receive all approvals and permits as may be determined necessary necessary from all governing departments and agencies and shall meet compliance with all applicable Federal, State and County and Municipal laws, rules and regulations.

ATTEST


KELLY 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 August 11th 2020.


KELLY SHENDOCK, Secretary