

RESOLUTION NO. 2021-20

Applicant: 73 Holdings LLC
Property: 560 Route 73 South
Block 903 Lot 3

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 August 10th 2021, and is applying for preliminary and final Site Plan approval for property known as Block 903 Lot 3, 560 Route 73 South, 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 July 13th 2021. The applicant appeared before the Board and was represented by Brian D. Lozuke Esq., and

WHEREAS. Also appearing for the applicant was Joseph A. Mancini P.E. of TSE Engineering, Alec Price of 723 Holdings LLC and Holiday Architects Incorporated, and

WHEREAS. The applicant provided the following reports.

- a. Preliminary and Final Site Plan dated May 13th 2021 prepared by Joseph A. Mancini P.E.
- b. Survey of Property dated March 18th 2021 by Anthony F. DiRosa N.J.P.L.S
- c. Proposed Office Addition/Renovation prepared by Holiday Architects, Incorporated dated 5/21/21.

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 C-1 Highway Commercial Zone District. The applicant's proposed office use is a permitted use in the C-1 Highway Commercial 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 their filed reports as exhibits to establish building renderings and proposed site plan, and

WHEREAS. The applicant seeks approval for a total 1,475 square feet two-story office for his Financial Planning Services, and

WHEREAS. the applicant seeks the following variances.

1. to permit a pre-existing front yard set back 7.3 feet / 12 feet+- scaled variance where 50 feet is required.
2. To permit five (5) parking spaces where six (6) is required.

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 applicant presented testimony that the applicant intended the building use for his Financial Planning Services business. The applicant's intended use is a permitted use in the zoning district.

B). The Board determined that there is a pre-existing non-conforming front yard setback. The applicant's proposed porch setback would be greater than that which currently exist. The Board also determined the application depicted five parking spaces, which includes one handicap parking space. The Township Code requires six parking spaces. The Board determined that the applicant's renovations of the building increased the floor space. This increase floor area was the reason six parking spaces are now required. The applicant did provided testimony concerning the proposed porch setback as well as the need for the variance to permit five parking spaces.

C). There was discussion related to the Board Engineer's report dated July 13th 2021. The applicant had no objection to the Board Engineer's comments and recommendations.

D). There was discussion on the Board Engineer's report at paragraphs 4b, 4c, 5b, 10 and 14. Following the discussion on the site specifications, the Board determined it was appropriate to approve the following waivers;

1. to permit a driveway width at 23.5 feet where 25 feet is required
2. to permit the maneuvering of vehicles at the driveway entrance lane within 20 feet of the right of way line of Katherine Avenue. This being a pre-existing condition.
3. to permit parking area at approximately 19 feet from curb line of Katherine Avenue.
4. to permit LED site light fixtures.
5. to waive the requirement that the applicant's site plan show existing utilities, since the applicant does not propose new utility connections.

E). The applicant agreed with the remaining comments contained in the Board Engineer's report.

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

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 be and are hereby Granted;

1. to permit a pre-existing front yard set-back 7.3 feet / 12 feet+- scaled variance where 50 feet is required.
2. To permit five (5) parking spaces where six (6) is required.

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

1. to permit a driveway width at 23.5 feet where 25 feet is required
2. to permit the maneuvering of vehicles at the driveway entrance lane within 20 feet of the right of way line of Katherine Avenue. This being a pre-existing condition.
3. to permit parking area at approximately 19 feet from curb line of Katherine Avenue.


4. to permit LED site light fixtures.
5. to waive the requirement that the applicant's site plan show existing utilities, since the applicant does not propose new utility connections.

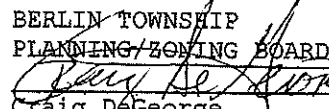
BE IT FURTHER RESOLVED, that the following conditions of this approval have been approved and agreed to by the applicant;

1. The materials for the trash enclosure are to match the same materials as the building façade.
2. Irrigation be provided for all lawn and landscaped areas.

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.

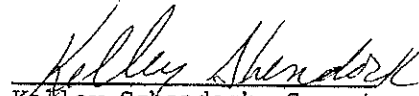
ATTEST:


Kelley Schendock
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 10th 2021.


Kelley Schendock, Secretary