

RESOLUTION NO. 2023-13

Applicant: Steven Zeuli, t/a Zeuli Construction & RD Zeuli, Inc.

Property: 450 Commerce Lane
Block 2301, Lot 24.02

Zone: C2 Highway Commercial Zoning District

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

Whereas: the Applicant, Steven Zeuli, owner of the lands situate at 405 Commerce Lane, Block 2301, Lots 24 and 25, which property is located in the C2 Highway Commercial Zoning District; and

Whereas: the Applicant, through their attorney, David C. Patterson, Esquire, appearing before the Board on March 14, 2023, has submitted an Application for Preliminary and Final Site Plan Approval with Variances and Waivers, supported by a Preliminary and Final Major Site Plan, prepared by prepared by Michael E. Avila P.E., revised to February 17, 2023, a Stormwater Management Report and Stormwater Maintenance Manual, prepared by Michael E. Avila, P.E., dated February 17, 2023, a Traffic Statement dated February 22, 2023, prepared by Bryan Proska, P. E., Floor and Foundation Plans and Elevations and Sections Plan, dated July 21, 2021, prepared by Walter A. Olt, R. A. and presented the testimony of David J. Benedetti, PP, so that the Applicant can construct an Office/Warehouse at the site, which is a permitted use within the C-2 Commercial Zoning District; and

Whereas: the Applicant has requested certain Bulk Variances and Waivers as set forth herein; and

Whereas: the Board has considered a certain Review Letter dated March 2, 2023 prepared by Charles J. Riebel, Jr., P.E., P.L.S., P.P., C.M.E., Township Engineer for Berlin Township; and

Whereas: the Applicant has agreed to comply with the comments and recommendations contained in that certain Review Letter dated March 2, 2023 prepared by Charles J. Riebel, Jr., P.E., P.L.S., P.P., C.M.E., Township Engineer for Berlin Township, and representing that the covered seven (7) space parking area will be constructed will be a steel structure constructed on a permanent foundation and further representing that the proposed building will comply with the façade requirements of the Zoning Ordinance; and

Whereas: the Applicant has, pursuant to Resolution Number 2023-7 adopted on January 10, 2023, been granted a use variance so that the Applicant is permitted to store vehicles and construction equipment outside of the building to be constructed, subject to the condition that no outside storage of building materials shall not be permitted.; and

Whereas: the Board has given careful consideration to the application and testimony and representations of the Applicant, and has reviewed and considered the Review Letter dated March 2, 2023, prepared by the Board Engineer, and finding that the Applicant is entitled to Preliminary and Final Site Plan approval, with the bulk variances and waivers requested, and further finding that the granting of the variance and waiver requested , 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 of the plans submitted, as prepared by Michael E. Avila P.E., revised to February 17, 2023 subject to the following condition:

a. The Applicant shall revise the plans submitted in accordance with the review comments set forth in that certain Review Letter dated March 2, 2023 prepared by Charles J. Riebel, Jr., P.E., P.L.S., P.P., C.M.E., Township Engineer for Berlin Township.

b. The proposed covered seven (7) vehicle parking area shall be a steel structure constructed on a permanent foundation,

c. The Applicant shall comply with the building façade requirements set forth in the applicable ordinance.

d. There shall be no outside storage of building materials.

e. There shall be no repairs of vehicles and/or equipment outside of the proposed building.

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

a. The Applicant is granted a variance from the applicable ordinance which limits the height of a fence to six (6) feet, so that the Applicant can install and maintain a fence with a height of eight (8) feet at the locations set forth on the plan approved.

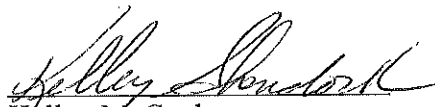
b. The Applicant is granted a variance from Sections 340-39B and 340-94A of the Zoning Ordinance, so that the Applicant can install and maintain the stone surface for the proposed “yard” area, as set forth and described in the plan submitted.

c. The Applicant is granted a waiver from the applicable ordinance so that the Applicant may install LED lighting fixtures.


d. The Applicant is granted waiver from the requirement that outside trash enclosures be installed on such commercial properties, so that the Applicant shall not be required to construct and maintain such enclosure.

3. This Site Plan Approval with Variances and Waivers is 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.

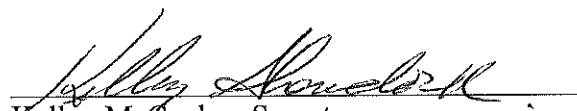
Attest:


Kelley McCauley
Secretary

Township of Berlin Planning/Zoning Board


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 25th day of April, 2023.


Kelley McCauley, Secretary
Township of Berlin Planning/Zoning Board