

RESOLUTION NO. 2023-18

**Applicant:** 400 Cooper LLC

**Property:** 400 Cooper Road  
Block 1907, Lot 10

**Zone:** L-1 Light Industrial Zoning District

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

**Whereas:** on September 12, 2023, the Applicant, 400 Cooper Road, LLC, being represented by Robert Baronowski, Esquire, of Hyland Levin Shapiro LLP., owner of the lands and premises situate at 400 Cooper Road, Block 1907, Lot 10, which property is located in the L-1 Light Industrial Zoning District, did appear before the Berlin Township Planning/Zoning Board requesting Preliminary and Final Site Plan Approval, to permit the construction of a 39,000 square foot warehouse, along with a 5,040 concrete driveway expansion to be located on the site; and

**Whereas:** the Applicants have submitted a Preliminary & Final Major Site Plan, dated March 28, 2023, prepared by John W. Kornick, P.E.; a Commercial Storage Building Plan, Architectural Building Elevations Plan, dated April 4, 2023, prepared by Jack A. Smith R.A.; a Stormwater Report/Management Facility Operations and Maintenance Manual, dated August 1, 2023, prepared by John W. Kornick, P.E., dated August 1, 2023, prepared by John W. Kornick, P.E.; a Plan of Existing Conditions, dated April 14, 2023, prepared by Timothy R. Corcoran, P.L.S.; and various other documents in support of the Application; and

**Whereas:** the Applicant provided the testimony of John W. Kornick, P.E., and the owner of 400 Cooper Road, LLC. in support of the Application; and

**Whereas:** the Board has reviewed and considered that certain Review Letter dated September 5, 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 revise the plans submitted in accordance to the review comments and recommendations set forth on that Review Letter dated September, 5, 2023, prepared by Charles J. Riebel, Jr., P.E., P.L.S., P.P., C.M.E., Township Engineer for Berlin Township, and the comments of the Township Fire Marshall, and further agreeing to replace the existing fence after the proposed warehouse is completed; and

**Whereas:** the Board has determine that if has jurisdiction to hear the Application submitted, has given careful consideration to the application and testimony of the Applicant and the Applicant's experts and witnesses, and has reviewed and considered the Review Letter dated September 5, 2023, 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 it further appearing that the Applicant has complied with the conditions set forth in the Zoning Ordinance for properties located within the L-1 Light Industrial Zoning Districts.

**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 Preliminary & Final Major Site Plan, dated March 23, 2023, prepared by John W. Kornick, P.E. subject to the following conditions:

a. The Applicants shall comply with the review comments and recommendations set forth in that certain Review Letter certain Review Letter dated September 5, 2023, prepared by Charles J. Riebel, Jr., P.E., P.L.S., P.P., C.M.E., Township Engineer for Berlin Township, and the comments of the Township Fire Marshall.

b. All pallets and dumpsters shall be stored within the fenced area and will not exceed six (6) feet in height.

c. The Applicant shall replace the existing fence, as represented at the hearing, after the construction of the proposed warehouse is completed.

2. The Applicant is granted the following waivers:


a. A waiver from that section of the Zoning Ordinance which requires the installation of concrete sidewalks along road frontages.

b. A waiver from that section of the Zoning Ordinance which requires high-pressure sodium fixtures, so that the Applicant may install LED lighting fixtures.


c. A waiver from that section of the Zoning Ordinance which requires the installation of a trash enclosure, so that the Applicant shall not be required to provide such enclosure.

3. This Site Plan Approval 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.

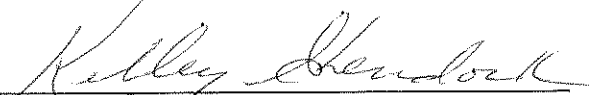
Attest:

  
Kelley Shendock  
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 17<sup>th</sup> day of October, 2023.

  
Kelley Shendock, Secretary  
Township of Berlin Planning/Zoning Board