

RESOLUTION NO. 2023-20

Applicant: Sita Ram Inc. T/A Dunkin Donuts

Property: 235 Route 73 South
Block 1203 Lot 7

Preliminary and Final Minor Site Plan Approval - with variances

RESOLUTION OF THE BERLIN TOWNSHIP PLANNING/ZONING BOARD
GRANTING PRELIMINARY AND FINAL MINOR SITE PLAN - WITH VARIANCES

WHEREAS. The applicant appeared before the Board on October 17th 2023, and is applying for preliminary and final Minor Site Plan, with variances, approval for property known as Block 1203 Lot 7, and

WHEREAS. The applicant has submitted a site plan for approval, which 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 October 10. 2023. The applicant appeared before the Board and was represented by Robert D. Mintz Esq. of Freeman and Mintz P.A., and

WHEREAS. Also appearing for the applicant was Michael Avilla P.E., and

WHEREAS. The applicant provided the following reports;

- a. Preliminary & Final Site Plan prepared by Michael E. Avilla, P.E. dated August 28th 2023.
- b. Existing Conditions Survey prepared by Robert L. Lee, P.L.S. dated June 26th 2023

and

WHEREAS. All intended witnesses, the applicant's professional and the Board's professional, 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 all reports filed by the applicant and the Board engineer, and

WHEREAS. The applicant requires the following variances;

1. To permit window area signs to exceed 20% of total window area.
2. To permit window signs not facing a public street.
3. To permit two freestanding signs (identification sign and menu board)
4. To permit total area of freestanding signs to exceed 64 s.f.
5. To permit changeable copy menu board.
6. To permit three (3) accessory structures.

7. To permit a canopy structure to be located within the front yard.

WHEREAS. The site is located along the Northbound (east) side of NJ State Highway Route 73 and contains an existing Dunkin Donuts, with an attached freezer and freestanding accessory shed located behind the building. Two other uses - office warehouse and garage building are part of the location, and

WHEREAS. The applicant's use is located in the C-1 Highway Commercial Zoning District. The applicant proposes to replace the existing freestanding, façade and drive thru direction signs and menu board. The applicant also proposes to add a clearance bar and canopy over the ordering station and a new canopy over the pick-up station, and

WHEREAS. The applicant provided testimony that the changes would allow for a safer flow of customer traffic and enhance the flow of business at this site along Route 73, and would not be a detriment to the flow of traffic to and from the site or a negative to the customers waiting for pick-up, and

WHEREAS. The applicant offered no objection to the report provided by the Board's Engineer dated October 10th 2023.

WHEREAS. The application was opened to the public. There was no public in opposition to the application, and

WHEREAS. The Board determined that the applicant provided all necessary documents and testimony and the Board was satisfied with the applicant's response to the Board's questions and concerns.

NOW THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Township of Berlin that the application for preliminary and final minor 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 are GRANTED:

1. To permit window area signs to exceed 20% of total window area.
2. To permit window signs not facing a public street.
3. To permit two freestanding signs (identification sign and menu board)
4. To permit total area of freestanding signs to exceed 64 s.f.
5. To permit changeable copy menu board.
6. To permit three (3) accessory structures.
7. To permit a canopy structure to be located within the front yard.


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

1. The applicant will replace the faded "do not enter sign" located at the end of the drive-thru,
2. The handicap parking sign cluster will be updated to where the bottom is set at least 60" above the pavement and the new sign will display the current violation penalty amounts.
3. The applicant will apply and secure, if applicable, an exemption letter from the Camden County Planning Board.

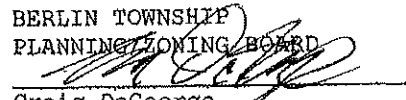
BE IT FURTHER RESOLVED, the applicant will seek and receive all approvals and permits necessary from all governing departments and agencies and shall meet

compliance with all applicable Federal, State and County and Municipal laws, rules and regulations.

ATTEST:

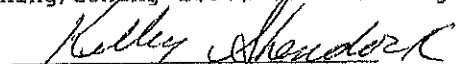

KELLY SHENDOCK
Secretary

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 December 12th 2023.


KELLY SHENDOCK, Secretary