

RESOLUTION NO. 2024-15

Applicant: C2 WM New Jersey 1807, LLC

Property: 265 Route 73 North
Block 1203, Lot 4

Zone: C-2 Commercial Zoning District

Application: Minor Site Plan Approval

Whereas: the Applicant, C2 WM New Jersey 1807, LLC, being represented by Michael Coskey, Esquire, of Greenbaum Rowe Smith & Davis, LLP., and with the permission of Walmart Real Estate Business Trust, the owner of the lands and premises situate at 265 Route 73 North, Block 1203, Lot 4, which property is located in the C-2 Commercial Zoning District. The Applicant proposes to construct seven (7) elevated solar panel array structures, which will consist of 240 solar panels that will be constructed over the top of 184 existing parking spaces within the front (western) side of the Walmart Shopping Center located on Route 73; and

Whereas: the Applicant has submitted a Site Plan (8 sheets) prepared by FWH Associates, P.A., dated January 4, 2024; an Outbound and Topographic Survey, prepared by FWH Associates, P.A., dated November 9, 2023; and

Whereas: the Applicant's Engineer, Christopher P. Rosati, P.E., gave testimony in support of the Application, at which time Exhibit A-1, a Color Rendering of the proposed structures; Exhibit A-2, an Aerial Photo of the site and Exhibit A-3, a rendering of the parking solar panels were marked as evidence in support of the Application; and

Whereas: the Applicant is not seeking any variances; and

Whereas: the Board has considered that certain Review Letter dated April 29, 2024, 2020, prepared by Gergory B. Fusco, P.E., P.P., C.P.W.M., Township Engineer for Berlin Township; and

Whereas: the Board has jurisdiction to hear the Application, and notice being sent and published according to the requirements set forth in the controlling statutes; and

Whereas: the Board has given careful consideration to the application and testimony of the Applicant and the Applicant's expert, and has reviewed and considered the Review Letter dated April 29, 2024, prepared by the Township Engineer and finding that the granting of a Minor Site Plan approval requested by the Applicant 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 Minor Site Plan Approval in accordance with the Site Plan prepared by FWH Associates, P.A., dated January 4, 2024 and signed by Christopher P. Rosati, P.E., so that the Applicant may construct seven (7) elevated solar panel array structures, which will consist of 240 solar panels that will be constructed over the top of 184 existing parking spaces within the front (western) side of the Walmart Shopping Center located on Route 73, subject to the following maintenance conditions:

A. The Applicant shall replace the dead trees located in the site and shall submit a landscaping plan, to be reviewed by the Township Engineer, which addresses the replacement of dead trees and other landscaping concerns set forth in the Review Letter dated April 29, 2024

B. The Applicant shall satisfy any recommendations as a result of a post construction lighting inspection intended to verify that the post construction lighting meets the intent of Section 340-93 of the Zoning Ordinance.

C. The Applicant shall meet all EV charging station requirements set forth in the Zoning Ordinance.

D. The Applicant shall install bollards around the column foundations which support the solar panels, and shall comply with the review comment set forth on page 3, paragraph 4 of the Review Letter dated April 29, 2024

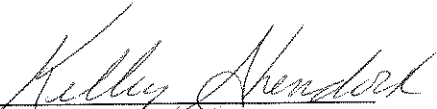
E. The Applicant shall notify the owner, Walmart Real Estate Business Trust, within thirty (30) days, to contact Gregory B. Fusco, Township Engineer, regarding the required stop signs which are missing from the site, the safety hazard regarding wires which are currently exposed outside a light standard in the parking lot, as well as other deficiencies which may exist at the site.


2. The Applicant shall be permitted to install LED type lighting fixtures.

3. This Amended 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.

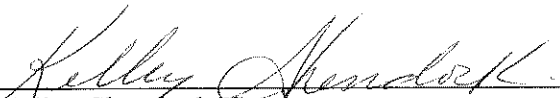
Attest:

Township of Berlin Planning/Zoning Board


Kelley Shendock
Secretary


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 June, 2024.


Kelley Shendock, Secretary
Township of Berlin Planning/Zoning Board