

RESOLUTION NO. 2024-19

Applicant: West Berlin Chicken LLC

Property: 188 NJ Route 73 North
Block 703 Lot 14

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 August 27th 2024, and is applying for preliminary and final Minor Site Plan, with variances, approval for property known as Block 703 Lot 14, and

WHEREAS. The applicant has submitted a site plan for approval, which has been reviewed by Robert Scott Smith P.L.S., P.P. and Gregory B. Fusco P.E. P.P. CPWM the Planer and Engineer for the Board. The report of the Board's Engineer is dated July 15th 2024. The applicant appeared before the Board and was represented by David Patterson Esq., and

WHEREAS. Also appearing for the applicant was Aaron Chan P.E. and Thomas J. Ricci PP, and

WHEREAS. The applicant provided the following reports;

- a. Signage Plan Plan prepared by Matthew J. Seckler PE dated April 5th 204.
- b. Project Narrative for variance request

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 raise an existing non-conforming Preview Board sign from 1.5 +/- feet to 1.79 feet located at the Drive Thru.
2. To replace existing non-conforming Preview/menu Board .
3. To permit signs to be Digital

WHEREAS. The applicant's use is located in the C-1 Highway Commercial Zoning District. The existing signs at question are considered non-conforming. Since the applicant proposes to replace the existing preview sign board and existing menu sign board direction, the applicant requires the granting of the variance applied for, 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 73N and customer access through the Berlin Circle Plaza Shopping Center, 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 July 15th 2024.

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. The Board determined that granting the minor site plan and variance request will not be a substantial deviation from the intent and purpose of zoning for the area and will not cause a substantial detriment to the community.

NOW THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Township of Berlin that the application for 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;

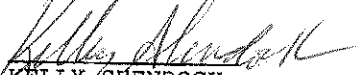
1. From Chapter 340-82F, To permit replacement of existing preview sign board and existing menu/ordering board.
2. From Chapter 340-83J. To permit two freestanding signs.
3. To permit two the freestanding signs to be set at 1.79 feet above ground and to be digital signs.

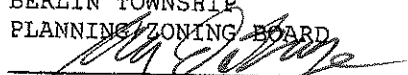
BE IT FURTHER RESOLVED, that the following conditions of this approval have been approved and agreed to by the applicant;

1. The applicant will repair bituminous pavement at the rear driveway.
2. The applicant will paint the trash enclosure with a color to match the building façade.
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 August 27th 2024.


KELLY SHENDOCK, Secretary
Memorialized 9-24-24 2024