

RESOLUTION NO. 2025-8

Applicant: Iglesia Pentecostal Jehova Es Mi Guarrero, Inc.

Property: 171 Haddon Avenue
Block 601 Lot 25

Zone: Commercial Business District

Application: Preliminary and Final Major Site Plan Approval

**RESOLUTION OF THE BERLIN TOWNSHIP PLANNING/ZONING BOARD
DENYING PRELIMINARY AND FINAL SITE PLAN APPROVAL**

Whereas: On December 17, 2024, the Applicant, Iglesia Pentecostal Jehova Es Mi Guarrero, Inc., (“Applicant”) being represented by Richard B. Supnick, Esquire, presented to the Berlin Township Planning Board an application for Preliminary and Final Major Site Plan Approval for 171 Haddon Avenue, Block 601 Lot 25 , (the “Subject Property”) which property is located in the Commercial Business District for use of the Subject Property as a Church (the “Application”); and **Whereas:** The Board has determined that it 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 Applicant, in support of its application, did present a Major Site Plan, prepared by Roberts Engineering Group LLC, dated September 5, 2024 consisting of 6 sheets and a Plan of Alterations prepared by Todd Geter, Architect dated May 2, 2024 ;and

Whereas: at the hearing the Applicant presented the testimony of D. Geoffrey Brown who is a Professional Engineer and Professional Land Surveyor of the State of New Jersey and who prepared the submitted site plan; and

Whereas: Mr. Brown's credentials as a professional engineer and professional surveyor were accepted by the Board and Mr. Brown was permitted to testify as an expert in these areas; and

Whereas: Mr. Brown was sworn in and explained to the Board the Site Plan submitted and reviewed the Plan of Alterations submitted and further answered questions posed by members of the Board as to issues of concern; and

Whereas: Applicant also presented the testimony of Oscar Guadada, who after being sworn testified as follows:

- He is the Pastor of the Church that seeks to occupy and use the Subject Property.
- The Applicant is the contract purchaser of the Subject Property.
- If the Application is granted Church services would take place on Tuesday and Thursday starting at 7:00PM and on Sunday's from 12:00PM. Services usually last from 2 to 3 hours; services would also take place on Church holidays. The Church might also expand to have services on additional days of the week in particular, possibly on Saturdays.
- The Church has no formal employees but he and 2 to 3 other members of the Church help conduct the services and run the Church.
- Currently the Church has 55 members of the Church which is a reduced number from the prior size of the congregation. The Church hope to increase the size of the congregation once it moves to the Subject Property.

- The Church received verbal permission from an employee of the Home Depot to allow members of the Church congregation to park in the Home Depot parking lot and the Church would run a shuttle service from the parking lot to the Church. There is no writing that memorializes any parking agreement signed by either the owner of the Home Depot property or any official at Home Depot and the Church was not able to produce any evidence that the verbal parking agreement was binding on Home Depot or that it could not be revoked at any time.

Whereas: The Board considered the Review Letter dated December 2, 2024, prepared by Gregory B. Fusco, P.E., P.P., C.P.W.M., Engineer for Berlin Township which review letter inter alia included the following:

- The prior location of the Church included 28 parking spaces which is greater than proposed for this project.
- The surrounded uses on both sides of the Subject Property are residential in nature.
- The previous use of the property was a funeral parlor which operated with a deficiency of parking and excess parking during funeral services spilled over onto residential streets in the neighborhoods which resulted in complaints on a continuous basis from residential neighbors regarding lack of parking and well as traffic congestion and safety on Haddon Ave.
- Churches operate in a similar manner as funeral parlors and the same type of problems and traffic issues will exist if sufficient onsite parking is not provided.
- The review letter also discussed such additional issues as stormwater management lighting and buffering.

Whereas: The Board considered the Review Letter dated December 12, 2024, prepared by J. Michael McGee, Chairman of the Berlin Township Fire District which review letter inter alia included the following:

- The Fire Company was requested by the Church to permit parking by members of the Church congregation if the new use is permitted. The Fire Company denied permission since the lot is needed for firefighters in the event of a fire call.
- If members of the Church park vehicles along the back streets, as happened during large funerals it would greatly hinder the operation of equipment to and from the fire house.

Whereas: after presentation of the application by the Applicant several Board members expressed concern over the number of parking spaces, parking offsite, the possibility of expansion of the Church congregation in the future which would increase the need for additional off-street parking spaces, traffic safety issues on Haddon Avenue and the possibility of impeding fire-fighting operations from the Fire Company that is in close proximity to the Subject Property ; and

Whereas: The Application was then opened to members of the Public each of whom were sworn in before providing testimony. The public comments and testimony included the following:

- Concern over excess parking on the street as experienced when the funeral home was operating.
- Concern over traffic congestion and safety as to vehicles entering and exiting the Subject Property.
- Concern over spill over noise made during services at the Church.
- Concern over spill over lighting from the Church parking lot.

Whereas: after having been sworn in, several members of the Fire Company testified at the hearing as to the same concerns as voiced by the members of the public and as to the same concerns as set forth in the letter issued by Mr. McGee as Chairman of Fire District No. 1 as referenced above.

Whereas: Prior to the vote on the Application, the Applicant agreed to revise the Application to agree to conform with the requirements of the Engineering Letter , and to increase the number of parking spaces from 22 to 25 and to reduce inside seating from 88 to 77; and

Whereas: The Board has given careful consideration to the Application and changes to the Application agreed to by the Applicant , the testimony of the Applicant and the Applicant's professional, the comments and testimony from members of the public, the Review Letter dated December 2, 2024, prepared by the Township Engineer, and the Review Letter dated December 12, 2024, prepared by J. Michael McGee, Chairman of the Berlin Township Fire District.; and

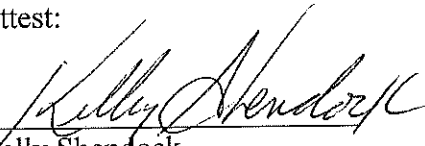
Whereas: a motion was made and seconded to deny the Application for the following reasons: concern over the number of parking spaces, parking offsite, the possibility of expansion of the Church congregation in the future which would increase the need for additional off-street parking spaces, traffic safety issues on Haddon Avenue including ingress and egress issues and the possibility of impeding fire-fighting operations from the Fire Company that is in close proximity to the Subject Property.

Whereas, the motion to deny was unanimously voted on in favor of the motion to deny.

NOW THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Berlin as follows:


1. The Application for Preliminary and Final Major Site Plan Approval is denied in full for the reasons described in the motion and the reasons expressed by the members of the Board at the hearing.

Attest:



Kelly Shendock
Secretary

Township of Berlin Planning/Zoning Board



Craig DeGeorge
Chairman