

RESOLUTION NO. 2026-9

**Applicant:** LL Peason, LLC

**Property:** 998 Taunton Avenue  
Block 2202, Lot 2.02

**Zone:** R-4 Residential Zoning District

**Application:** Minor Site Plan with Use Variance

**Whereas:** on January 13, 2026, the Applicant, LL Peason, LLC, being represented by Emanuel Sanfilippo, III, Esquire of Nehman, Davis & Goldstein, PC, owner of the property located at 998 Taunton Avenue, Block 2202, Lot 2, which property is located in the R-4 Residential Zoning District, did appear before the Berlin Township Joint Planning/Zoning Board requesting Minor Site Plan approval for permission to construct a one story addition measuring 30 feet by 40 feet to the rear of the existing 2,427.00 square foot building; and for a use variance to permit the Applicant to use the proposed additional for light industrial use, when such use is not permitted within the R-4 Residential Zoning District; and

**Whereas:** until 2023, the subject property and the associated industrial use existed in the Light Industrial Zoning District and was a permitted use. In 2023 the Township of Berlin conducted a re-examination of the Master Plan and the industrial area along Taunton Avenue was re-zoned R-4 Residential, however according to the Township Planner, Leah Furey Bruder, no provisions were made in the re-zoning of the area to permit the continuation and/or expansion of the existing non-residential uses; and

**Whereas;** the Applicant, in support of the application, presented a Existing Conditions and Topographic Survey Plan prepared by Patterson Engineering and Surveying, LLC, dated January 29, 2025; and Grading Plan prepared by Patterson engineering and Surveying LLC, dated July 2025, and gave testimony in support of the Application; and

**Whereas:** the Board has reviewed and considered that certain Review Letter dated November 5, 2025, prepared by Gregory B. Fusco, P.E., P.P., C.P.W.M., Township Engineer for Berlin Township, which made certain review comments and suggested conditions of approval which the Board should consider and adopt; and

**Whereas:** the Boad has determined that it has jurisdiction to hear the application and having considered public comments and concerns made at the hearing, and considering the fact that at the time of the re-examination of the Master Deed in 2023 there was a probably intent to allow the existing light industrial uses along Taunton Avenue to remain; and determining that the approval of the Minor Site Plan, with the requested Use Variance, can be made with certain conditions being imposed; and further considering that the site has been continuously used for light industrial purposes since the early 1980s; and determining from the testimony of the Applicant that the intent of the addition is to allow an adequate workspace to conduct the existing business; and notice of the hearing being sent and published according to the requirements set forth in the controlling statutes; and

**Whereas:** the Board has determined that the granting of the relief requested can be granted without a substantial impact upon the public, however certain conditions of approval should be made.

**NOW THEREFORE BE IT RESOLVED:**

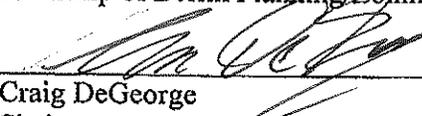
A. The Applicant is granted Minor Site Plan approval, and a Use Variance to permit the Applicant to use the proposed addition for the industrial uses now operated at the site, and in accordance to the plans and testimony submitted, subject to the following conditions:

1. The Applicant shall grant a five (5) foot shade tree easement along Taunton Avenue to the Township of Berlin.
2. The Applicant shall conduct all work inside of the building and proposed addition. There shall be not work conducted outside of the building or addition
3. The Applicant shall comply with the Review Letter dated November 4, 2025, Page 3, Paragraphs 4 and 5.
4. The Applicant shall locate an evergreen screening with a minimum height of five (5) feet, along the vicinity of the front of the existing building, pursuant to the recommendations of the Township Engineer.
5. The Applicant shall comply with all State of New Jersey sound decibel levels.
6. The Applicant shall install any proposed air-condition systems on the left side of the existing building, or proposed addition.
7. This approval is also conditioned on the Applicant obtaining any and all other required Federal, State, or Local Municipal approvals.

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 10<sup>th</sup> day of February, 2026.

  
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Kelley Shendock, Secretary  
Township of Berlin Planning/Zoning Board