

Resolution # 2026-12

RESOLUTION OF THE PLANNING ZONING BOARD OF THE TOWNSHIP OF BERLIN,
CAMDEN COUNTY, NEW JERSEY, RECOMMENDING THE MAYOR AND TOWNSHIP COUNCIL AMEND CHAPTER 340
ENTITLED ZONING, TO ADD A DEFINITION TO SECTION 340 AND TO ADD CONDITIONAL USE STATDARDS FOR FUELING
STATIONS WITH CONVENIENCE RETAIL WITHIN THE C-1 AND C-2 ZONING DISTRICTS

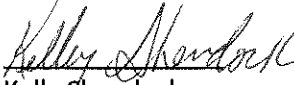
WHEREAS, The New Jersey Land Use Law N.J.S.A. 40:55D.1 et seq. requires amendments to the Municipal Land Use Law to first be reviewed and a recommendation received from the Municipal Planning Zoning Board before final adoption by the Municipal Governing Board, and

WHEREAS. The Planning and Zoning Board of the Township of Berlin has considered an amendment to the Land Use and Development Code of the Township of Berlin regarding Chapter 340 Entitle Zoning, and

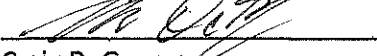
WHEREAS. The Board has received the recommendation of the Board's professionals and has reviewed the same at an open public meeting of the Board and agrees with the proposed amendment.

NOW THEREFORE, The Planning and Zoning Board of the Township of Berlin does hereby recommend that the Mayor and Township Council consider adopting the proposed Amendment to the Land Use and Development Code of the Township of Berlin regarding Chapter 340 Entitle Zoning, A Copy of the proposed Ordinance, as recommended by the Board, is attached hereto and made a part of this Resolution.

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 March 17TH 2026.


Kelly Shendock, Secretary

ORDINANCE 2026-3 OF THE TOWNSHIP OF BERLIN

AMENDING CHAPTER 340 ENTITLED ZONING, TO ADD A DEFINITION TO SECTION 340-4 AND TO ADD CONDITIONAL USE STANDARDS FOR FUELING STATIONS WITH CONVENIENCE RETAIL WITHIN THE C-1 and C-2 ZONING DISTRICTS

WHEREAS, the Township of Berlin strives to adopt and implement land use regulations that advance the Township's policies, goals, and objectives as set forth in the Master Plan and Master Plan Reexamination reports; and

WHEREAS, Berlin Township recognizes that fueling stations with convenience store have become a regular and popular commercial use in New Jersey;

WHEREAS such uses are permitted in Berlin Township by inference, and with automotive service stations being a conditionally permitted use without specific conditions; and

WHEREAS The Township Council desires to amend the Township's existing zoning ordinance to conditionally permit fueling stations with convenience retail sales within the C-1 and C-2 zoning districts and to add specific conditions pertaining to the use.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Township Council of the Township of Berlin, County of Camden, State of New Jersey that the following sections of the Township Code shall be amended as follows:

Section I. Amend Article II Terminology, Section 340-4A "Definitions; word usage" to include the following additional definitions:

FUELING STATION WITH CONVENIENCE RETAIL SALES means a retail facility with a co-located convenience store and fueling station in one (1) or more principal buildings(s) operating up to twenty-four (24) hours per day, seven (7) days per week, which may offer grocery items, prepackaged and hot and cold made-to-order drinks and food, household items, tobacco products, newspapers and magazines, and the like within the store, together with outside facilities for dispensing motor fuels which may include both gasoline and diesel fuels for light trucks and passenger vehicles under a lit canopy, in addition to electric vehicle supply and service equipment (EVSE) and air pump facilities. The servicing of motor vehicles is not a component of this use.

Section III. Amend Chapter 340, Article IX, section 340-53 "Conditional Uses" to add 340-53A(3) as follows.

Section 340-53A(3) Fueling Station with Convenience Retail Sales subject to the following conditions.

- a. The site must have primary frontage on State Highway Route 73
- b. The site must have a minimum of 200 feet of frontage along State Highway Route 73.
- c. The minimum lot size is 1 acre
- d. The convenience store shall not exceed 7,000 square feet in area.
- e. The fueling station canopy shall be set back a minimum of 50 feet from the right of way and a minimum of 50 feet from side and rear tract boundary lines.
- f. The maximum permitted height for a fueling station canopy is 25 feet.
- g. The maximum permitted height for a convenience store is 30 feet.
- h. Where the site abuts a residential zoning district, a 50-foot-wide planted landscape buffer shall be provided and shall be maintained as long as the use remains on the site.
- i. Enclosures for trash and recyclables shall be designed to complement the building architecture, shall not be permitted in the front yard and shall be set back a minimum of 25 feet from side and rear property lines.
- j. One freestanding sign, a maximum of 20 feet in height, is permitted along the primary frontage, with the total sign area not to exceed 60 square feet, including the digital gas price display.
- k. Where there is a secondary frontage of at least 100 feet, a monument style sign, a maximum of 8 feet in height, is permitted along the secondary frontage, with the total sign area not to exceed 32 square feet.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are hereby modified or repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that if any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, that this ordinance shall take effect upon final passage and publication according to law.

First Reading: March 16, 2026

Adopted:

ATTEST:

TOWNSHIP OF BERLIN

Catherine Underwood, Township Clerk

Phyllis Magazzu, Mayor