

RESOLUTION NO. 2026-18

Applicant: NIKI-J&J Voorhees Cooper Partners LLC
Property: 599 Route 73 North
Block 1002 Lots 12 and 13

Preliminary and Final Site Plan with Variances and Conditional Use Approval

RESOLUTION OF THE BERLIN TOWNSHIP PLANNING/ZONING BOARD
GRANTING PRELIMINARY FINAL SITE PLAN, WITH VARIANCES, AND CONDITIONAL USE
APPROVAL

WHEREAS. The applicant appeared before the Board on August 18th 2026, and is applying for preliminary and final Site Plan approval with variances, and conditional use approval, for property known as Block 1002, Lots 12 and 13, and

WHEREAS. The applicant has submitted a site plan for approval, which plan has been reviewed by Gregory B. Fusco P.E., P.P., C.P.W.M., for the Board. The report of the Board's Engineer is dated August 12th 2026/Revised August 17th 2026. The applicant appeared before the Board and was represented by CherylLynn Walters, Esq. of Nehmad Davis & Goldstein, P.C., and

WHEREAS. Also appearing for the applicant was Paul Mutch, PE - Engineer, Matthew Sharo, PE - Engineer, Betsy Dolan, PE - Traffic Engineer, Tiffany Morrissey, PP, AICP - Planner, and

WHEREAS. The applicant provided the following exhibits (marked during the course of the hearing as indicated):

- a. Witness & Exhibit List (A-1)
- b. Aerial Exhibits (A-2, consisting of 2 sheets)
- c. Site Plan Rendering Exhibit (A-3)
- d. Off-Site Improvements Exhibit Overall (A-4)
- e. Off-Site Improvements Exhibit Cooper Road (A-5)
- f. Off-Site Improvements Exhibit Route 73 (A-6)
- g. Architectural Exhibit - Elevations & Floor Plan (A-7)
- h. Architectural Exhibit - Fuel Canopy and Trash Compound (A-8)
- i. Architectural Exhibit - 3-D Building renderings (A-9)
- j. Signage Exhibit (A-10)
- k. Truck Turning Plan Fuel Truck (A-11)
- l. Truck Turning Plan Delivery Truck (A-12)
- m. Truck Turning Plan Refuse Vehicle (A-13), and

WHEREAS. All intended witnesses were sworn-in by the Board Solicitor, and

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 site is located in the C-2 Highway Commercial District. The proposed convenience store with automobile fueling station is a conditionally permitted use requiring Planning Board review and approval, and

WHEREAS. The applicant has received and reviewed a copy of all Board Engineer's reports, most recent being dated August 12th 2026 - revised August 17th 2026, and

WHEREAS. The applicant proposes to develop Block 1002, Lots 12 and 13 into a 5,915 square feet Wawa Convenience Store with gasoline fueling station, including six (6) fueling pumps under a fuel canopy. The site contains frontage on Route 73 and secondary access along Cooper Road. The site is divided between Berlin Township and the Township of Voorhees. The site will provide 55 parking spaces, a stormwater management facility, landscaping, site lighting and associated and related improvements, and

WHEREAS. Following a review of the application, and the receipt of testimony and exhibits, the Board determined:

A). The applicant has made application for preliminary and final site plan approval and conditional use approval.

B) The parcel is located in the C-2 Highway Commercial District. The proposed convenience store with automobile fueling station is a conditionally permitted use in the C-2 Zone in accordance with Ordinance 2026-3 adopted on April 20, 2026.

C) The applicant presented testimony that there was no objection to the Board's professional report dated August 12th 2026 revised August 17th 2026, and was in agreement with recommendation and comments contained in the Board's Engineer's report, unless noted herein.

D) The applicant presented testimony that it intended approximately 99 new plantings throughout as part of this site plan, and

E) There was discussion on; a) the availability of sufficient parking spaces for large truck vehicles, b) the safe controlled movement of vehicles on site and c) public walkways on the site. The applicant agreed to work with the Board Engineer to assure sufficient and designated parking for large trucks, and to designate and mark locations on the site for customer walkways to aid in pedestrian safety, and

F) There was discussion on the proposed storm water basins to be located on the site. The applicant provided testimony that all storm water basins will meet DEP regulations on water flow, water treatment and detention. There was also discussion on the proposed site lighting. The applicant agreed that LED lighting is be provided and all site lighting is to be shielded and contained within the site except as otherwise noted at the crosswalk along the Cooper Road frontage.

G) There was testimony by applicant's professional planner regarding the positive and negative criteria in support of and/or necessary for the grant of the variances outlined below. The Board's professional advised the Board that the planning testimony was accurate and sufficient to warrant granting he requested variances, and the Board agreed.

H) The application was open to the public. There were two separate Public comments on the application. All public comments and discussions were

favorable to the application.

I) The Board determined that the applicant has responded to all the Board's questions and concerns, the Board being satisfied with the comments and responses provided.

NOW THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Township of Berlin that the application for conditional use approval be and is hereby GRANTED.

BE IT FURTHER RESOLVED, by the Planning/Zoning Board of the Township of Berlin that the application for preliminary and final site plan approval, be and is hereby GRANTED.

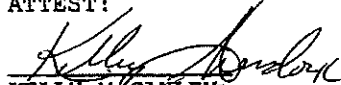
BE IT FURTHER RESOLVED, by the Planning/Zoning Board of the Township of Berlin that the following variances are Granted;

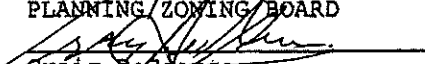
1. To permit a fuel canopy structure with a height of 21.2 feet where 15 feet is set as maximum.
2. To permit a storage shed at 16 X 36 where 12 X 20 is maximum.
3. To permit LED controlled lighting where high pressure sodium is required.
4. To permit a façade sign erected on a building face that does not have street exposure.
5. To permit two spanner canopy signs not facing a public street.
6. To permit two façade signs, one at 121.8 sq.ft., and a second Façade sign at 67.7 sq.ft.

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

1. The applicant shall receive all approvals as may be necessary from applicable Local, County, State or Federal agencies, and shall comply with all such laws, rules and regulations. The applicant shall post any necessary performance and maintenance guarantee and inspection escrow as may be determined necessary and required pursuant to the Municipal Land Use Law.

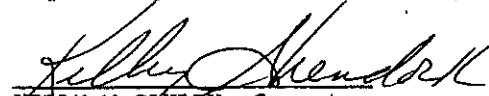
ATTEST:


KELLY McCAULEY
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 18th 2026.


KELLY McCAULEY, Secretary
Memorialized 9-22-2026
2026