

*The **Regular Meeting of the Berkeley Township Planning Board** was held at 7:30 p.m. on February 4, 2010 in the Meeting Room of the Municipal Building, 627 Pinewald-Keswick Rd., Bayville.*

*Present were Chairman Anthony Mazzella. Vice-Chair John DiStefano, Mayor Jason Varano, Jack Wiegartner, Karen Harvey, Peter Schultz, Robert Winward, and Councilwoman Frances Siddons.*

*Also present were Edward F. Liston, Esq., Board Attorney, Daniel C. Lee, PP, CME Associates, Board Engineer, Dave Roberts, AICP/PP, LLA, Board Planner, Linda Sullivan-Hill, Certified Board Reporter, Patricia A. Osborne, Board Secretary and John Battisti, Zoning Officer.*

*Chairman Mazzella led the Flag Salute and read the public announcements.*

**Vouchers:**

*Professional Legal Services for Edward F. Liston Jr. Esq.....\$ 494.50  
Professional Engineering Services for CME Associates.....\$ 189.00  
Professional Services for Linda Sullivan-Hill Certified Court Reporter. ....\$ 275.00*

*A motion to approve was made by Ms. Siddons, seconded by Mr. Wiegartner, motion to approve carried.*

**Memorialization of Resolutions :**

*PB09-643/Diamond Developers of NJ Inc./Preliminary Major Subdivision with Waivers*

*A motion to approve was made by Mr. Wiegartner, seconded by Mr. Schultz.*

**Approval Minutes:**

*November 4, 2009*

*December 3, 2009*

*January 14, 2010*

*January 21, 2010- Re-Organization*

*Motion to approve made by Mayor Varano, seconded by Mr. Wiegartner, motion to approve carried, with adjustments.*

*Ms. Siddons abstained from the vote for the Minutes from 2009.*

**Old Business:**

*For Discussion:*

*1. Proposed Sign Ordinance Amendments*

*Mr. Roberts opens discussion regarding interpretation of sign ordinance, using a sample ordinance and existing Bt ordinance and integrate together.*

*Interpreted size of sign area; ordinance will interpret the size.*

*Mr. Mazzella questioned the language of size area and calculations, regarding a two-sided sign and that one side is calculated and would like that interpretation be clearer.*

*Mr. Roberts will change wording to make clearer the intent.*

*"Lawn Signs" push into ground/temporary signs/not permitted.*

*"Wood Posts Signs" also would be considered temporary signs and also not permitted.*

*Contractor's signs will not be permitted. Mr. Mazzella suggests exemption regarding contractor signs during project.*

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*Mr. Roberts stated that this could be added into Ordinance and specify size this would also state length of time that sign is allowed. Limit 30 days past duration of project. Section G. and G would be H.*

*Mr. Liston stated that this part of Ordinance should be put in ahead of "Removal of Signs.*

*Mayor Varano referred to section 35-91.13, Enforcement, if there is any way to put a fine in section of this Ordinance, and Mr. Roberts stated that there is a separate Ordinance referring to fines.*

*Mayor Varano questioned violations that were issued to Air Graphics for " Prohibited Signs". Also Auto Zone for violation, Chapter 7 "No repairs done in parking lots, inside or outside of operation.*

*Mr. Mazzella suggests that minor changes made to the Mayors Letter to address "being visitor friendly" and that you will be notified if a violation exists.*

*Mr. DiStefano question business signs allowed one permanent sign per property.*

*Mr. Roberts stated that every new business that is required to apply for a Zoning permit in order to regulate these signs.*

*Mayor letter is stating that Business owner should be aware that a Zoning Permit is required for any new sign.*

*Mr. Battisti, Zoning Officer, questioned signs on motor vehicles, Mr. Roberts added that this use of signage is hard to prove, and that it would be up to enforcement establish a violation whether it is by documentation, photographs, etc.*

*Also Mr. Battisti addressed alphanumeric signs, and that clarify Route 9 moving signs are not permitted,*

*Mr. Wiegartner mentioned that Holiday City now has flashing light "Stop Signs" and that this ordinance is not referring to traffic signs, only signs on private property, advertising signs.*

*Mr. Mazzella suggest that referring to section 35.91-5 c Construction Signs is too large and should be two 50 sq.ft. or one 100sq ft signs. Mr. Roberts will adjust Ordinance.*

*Chairman Mazzella closed this portion of the Sign Revision Discussion.*

*Chairman Mazzella questioned update of COAH and Mr. Roberts stated that nothing new regarding this matter at this time.*

*Dave Roberts rescued from hearing application.*

**Agenda**

**1. Aqua Water, Inc.**

**PB#09-647**

*Type of Application: Minor Site Plan*

*Block: 1108.01 Lot(s): 4.01*

*Address: 83 Sherman Ave.*

*Project: Aqua New Jersey*

*Attorney: Thomas Monahan, Esq.*

*Engineer: FWH Associates*

*Action: Public Hearing, discussion and consideration of Application.*

*Chairman Mazzella introduces Mr. Daniel Lee, Engineering for the Planning Board.*

*Thomas Monahan, Attorney for application introduces application stating that the applicant is seeking no variance but waivers requested. Use of site not changes, facility will not open to public.*

*Christopher P. Rosati; Engineer for FWH Associates in Toms River.*

*Sworn in.*

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*Mr. Rosati stated property location and HB Zone. 25000 sq ft in size north vacant parcel;*

*South retention basin for Shop-Rite east R-100 residential zone, west is Shop-Rite.*

*Proposing to remove existing building, match their building with existing development with the style of single-family homes, ranch style to fit into neighborhood.*

*Storage area within garage area, stone driveway north, parking in rear, outdoor storage in rear of property, items being stored are for routine maintenance, valves, etc; and piping storage outside.*

*Building will be setback 50 ft. from Sherman Ave. in accordance with the Zone. Front yard will contain "Rain Garden" is to handle extra storm water for excess flow.*

*Heavily landscape front yard with evergreen and deciduous trees and low-lying scrubs to soften the look for the neighbors on Sherman Ave. Mr. Mazzella questioned the driveway off Sherman Ave. North side of site along with man door.*

*Mr. Monahan introduced Mr. John Hildabrant, Operation Manager for Aqua New Jersey for the State of New Jersey. Qualifications accepted and sworn in.*

*On site operations will storage building - shop for small repairs, two "Field service" workers, that will report to building. Employees trucks are only parked during day unless emergency. Site will locked, unless in use. Dumpster on site, little garbage disposed. No clerical on site. Building will enhance area. Only two employees use site. Mr. Liston questioned outdoor storage; if pipes will be covered? Mr. Hildabrant replied that the large evergreens would hide this outside storage.*

*500-600 sq. ft. increased size of existing building.*

*CMX Engineers review letter regarding design waivers:*

*Requesting gravel driveway, and one paved handicapped accessible parking space.*

*No curbing, stating that this will interrupt flow of storm water.*

*Mr. Liston made it clear that this facility is not open to the public and that if in future it was to be open to the public for any reason that applicant would have to apply for a change of use request before the board.*

*Mayor Varano suggested to pave to sidewalk instead of gravel.*

*Items C. waiver request for width of driveway requesting 18ft instead of 24 ft. Driveway is gated.*

*Garbage pickups will corrordinate with employees or supply key to disposal company.*

*Letter D 5ft. unbroken landscaping divided strip on all property lines north have 3ft separation instead of the 5ft. required. That easement has utilities on it and has no traffic. Vacant property.*

*Mr. Mazzella suggest moving building 2ft. instead of granting waiver for 2 ft buffer. Applicant agreed.*

*Mayor Varano suggests that buffer trees along full length of rear.*

*Items E. Curb Radii required is 15 ft. applicant are proposing no curbing.*

*Mr. Mazzella inquired the removal of pipes by Aqua Water employees would require more than 10 ft. turnaround, along with garbage pickup.*

*Mr. Hildabrant stated that this would require larger trucks to backup.*

*Mr. Mazzella concerns with liquids are volatile material, Mr, Hildabrant assures that no hazardous chemicals will be stored or used at site, due to being a water company Aqua Water must comply with Federal guidelines.*

*Items F. Striping of parking lot. Gravel parking lot proposed no striping required.*

*Handicapped will be in rear and not require striping.*

*Applicant in agreement with CME review requests with regards to driveway access onto Sherman Ave.*

*Item 3- Parking area regarding Fire Zone not required due to small parking area.*

*Item C-.Site Lighting proposed that site will go on at 6.30pm will provide shielding for lights to prevent encroaching onto neighboring properties.*

*Mr. DiStefano questioned if trucks/vehicles will be stored over night, Mr. Monahan assured that no vehicles to be stored over night.*

*No further questions from the Board members.*

*Chairman Mazzella open hearing to the public.*

*No questions or comments from the public.*

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*Public portioned closed.*

*Motion to approve made by Mayor Varano, seconded by Mr. Schultz.*

*Motion carried.*

*Motion to adjourn meeting, all in favor, motion carried.*

*Respectfully Submitted,*

*Patricia A. Osborne*

*Planning Board Secretary*

*/po*