

**October 19, 2023  
Planning Board Minutes  
Township of Berkeley  
627 Pinewald-Keswick Rd P.O. Box B Bayville, NJ 08721**

**6:00PM**

**SALUTE TO THE FLAG**

Vice Chairman Georgaklis called the October 19<sup>th</sup> Planning Board meeting to order at 6:04PM and asked everyone to please rise for the flag salute.

**SUNSHINE ACT STATEMENT**

Vice Chairman Georgaklis announced: "This meeting was advertised in the Asbury Park Press and posted on the Township's bulletin board as required by the Open Public Meeting Act."

**ROLL CALL**

**Present:** Councilman Bacchione, Mr. Burris, Mr. Callahan, Mr. Camera, Mr. DeChiaro (Mayor's Designee), Mr. Georgaklis, Mr. Gingrich, and Mr. Ryan

**Absent:** Chairman Mackres and Ernie Peters from Remington and Vernick Engineers

**Professionals Present from the Municipality:** Patrick Varga from the firm of Dasti, Murphy, McGuckin, Ulaky & Connors and Jim Oris from Remington and Vernick Engineers

**MINUTES**

On a motion by Councilman Bacchione, seconded by Mr. ~~RYAN~~, with all present in favor, the September 21, 2023 minutes were approved.

**Abstain:** Mr. DeChiaro

**VOUCHERS**

**Remington & Vernick: \$4,000.00**

**Dasti, Murphy, McGuckin, Ulaky, Koutsouris, & Connors: \$2,132.00**

**Linda Sullivan Hill: \$290.00**

On a motion by Councilman Bacchione, seconded by Mr. Camera, with all present in favor, the vouchers were approved for payment.

**RESOLUTION: Resolution# 2023-PB#22-011A**

On a motion by Vice Chairman Georgaklis, seconded by Mr. Camera, with all present in favor, the above resolution was open for public discussion.

Hearing no one wished to be heard, a motion to close to the public was entertained.

On a motion by Councilman Bacchione, seconded by Mr. Camera, with all present in favor, the above topic was closed to the public.

On a motion by Mr. Camera, seconded by Councilman Bacchione, with all present in favor, Resolution #2023-PB#22-011A was approved.

**Abstain:** Mr. DeChiaro

**BUSINESS OF THE BOARD: Consistency with Berkeley Township's Master Plan**

**1. Ordinance No. 23-40-OA: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 35, ENTITLED 'LAND DEVELOPMENT'**

The Board's planner, Jim Oris, explained the introduction of this ordinance regarding low-speed vehicles to be a permitted use in the Highway Business zone. This ordinance will permit the titling/selling of these vehicles as it uses the state's definition of low-speed vehicles.

On a motion by Vice Chairman Georgaklis, seconded by Mr. Camera, with all present in favor, the above topic was open for public discussion.

Hearing no one wished to be heard, a motion to close to the public was entertained.

On a motion by Councilman Bacchione, seconded by Mr. DeChiaro, with all present in favor, the above topic was closed to the public.

On a motion by Mr. Camera, seconded by Councilman Bacchione, with all present in favor, Ordinance No. 23-40-OA was noted as not inconsistent with Berkeley Township's Master Plan.

**2. Ordinance No. 23-38-OA: AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 35, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND SECTION 35-29, ENTITLED "APPLICATION FOR ZONING PERMIT; WHEN REQUIRED"**

Mr. Oris explained this ordinance to permit the Zoning Officer to use their own discretion regarding temporary ADA ramps that encroach within the front yard setback, providing it does not affect the grading/drainage of the neighborhood.

On a motion by Vice Chairman Georgaklis, seconded by Mr. Camera, with all present in favor, the above topic was open for public discussion.

Hearing no one wished to be heard, a motion to close to the public was entertained.

On a motion by Councilman Bacchione, seconded by Mr. Camera, with all present in favor, the above topic was closed to the public.

On a motion by Mr. Callahan, seconded by Councilman Bacchione, with all present in favor, Ordinance No. 23-38-OA was noted as not inconsistent with Berkeley Township's Master Plan.

**On a motion by Councilman Bacchione, seconded by Mr. Ryan, a 15-minute recess was taken.**

**On a motion by Councilman Bacchione, seconded by Mr. Ryan, the meeting was re-opened at 6:30PM.**

**APPLICATION: Berkeley Industrial Park – PB#23-013**

**7 Fedornak Freeway Block 14 Lot 4**

**Application: Exempt Site Plan**

**Attorney: Greg Hock, Esq.**

The applicant's attorney, Greg Hock, presented the application to amend the previous resolution approved for PB#20-008 and PB#20-008.01 and allow 20% of retail sales in the FA-LI zone. Mr. Oris explained a previous ordinance which permitted the use in the zone, and this amendment would take effect for the entire complex. Mr. Gingrich asked if there would be rules as guidance of how to operate. Mr. Burris questioned how many units were to be constructed. Mr. DeChiaro wondered why 20% was the number. Mr. Callahan noted the Zoning/Code Office would be responsible for ensuring the 20% is followed. The Board's attorney, Mr. Varga, agreed the amended resolution would strike the old condition and add "permitted uses only".

On a motion by Vice Chairman Georgaklis, seconded by Councilman Bacchione, with all present in favor, the above application was open for public discussion.

Hearing no one wished to be heard, a motion to close to the public was entertained.

On a motion by Councilman Bacchione, seconded by Mr. Gingrich, with all present in favor, the above application was closed to the public.

On a motion to approve the application by Councilman Bacchione, seconded by Mr. Gingrich, the exempt site plan was approved.

**Ayes:** Councilman Bacchione, Mr. Camera, Mr. DeChairo, Vice Chairman Georgaklis, Mr. Gingrich, Mr. Ryan

**Nays:** None

**Abstain:** Mr. Callahan

**OPEN MEETING FOR GENERAL PUBLIC FORUM**

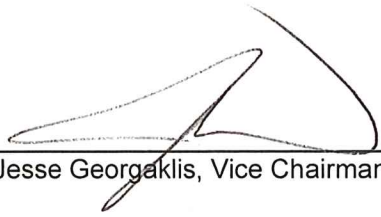
On a motion by Vice Chairman Georgaklis, seconded by Councilman Bacchione, with all present in favor, the meeting was open for public discussion.

The owner of Berkeley Industrial Park, Zev Spia, thanked the Board for their help and commitment to the community.

On a motion by Councilman Bacchione, seconded by Mr. Ryan, with all present in favor, the meeting was closed for public discussion.

**ADJOURNMENT**

On a motion by Mr. Camera, seconded by Mr. Ryan, with all present in favor, the meeting was adjourned at 6:46PM.



Jesse Georgaklis, Vice Chairman



Gabrielle Napolitano, Board Secretary