

MINUTES
December 12, 2012

PRE-MEETING CONFERENCE

A pre-meeting conference of the Planning Board was called to order by Chairman Mr. David Manders at 6:45 PM in the Fourth Floor Conference Room of City Hall. Present were:

Susanne Morello
Stephen Plevins
Michael Pantalone
David Pickett
Maria Perez
John Casadia
David Manders

Also present were:

Frank DiDomenico, Planning Board Solicitor
Yasmin Ricketts, Planning Board Secretary
Kathleen Hicks, Supervising Planner
Stephen Hawk, Senior Planner
Brian Myers, City Engineer

Public notice pursuant to the Open Public Meetings Act was given on December 31, 2011 by posting written notice on the Official Bulletin Board in City Hall, and mailing written notices to the Daily Journal, the Press, the City Clerk and the Board members.

Cumberland County College-Westerly side of College Drive between Sherman Avenue and the municipal boundary, Block 6002, Lot 2, Project #12-1306, major site plan approval to construct a 4,258 square foot addition to the existing academic buildings, together with parking, vehicular access and pedestrian walk modifications at an existing college.

Mr. Hawk explained that a portion of the facility is in Millville, and there is a portion of the facility in Vineland. The applicant is proposing an expansion to two buildings in the Vineland portion. The municipal boundary is right next to the addition. They want a smoother transition for pedestrian and handicap access. There is some sidewalk work next to the administration building. There also putting in speed tables to prevent traffic from traveling fast. Millville has more of a review compared to this application. The college has grown quite a bit over the last ten to fifteen years. They are asking for a waiver for the scale of the plans.

Hector Acevedo- Northerly side of Cherry Street between 6th and 7th Streets, Block 4110. Lots 19 and 20, Project #12-1307, major site plan approval to utilize 741 square feet of an existing retail store as a personal service shop (beauty shop) and to utilize a 16 space asphalt parking area constructed without approval.

Mr. Hawk explained that Ms. Cortes had a denied zoning permit for a conversion of a hair salon. It was denied because it needed a planning release. He looked at it and there is not a lot of property that goes with it. It was probably is pre-existing non-conforming use. They did an inspection of the site, and there is a paved parking lot. Two years ago it looked like the parking lot was done recently. They advised the applicant to submit a site plan for the change in use for the hair salon but also legitimize the design aspect of the parking lot. They need to know what is going on in this building. The applicant said it was all retail on the bottom floor. The upper floor is 896 square feet of retail space and a dwelling unit. That combination of all of those uses increases the parking requirement. There is a question about the dimensions and the buffer. They may have to adjust the buffer dimension. Comment #5 is revised to

say there is a dwelling in the upper floor. Comment #7, there are two deviations to the redevelopment plan. The zone is for residential use and the standards for the zone do not promote pavement in the front yard area. There is a standard where parking and sidewalks can be located. Comment #8, front, rear, and side buffers are not met. The rear buffer has a variance. There is a 6' vinyl fence along the westerly side and it goes out to the front of the property. Comment #8F deals with total on-site parking requirement. If you combine the square footage and the uses, there are a total of 35 spaces required.

Ms. Hicks wanted to know what Mr. Hawk believed was on the upper level.

Mr. Hawk explained that he believed it was residential. He explained that they made observations of the parking lot, and they are never full. The site could use some removal of asphalt and plantings added in.

REGULAR MEETING

The regular meeting of the Planning Board was called to order by Chairman David Manders, at 7:30 PM in City Council Chambers in City Hall.

Present were:

Stephen Plevins
Michael Pantalone
David Pickett
Maria Perez
John Casadia
Susanne Morello
David Manders

Also present were:

Frank DiDomenico, Planning Board Solicitor
Yasmin Ricketts, Planning Board Secretary
Kathleen M. Hicks, Supervising Planner
Stephen Hawk, Senior Planner
Brian Myers, City Engineer

FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 31, 2011 by posting written notice on the Official Bulletin Board in City Hall, and mailing written notices to the Daily Journal, City Clerk, and the Board members.

MINUTES – Approval of minutes from the November 14, 2012 board meeting.

The Chairman Mr. Manders made a motion to approve the minutes. Roll call:

Mr. Pantalone- Abstain
Mr. Pickett- Yes
Ms. Perez- Yes
Mr. Casadia- Abstain
Ms. Morello- Yes
Mr. Plevins- Yes
Mr. Manders- Yes

The Board's professional staff, Kathleen M. Hicks-Supervising Planner, Stephen Hawk-Senior Planner, and Brian Myers- City Engineer were sworn in.

DEVELOPMENT PLAN

Cumberland County College-Westerly side of College Drive between Sherman Avenue and the municipal boundary, Block 6002, Lot 2, Project #12-1306, major site plan approval to construct a 4,258 square foot addition to the existing academic buildings, together with parking, vehicular access and pedestrian walk modifications at an existing college.

Mr. Todd Heck, Esq. represented the applicant. They were requesting preliminary and final major site plan approval for the Vineland portion of the site. The addition to the academic building is in the Vineland portion, and there are no variances required for this application. They are seeking approval for the enhancements of pedestrian circulation and safety.

Mr. Tedd Wilkinson, Engineer for project, testified on behalf of the applicant. He explained that there are two waivers that were being requested. The ordinance requires that all construction plans be 24 x 36 and the plans are 30 x 42. They would like to leave the plans at that size. The other waiver is for the performance guarantee to be extended. The City of Millville agreed to the same proposal.

Mr. Hawk stated that it was not required previously.

Mr. Meyers stated that there was no problem with it.

Mr. DiDomenico explained that it would be waived completely.

The Chairman entertained to approve the application. Ms. Perez so moved, Ms. Morello seconded.
Roll Call:

- Mr. Pickett- Yes
- Ms. Perez- Yes
- Mr. Casadia- Yes
- Ms. Morello- Yes
- Mr. Plevins- Yes
- Mr. Pantalione- Yes
- Mr. Manders- Yes

PUBLIC HEARING

- Mr. Pickett- Yes
- Ms. Perez- Yes
- Mr. Casadia- Yes
- Ms. Morello- Yes
- Mr. Plevins- Yes
- Mr. Pantalione- Yes
- Mr. Manders- Yes

Hector Acevedo- Northerly side of Cherry Street between 6th and 7th Streets, Block 4110. Lots 19 and 20, Project #12-1307, major site plan approval to utilize 741 square feet of an existing retail store as a personal service shop (beauty shop) and to utilize a 16 space asphalt parking area constructed without approval.

The applicant was represented by Jose Silva, Esq. and explained that the owners and Jerome Irick were there to testify.

Jerome Irick, Engineer, testified on behalf of the applicant. He explained that the square footage involved is in the rear of the property, 741 square feet which will be corrected on the perfected plan. Mr. Hawk suggested that they see the building official. They did not have the opportunity to speak with him, but they did speak to the fire marshal. The fire marshal has indicated that there are some things that need to be done. They need to encompass a door to provide access to the hair salon. There is a question whether they will use the other area as common area 870 square feet. Item #2, the number should be 39 x 19. Item #3, the parking pavement was not installed parallel to the property line. The dimensions will be clarified on the perfected plan.

Mr. Hawk wanted to know if the dimension was less than 2.3'.

Mr. Irick explained that it is approximately 1.75'. He also explained that the parking was not installed by his client. The pavement already existed and they did not look for that type of violation when they purchased the property. They are trying to rectify it with this application.

Mr. Manders wanted to know how long ago they purchased the building.

Mr. Irick explained that they purchased the property in 2005 and believes it was put in a few years before. The property is in a residential zone, but the structure is suitable for what they are using it for. He has also been to the site, and parking is never an issue. Most of the traffic is walking traffic. The use is retail but mostly in line with the furniture store type of business. The store has mostly videos and is for the most part one dimensional. They would like for the board to consider a reduction in parking spaces because most of the traffic is walk in traffic. Items #7 and # 8 are waivers they are requesting 96% vs. 65% impervious coverage. They would also like 9' vs. 9.5' parking width required. Comment #8, they need the front buffer 0' provided because the asphalt was installed within the public right of way.

Mr. Hawk explained that asphalt was installed up to the right of way line and a portion of it is in the right of way because it goes right up to the sidewalk. If this parking lot was designed now based on the ordinance, and installed based on the design standard, it would not be any closer than 25'. Those spaces are meaningful to the applicant, but there is a certain aesthetic aspect to this site. Providing aesthetics is a feature that is part of the ordinance and center city redevelopment plan. Just because it is there and installed without approval does not mean it has any legitimacy. It is not a desirable visual environment.

Ms. Hicks explained stated at the pre-meeting that there is a bigger issue with this. She has observed this happening in the old borough. There are properties installing parking without approval. Whether it is small commercial establishments or multi-family, there is concrete or asphalt being installed. It is being installed from the back of the curb, over top of curbing, over top of sidewalk, and parking on it. That is why she has a concern with the front of the parking lot and the store itself. Mr. Irick has pavers installed on the plan in one area, and one aerial used there was a car parked there. It is a safety issue and an aesthetic feature. It has variances with all the buffers and the front should be enhanced. Establish some grass between the curb and the public sidewalk and behind the sidewalk. She personally does not care about the fence.

Mr. Pantalione explained that there should low lined shrubbery to maintain a line.

Ms. Hicks also explained that she did not agree with video being the same as furniture, but she does agree that it has a large amount of walk in traffic. The parking is adequate.

Mr. Irick explained that they met with staff and they are tearing out a huge tree to shift the driveway to be more in alignment. In addition, there is a driveway that serves the adjacent property. They want to leave that driveway open because they cannot close a neighbor's driveway. They will remove some concrete and create some landscaping. The front of the store is very attractive and they are putting landscaping in

that area. They are shifting the driveway and there is an extra-large wide drive and putting a conforming apron in.

Mr. Hawk wanted to know if the 896 square feet was in the basement.

Mr. Irick stated that the building is multi-level and the second level is an apartment.

Ms. Morello wanted to know if the retail is in the basement.

Mr. Hawk stated that 897 square foot retail basement level. 4437 square foot retail first level. The second level is one dwelling unit.

Ms. Hicks wanted to know if they were comfortable with the third entryway. She would like to call out the square footage of the salon, but say access will be provided to in accordance with the construction code.

Mr. Irick explained that 16 spaces adequately serves the use and feels they can operate with those spaces. They will provide shrubs, but are asking for a waiver for shade trees. The current height of the fence is 6' and it is off the property line. The fence is more attractive than having to see the dilapidated structure in the adjacent property. A sign is proposed for the front of the building. Currently there is signage and they would like to change the wording to include the hair salon. They are proposing 10% of the façade and will stay within the ordinance. They are requesting a waiver from measurements from driveways, signs, utility poles, drainage, and structures. It is an inner-city lot so there is probably 50-60 items that would have to be drawn. The trash will be stored inside, so there is no need for outside trash enclosures. They did submit a survey that shows grading and elevation.

The Chairman entertained to close the public hearing. Ms. Perez so moved, Mr. Pantalone seconded.
Roll Call:

Ms. Perez- Yes
Mr. Casadia- Yes
Ms. Morello- Yes
Mr. Plevins- Yes
Mr. Pantalone- Yes
Mr. Pickett- Yes
Mr. Manders- Yes

The Chairman entertained to approve the application. Mr. Pantalone so moved, Ms. Perez seconded.
Roll Call:

Mr. Casadia- Yes
Ms. Morello- Yes
Mr. Plevins- Yes
Mr. Pantalone- Yes
Mr. Pickett- Yes
Ms. Perez- Yes
Mr. Manders- Yes

Private Storm drains ordinance amendment- Amend Ordinance No. 86-38, Chapter 425 of the City of Vineland Code to incorporate Private Storm Water Drain Retrofitting.

Mr. Myers explained that in 2004 they had to pass some local ordinances to comply with the state. They issued the City of Vineland an operating permit for five years. In 2009 the permit was up for renewal. DEP added additional ordinances required for the City of Vineland to pass. Each year the City's storm water program has to be certified through the state. Last year they discovered that one ordinance did not make it through the process. That was the private storm drain retrofitting. When a road is paved, they

have to retrofit all of the inlets to echo heads. They are smaller openings to prevent trash and debris to clog the drainage system. DEP extended that onto private property, and it has been pushed onto municipalities to regulate it. One issue is that we do not require permits for repaving private sites. Private companies cannot be tracked. This is requiring them to change their inlet heads to echo heads.

The Chairman entertained to recommend to City Council. Mr. Pickett so moved, Ms. Morello seconded.
Roll Call:

Ms. Morello- Yes
Mr. Plevins- Yes
Mr. Pantalone- Yes
Mr. Pickett- Yes
Ms. Perez- Yes
Mr. Casadia- Yes
Mr. Manders- Yes

The Chairman entertained to approve the resolution. Mr. Pickett so moved, Ms. Perez seconded.
Roll Call:

Mr. Casadia- Yes
Ms. Morello- Yes
Mr. Plevins- Yes
Mr. Pantalone- Yes
Mr. Pickett- Yes
Ms. Perez- Yes
Mr. Manders- Yes

Appointment for nominating committee-

Mr. Manders nominated Mr. Pantalone as Chair of the nominating committee, and himself as a member of that committee.

Approve 2013 schedule of meetings-

The Chairman entertained to approve the scheduled meetings. Mr. Pantalone so moved, Mr. Pickett seconded. Roll Call:

Mr. Plevins- Yes
Mr. Pantalone- Yes
Mr. Pickett- Yes
Ms. Perez- Yes
Mr. Casadia- Yes
Ms. Morello- Yes
Mr. Manders- Yes

ADJOURNMENT

The Chairman entertained a motion to adjourn. Ms. Perez so moved. Mr. Pickett seconded. Roll call:

Mr. Pantalione- Yes
Mr. Pickett- Yes
Ms. Perez- Yes
Mr. Casadia- Yes
Ms. Morello- Yes
Mr. Plevins- Yes
Mr. Manders- Yes

TIME: 9:00PM

Respectfully submitted,

Yasmin Ricketts
Planning Board Secretary