

MINUTES  
April 10, 2013

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:

Maria Perez  
Michael Pantalone  
Stephen Plevins  
David Mazur  
Sandy Velez  
Angela Calakos  
David Manders

Also present were:

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

PRE-MEETING

Public notice pursuant to the Open Public Meetings Act was given on December 17, 2012 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.

BARNARD- Northerly side of Walnut Road between Mill Road and Bradford Drive, Block 4711, Lot 37, Project #13-1312, minor subdivision approval to create one new lot with one remainder lot.

Mr. Hawk explained that Barnard is a minor subdivision on Walnut Road on the west side of Vineland. It is a very long and narrow property. It is a double width lot with most of the lots at about 100' wide on that side of the street. The proposal is to bring the lot line on the center. The lot line is close to the dwelling, but not enough for a variance 15.1' vs. 15' required. There is a dirt loop driveway in the area of the remainder lot. There was a concern about public sewer was available. LSA showed a gap in the sewerage system, but they provided a letter indicating that there is public sewer along the frontage. They are connected to public sewer, but at one point they were connected to a septic system. They should make sure that the future buyer knows that there may be a septic system within that lot area. There are no variances or comments associated with this application and it will be filed by deed.

JACQUELINE GALBIATI- Easterly side of Queens Road between Greenwillows Drive and Walnut Road, Block 5107, Lots 22 and 23, Project #13-1317, resubdivision approval to convey a portion of one lot to another lot.

Mr. Hawk indicated that this application is a resubdivision. There are two existing lots and each lot has a home on it. Each owner are in agreement to adjust the lot line between the two. There is a desire to move the lot line and creating a bigger side yard for the northerly lot 23, and also eliminates a very slight encroachment for the black top driveway on lot 23. They also have a fence within lot 22, and it will be

moved southerly to be completely on that lot. The applicant may be looking at a future application for a small addition, and they would like more of a setback with the lot line adjustment.

HIGHER PLACES MINISTRIES- Westerly side of West Avenue between Walnut Road and Foster Avenue, Block 4813, Lot 16, Project#12-1308, major site plan approval, in conjunction with a conditional use approval, to construct a one-story 9,900 square foot, 210 seat church building and to convert an existing 1, 225 square foot 1 ½ story single family dwelling into a parsonage.

Mr. Hawk explained that the property is on West Avenue at the southerly end by Foster. It was formerly a farm field and it has a dwelling on it. They are proposing to build a church with plans for a baseball field and basketball courts. The storm water management is all at the southerly end. The grades are from north down to the south, and a hill with the crest at the northerly side of the site. The parking lot and the water generating from the church will be handled by the storm water management basin. There is relief required for site improvements, and shade trees required within the parking area. The basin is required to be fenced and screened and there is a very small amount of vegetation proposed along the basin's edge with some white pine. The basin is a 3' deep basin and anything over 2' is required to be fenced. A concrete apron is required and it probably was an oversight. There is a bicycle parking required. There is a requirement to have screening along the property boundaries. The boundaries are along the southerly end, the westerly side, and along the northerly side. They're showing hedge rows but it is not enough to provide a visual barrier between the homes and the site. There is a master plan of streets are the city's idea on how the streets can be extended. Margo Drive is currently a stub street and there is a master plan street that heads in an easterly direction and curves slightly to the north and intersects with West Avenue. If that area were to ever develop for residential homes, they would like to see that street continue in that fashion. The basin would be within the bed of that master plan street.

Mr. Pantalione indicated that if that street were to ever develop, the church would have to re-design the basin and they should be aware of that.

Mr. Hawk explained that the fencing requirement around the basin goes away at 2' or less and there might be enough room on the site to shallow out the basin and make that requirement is eliminated.

Mr. Manders indicated that it would get rid of basin and fencing on a street frontage.

Mr. Myers explained that there is an issue with the location of the driveway for the property. There is a crest vertical curve in the road. With the way the existing house frontage is graded, they do not meet the site triangle distances for the driveway. They would like to see the driveway pulled further south to provide an adequate site triangle.

Mr. Manders wanted to know how far the driveway had to be moved.

Mr. Myers explained that it was based on their elevation, obstructions, and speed limit of the road.

Ms. Hicks wanted to know if it was going to impact the access to the trash enclosures.

Mr. Myers explained that they could make it work.

Mr. Hawk stated that as they amend the site they would have to prove that the trash maneuvering would work.

MENANTICO, LLC- Area bounded on the north by Menantico Road, on the east by Venezia Avenue, on the south by Dante Avenue, and on the west by Lincoln Avenue, Block 5204, Lots 3 & 5, Project#13-1310, to consider revisions to the Master Plan of Street Extensions plan.

Mr. Hawk indicated that the Master Plan of Streets extensions map gets adjusted ahead of a major subdivision application. The area is bounded on the north by Menantico Road with Venezia Avenue to the east. The street network that exists now is shown is a plan in place available for a project developed and

approved under the R-4 standards. There is a desire to develop, have a single street with a cul-de-sac, and a dedicated stub for the development of that portion in the R-6 standards. In doing that, the Master Plan of Streets had to be adjusted. The whole purpose of the Master Plan of Streets is to maximize the development based on the zone standards, have connectivity between properties, and have proper access points. They wanted to keep the connection at Hayawata and the connection Italia still intact. There is point of assess on in Menantico. They tried to have the street that is intersecting with Menantico line up with an open area across the street. There are some homes along the north side of Menantico and one lot off to the westerly side. There is a gap so they tried to have it line up to avoid a street immediately across from a dwelling.

CENTER FOR HEALTH AND FITNESS- Northwesterly corner of Orchard Road and Sherman Avenue, Block 6001, Lot 20, Project #13-1316, major site plan approval to construct a 1,444 square foot addition to an existing health and fitness center building and to add 27 asphalt parking spaces.

Mr. Manders indicated that he would be recusing from this application.

Mr. Hawk explained that the site is at the corner of Sherman Avenue and Orchard Road. The proposed addition is on the north side of the building. It is currently a grassed area, and there is a grass island. There is also a driveway that allows access from the front of the site over to the north side. The site plan depicts 1,444 square foot addition. As part of the application, they are voluntarily adding parking to the site. They are extending the front row and adding spaces closer to the corner of the building. The variances involved are impervious coverage from 59.8% to 63.1%. The parking edge is 23' off the right of way line, and by extending that further, they are furthering that non-conforming buffer dimension. That buffer dimension is 23.16 vs. 25 required. There are design standards that need waivers. The new parking spaces are 9' wide vs. 9.5' wide required. They also need relief from adding tree islands where they are extending the parking rows. In 1999, there was an addition approved with 9 shade trees. The ordinance requires 38 trees total. They reached out to the applicant and told them they wanted some amount of trees provided. The applicant is proposing 5 trees along south Orchard Road, 2 trees along Sherman Avenue, and relocating the tree that will be taken down because of improvements. They are pleased with the fact that they will be adding trees giving the site a better look.

Redevelopment plan amendment for 220 W. Elmer Street, Block 3802, Lot 19, to expand an existing church.

Ms. Hicks explained that it is an existing church with a parsonage. They want to construct modest additions to the front and the rear. One of the additions is for a handicapped bathroom because the one that they have is not accessible. They are also removing a handicapped ramp and putting an addition there. There are no issues with the site. It will have to be referred back to a board because the additions trigger variances. They do not feel that they need a site plan, and can request variances by a letter.

Redevelopment plan amendment for 601 S. Eighth Street, Block 4113, Lot 1, to convert the first floor from a restaurant (currently vacant) to a residential unit.

Ms. Hicks explained that this is a small corner property. It has an existing structure with a three bedroom apartment upstairs and what was being used as a restaurant downstairs. The aerial photo shows cars parked along the south side of the building. That is currently city property for the fire hall. The staff reviewed it and did not feel it was appropriate for a restaurant use. The owner has represented that the restaurant does not do well. The staff was supportive of it being a duplex. It is a typical store front and they have been abusing the site pulling up on the curbing. The staff is advocating that it has to have a site plan approval with building elevations. There is one issue that is not in the report. Mr. Curio verbally reported to City Council that there was a recommendation from the zoning officer to have both be two bedroom units. The owner is requesting two three bedroom units. That is an issue that the board should weigh in on. The owner will have to make significant improvements and it will be a considerable expense to do the conversion.

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:

Michael Pantalone  
Stephen Plevins  
David Mazur  
Sandy Velez  
Maria Perez  
Angela Calakos  
David Manders

FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 17, 2012 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 March 13, 2013 board meeting.

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

Stephen Plevins: Abstain  
David Mazur: Yes  
Sandy Velez: Yes  
Maria Perez: Yes  
Michael Pantalone: Yes  
Angela Calakos: Yes  
David Manders: Yes

RESOLUTIONS – Approval of resolutions from the March 13, 2013 board meeting.

The Chairman Mr. Manders entertained a motion to approve the resolutions. Roll call:

#6033-

Stephen Plevins: Abstain  
David Mazur: Yes  
Sandy Velez: Yes  
Maria Perez: Yes  
Michael Pantalone: Yes  
Angela Calakos: Yes  
David Manders: Yes

#6034-

David Mazur: Yes  
Sandy Velez: Yes  
Maria Perez: Yes  
Michael Pantalone: Yes  
Stephen Plevins: Abstain  
Angela Calakos: Yes  
David Manders: Yes

DEVELOPMENT PLANS

BARNARD- Northerly side of Walnut Road between Mill Road and Bradford Drive, Block 4711, Lot 37, Project #13-1312, minor subdivision approval to create one new lot with one remainder lot.

The applicant was represented by Michael Fralinger, Esq. The application is for a single lot subdivision located on west Walnut Road. It is approximately 3.5 acres in size with frontage on Walnut Road. The R-3 zone requires a density of 13,500 square feet per lot, so it is currently oversized. They want to draw the division line down the center of the property. There is a single family home on the remainder lot. The remainder lot will have 1.86 net acres, and the new lot is proposed at 1.59 net acres. They are well in excess of the R-3 zone standards. There are no variances associated with the application. There are no objections to the Planning Review letter dated April 1, 2013. In the Engineering report dated April 1, 2013, there were two comments that need addressing. Comment #3, the subdivision is being recorded by deed and not by map. Comment #2, will be removed from the report. The remainder of the Engineering report is acceptable.

Mr. Hawk indicated that the house was previously served by a septic system. It is currently connected public sewer, but the old system is not on file. There is a potential that the new lot being created will have an encroachment of the septic system. The applicant should know that and it should be part of the resolution so that there is some disclosure.

Mr. Fralinger stated that there is no objection to that information being part of the resolution.

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

Maria Perez: Yes  
Michael Pantalone: Yes  
Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: Yes  
Angela Calakos: Yes  
David Manders: Yes

JACQUELINE GALBIATI- Easterly side of Queens Road between Greenwillows Drive and Walnut Road, Block 5107, Lots 22 and 23, Project #13-1317, resubdivision approval to convey a portion of one lot to another lot.

Thomas Galbiati, husband to the applicant, testified on her behalf and was seeking a resubdivision of the lot lines to make the lots conforming to size and remove the driveway encroachment. The fence will be moved on to the next property.

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

Maria Perez: Yes  
Michael Pantalone: Yes  
Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: Yes  
Angela Calakos: Yes  
David Manders: Yes

OPEN PUBLIC HEARING

Michael Pantalone: Yes  
Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: Yes  
Maria Perez: Yes  
Angela Calakos: Yes  
David Manders: Yes

## PUBLIC HEARING

HIGHER PLACES MINISTRIES- Westerly side of West Avenue between Walnut Road and Foster Avenue, Block 4813, Lot 16, Project#12-1308, major site plan approval, in conjunction with a conditional use approval, to construct a one-story 9,900 square foot, 210 seat church building and to convert an existing 1, 225 square foot 1 ½ story single family dwelling into a parsonage.

The applicant was represented by Arnold Robinson, Esq. The applicant is in agreement with the Planning report dated January 28, 2013, and they are in agreement with a vast majority of it. They are seeking preliminary and final major site plan approval with conditional use approval in the R-5 zone to construct a church. They have a few requests for waivers. In comment #7, item c, it mentions fencing around the perimeter of the storm water basin because it measures 3' vs. the maximum of 2' allowed without a fence. Under the configuration of the basin, it is approximately only 2' of water that would accumulate at any time.

Mr. Hawk explained that the ordinance does not go by the maximum water depth for design storm. It goes by the depth of the basin as measured to the top of the slope. If there was a problem with the infiltration or any storm beyond the design storm there could be 3' of water.

Wade Marlin, works for Long Engineering, wanted to testify on behalf of the applicant.

Mr. DiDomenico explained that he could not be accepted as a professional because he was not licensed by the state.

Mr. Robinson indicated that they would they would fence the basin.

Mr. DiDomenico explained that a chain link fence was not acceptable, and they would need a different type of fence.

Mr. Meyers explained that they could elongate and flatten the basin out to where it could meet the requirement without a fence.

Mr. Robinson indicated that they would accept that condition. The other items that need a waiver are screening around the property lines. The westerly property line has tree lines. On the southern property line, they will place screening as required by the ordinance adjacent lot 19.

Mr. Hawk explained that the westerly line has some trees and it would not be appropriate to place additional screening trees adjacent to it. Looking from a westerly direction from West Avenue, looking from a westerly direction from West Avenue, you can clearly see through that tree line to the other properties. There definitely is not a screening visual barrier. There is a basement field in that area that might not be desirable to the other residents. There is no screening at all along the northerly line especially adjacent to lot 15.

Mr. Robinson stated that they agree to screen along the entire northerly line along lots 15 and 6.

Mr. Hawk explained that the screening adjacent to lot 20 in the rear and lot 17 are close to the basin and the site.

Mr. Robinson explained that they just want a waiver for screening along lot 19.

Mr. Hawk indicated that they would make a field determination and they may have to add screening along there.

Ms. Hicks explained that the screening along the westerly line is not the other lots responsibility to maintain that vegetation. If the vegetation is on the church property, there is an ability to do supplemental plantings to achieve the screening. They were not sure which lot the vegetation was on by looking at the plan.

Mr. Robinson explained that they would also abide by a field determination on the westerly side and will add additional screening if that is determined.

Mr. Robinson explained that item 14, they are not anticipating an easement. It is a labeling issue and they will change the wording.

Mr. Hawk indicated that the construction official has approved the handicapped parking.

Mr. Robinson indicated that they accept the comments in the Engineering report.

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

Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: Yes  
Maria Perez: Yes  
Michael Pantalone: Yes  
Angela Calakos: Yes  
David Manders: Yes

The Chairman entertained to approve the site plan and conditional use approval. Ms. Perez so moved, Mr. Pantalone seconded.  
Roll Call:

Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: Yes  
Maria Perez: Yes  
Michael Pantalone: Yes  
Angela Calakos: Yes

MENANTICO, LLC- Area bounded on the north by Menantico Road, on the east by Venezia Avenue, on the south by Dante Avenue, and on the west by Lincoln Avenue, Block 5204, Lots 3 & 5, Project#13-1310, to consider revisions to the Master Plan of Street Extensions plan.

Mr. Richard Hoff, Esq. represented the applicant. They are requesting to amend the master plan of streets in the R-6 zoning district. The applicant previously received an approval under a prior subdivision. That approval remains valid but it is no longer an integrated parcel. The revised zoning requires them to amend the access.

Matthew Baldino, Engineer, testified on behalf of the applicant. He explained what was shown on the plan concerning the extensions and the streets. There is no change to the access points being proposed from the prior application. There are not creating any situations where any of the lots do not have access to existing streets.

Mr. Bennett Barfield, Esq. testified on behalf of James and Johanna Starkey objecting the application. They are owners to lot 4. They are showing a proposed street that bisects the Starkey property and they cannot do it.

Mr. DiDomenico explained that it was a conceptual plan.

Mr. Bennett wanted to know how the conceptual plan would be carried out.

Mr. Hawk explained that the developer takes care of their parcels. They are going to have a permanent cul-de-sac with a right of way dedication. The master plan of streets exercise allows for future connections and developments to feed off that development proposed by Mr. Schaffer. Mr. Schaffer has no rights to Mr. Starkey's property and he has no rights to the parcel that is further to the east. When he develops, further development can occur and the master plan can be adjusted even further to allow for specific development. This application is proposing no development on the Starkey's property.

Mr. DiDomenico explained that the whole city is developed under the master plan if streets.

Ms. Hicks explained that the Starkey property would not be developable if the streets were not there.

James Starkey testified objecting the application. His family has owned the property for many years and they conduct farming and he had a number of concerns. He was concerned that a street would be forced across his property.

Mr. DiDomenico explained that it would never happen.

Mr. Hawk explained that the street is located in that spot because of the depth requirements in the R-6 zone. That street reflects a depth approximately 250-300' away from the back of the properties along Venezia.

Ms., Susan Panco-Medio testified that she did not like the plan.

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

Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: Yes  
Maria Perez: Yes  
Michael Pantalone: Yes  
Angela Calakos: Yes  
David Manders: Yes

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



Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: Yes  
Maria Perez: Yes  
Michael Pantalone: Yes  
Angela Calakos: Yes

CENTER FOR HEALTH AND FITNESS- Northwesterly corner of Orchard Road and Sherman Avenue, Block 6001, Lot 20, Project #13-1316, major site plan approval to construct a 1,444 square foot addition to an existing health and fitness center building and to add 27 asphalt parking spaces.

Mr. Manders recused from this application.

Mr. Dante Rominini, Esq. testified on behalf of the applicant. The applicant is proposing a small addition of 1,444 square feet and additional parking where there is currently a driveway. They are requesting two variances for buffer and impervious coverage. They are proposing to move the driveway and extend the parking area. The ordinance requires 25' buffer vs. 21.6' proposed. The impervious coverage is 63.1% vs. 50% permitted. They need a waiver for parking space width 9' vs. 9.5' required. They need a waiver for the parking road length without trees. The facility was constructed when that ordinance did not exist. They also need a waiver to provide only a partial to the topography plan and a waiver for the outbound survey as a condition to the approval. There are no comments to the Engineer's report. In the Planning report there was an issue with shade trees and the handicapped spaces. They have consulted with Mr. Hawk and he suggested areas where they could plant shade trees. They have also reached an agreement with Mr. Aussenberg with regards to the location of the handicap spaces.

Mr. Hawk indicated that the applicant has proposed nine additional shade trees than shown on plan. There is a total of five along Orchard Road, two along Sherman Avenue, two are existing, and they are relocating one. According to Mr. Aussenberg, the handicapped spaces will be accepted if two are added.

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

Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: Yes  
Maria Perez: Yes  
Angela Calakos: Yes  
Michael Pantalone: Yes

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

Maria Perez: Yes  
Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: Yes  
Angela Calakos: Yes  
Michael Pantalone: Yes

Redevelopment plan amendment for 220 W. Elmer Street, Block 3802, Lot 19, to expand an existing church.

Ms. Angela recused herself from this application.

Ms. Hicks explained that there is an existing church and a parsonage and they were referred by City Council. They are requesting modest additions. The staff had no issues but the applicant will have to return to the board for variances for the proposed additions.

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

Maria Perez: Yes  
Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: Yes  
Michael Pantalone: Yes  
David Manders: Yes

Redevelopment plan amendment for 601 S. Eighth Street, Block 4113, Lot 1, to convert the first floor from a restaurant (currently vacant) to a residential unit.

Ms. Angela recused herself from this application.

Ms. Hicks explained that this is a very small property with a large structure. The owner has represented that multiple businesses have operated there but they are not successful at that location. They have been depended on the adjoining property for parking which is now city owned. They are parking along the frontage of the building. The staff felt that a store cannot survive there. They agreed with it being converted to an apartment but the property needs work. The lower level looks like a store front and they are recommending a site plan approval. The zoning officer recommended two two bedroom units.

Mr. Manders recommends a site plan approval and limiting the ground floor to two bedrooms.

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

Maria Perez: Yes  
Stephen Plevins: Yes  
David Mazur: Yes  
Sandy Velez: No  
Michael Pantalone: Yes  
David Manders: Yes

#### ADJOURNMENT

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

Maria Perez: Yes  
Stephen Plevins: Yes

David Mazur: Yes  
Sandy Velez: Yes  
Michael Pantalone: Yes  
David Manders: Yes

TIME: 9:04PM

Respectfully submitted,

Yasmin Ricketts  
Planning Board Secretary