

PLANNING BOARD MINUTES

September 13, 2023

The pre-meeting of the Planning Board was called to order by Chairman Mr. David Manders at 6:00 PM in the Second Floor Council Chambers of City Hall. Present were:

Michael Pantalone
John Casadia
Sandy Velez
Doug Menz
Thomas Tobolski
Nilsa Rosario
Robert Odorizzi
David Acosta
David Manders

Also present were:

Nathan Van Embden, Planning Board Solicitor
Yasmin Ricketts, Planning Board Secretary
Kathleen Hicks, Supervising Planner
Ryan Headley, Board Planner/Engineer
Elizabeth Jambor, Assistant Planner

PRE-MEETING

Fabbri Concrete Contractors, LLC– located on the westerly side of Main Road between Route 55 and the City of Millville boundary line, Block 7506, Lots 2, 4, 6, and 8, Tax Map Sheet #75, Project No. PBA-23-00034. Preliminary/final major site plan approval, to construct a 15,000 square foot equipment storage building, two (2) stone storage areas, and additional site improvements.

Mr. Headley explained that this location is the former Boys Scouts of America office. The property is split zoned I-B and I-3. The applicant is proposing a contractor's yard with a 15,000 square foot building with stone areas for equipment materials. The applicant meets the side yard setback standard, so that variance request can be eliminated. The side yard buffer standard is met so that variance can be eliminated as well. This application has some existing non-conformities that should be looked at as variances. The Boy Scouts received a variance for the building to be closer to the lot line. There is a change of use from an office to a contractor's office, so the existing non-conformities will be called out as variances. The wall sign along the Boy Scouts will be removed so that variance is eliminated. There are some waivers for stormwater basin setback. The applicant will provide testimony for other design waivers they are requesting. There was a wooded lot initially included in the application, but there was an issue so they are not purchasing that lot.

ICM Logistics – located on the westerly side of Delsea Drive between Forest Grove Road and Garden Road, Block 604, Lot 10, Tax Map Sheet #6, Project No. PBA-23-00009. Preliminary/final major site plan approval to convert an existing masonry building into a truck terminal with maintenance facilities, truck parking and additional site improvements over two phases. Phase 1 will consist of the conversion of the existing building along with site improvements. Phase 2 will have a proposed 2,240 square foot maintenance garage and removal of the cesspool.

Mr. Headley explained that this application went through a few revisions. They have expanded truck parking from the original submission. It now has thirteen parking spaces for tractor trailers and a drive through maintenance garage. This is in the industrial business zone. The first five variances have to do with it being an industrial use vs. a business use. The industrial use is a little more intense. There are variances for lot frontage, lot width, building line setback side yard setback and side buffer. They are going to provide some side buffer by the residence. They are going to increase the front buffer but it will still require a variance. The applicant will address requested waivers. They will provide a storm water basin drive and additional trees as requested.

Extension Request–Mevoli/Wells Minor Subdivision, Block 3301, Lots 19.01 and 30.

Mr. Headley explained that was is approved resubdivision located in Vineland and Buena. The applicant is waiting for an approval from Atlantic County. An extension can be granted because the applicant was delayed by a governing body. Mr. Gruccio is requesting an extension until November 30, 2023. Deeds and plans have been submitted for review.

FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 10, 2022 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 August 9, 2023 board meeting.
The Chairman made a motion to approve the minutes.

John Casadia: Abstain
Doug Menz: Yes
Michael Pantalone: Yes
Thomas Tobolski: Abstain
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
David Acosta: Yes
David Manders: Yes

RESOLUTIONS

Approval of resolutions from the September 13, 2023 board meeting.
The Chairman made a motion to approve the resolutions.

Resolution #6592

John Casadia: Abstain
Doug Menz: Yes
Michael Pantalone: Yes
Thomas Tobolski: Abstain
Sandy Velez: Yes
Nilsa Rosario: Abstain
Robert Odorizzi: Yes
David Acosta: Yes
David Manders: Yes

Resolution #6593

John Casadia: Abstain
Doug Menz: Yes
Michael Pantalone: Yes
Thomas Tobolski: Abstain
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
David Acosta: Yes
David Manders: Yes

Resolution #6594

John Casadia: Abstain
Doug Menz: Yes
Michael Pantalone: Yes
Thomas Tobolski: Abstain
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
David Acosta: Yes
David Manders: Yes

PUBLIC HEARING

Fabbri Concrete Contractors, LLC– located on the westerly side of Main Road between Route 55 and the City of Millville boundary line, Block 7506, Lots 2, 4, 6, and 8, Tax Map Sheet #75, Project No. PBA-23-00034. Preliminary/final major site plan approval, to construct a 15,000 square foot equipment storage building, two (2) stone storage areas, and additional site improvements.

The applicant was represented by Michael Fralinger, Esq. The property is located south of Vineland before the Millville line. Lot 2 is a completely wooded parcel approximately 11 acres in size. Fabbri Enterprises is the contract purchaser for lot 4, 6 and 8. Lot 7 and a parcel in the City of Millville are also under contract but are not part of this application. Lot 2 has a title issue with the prior owner of the property so the applicant is not purchasing that lot. The side setback variance is compliant because it was called out incorrectly on the plan. The side buffer variance on lot 7 also goes away. There are two pre-existing non-conformances to the bulk standards of the I-B and/or I-3 zones. Side setback for existing building to adjacent Lot 2 (29.1 feet provided vs. 35 feet required). Side buffer between existing parking area and lot 7 (5.68 feet provided vs. 25 feet required from residential). The non-conformances are associated with the Boy Scouts office use, and that building will continue to be an office use. The overall use of the site is changing. The applicant is requesting those variances if the board requires it. There are also some design waivers for the basins. There was an amendment for the new storm water regulations. They are not enforceable at the present time, because Vineland has not adopted the new Stormwater ordinance. The plan was changed back to what is allowed now. The fence has been extended to include the storage area and the shallow basins. The basin in front has been extended down to the driveway. The entire site will be fenced, so all basins will be fenced. There are existing shade trees and the applicant will add the additional 4 shade trees to be complaint. Applicant seeks waivers of the items listed in Sections 8b-e above; however, the applicant will install slats on the north side of the fence

adjacent to Lot 7 and is adding the additional basin fencing mentioned in Section 18i. The applicant is seeking a waiver for end parking space back-up aisle width, southerly end of proposed new parking spaces (0 feet provided vs. 5 feet required). Waiver for fencing and screening around the perimeter of the proposed stormwater management basins 6B, and 6C. The proposed stormwater basin 6B is four (4) feet deep and 6C is three (3) feet deep, and the ordinance requires fencing and screening for basins that are greater than 2 feet in depth. Waiver for heavy truck pavement (2" FABC, over 3" Bit. Stab. Base, over 6" Gravel or D.G.A.). A waiver is requested to allow for the storage areas to be stone. The applicant is requesting waivers from the Community Design standards. Sidewalks are not proposed along the street frontage of the site. Sidewalks do not exist on abutting properties, therefore sidewalks are not required unless the Board finds that by reason of the particular conditions of the site, its location or surroundings, sidewalks are required to protect the public safety. All landscaped areas shall be irrigated with a timed, automatic underground system utilizing pop-up heads and/or tree bubblers. Location of stormwater management basin which requires a fence, basin 6C (front yard provided vs. side or rear yard required). The ordinance states that "No stormwater management basin which requires a fence shall be located in a front yard. A stormwater management basin that is two (2) feet or less in depth shall not be required to be fenced". The basin-in-question is three (3) feet deep and therefore is not permitted within the front yard area. Shape of a stormwater management basin in a front yard, basins 6A and 6C (Curvilinear edge required). The applicant is requesting a waiver for service areas, loading docks or similar appurtenances shall be located within side yards or rear yards. They are not proposed. Fencing slats are proposed on the other side of the basin and other side of storage area to screen from public view. The remainder of the Planning Report is acceptable. In the Engineering Report, waiver for item 3, location of the one-foot freeboard elevation of all Stormwater basins shall meet minimum yard requirements of the zone.

Joe Muffai, Professional Engineer, testified on behalf of the applicant. This is a classic C-1 hardship variance because it has existed since 1989. It would be a hardship to take a corner of the building out or relocate the entire driveway. The use of the structure is remaining the same. As for the buffer, the house is up towards Main Road so there is no negative impact. It does not substantially impair the intent and purpose of the zone plan and/or ordinance. The applicant is requesting relief from item 7, basin fencing. The entire site will be fenced and the public will not have access. The front basin will be within the site and restricted to the public. There is a waiver for side yard setback for the basin to the right of the building. The basin is in line with the building and parking lot which is a 25 foot setback. There are plenty of woods before Doris Avenue. The applicant is requesting a stone area because it can be maintained on a daily basis. Asphalt and concrete can deteriorate and break. There will be 4 shade trees along Doris Avenue but everything else will be existing on site. The basins require waivers because they were all placed in proper areas.

Daniel Fabbri, owner, testified on his own behalf. Employees arrive at 5:00-5:30AM in their personal vehicles. They load into utility trucks and leave to their job site locations. They return between 3:30-5:00PM. There are a total of 15 utility trucks. He currently has stone in his contractor's yard and it works well.

Sam Nichols, Member of the Public, 615 Doris Ave, concerned about the equipment. The street is not capable to handle the low boys and equipment that heavy. He is also concerned about the noise and traffic.

Nizraim Garcia Negron, member of the public, 2132 Wheaton Avenue, concerned about drainage. She has problems with flooding on her property. There are issues with Vineland and Millville having jurisdiction because her property is located in both cities. The flooding causes trash to flow down to her house. She is also concerned with concrete and a lot of dust. Submitted 18 photos, exhibits.

Dean Ferrer, member of the public, 605 Doris Avenue, holds lease for property. He is concerned with increased traffic. He has a trophy business and wants safety and security.

Shavaughn Mulherin, member of the public, 613 Doris Avenue, submitting photos as exhibits. The woods are thin and she will be able to see their building. She wanted to know if an environmental study was performed because of contaminated land nearby. She would like a copy or proof if a study was conducted. She also wanted to know if a traffic impact plan was conducted because of current traffic issues. This is a small residential road. Her neighbor driveway directly across the street and it will greatly impact them. Exhibit, one page of photos with descriptions.

Kate Sittler, member of public, 603 Doris Avenue, echoed her neighbor's concerns. She is concerned with traffic because she lives at the bend. The lights will be bright and shine through the thin woods. The street is too narrow for their trucks.

Michael Mulherin, member of public, 613 Doris Avenue, the woods are thin and he can see everything clearly. There is nothing to buffer Route 55. He is concerned about the lights from the site. Trucks and equipment can cause contamination.

Mr. Fralinger explained that this happens when an industrial area next to a residential neighborhood develops. Often times, homeowners are not aware that they are next to an industrial area. This property was industrial since prior to the year 1989 and maybe 1970's. The area is zoned industrial on both sides in Millville and Vineland. As for noise, they have to comply with ordinance. As for lighting, there will be security lighting with shades. The removal of trees will be limited. As for traffic, the board does not have traffic jurisdiction.

The Chairman entertained a motion to close the public hearing. Mr. Menz so moved, Ms. Velez seconded.
Roll Call:

Doug Menz: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
David Acosta: Yes
John Casadia: Yes

The Chairman entertained a motion to approve the application. Mr. Menz so moved, Ms. Velez seconded.

Roll Call:

Doug Menz: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
David Acosta: Yes
John Casadia: Yes

The Chairman entertained a motion to approve Resolution 6595. Mr. Menz so moved, Ms. Velez seconded.

Roll Call:

Doug Menz: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
David Acosta: Yes
John Casadia: Yes

ICM Logistics – located on the westerly side of Delsea Drive between Forest Grove Road and Garden Road, Block 604, Lot 10, Tax Map Sheet #6, Project No. PBA-23-00009. Preliminary/final major site plan approval to convert an existing masonry building into a truck terminal with maintenance facilities, truck parking and additional site improvements over two phases. Phase 1 will consist of the conversion of the existing building along with site improvements. Phase 2 will have a proposed 2,240 square foot maintenance garage and removal of the cesspool.

The applicant was represented by Amanda Mosillo, Esq. There are variances associated with this application. Lot frontage, industrial use (159.34 feet provided vs. 250 feet required). Lot width, industrial use (159.34 feet provided vs. 250 feet required). Front yard setback, industrial use (41.82 feet provided vs. 65 feet required). Building Line Setback from centerline of Delsea Drive (74.82 feet provided vs. 100 feet required). Side yard setback, southerly (17.62 feet provided vs. 35 feet required). Side buffer, southerly side (0 feet provided vs. 25 feet required from a residential use or residential zone). Front buffer (5 feet provided vs. 22.4 feet required). The expert will testify that these are existing non-conformities on the property.

Ciprian Malaescu, Owner, small trucking company in business since 2015. He purchased the property to use as a truck terminal and service. The company has 6 trucks and 12 trailers. There are 2 employees and 6 drivers. He believes parking spaces are sufficient for his site. They will not rent to third parties. Hours of operation are 9:00Am until 5:00PM. Nothing is being delivered to this property. He will extend the maintenance garage in the second phase of this application.

Greg Simmons, Professional Engineer, testified on behalf of the applicant. The plan was changed to increase he buffer to 22.4 feet with landscaping. They squeezed in one handicap parking space.

Ms. Hicks questioned the distance for trucks to back up to get to the parking spaces.

Tom Diarrigo, Architect, testified on behalf of the applicant. He explained that trucks do have to back up but it is a doable maneuver.

Mr. Simmons explained the drainage drains from the front to the rear. It is in compliance with stormwater regulations. The applicant is requesting waivers for this application. Planning Report, item 7, waiver for shrubbery to break the monotony of the proposed fence. Parking space row length without a tree island break (13 space row provided vs. 12 space row maximum permitted). Landscape buffer along arterial streets (0 vs 25 feet required). Fencing and screening around the perimeter of the proposed stormwater management basin. (The proposed stormwater basin is 3 feet deep, and the ordinance requires fencing and screening for basins that are greater than 2 feet in depth). Item 18a, be drawn to standard engineering scale, not less than 1"=50' and not more than 1"=10'. Sheet size shall be 24"x36" or 11"x17". In the event that the overall site does not fit onto a standard sheet size, an additional site plan sheet shall be provided which shows the entire site development at a reasonable standard scale. 18h, provide other data which may pertain to the particular site and use, including traffic and environmental studies or impact analyses. 18j, identify the forest acreage to be removed and provide a forest retention and tree replacement plan, where applicable.

Stacy Calhoun, First Church of Nazarene, member of the public, is concerned with traffic. They house 135 daycare children. They have buses and parents dropping children off. The intersection is hazardous.

The Chairman entertained a motion to close the public hearing. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes
Doug Menz: Yes
Michael Pantalone: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
David Acosta: Yes
David Manders: Yes

The Chairman entertained a motion to approve the application. Mr. Pantalone so moved, Ms. Velez seconded.

Roll Call:

John Casadia: Yes
Doug Menz: Yes
Michael Pantalone: No
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: No
David Acosta: Yes
David Manders: No

Extension Request–Mevoli/Wells Minor Subdivision, Block 3301, Lots 19.01 and 30.

Mr. Headley explained that was is approved resubdivision located in Vineland and Buena. The applicant is waiting for an approval from Atlantic County. An extension can be granted because the applicant was delayed by a governing body. Mr. Gruccio is requesting an extension until November 30, 2023. Deeds and plans have been submitted for review.

The Chairman entertained a motion to make a recommendation to City Council. Ms. Velez so moved, Mr. Pantalone seconded.

Roll Call:

John Casadia: Yes
Doug Menz: Yes
Michael Pantalone: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
David Manders: Yes

The Chairman entertained a motion to approve Resolution #6596. Ms. Velez so moved, Mr. Pantalone seconded.

Roll Call:

John Casadia: Yes
Doug Menz: Yes
Michael Pantalone: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
David Manders: Yes

ADJOURNMENT

The Chairman entertained a motion to adjourn.

Roll call:

John Casadia: Yes
Doug Menz: Yes
Michael Pantalone: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes

Robert Odorizzi: Yes

David Manders: Yes

TIME: 9:36 PM

Respectfully submitted,

Yasmin Ricketts
Planning Board Secretary