

PLANNING BOARD MINUTES

January 10, 2024

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  
Sandy Velez  
Doug Menz  
Thomas Tobolski  
Robert Odorizzi  
David Manders

Also present were:

Amanda Moscillo, Substitute Planning Board Solicitor  
Yasmin Perez, Planning Board Secretary  
Kathleen Hicks, Supervising Planner  
Ryan Headley, Board Planner/Engineer

PRE-MEETING

SJ Motor Trends– located on the easterly side of Delsea Drive between W Sherman Avenue and Butler Avenue, Block 7002, Lot 47, Tax Map Sheet #70, Project No. PBA-23-00055. Preliminary/final major site plan approval, to construct a 7,300 square foot addition to an existing 5,200± square foot single story building with additional site improvements.

Mr. Headley explained that this project is located south of Delsea Drive at the old Ashley Construction location. The applicant is proposing to expand the building, add parking stalls for display and there will be a large basin in the rear. There are a few variances associated with this application. One variance is for front buffer on Delsea Drive, 10.5 feet whereas 25 feet are required. Staff does not support that variance. They are starting from scratch and they have plenty of room. They do not have enough parking spaces but they can take some spaces from display. Parking space amount for employee/customer is 7 spaces whereas 24 spaces are required. There are some variances for signage. There is a fin and it has a sign in the front, sign on northerly side and southerly side. The front sign is permitted. There are variances for the wall signs facing north and south, 59 feet whereas 0 feet permitted. The wall signs are also not oriented to street frontage. There is one existing non-conformance for the existing building, side yard setback 13.71 feet whereas 20 feet required. The applicant is also proposing several waivers. They are requesting a waiver from the Forest Retention and Replacement Plan. The site is quite large and mostly wooded. The applicant should show truck turnaround, because we do not want trucks unloading on Delsea Drive.

Edgar & Gloria Calderon- located on the northerly side of Lake Road between Bernard Road and Columbia Avenue, Block 110, Lots 8 and 9, Tax Map Sheet #1.02, Project No. PBA-23-00061. Resubdivision approval to exchange portions of both lots to each other.

Mr. Headley explained that the applicant has tried to resubdivide a few times. The previous approval had three lots but now there are two lots. There is an even swap between the two lots. They have an “L” shaped lot and they are trying to make it normal. There are some variances because they are located in the A-5 zone. The applicant is making the situation better with this application.

Martco, LLC – located on the southerly side of Block 5007, Lot 10, Tax Map Sheet #50, Project No. PBA-23-00062. Located on the southerly side of Chestnut Avenue between S. Valley Avenue and Main Road, Block 5007, Lot 10, Tax Map Sheet #50, Project No. PBA-23-00062. Preliminary/final major site plan approval, to construct a 919 square foot addition to an existing professional office building, along with site plan improvements.

Mr. Headley explained that the applicant is proposing a building expansion. The parking configuration was shifted southerly and made compliant with the current standards. There is a side yard setback on the easterly side, 14.96 feet whereas 20 feet required. The other variance has to do with the existing drive isle, westerly side buffer 2 feet whereas 5 feet required. There are also waivers for this application.

Extension Request- Cervini Farm Lot Line Adjustment – Block 7301, Lots 3 & 7, Project No. 21-00043, Resolution #6575.

Mr. Headley explained that the applicant received an approval for a lot line adjustment, and they requesting an extension for 120 days.

Amendment of Fee Schedule

Ms. Hicks explained that the legal fees increased for the new solicitor. The fee schedule was done 22 years ago and our fees are very low. We also have to review the rest of the fee schedule, but we have to conduct an analysis.

FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 22, 2023 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.

REORGANIZATION

Chairman- David Manders

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

Vice-Chairman- Michael Pantalone

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

Solicitor- Michael Malinsky, Esq.

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

Board Secretary- Yasmin Perez / Substitute- Alena Broshchan

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

Board Planner/Engineer- Ryan Headley

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

2024 Yearly Schedule-

John Casadia: Yes  
David Catalana: Yes  
Doug Menz: Yes  
Michael Pantalone: Yes

Thomas Tobolski: Yes  
Nilsa Rosario: Yes  
Robert Odorizzi: Yes  
David Manders: Yes

MINUTES

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

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

RESOLUTIONS

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

Resolution #6614

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

Resolution #6615

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

Resolution #6616

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

Resolution #6617

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

Resolution #6618

John Casadia: Abstain  
David Catalana: Yes  
Doug Menz: Yes  
Michael Pantalone: Yes  
Thomas Tobolski: Yes

Nilsa Rosario: Abstain  
Robert Odorizzi: Yes  
David Manders: Yes

Resolution #6619

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

Resolution #6620

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

Resolution #6621

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

PUBLIC HEARING

SJ Motor Trends– located on the easterly side of Delsea Drive between W Sherman Avenue and Butler Avenue, Block 7002, Lot 47, Tax Map Sheet #70, Project No. PBA-23-00055. Preliminary/final major site plan approval, to construct a 7,300 square foot addition to an existing 5,200± square foot single story building with additional site improvements.

The applicant was represented by Michael Guccio, Esq. The applicant is in receipt of the Planning and Engineering reports dated December 27, 2023.

Greg Simmons, Professional Engineer, testified on behalf of the applicant. Planning report, item 5a, front buffer, Delsea Drive (10.5 feet vs 25 feet required). The applicant will comply with item 5b, parking space amount (24 spaces required vs. 7 spaces dedicated for employee/customer parking). The northerly portion of the site has an existing building and existing parking. The building is close to the road and the parking is approximately 10 feet to 12 feet from the front property line. The applicant would like to maintain that setback of 10 feet in that area along the frontage. They would like to display automobiles as close as possible to the road. It also allows for customer parking in that same location. They will comply with 25 foot setback on the southerly side. This is an existing site condition. The existing parking and access will be removed. The access will be moved farther to the south, and they will have enough space to accommodate a two way access drive. If this is approved, they will also have the ability to accommodate a line of parking in front of the building for customers. Parking spaces will be designated on a perfected plan.

Item 6, wall sign not oriented to street frontage. Applicant will comply and eliminate the additional wall signs to the north and south.

Mr. Manders stated that most of the area is being developed new and has concerns with the small front buffer. Most of the site is being developed new.

Ms. Hicks stated that there are existing old sites that have non conformances and she is concerned with allowing it.

Mr. Simmons stated that it is important to the applicant to have as much parking as possible.

Carlos Martinez, Owner, testified on his own behalf. He wanted to know if he could have 5 feet so customers could see the front line of cars.

Mr. Manders indicated that the applicant should move customer parking so he does not lose the cars in the front. The front line of cars will be one line and not a double line. The front buffer should be maintained.

Mr. Guccio stated that the applicant is seeking waivers. Item 9a, shrubbery to break the monotony of the proposed fence. Item 9b, parking space width (9 feet provided vs. 9½ feet required). Item 9d, parking space row length without a tree island break (25 space row provided vs. 12 space row maximum permitted). Waiver for 10a, street shade trees (3 trees provided vs. 6 trees required at 1 per 50 feet of frontage).

Item 12, **Vehicle sales:** Plan shall contain a notation concerning the specific use of the property as approved: “No more than 141 vehicles (number set by Planning Board/Zoning Board of Adjustment shall be inserted in blank spot) shall be for sale and/or on display at any time on the property-in-question. No vehicles shall be stored, placed or located on the premises other than in those approved areas as shown on this plan”. Also the plan shall clearly state the maximum amount of vehicles that can be stored in the building and within the storage area, if either is approved by the Board.

Mr. Simmons addressed item 14, Forest Retention & Replacement Plan, the applicant is clearing 3.25 acres and they are under 65% clearing, so it is not applicable because this site is in the B-3 zone.

Item 19a, partial waiver, show all structures within 150 feet of the land to be developed. Structures are considered to include, but not be limited to, buildings, driveways, mailboxes, signs, utility poles, drainage and sewerage structures, and valves. The applicant will comply with the remainder of the reports.

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

Roll Call:

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

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

Roll Call:

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

Edgar & Gloria Calderon- located on the northerly side of Lake Road between Bernard Road and Columbia Avenue, Block 110, Lots 8 and 9, Tax Map Sheet #1.02, Project No. PBA-23-00061. Resubdivision approval to exchange portions of both lots to each other.

Edgar Calderon testified on his own behalf. He is proposing to straighten out the line between his neighbor's lot and his lot.

Mr. Headley explained that the applicant is endeavoring to straighten out the line. Two lots are included in this application and it is a fairly even swap of property. There are some variances associated with this project. The two lots are located in the A-5 zone and they are already undersized for the zone. Most of the variances are existing and are changing slightly. In the Planning Report, item 6, variances for lot area, lot 8 (41,688 square feet provided vs. 100,000 square feet required). Lot area, lot 9 (44,027 square feet provided vs. 100,000 square feet required). Lot frontage, proposed lot 8 (145± feet provided vs. 250 feet required). Lot frontage, proposed lot 9 (194± feet provided vs. 250 feet required). Lot depth, proposed lot 8 (265± feet provided vs. 330 feet required). Lot depth, proposed lot 9 (195± feet provided vs. 330 feet required). Lot width, proposed lot 8 (145± feet provided vs. 250 feet required). Lot width, proposed lot 9 (194± feet provided vs. 250 feet required). Side Yard Setback, proposed lot 8, westerly (32.54 feet provided vs. 40 feet required). Waiver for Item 8b, show all structures within 150 feet of the land to be subdivided. Structures are considered to include, but not be limited to, buildings, driveways, mailboxes, signs, utility poles, drainage and sewerage structures, valves, septic systems and wells.

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

Roll Call:

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

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

Roll Call:

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

Martco, LLC – located on the southerly side of Block 5007, Lot 10, Tax Map Sheet #50, Project No. PBA-23-00062. Located on the southerly side of Chestnut Avenue between S. Valley Avenue and Main Road, Block 5007, Lot 10, Tax Map Sheet #50, Project No. PBA-23-00062. Preliminary/final major site plan approval, to construct a 919 square foot addition to an existing professional office building, along with site plan improvements.

The applicant was represented by Michael Fralinger, Esq. Chestnut Avenue has a lot of similar narrow lots. The applicant is seeking an addition of 919 square feet to the back of the existing building, and any improvements are being shifted back. The site has had site plan approval in the past. This is a family of accountants and the next generation will join the practice soon. There are a lot of pre-existing non-conforming conditions that were included in the previous approval.

The applicant is in receipt of the Planning and Engineering Reports. Planning Report, item 5a, variance for side yard setback, easterly (14.96 feet provided vs. 20 feet required). Item 5b, variance for side buffer, westerly (2± feet provided vs. 5 feet required). The variances are not being aggravated, they are being shifted back. The rear basin has to be redone and bring up to today's standards. Item 7, waivers for presence of a stormwater management basin drive. Stormwater management basin fence height (0 feet provided vs. 6 feet required). Stormwater management basin side setback, easterly (4.73± feet provided vs. 20 feet required). Stormwater management basin side setback, westerly (10.24 feet provided vs. 20 feet required). Stormwater basin access drive material type (grass pavers over one-inch-thick bedding sand and a min of 8 inch of compacted aggregate base). Item 8b, waiver for fencing and screening around the perimeter of the proposed stormwater management basin. (The proposed stormwater basin is 3.3 feet deep, and the ordinance requires fencing and screening for basins that are greater than 2 feet in depth). Item 10a, waiver for building front entrance is not oriented towards the street. Item 10b, waiver for no access provided to Chestnut Avenue when there is existing sidewalk. Item 16d, waiver from showing storm sewer, existing and proposed, in profile. Item 16e, waiver from providing a landscaping plan showing any proposed landscape areas, including buffer areas; the number, location, size, species, and location of proposed plantings; planting details; and proposed means of irrigation. The applicant will comply with the remaining items in reports.

The Chairman entertained a motion to close the public hearing. Mr. Odorizzi so moved, Mr. Menz seconded.

Roll Call:

John Casadia: Yes  
David Catalana: Yes  
Doug Menz: Yes  
Thomas Tobolski: Yes  
Nilsa Rosario: Yes  
Robert Odorizzi: Yes  
Michael Pantalone: Yes

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

Roll Call:

John Casadia: Yes  
David Catalana: Yes  
Doug Menz: Yes

Thomas Tobolski: Yes  
Nilsa Rosario: Yes  
Robert Odorizzi: Yes  
Michael Pantalone: Yes

Extension Request- Cervini Farm Lot Line Adjustment – Block 7301, Lots 3 & 7, Project No. 21-00043, Resolution #6575.

The applicant received an approval in May 2023 for a lot line adjustment, and they are requesting an extension for 120 days.

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

Roll Call:

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

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

Roll Call:

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

#### Amendment of Fee Schedule

Ms. Hicks explained that the current fee schedule was established 22 years ago. The legal fees are being revised to adequately compensate the Planning Board and Zoning Board of Adjustment Solicitors. The remainder of the schedule will be amended in the near future.

Amend §425-5(A)(31) Legal Review and Document Preparation as follows:

Major Subdivision, Preliminary Plan	\$900.00
Major Subdivision, Final Plan	\$900.00
Site Plan, Major Preliminary Plan	\$900.00
Site Plan, Major Final Plan	\$900.00
(except when Preliminary and Final are combined, then only Preliminary fee applies)	
Appeal pursuant to NJSA 40:55D-70(a)	\$750.00
Interpretation pursuant to NJSA 40:55D-70(b)	\$750.00
Variance pursuant to NJSA 40:55D-70(c)	\$500.00
Variance pursuant to NJSA 40:55D-70(d)	\$500.00
All other applications and resolutions	\$500.00

Amend §425-5(A)(32)

Association Document Review	\$750.00
(e.g., Homeowners', Condominium, Cooperative)	

Amend §425-5(A)(33)

Performance and Maintenance Guarantee Review	\$150.00
--	----------

Amend §425-5(A)(34)

Deed or easement review	\$250.00
-------------------------	----------

Amend §425-5(A)(35)

All other legal costs	Hourly rate set by contract
-----------------------	-----------------------------

The Chairman entertained a motion to approve the amendment. Mr. Pantalone so moved, Mr. Odorizzi seconded.

Roll Call:

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

ADJOURNMENT

The Chairman entertained a motion to adjourn.

Roll call:

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

TIME: 8:12 PM

Respectfully submitted,

Yasmin Perez  
Planning Board Secretary