#### PLANNING BOARD MINUTES

September 10, 2025

The pre-meeting of the Planning Board was called to order by Vice Chairman Mr. Michael Pantalione at 6:00 PM in the Second Floor Caucus Room of City Hall.

#### Members Present:

John Casadia
Jeffrey Di Matteo
Douglas Menz
Michael Pantalione
Thomas Tobolski
Sandy Velez
Nilsa Rosario
Robert Odorizzi
Elizabeth Arthur

#### Also present were:

**David Manders** 

Amanda Moscillo, Alternate Planning Board Solicitor Yasmin Perez, Planning Board Secretary Kathleen Hicks, Supervising Planner Ryan Headley, Planning Board Planner/Engineer Elizabeth Jambor, Assistant Planner

## PRE-MEETING

<u>KDC Refrigerated Storage Expansion</u>—located on the southerly side of Garden Road between Mill Road and Delsea Drive, Block 1101, Lot 15.01, Tax Map Sheet #11, Project No. PBA-25-00033. Preliminary/final major site plan approval, to construct a 39,227 square foot building addition and a parking lot expansion to an existing repacking and cold storage facility along with associated site improvements.

Mr. Headley explained that KDC is proposing an expansion to their existing facility. The project includes additional building area (brown area on the plan), expanded parking and loading docks (red outline), and associated site improvements. The expansion mirrors the existing building layout, with interior space primarily for storage. There are waivers associated with this application. The existing stormwater basin will be expanded to the north to accommodate the additional impervious coverage. The security fence will be extended around the new basin. The applicant is requesting a waiver from the requirement to provide screening/landscaping around the basin. This waiver has been granted in the past for both the existing basins. The basin's location is behind an industrial building (approximately 1,000 feet from the street), so staff have no objection to continuing the granting of the waiver. There is also a waiver for truck pavement. They are proposing a 25-foot-wide stone access drive near the rear of the building for maintenance. Staff typically does not recommend stone drives; however, stone has been approved in the past for cold storage facilities due to operational needs. The screening and fencing for the stormwater basin (consistent with previous approvals). Staff have no objections to the requested waivers, but board members may raise concerns during the meeting.

<u>Prime Construction</u> – located on the westerly side of S. Spring Road between E. Walnut Road and Magnolia Road, Block 5112, Lot 40, Tax Map Sheet #51, Project No. PBA-25-00015. Minor subdivision approval to create three (3) new lots with one (1) remainder lot.

Ms. Moscillo explained that the applicant previously appeared before the Board for a minor subdivision. The application was heard, a resolution of approval was adopted, and perfected plans were submitted. However, it was later discovered that the 200-foot property owner list used for public notice was incorrect. As a result, certain property owners who were legally entitled to notice did not receive it. Because proper notice is a jurisdictional requirement, the Board's prior action is invalid. To correct this, the Board must adopt a resolution declaring the previous resolution null and void. This clears the way for a properly noticed, entirely new hearing. Tonight's hearing is a completely new proceeding. The prior hearing and approval have no legal effect and should not be considered.

Mr. Headley explained that this is a minor subdivision. It is located around Holmes Avenue and Spring Road (near McMahon Avenue and Queens). They are subdividing 2 lots fronting on Holmes, and one lot fronting on Spring Road. There are two variances for lot frontage and lot width for proposed lot 40.01, 79.38 feet whereas 90 feet required. All the lots meet the minimum area requirement. The neighbors have expressed concerns regarding potential future road connections, but this application does not include road construction; it only creates the lots as described. There are some outstanding perfected plan comments from the previous application that have already been addressed.

Redevelopment Amendment – Ligia Guerra Martis, 202 N. Eighth Street, Block 3013, Lot 12.

Ms. Hicks explained that the applicant proposes to convert an existing law office, located at the corner of 8th Street and Plum Street, into a daycare facility. The program will serve children from infants up to age 13, including an after-school component. The property is located within a residential redevelopment area, and the overall site is in good condition. The site is fully developed, with limited grassed areas (primarily in the front yards). The applicant proposes to locate the outdoor play area on the east side of the building, fronting on 8th Street. A 6-foot-high solid white vinyl fence will be installed around the play area to ensure privacy and child safety. The fence will terminate at the rear of the building and will not extend the full length of the property line. Circulation has been designed to accommodate safe pick-up and drop-off, with ingress from Plum Street and egress onto 8th Street, minimizing disruption to surrounding traffic.

#### **SPECIAL BUSINESS**

#### Elwyn Redevelopment Proposal

Ms. Hicks explained that the applicant has submitted materials requesting designation of an area in need of redevelopment, along with a partial draft redevelopment plan. The proposal envisions a mixed-use development consisting of residential units (a combination of apartments and townhouses) together with small-scale commercial space.

Due to the importance of the project, and the fact that the draft plan is still incomplete, staff recommends forming a small subcommittee of the Board to work with staff and the applicant team. This will allow for early review, detailed feedback, and refinement prior to full Planning Board consideration. The following members of the committee are as follows: David Manders, Sandy Velez, Robert Odorizzi and David Catalana.

#### FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 17, 2024 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 12, 2025, board meeting. The Chairman made a motion to approve the minutes.

John Casadia: Yes Jeffrey Di Matteo: Yes Douglas Menz: Yes Michael Pantalione: Yes Thomas Tobolski: Yes Sandy Velez: Yes Robert Odorizzi: Yes Elizabeth Arthur: Yes David Manders: Yes

#### **RESOLUTIONS**

Approval of resolutions from the August 12, 2025, board meeting. The Chairman made a motion to approve the resolution.

#### Resolution #6724

John Casadia: Yes
Jeffrey Di Matteo: Yes
Douglas Menz: Yes
Michael Pantalione: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

#### Resolution #6725

John Casadia: Yes Jeffrey Di Matteo: Yes Douglas Menz: Yes Michael Pantalione: Yes

Thomas Tobolski: Yes Sandy Velez: Yes Robert Odorizzi: Yes Elizabeth Arthur: Yes David Manders: Yes

Resolution #6726, Voided Resolution #6714 for Prime Construction

John Casadia: Yes
Jeffrey Di Matteo: Yes
Douglas Menz: Yes
Michael Pantalione: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

## DEVELOPMENT PLAN

<u>KDC Refrigerated Storage Expansion</u>—located on the southerly side of Garden Road between Mill Road and Delsea Drive, Block 1101, Lot 15.01, Tax Map Sheet #11, Project No. PBA-25-00033. Preliminary/final major site plan approval, to construct a 39,227 square foot building addition and a parking lot expansion to an existing repacking and cold storage facility along with associated site improvements.

The applicant was represented by Michael Gruccio, Esq. This application is for an expansion of an existing food processing/cold storage facility. The addition to the facility is proposed to be 39, 227 square feet. An expansion was approved to the west of the facility. The brown area represents the expansion and a new parking area to the east. The site plan also includes an expanded stormwater basin and circulation improvements. He confirmed that all factual comments in the Planning and Engineering Division review reports are accurate; applicant accepts them and requests some waivers.

Joseph Maffei, Professional Engineer/Planner, Engineering Design Associates, testified on behalf of the applicant. The applicant is requesting waivers for item 8a and b, shrubbery to break the monotony of the proposed fence. Screening around the perimeter of the proposed stormwater management basin. (The proposed stormwater basin is 4.77 feet deep, and the ordinance requires screening for basins that are greater than 2 feet in depth). The requested waivers are consistent with prior approvals for this facility and other similar facilities. Applicant agreed to install paved surface for durability and circulation and withdraw the stone driveway that was originally proposed. There are 198 employees per shift and around 250 parking spaces, which is more than adequate. The applicant is requesting waivers for item 15b, showing 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. Waiver for 15c, showing the centerline elevations of the existing streets. They were previously provided in an earlier submission and remain unchanged. Applicant agreed to provide all required drainage calculations and a list of design waivers. The stone driveway previously proposed for basin access will be replaced with a paved surface wide enough to accommodate service vehicles. He clarified that the red-shaded area is maneuvering space for tractor trailers, with only a small portion designated for new parking.

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

John Casadia: Yes
Jeffrey Di Matteo: Yes
Douglas Menz: Yes
Michael Pantalione: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

### **PUBLIC HEARING**

<u>Prime Construction</u> – located on the westerly side of S. Spring Road between E. Walnut Road and Magnolia Road, Block 5112, Lot 40, Tax Map Sheet #51, Project No. PBA-25-00015. Minor subdivision approval to create three (3) new lots with one (1) remainder lot.

The applicant was represented by Matthew Robinson, Esq. The applicant requested minor subdivision approval to create three new residential lots plus one remainder lot from an existing 8.95-acre tract in the R-3 Zone. All lots meet the minimum lot area requirement; however, one new lot (40.01) on Holmes Avenue requires a variance for frontage/width (79.38 ft. where 90 ft. is required).

Rami Nassar, Professional Engineer/Planner, testified on behalf of the applicant. The applicant sought approval for a minor subdivision of an 8.95-acre parcel in the R-3 Zone to create three new residential building lots and leave the balance as a remainder lot. The property fronts Holmes Avenue and South Spring Road, with nearby streets including Queens Road and McMahon Drive. They are proposing to subdivide the two new lots proposed along Holmes Avenue with frontage also on Spring Road. All lots comply with the minimum lot area requirement (13,500 sq. ft.). One lot (Lot 40.01) requires variance relief for frontage and width: 79.38 feet proposed where 90 feet is required. All other lots meet frontage and width requirements and are compliant. He also explained that the variance should be considered under N.J.S.A. 40:55D-70(c)(2). As for the positive criteria, subdivision advances the purposes of the Municipal Land Use Law by creating appropriately sized residential lots consistent with the existing neighborhood, which already contains a mix of 80-foot and 90-foot frontages. The subdivision would not generate significant traffic impacts (approximately 10 trips per day for an additional dwelling). The variances can be granted without substantial detriment to the public good, nor impair the intent and purpose of the zone plan. Planning Report, item 6, variances were reviewed, and prior testimony was provided. Item 9, the applicant acknowledges obligation to comply with COAH construction requirements and contribution percentages. Item 10 and 11, the minor subdivision was approved by Cumberland County Planning and Soil Conservation is pending. If minor subdivision is approved, it will be recorded by deed. Engineering Report, applicant has no comments.

Mr. Robinson stated that Phillip Black, managing member, was available for questions.

Carlos Pomales, 1710 Pats Lane, member of the public, gave comments regarding the application. He stated that he objects to the Engineer's findings on Holmes Avenue. In the year 2016, Cumberland County assessed the area as a flood zone. He expressed concern that the proposed development could exacerbate existing flooding issues during heavy rainfall and storms. He questioned whether the assessment accurately considered the impact on the local pumping station servicing the area. Mr. Pomales asked whether it is standard policy to clear and assess land without an approval. He noted that, according to his review of state and county procedures, a public hearing should have been conducted prior to any bulldozing or land assessment. He observed wildlife in the area, including deer, foxes, geese, and turtles. Turtles have appeared on his property immediately after the land clearing. He questioned whether any assessment was conducted for the local wildlife prior to the clearing.

Joseph Martino, 1145 Queens Road, member of the public, gave comments regarding the application. He expressed concerns regarding water, sewage, and street plumbing in his neighborhood, particularly around the Queens Road cul-de-sac. He noted that the drainage system includes a corrugated pipe running down to McMahon down the woods line and stopping at Queens Road. He emphasized that this has been an ongoing issue for over 20 years and that previous complaints have not been adequately addressed. Mr. Martino provided photographs documenting drainage issues over the past 20 years (recorded as Objectors Exhibit #1).

Diane Allen, 1215 Holmes Avenue, member of the public, gave comments regarding the application. She and her husband discovered posts with pink ribbon on the property adjacent to theirs without prior notification. She reported difficulty obtaining information from Vineland offices and being transferred between multiple departments. The tax office directed her to a number that does not perform property assessments, which left her feeling that the process was secretive and that proper notification was not provided. Ms. Allen and her husband have lived at their property for approximately 13 years and enjoy the privacy of the woods, which hosts deer, wild turkeys, and other wildlife. She expressed concern about the potential impact of development on their enjoyment of the property and surrounding wildlife.

Ms. Moscillo explained that prior approval for the project is now null and void due to notification errors, and this hearing addresses that correction.

Ms. Allen had questions about proposed project. She wanted to know the number of homes. The builder indicated that there would be three homes. Location of driveways and road access. Potential phases of construction and whether further development will occur beyond this application. Clarification regarding the type of housing, including whether low-income housing is planned. She noted that when they purchased their home, the realtor told them that the land could not be developed.

Miguel Mercado, 1192 Holmes Avenue, member of the public, gave comments regarding the application. He stated that he became aware of the project a week and a half ago when he observed that the woods across from his property, where the first three lots are proposed, had been cleared. Mr. Mercado noted that flooding has been a major problem in the area since he and his wife moved in 2019. He described incidents where roads were flooded, requiring personal intervention to clear gutters during heavy rain and thunderstorms. He questioned whether the proposed development would exacerbate existing flooding problems. Mr. Mercado specifically asked about the presence of storm drains in the cul-de-sac, noting that drainage appears to end at his property, leaving water with nowhere to go. He asked about the type of homes proposed (single-family) and their estimated value, expressing concern that the project could negatively affect neighboring property values if standards are not consistent with existing homes.

Heather Musto, 1170 Holmes Avenue, member of the public, gave comments regarding the application. She reported that she observed land clearing directly across the street from her property, which included machinery dropped off without company identification. She also noted that significant wildlife activity, including deer, has been observed since the clearing. Ms. Musto expressed concern that notice of the meeting was received approximately 10 days after the clearing occurred, providing only 12 days' notice of the hearing. Twelve days' notice felt inadequate for residents with full-time jobs to prepare or adjust schedules to attend a hearing. She suggested that earlier notice, prior to any land clearing, would have been more transparent and appropriate.

Ms. Moscillo clarified that statutory requirements mandate notice to property owners within 200 feet at least 10 days before the hearing. While the timing may feel short, the notice provided was consistent with legal requirements.

Zachary DeSalvo, 1213 McMahon Drive, member of the public, gave comments regarding the application. He expressed concern that the proposed subdivision should not be considered a "minor subdivision," as it is only the beginning phase of a larger development plan. He stated that if treated as a major subdivision, requirements such as stormwater retention ponds could be imposed, which may help alleviate flooding in the area. Mr. DeSalvo explained that all the surrounding streets drain toward this property, and as a result, his basement floods. He further commented that while he understood concerns about loss of wildlife and trees due to development, his primary concern is that this application is improperly categorized as a minor subdivision when future phases have already been indicated.

Mr. Robinson explained that confusion surrounding the prior hearing and notice was due to an error on his part, not the City. The original notice was incorrectly sent based on Lot 41 rather than Lot 40. Once discovered, the prior resolution became null and void, which was addressed earlier in the meeting. Corrected notices were issued to all property owners within 200 feet of Lot 40 and published in accordance with statutory requirements (at least 10 days in advance). Counsel emphasized that there was no wrongdoing by the City, and the error was his responsibility alone.

Mr. Black confirmed that he is the owner of the subject lots. As property owner, he has legal authority to clear the site, provided compliance with local ordinances and required permits.

Mr. Robinson clarified that following the prior (voided) approval, Prime Construction hired a tree-clearing company in good faith, based on the belief that all approvals were valid. Any future development (e.g., interior lots, road connections, or a "phase two") would require a new application, new public notice, and a full hearing before the Board. Such future development would constitute a major subdivision, including stormwater management review and other requirements.

Mr. Black testified that once the error was discovered, the matter was immediately brought back before the Board for a fresh hearing with proper notice. He further explained that upon being contacted by the City Solicitor, he met with nearby residents to explain the situation. The current application involves three (3) lots: one fronting Spring Road and two additional lots. He confirmed that the application before the Board does not involve Queens Road or McMahon Drive. Mr. Black testified that Prime Construction builds single-family homes throughout South Jersey. While specific models have not been finalized, homes will be consistent with the neighborhood in size, square footage, and architectural style. The project does not include low-income or Section 8 housing. However, Mr. Black acknowledged that state law may require an affordable housing contribution to the municipal trust fund based on development percentages. He noted that any potential "phase two" would depend on economic feasibility and market conditions. If pursued, a separate application will be made to the city. Any road connections or design elements would be reviewed with the City's adopted Master Plan and coordinated accordingly.

Mr. Nassar addressed flooding and stormwater concerns. He explained that under current State stormwater management regulations, the proposed minor subdivision does not require stormwater basins or facilities. However, if the applicant proceeds with a major subdivision, a stormwater management basin is anticipated at the end of Queens Road. This basin would be designed to capture both on-site runoff and runoff from adjoining properties, alleviating flooding in the surrounding area. In his professional opinion, this future design would reduce longstanding flooding problems once implemented. On Holmes Avenue, the existing topography

has only a 0.5% slope, which contributes to drainage issues. Mr. Nasser stated that neighbors' flooding concerns are compounded by leaves clogging existing drains. With new homes, landscaping changes (lawns replacing wooded areas near the street) could improve conditions. He clarified that the two proposed homes on Holmes Avenue will generate only minimal additional runoff (approximately 2,500 sq. ft. per lot for house/driveway), with the remainder remaining grass or wooded area.

Mr. Headley explained that the City recently adopted a Land Grading Ordinance, addressing prior DEP concerns for stormwater. Although this subdivision is categorized as "minor" under land use law, stormwater controls will still be required at the building permit stage. Each lot must comply with enhanced stormwater regulations to ensure no additional runoff impacts neighboring properties.

Mr. Nasser confirmed the property is not located within the Pinelands District, wetlands, or other regulated habitat areas.

Mr. Headley indicated that no environmental study is required under the minor subdivision checklist for this type of development. He also explained that the Planning Board does not have the authority to require a developer to fix existing flooding problems on neighboring homes, as those issues were not created by the current applicant. The only power the Board has in this matter is to ensure that any new development complies with stormwater management requirements. Specifically, the developer must design the project so that postdevelopment runoff does not exceed the amount of runoff generated when the site was in its natural wooded condition. The design standards prevent the applicant from making the situation worse, but they do not obligate the applicant to remedy existing flooding issues. That responsibility rests with the City, not the developer. If the applicant returns in the future with a major subdivision application, at that stage they would be required to address off-site drainage. For example, conditions at the end of Queens Road and other affected areas would then need to be considered. However, that requirement only arises during the review of a major subdivision, and there is no guarantee the applicant will proceed to that stage. He noted that the current application is for single-family homes, which are a permitted use in the R-3 Zone. The zone allows singlefamily dwellings, farms, and some limited public-purpose uses. Duplexes or other multi-family housing would require a use variance, which would be a separate, more stringent process and would require new notice to property owners within 200 feet. At this time, there is no indication the applicant intends to build duplexes or other higher-intensity residential uses. The proposal is limited to single-family homes, which would be consistent with the surrounding neighborhood in terms of lot size and character. The Board does not regulate the size of the individual homes, their architectural style, or their eventual sale price. Those aspects are outside the Board's jurisdiction. Finally, regarding affordable housing obligations, the Planner explained that the City no longer requires a developer to construct a set number of affordable homes within a subdivision. Instead, developers contribute a financial share into a City affordable housing trust fund. The City then applies those funds toward designated projects, such as the senior housing project on Landis Avenue, the redevelopment of the former Newcomb Hospital, or construction of scattered-site affordable housing units. He explained that aside from one variance for lot frontage on a slightly narrower parcel, the applicant intends to comply with all other zoning standards. He observed that the proposed lots are consistent in size with the surrounding neighborhood. The north side contains newer development, while the south side consists of older homes from the 1950s and 1960s, with a few more modern homes built in the early 2000s. Regulations regarding setbacks and lot coverage have remained consistent since that time.

A resident offered a final comment, urging the Board and the public to visit Queens Road and the adjoining cul-de-sacs to observe the pavement conditions. He stated that the roadway was paved with only a single coat of asphalt and that, over time, freeze—thaw cycles and persistent flooding had caused the pavement to deteriorate to the point where large sections are now dirt. He explained that when the homes were built, two coats of asphalt had been promised, but only one was provided. As a result, water damage has worsened over the years, leaving no proper base under the roadway. He expressed concern that without adequate drainage measures—such as a water basin at the end of Queens Road—flooding will remain a severe problem. He noted that in heavy storms, floodwaters rise halfway up his driveway, and with any additional water it would reach his garage.

Mr. Headley explained that the existing cul-de-sacs are considered "temporary," as the City's master street plan shows them extending into adjacent lands with additional lots fanning around. If the developer pursues that design, the circular bulb of each cul-de-sac would be removed, the road extended as a straight continuation, and any infrastructure—such as stormwater systems or utilities—would have to be relocated at the developer's expense. Regarding roadway surfacing, the Planner clarified that Queens Road is a public street, and the City is responsible for its maintenance. However, when a developer proposes an extension, it becomes a matter of negotiation between the City and the applicant. The Board cannot approve an extension from a roadway that is in a failed or deteriorated condition, so the issue of rehabilitation would have to be addressed before any extension could be permitted.

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

Roll Call:

John Casadia: Yes
Jeffrey Di Matteo: Yes
Douglas Menz: Yes
Michael Pantalione: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

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

Roll Call:

John Casadia: Yes
Jeffrey Di Matteo: Yes
Douglas Menz: Yes
Michael Pantalione: Yes
Thomas Tobolski: Yes
Sandy Velez: Yes
Nilsa Rosario: Yes
Robert Odorizzi: Yes
Elizabeth Arthur: Yes
David Manders: Yes

Redevelopment Amendment - Ligia Guerra Martis, 202 N. Eighth Street, Block 3013, Lot 12.

Ms. Hicks explained that this is a conversion of the existing Greenblatt Law Offices building into a daycare facility, including daycare and after-school program for children ages 0–13. Planning staff recommended approval subject to two conditions. All parking lot line striping, which is currently faded, shall be restriped to the satisfaction of the Zoning Officer. All drop-off and pick-up activity must occur on-site, except when children arrive via school bus. Staff noted that the building and grounds are in generally good condition, with landscaping intact. The only significant site modification proposed is the installation of a fenced outdoor play area at the eastern end of the building. The applicant proposed a six-foot-high solid white vinyl privacy fence extending up to the property line, located just behind the public sidewalk along Eighth Street. Circulation for drop-off and pick-up was also reviewed. Vehicles will enter from Plum Street, circulate around the building, and exit onto Eighth Street. Parents may either drop children at the door or park and escort them inside. Staff will be present to assist during these times. The Board noted that the applicant is an experienced daycare operator, currently operating another facility on West Landis Avenue.

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

Roll Call:

John Casadia: Yes Jeffrey Di Matteo: Yes Douglas Menz: Yes Michael Pantalione: 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:

Roll Call:

John Casadia: Yes

Jeffrey Di Matteo: Yes Douglas Menz: Yes Michael Pantalione: Yes Thomas Tobolski: Yes Sandy Velez: Yes Nilsa Rosario: Yes Robert Odorizzi: Yes Elizabeth Arthur: Yes David Manders: Yes

TIME: 7:53 PM

Respectfully submitted,

Yasmin Perez Planning Board Secretary