

**ZONING BOARD OF ADJUSTMENT
MEETING APRIL 17, 2013**

The caucus meeting began at 7:00 P.M. and the meeting began at 7:30 P.M.

Members present were:

Edwin Bergamo
Elaine Greenberg
John Cheli
George LoBiondo
Edward Avena
Alan Angelo
Leroy Goldblatt
Jeffrey Francesoni

Members absent were: Robert Ortega

Others Present were: Solicitor Frank DiDomenico, Secretary Yasmin Ricketts, Zoning Officer Patrick Finley, Principal Planner Stephen Hawk, and Principal Engineer David Maillet.

The Chairman entertained a motion to approve the resolution from the March 20, 2013 meeting. Resolution 2013-9.

Roll call:

Mr. LoBiondo: Abstain
Mr. Avena: Abstain
Mr. Greenberg: Abstain
Mr. Cheli: Abstain
Mr. Goldblatt: Abstain
Mr. Angelo: Yes
Mr. Bergamo: Abstain

The Chairman entertained a motion to approve the minutes from the March 20, 2013 meeting.

Roll call:

Mr. LoBiondo: Abstain
Mr. Avena: Abstain
Mr. Greenberg: Abstain
Mr. Cheli: Abstain
Mr. Goldblatt: Abstain
Mr. Angelo: Yes
Mr. Bergamo: Abstain

Mr. DiDomenico went over the revisions to the agenda for the meeting.

Applicant- [REDACTED] 4895 Mays Landing Road, Block 7902, Lot 15, Zone W-6. The applicant testified on his own behalf. The applicant was requesting to construct a 30' x 40' detached garage. It will be 1,200 square feet vs. 900 square feet permitted. The front yard setback from Cornucopia Avenue is 30' vs. 60' required. There will be no commercial uses for the proposed garage, and he will be using it for storage of personal items. He cannot place the proposed garage on the west side because he plans to construct an addition on that side in the future. The rear of the yard is heavily wooded and it will require removal of trees. The septic system is located on the east side of the property. He also needs a height variance for the garage for 21' vs. 15' permitted. The garage will have an attic space for additional storage. His lot is considered a corner lot due to the paper street, Cornucopia Avenue, and the proposed garage will have a setback of 300' from Mays Landing Road. The word "dwelling" on the application was an error, and the structure will just be used as a garage.

Mr. Finley explained that accessory structures should only be 6' from the property line, but because the proposed structure is so far back he does not have a problem with it.

Mr. Hawk indicated that the portion of Cornucopia Avenue was wooded, and there are currently no plans to build the road. The location in this specific instance could work.

Chairman acting entertained a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Greenberg: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Goldblatt made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Greenberg: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Vineland Housing Development**, 35 W. Almond Street, Block 3702, Lot 4, Zone RB-1. The applicant was represented by Michael Fralinger, Esq.

Mr. DiDomenico treated the minor subdivision and the preliminary and final minor site plan approval requests as two separate applications.

Mr. Fralinger indicated that the property is located off of Almond Road and Chestnut Avenue, and it has split zoning in the R-2 and RB-1 zones. The board granted a use variance on January 16, 2013 through resolution 2013-7 to construct 17 single family dwellings on one lot. In 2004,

the applicant received preliminary and final major site plan approval from the Planning Board for a 17 lot major subdivision. The proposed minor subdivision will create a new lot and this new lot is not part of the development contemplated under the site plan application except for an easement area that will allow for the construction of utility lines through Melrose Street. The remainder lot will be developed as part of the companion site plan application.

The majority of the property is in the R-2 zone. The entire frontage of the property along Chestnut Avenue is within an R-B-1 zone. The R-B-1 zone extends back into the site from Chestnut Avenue 147.52 feet at the easterly side and approximately 180 feet at the westerly side. The proposed new lot 4.01 will contain a net area of 60,372 square feet, with existing frontage on Chestnut Avenue and 147.52 feet on Melrose Street. The proposed remainder of lot 4 will contain a net area of 231,267 square feet, with existing frontage of 51 feet on Almond Street and a net depth of 1,017.14 feet. The proposed remainder lot has a variance for lot frontage 51' vs. 75' required. The frontage variance along Almond Street is a C1 hardship variance. The applicant is also seeking a waiver on plan detail as the north arrow on the plan is oriented to the left whereas the ordinance requires orientation to the top or to the right of the plan.

Carroll Purcell testified that he objects to the frontage along Almond Street and the proposed driveway is too close to his residence. He would like a fence or barrier placed along that entrance.

Ronald Petrosky testified that he objects to the access road. He believes the entrance should be on Chestnut Avenue and that the subdivision should not occur.

Mr. Avena wanted to know if the entrance could be relocated.

Mr. Fralinger explained that Chestnut Avenue cannot be used for the entrance as the topography drains from Almond Street towards Chestnut Avenue. The storm water basin is located along the Chestnut Avenue side.

Ms. Greenberg stated that she lives on a cul-de-sac with off street parking and fire trucks have a hard time maneuvering through the street.

Mr. Fralinger explained that it could not be turned around because of the drainage.

Chairman acting entertained a motion to close the public hearing.

Roll call:

Mr. Francesconi: Yes

Mr. Avena: Yes

Mr. Greenberg: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the minor subdivision.

Roll call:

Mr. Francesconi: Yes

Mr. Avena: Yes

Mr. Greenberg: Yes

Mr. Cheli: Yes

Mr. Goldblatt: Yes

Mr. Angelo: Yes
Mr. Bergamo: Yes

The applicant also requests a preliminary and final approval of a major site plan, in conjunction with a use variance, for a development to construct 17 new detached one story single family dwellings on one lot. The storm water management basin will be within that lot and will be accessed from Almond Street. Water and sewer will be extended from Melrose Street across an easement. The dwellings will be affordable under COAH and each will have a free-standing shed located to the rear side of each unit. The majority of the site is located within the R-2 zone. An area of approximately 10' x 210' along the southerly boundary of site is located in the R-B-1 zone. There will be a private roadway from Almond Street with 28' paved cartway and sidewalks on both sides. The private street meets RSIS standards with parking on one side only.

Jason Sciullo, Engineer, testified on behalf of the applicant. The drainage on the site is based on the topography which drains from Almond Street towards Chestnut Avenue. The basin on the north side is relatively flat with a very gentle slope. Each house will have a driveway that will accommodate two automobiles. There will be parking on one side of the street and the basin will be covered in grass. Drainage works better with grass instead of sand so the basin will never hold more than 1' of water. The deepest portion of the basin will be 3 ½ -4' deep, but the vegetation on the slopes will hide them and make it more aesthetically pleasing. The basin is a combination of detention/retention, and will drain within 72 hours. The applicant would like to request a waiver from fencing the retention basin. They would also like a waiver for screening. They are willing to install a 6' vinyl fence to address the neighbor's concerns. They agree to meet with Mr. Hawk , Principal Planner, to do a field inspection to determine the location of the fencing.

Mr. Fralinger noted that the applicant will remain the private drive from Melrose Court so that it is not similar to the other street name. He also indicated that all 17 homes are COAH complaint, and the city only requires 4 homes to be COAH complaint. They are seeking a waiver from COAH requirement to bond for the adaptable units. The applicant will coordinate with Vineland Municipal Utilities to address their concerns, and they also agree with the revised Engineer's and City Water Utility reports.

Mr. Hawk wanted to know if the property could be sold.

Mr. Fralinger explained that the property could not be sold for 30 years.

William Rossi testified that he has a concern with people trespassing onto his property.

Carol Purcell testified that he would like a fence throughout the entire property.

Ronald Petrosky also testified that he would like a fence throughout the entire property. He also believes that parking will be an issue.

Chairman acting entertained a motion to close the public hearing.

Roll call:

Mr. Francesconi: Yes
Mr. Avena: Yes
Mr. Greenberg: Yes
Mr. Cheli: Yes
Mr. Goldblatt: Yes

Mr. Angelo: Yes
Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the preliminary and final major site plan.

Roll call:

Mr. Francesconi: Yes
Mr. Avena: Yes
Mr. Greenberg: Yes
Mr. Cheli: Yes
Mr. Goldblatt: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Chairman made a motion to adjourn.

Roll call:

Mr. Francesconi: Yes
Mr. Avena: Yes
Mr. Greenberg: Yes
Mr. Cheli: Yes
Mr. Goldblatt: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Meeting adjourned at 9:45 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment