

**ZONING BOARD OF ADJUSTMENT
MEETING OCTOBER 15, 2014**

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

Members present were:

Edwin Bergamo
George LoBiondo
Jeffrey Francesconi
Robert Ortega
Ryan Flaim
Elaine Greenberg

Members absent were: William Gruccio

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

The Chairman entertained a motion to approve the minutes from the September 17, 2014 meeting.

Roll call:

Mr. LoBiondo: Yes
Mrs. Greenberg: Yes
Mr. Flaim: Yes
Mr. Francesconi: Abstain
Mr. Ortega: Abstain
Mr. Bergamo: Yes

The Chairman entertained a motion to approve the resolutions from the September 17, 2014 meeting.

Roll call:

Mr. LoBiondo: Yes
Mrs. Greenberg: Yes
Mr. Flaim: Yes
Mr. Francesconi: Abstain
Mr. Ortega: Abstain
Mr. Bergamo: Yes

Mr. DiDomenico went over the revisions to the agenda for the evening. The applications for McKenna and Bermudez were carried to November 19, 2014 with no further notice.

Applicant- **Donald MacAvoy**-84 Columbia Avenue, Block 4215, Lot 19, Zone R-2.

The applicant testified on his own behalf. The applicant was proposes to enclose an existing deck measuring 15' x 23'. The enclosure will be the same footprint as the deck and will be used as a sunroom.

Mr. LoBiondo wanted to know when the roof over the deck was added.

Mr. MacAvoy explained that the roof was constructed at the same time as the deck.

Mr. Finley wanted to know about the mobile home on the property.

Mr. McAvoy explained that the trailer is insured and can be moved. There is no one residing in the trailer.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mrs. Greenberg: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Ortega: Yes

Mr. Bergamo: Yes

Mr. LoBiondo made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes

Mrs. Greenberg: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Ortega: Yes

Mr. Bergamo: Yes

Application was granted.

Applicant- **Irene Smith**-3580 S. West Blvd, Block 7004, Lots 19, 20, 39, Zone B-4.

Kris Kennedy and Gerald Smith testified on behalf of the applicant. The applicant proposes to combine all three lots into one lot consisting of 9.12 acres. Mr. Finley explained that this is a technical variance and everything is existing. A single family home is not permitted in the zone. The house is a pre-existing, non-conforming use since it was built in 1951. A variance is also required as a pre-existing, non-conforming use because of the additional acreage added to lot 20.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mrs. Greenberg: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Ortega: Yes

Mr. Bergamo: Yes

Mr. Ortega made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes

Mrs. Greenberg: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Ortega: Yes

Mr. Bergamo: Yes

Application was granted.

Applicant- **Vineland First Church of the Nazarene**-2275 N. Delsea Drive, Block 801, Lot 19, 20, 39, Zone B-4.

The applicant was represented by Mr. Michael Guccio, Esq. In June 2014, the Zoning Board granted a redivision to combine two lots in order to accommodate a septic system for the expansion of the church. The applicant received a letter from the Landis Sewage Authority stating that nothing is required. The applicant is now proposing two minor building additions. One is for 153 square feet and the other addition is 962 square feet. Both additions total 1,015 square feet. The additions are less than 4% increase. The City's Land Ordinance does not require a site plan for under 1,000 square feet and this application has 1,015 square feet. The applicant is also requesting to waiver the site plan requirement.

Mr. Hawk indicated that there is no need for a site plan.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mrs. Greenberg: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Ortega: Yes

Mr. Bergamo: Yes

Mr. LoBiondo made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes

Mrs. Greenberg: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Ortega: Yes

Mr. Bergamo: Yes

Application was granted.

Applicant- **Prodigal Harvest Ministries, Inc.**-701 Yale Terrace, Block 5005, Lot 1, Zone R-P.

The applicant was represented by Michael Guccio, Esq. Mrs. Elaine Greenberg had to excuse herself because of a conflict. Mr. DiDomenico explained that there was a 5 member board and the applicant was entitled to a 7 member board. Mr. Guccio indicated that they wished to proceed. Mr. Guccio explained that the application was for a D(3) variance, deviations from conditional use standards for a church in the RP zone. The City's Land Use Ordinance has already determined the use of the church to be compatible with the zone. The applicant is a church affiliated with Full Gospel Assembly. This site received a Zoning Board approval for a medical office with 16 parking spaces. The building has been vacant for six years. There are two minor deviations. The lot has 120' frontage along Chestnut Avenue whereas as 150' required. There is also 200' along Yale Terrace whereas 150' is required. The zone permits 30% impervious coverage and there is 35%. The zone permits 50% for a professional office. The Land Use Ordinance requires one parking space for every three seat in a church. There are

48 members therefore the 16 existing parking spaces are adequate. They will be providing additional screening along the eastern and southern property lines and will comply with the ordinance. They are also requesting to use the existing site plan approved in 1976.

Pastor Dan D' Ambrosio testified on behalf of the church. They do not propose to use the property as a homeless shelter or food bank. The property will be used to hold church services only. Their services will be conducted Sunday 9:30Am until 12:30PM, Wednesday 6:30PM until 9:00PM, and Friday from 5:50PM until 9:00PM. There will be also be a men's and women's group once a month. The congregation consist of approximately 35 people. There are approximately 10 cars so parking on the site is sufficient. The church currently rents a space in the Shop Rite plaza on Lincoln Avenue and has been there for the past twelve years. They have looked for a suitable site for two years. They are not proposing any changes to the site. The church will not offer drug or alcohol counseling, marital counseling, regional counseling, shared worship services, or daycare services. The church will add screening along the east and south sides per ordinance standards. They will use the existing sign and change the face. He believes that the church will be positive to the community.

Mr. Michael Bertonazzi, member of the public, lives on Yale Terrace. The existing pavement is approximately 15' from his lot. He believes that parking will be an issue. An office will be a better use for the property. He also believes that the church is looking to expand on the adjacent lot.

Ms. Peg Dunphy, member of the public, believes that the church is not a good fit for the site.

Mr. Michael Spinelli, buyer's agent, testified on behalf of the applicant. He went over the listing dates and they have not had any offers since 2008.

Pastor Dan D' Ambrosio indicated that the church has never looked to expand on the adjacent lot.

Mr. Gruccio explained that the church would use the property solely for their services. They are not considering offering any other services. The congregation consist of approximately 30 people and parking is sufficient. The ordinance permits churches as a conditional use at this site. The deviations are minor. The frontage along Chestnut Avenue is 120' whereas 150' is required. The frontage along Yale Terrace is 200' whereas 150' is required.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Ortega: Yes

Mr. Bergamo: Yes

Mr. LoBiondo made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Ortega: Yes

Mr. Bergamo: Yes

Application was granted.

Chairman made a motion to adjourn.

Roll call:

Mr. LoBiondo: Yes

Mrs. Greenberg: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Ortega: Yes

Mr. Bergamo: Yes

Meeting adjourned at 9:10 PM

Yasmin Ricketts, Secretary

Zoning Board of Adjustment