

**ZONING BOARD OF ADJUSTMENT
MEETING DECEMBER 16, 2016**

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

Members present were:

George LoBiondo
Elaine Greenberg
Ryan Flaim
James Kubiak
William Gruccio
Andrew Fabbri
Vandy Colter

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 minutes from the November 18, 2015 meeting.

Roll call:

Mr. Gruccio: Yes
Dr. Colter: Abstain
Ms. Greenberg: Abstain
Mr. Flaim: Yes
Mr. Fabbri: Abstain
Mr. Kubiak: Yes
Mr. LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the November 18, 2015 meeting.

Roll call:

Mr. Gruccio: Yes
Dr. Colter: Abstain
Ms. Greenberg: Abstain
Mr. Flaim: Yes
Mr. Fabbri: Abstain
Mr. Kubiak: Yes
Mr. LoBiondo: Yes

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

Applicant- **Edward L. Pacitto**-2138 N. Delsea Drive, Block 1101, Lot 38, Zone B-3.

Applicant testified on his own behalf. The applicant is requesting a variance to permit the construction of additions to enlarge an existing single family dwelling that is a non-conforming use in the zone. His family owned the property since 1940. He and his family have moved into the house. They will be enlarging the kitchen and constructing a two car garage.

Mr. Hawk explained that the B-3 zone requires total side yard setback of 40' and one side yard setback can be 10'. They are proposing an 8' side yard setback on the north side and a 17' side yard setback on the south side. There are two bulk variances for side yard setbacks. The 8' set back on the north, which

is less than the minimum 10' required for one side yard setback. The second is for a total of 25' for two side yard setbacks whereas a minimum 40' is required.

Chairman made a motion to close the public hearing.

Roll call:

Ms. Greenberg: Yes

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Kubiak: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Mr. LoBiondo: Yes

Ms. Greenberg made a motion to approve the application.

Roll call:

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Kubiak: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Ms. Greenberg: Yes

Mr. LoBiondo: Yes

Application was approved.

Applicant- **Cathy Sterling**-1133 Fairmount Avenue, Block 2412, Lot 5, Zones R-3.

The applicant was represented by Francis Reuss, Esq. Mr. Fabbri was recused from this application. They are requesting a variance resulting from a minor subdivision to create one new lot and one remainder lot that will separate an existing residential use from an existing business use. The site contains two existing uses. An existing single family dwelling and Al's Homemade Candy. The applicant is currently renting the single family home and would like to retain the candy shop. The proposed new lot 5.02 will contain 0.205 of an acre with existing frontage on Grandview Avenue and proposed frontage of 77.05 feet on Fairmount Avenue. The proposed remainder lot 5 will contain 0.384 of an acre with frontage on Fairmount Avenue. Side lines of the proposed lot are not parallel and the ordinance dictates that the lot frontage be measured between the side lines along the building line set for the zone. The frontage is 142'. There is a variance for lot area 8,971 square feet whereas 16,900 square feet is required. A variance for lot frontage 77.05 feet whereas 130 feet is required. Frontage on Grandview Avenue will not change but it has a non-conforming dimension of 114.65 feet.

Mr. Hawk wanted to know if the applicant would be willing to remove the 10' x 16' portion of the candy shop that connects to a formerly detached garage prior to the deeds being released.

The applicant agreed to remove that portion before the deeds are released.

Chairman made a motion to close the public hearing.

Roll call:

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Kubiak: Yes
Mr. Flaim: Yes
Ms. Greenberg: Yes
Mr. LoBiondo: Yes

Mr. Kubiak made a motion to approve the application.

Roll call:

Mr. Gruccio: Yes
Mr. Kubiak: Yes
Mr. Flaim: Yes
Ms. Greenberg: Yes
Dr. Colter: Yes
Mr. LoBiondo: Yes

Application was approved.

Applicant- **351 Elmer, LLC**-351 W. Elmer Road, Block 6102, Lot 13, Zones I-3.

The applicant was represented by Rocco Tedesco, Esq. They are requesting to utilize a portion of an existing building as public garage/auto body shop. Mr. Tedesco went over the history of the property. The building remained vacant for two years prior to 351 Elmer, LLC acquiring the property from the City of Vineland. They were storing automobile parts for Rossi Honda. Deliveries to Rossi Honda have been eliminated and trucks now deliver to the new site. The building is 31,500 square feet with a 5,000 square foot mezzanine. There are 35 parking spaces and 4 loading docks. One loading dock has a ramp which permits vehicles to enter the building. The front of the building will remain offices for Rossi Honda and its related companies. There will be a leased area of approximately 6,000 square feet on the west side of the building at the rear. The tenant will be Accurate Collision Center, LLC. Accurate Collision Center will have a maximum of 4 employees. There will be no activities conducted outside the building. There will be no public access to the body shop portion of the building. There is no retail operation conducted here by Rossi Honda.

Ronald G. Rossi, owner of Rossi Honda, testified on his own behalf. He developed a wholesale automobile parts business approximately fifteen years ago. It now serves three states. Approximately 70-75 new vehicles are prepared each month before they are placed on the lot. His establishment sells 900-950 cars per year. The building has sufficient space for his needs and his tenant's needs.

Salvatore Arena, Jr., owner of Accurate Collision Center, LLC, testified on behalf of the applicant. He has been in business for 12 years and he has 30 years of experience. He currently has a facility in Woodbury, NJ. He would be keeping customer cars indoors for security purposes. There will be 3 employees besides himself.

Mr. Hawk recommended that based on the testimony and the plans submitted that a site plan be waived.

Mr. Tedesco explained the special reasons for the use variance. The I-3 zone permits more intrusive and intense use than an auto body shop. The uses will be internal therefore nothing will be visible to the public. There is no substantial detriment to the public good and there are heavy industrial uses in the area such as the Progresso factory directly across the street.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Kubiak: Yes

Mr. Flaim: Yes
Ms. Greenberg: Yes
Dr. Colter: Yes
Mr. Guccio: Yes
Mr. LoBiondo: Yes

Dr. Colter made a motion to approve the application.

Roll call:

Mr. Flaim: Yes
Ms. Greenberg: Yes
Dr. Colter: Yes
Mr. Guccio: Yes
Mr. Kubiak: Yes
Mr. LoBiondo: Yes

Application was approved.

Chairman made a motion to adjourn.

Roll call:

Mr. Flaim: Yes
Ms. Greenberg: Yes
Dr. Colter: Yes
Mr. Guccio: Yes
Mr. Kubiak: Yes
Mr. LoBiondo: Yes

Meeting adjourned at 8:49 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment