

**ZONING BOARD OF ADJUSTMENT
MEETING APRIL 20, 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
William Guccio
Andrew Fabbri
Vandy Colter
Antonio Cotto

Members absent were: Robert Ortega

Others Present were: Solicitor Frank DiDomenico, Secretary Yasmin Ricketts, Zoning Officer Patrick Finley.

The Chairman entertained a motion to approve the minutes from the March 16, 2016 meeting.

Roll call:

Mr. Guccio: Yes
Dr. Colter: Yes
Mrs. Greenberg: Abstain
Mr. Flaim: Yes
Mr. Fabbri: Yes
Rev. Cotto: Yes
Mr. LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the March 16, 2016 meeting.

Roll call:

Mr. Guccio: Yes
Dr. Colter: Yes
Mrs. Greenberg: Abstain
Mr. Flaim: Yes
Mr. Fabbri: Yes
Rev. Cotto: Yes
Mr. LoBiondo: Yes

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

Applicant- **Misael & Jayme Candelario** -3306 Cornucopia Avenue, Block 7302, Lot 27, Zone W-6.

Mr. & Mrs. Candelario testified on their own behalf. The applicant is proposing to construct a single family home. The home will be 74' wide so they need a side yard setback 36' whereas 50' is required on the south side.

Chairman made a motion to close the public hearing.

Roll call:

Mrs. Greenberg: Yes

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Mrs. Greenberg made a motion to approve the application.

Roll call:

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Mrs. Greenberg: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Application was approved.

Applicant- **Shelia Coffin** -427 Taylor Avenue, Block 3512, Lot 22, Zone R-3.

Ms. Coffin testified on her own behalf. She requires a use variance for a storage facility not permitted in the zone. She will use the building for storage of items she sells at the Vineland Flea Market. There will be no storage of flammable materials or dangerous chemicals. It will not be open to the public and the building will not be altered.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Guccio: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Mrs. Greenberg: Yes

Dr. Colter: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Mr. Guccio made a motion to approve the application.

Roll call:

Mr. Flaim: Yes

Mr. Fabbri: Yes

Mrs. Greenberg: Yes

Dr. Colter: Yes

Mr. Guccio: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Application was approved.

Applicant- **Greater Deliverance Learning Center, Inc.** -2106 W. Landis Avenue, Block 2605, Lot 6, Zone B-4.

The applicant was represented by Charles Gabage, Esq. They are requesting to utilize a section of the church building for the Greater Deliverance Learning Center. The learning center requires additional space for an additional sixteen Head Start program students. The state requires them to have a separate classroom. The school will operate during the week when the church is not in session. The learning center will operate from 6:00AM until 6:00PM Monday through Friday. The church operates on Sunday from 11:30AM until 1:00PM and 6:30PM until 8:00PM. Wednesday from 7:30PM until 8:30PM. The learning center has seven employees and will not hire any additional employees. There are forty-nine parking spaces which are adequate for the site.

Veronica Floyd, Principal, testified on her own behalf. The church does not have permanent pews. They have folding chairs that can be moved.

Mr. Hawk indicated that no increased parking is required if the application is approved.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Fabbri: Yes

Mrs. Greenberg: Yes

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Flaim: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Mrs. Greenberg made a motion to approve the application.

Roll call:

Mrs. Greenberg: Yes

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Application was approved.

Applicant- **Black Door Properties, LLC** -13 S. State Street, Block 4204, Lot 34, Zone R-2.

The applicant was represented by Michael Fralinger, Esq. The applicant is seeking a determination of the Zoning Board to confirm the use of the property as three family dwelling. The applicant purchased the home on September 16, 2015. It was a three family dwelling when they purchased the property. The attempted to obtain a zoning permit and were denied. The zone does not permit a three family dwelling but prior to 2008 they were permitted. There are three electric meters and records indicate a three family

dwelling. There is also a letter from the Landis Sewerage Authority certifying that there was a three family unit connected to the sewer. Exhibits A-G, photographs and records indicating a three unit dwelling.

Eugene Mainiero, previous owner, testified on behalf of the applicant. He purchased the property during 1988 or 1989 and owned it for ten years. He purchased the property as a three unit dwelling.

Mrs. Greenberg indicated that she lived in one of the units in the 1970s and there were three units.

William Martine, retired electrician, testified on behalf of the applicant. The electric in the house is discontinued and the electrical box dates back to the 1950s.

Steve Alicia, neighbor to the property, stated that he has lived in his house since 2004. The past tenants have caused a disturbance. There are three units and they are all vacant.

Chairman made a motion to close the public hearing.

Roll call:

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Mrs. Greenberg: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Mrs. Greenberg made a motion to approve the application.

Roll call:

Mr. Guccio: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Mrs. Greenberg: Yes

Dr. Colter: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Application was approved.

Applicant- **Brett Scarpa** -1940 S. West Boulevard, Block 1602, Lot 19.1, Zone I-3.

The applicant was represented by Michael Fralinger, Esq. There are three existing buildings on the site. The applicant proposes to utilize approximately 4,500 square feet of Building A for a child entertainment center. There have been many applications before the board for Building A over the years. The building is in the industrial zone but none of the uses approved by the board are industrial. All the uses are commercial type uses. The Board of Education utilized a portion of the one of the buildings for 75 to 90 alternative school students. The entertainment center will be children's birthday parties and individual use. The applicant is also a certified teacher and will also offer after school tutoring. There is adequate parking with 158 parking spaces. This is a multi-use building with the R-5 zone across the street. The most intense use will be on the weekends for parties. The applicant does not anticipate it to be as busy during the week.

Brett Scarpa, applicant, testified on his own behalf. He signed a lease contingent upon approval from the Zoning Board of Adjustment. The center will focus on younger children ages 1-4 years of age during the day. He is a certified teacher and will provide tutoring from approximately 3:00PM to 5:00PM. There will be a toddler area, a laser maze, rock wall, interactive play floor, and inflatables. They will be open from Monday through Thursday, 10:00AM until 8:00PM, Friday from 10:00AM until 9:00PM, and Sunday from 9:00AM until 6:00PM. This building is ideal because of the ceiling height needed for the inflatables. He has two children of his own and has to take his children to Cherry Hill. There will be no conflict with other uses on the site. Food will be brought in from Pizza Queen and they will cater parties. There will be a requirement that parents remain with their children.

Mr. Hawk provided history of the site and explained that the entertainment center would not conflict with the business.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Flaim: Yes

Mr. Fabbri: Yes

Mrs. Greenberg: Yes

Dr. Colter: Yes

Mr. Gruccio: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Mr. Gruccio made a motion to approve the application.

Roll call:

Mr. Fabbri: No

Mrs. Greenberg: No

Dr. Colter: Yes

Mr. Gruccio: Yes

Mr. Flaim: No

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Application was denied.

Applicant- **Vladimir & Angela Zakota** -4060 N. Delsea Drive, Block 131, Lot 2, Zone B-3.

The applicant was represented by Michael Fralinger, Esq. The applicant proposes to utilize the property for a used car sales lot and utilize two model model homes as residential units. This property was previously used for modular home sales. There is one structure on the site that is an office and two residential units. Both homes are fully functional with electric, water and sewer. The zone permits a used car lot but not residential homes. If approved, the applicant will return with a site plan. The area has mixed uses. There is a gas station and mobile home park. The applicant will comply with DEP and the City's Health Department for the septic system. There is no substantial detriment to the public good and there is no substantial impairment of the intent and purpose of the zoning plan or the zoning ordinance. Exhibit A, packet of photographs of interior and exterior of the site.

Rami Nassar, Professional Engineer, testified on behalf of the applicant. There is an existing building and two residential units. The property is paved in the front. There is public water and onsite septic system. The used car lot is permitted and the homes require a use variance. Second floor residential

units are permitted in the zone. Exhibit B, colored copy of the zone map. The zone map reflects the mixed uses in the area. As to the negative criteria there is no substantial detriment.

Mr. Hawk wanted to know about the visual environment is the site.

Vladimir Zakota, owner, testified on his own behalf. He will be maintaining the site on a monthly basis. He will also fix whatever is broken on the property. He will plant flowers beautify the landscaping.

Chairman made a motion to close the public hearing.

Roll call:

Mrs. Greenberg: Yes

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Mrs. Greenberg made a motion to approve the application.

Roll call:

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Mrs. Greenberg: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Application was approved.

Chairman made a motion to adjourn.

Roll call:

Dr. Colter: Yes

Mr. Guccio: Yes

Mr. Flaim: Yes

Mr. Fabbri: Yes

Mrs. Greenberg: Yes

Rev. Cotto: Yes

Mr. LoBiondo: Yes

Meeting adjourned at 10:12 PM

Yasmin Ricketts, Secretary

Zoning Board of Adjustment