

ZONING BOARD OF ADJUSTMENT MEETING
June 19, 2019

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

Members present were:

Joseph Stefano
Gena Pacitto
Ryan Feaster
Susanna Philipusus
Victoria Lods
George LoBiondo

Members absent were: Ryan Flaim, Lydia Johnson, Dale Jones, John Pierantozzi

Others Present were:

Frank DiDomenico, Solicitor
Christine Scarpa, Substitute Board Secretary
Patrick Finley, Zoning Officer
Ryan Headley, Principal Engineer/Planner

Mr. DiDomenico went over the revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the May 15, 2019 meeting.

Roll call:

Joseph Stefano: Yes
Gena Pacitto: Yes
Susanna Philipusus: Abstain
Victoria Lods: Yes
Ryan Feaster: Abstain
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the May 15, 2019 meeting

Roll call:

Joseph Stefano: Yes
Gena Pacitto: Yes
Susanna Philipusus: Abstain
Victoria Lods: Yes
Ryan Feaster: Abstain
George LoBiondo: Yes

Applicant- **Connie Lopez**, 728 E. Oxford Street, Block 2332, Lot 35, Zone R-2, request for a certification of non-conforming use for a two family dwelling

Ms. Connie Lopez testified on her own behalf. The property record card from the City that she submitted as an exhibit shows the property being “rehabbed” as a family two family dwelling after a fire in June 1981. Documents from the City she submitted as Exhibit A-1, also shows the property is a two-family dwelling constructed in 1907.

Mr. Finley stated that two family dwellings are permitted in the R-2 zone but the lot is undersized. The lot is 6,750 square feet whereas as 19,500 square feet is required. There is also

side yard setback of 3.4 feet whereas 20 feet is required. There is a front yard setback of 19.77 feet whereas 30 feet is required.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

Susanna Philipusus: Yes

Victoria Lods: Yes

George LoBiondo: Yes

Mr. Feaster made a motion to approve the application.

Roll call:

Joseph Stefano: Yes

Gena Pacitto: Yes

Susanna Philipusus: Yes

Victoria Lods: Yes

Ryan Feaster: Yes

George LoBiondo: Yes

Application granted.

Applicant- **Maria Pereira**, 834-836 E. Cherry Street, Block 4112, Lot 11, Zone R-1, request for a certification of non-conforming use for a two family dwelling.

The applicant was represented by Dante Parenti, Esq. This is an existing two-family dwelling on the property. The applicant purchased this property in 2010 as a duplex, and the property is very well kept. Patrick Finley, Zoning Office, issued a letter to the applicant that the property was a duplex as of 1970.

Mr. Finley stated that the property is located within the Residential Redevelopment Zone. The R zone permits two family dwellings. This property is undersized for a two-family dwelling at 7,500 square feet whereas 15,000 square feet is required. He has no objection to certifying this property as pre-existing, non-conforming duplex.

The applicant amended the applications to reflect the variances that are needed for a two family dwelling. Lot frontage of 50 feet whereas a minimum of 65 feet is required. Side yard setbacks of 1.3 feet and 8 feet whereas 10 feet is required on each side. Front yard setback of 19 feet whereas a minimum of 25 feet is required. Accessory structure setback of 1.92 feet whereas a 6 feet is required. Lot size 7,500 square feet whereas a 15,000 square feet is required.

Chairman made a motion to close the public hearing.

Roll call:

Gena Pacitto: Yes

Susanna Philipusus: Yes

Victoria Lods: Yes

Ryan Feaster: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the use application.

Roll call:

Gena Pacitto: Yes

Susanna Philipusus: Yes

Victoria Lods: Yes

Ryan Feaster: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Application granted.

Applicant- **Nella House**, 722 E. Grape Street, Block 4006, Lot 17, Zone R, request for a certification of non-conforming use for a two family dwelling.

Mr. DeNorris House testified on his own behalf. He and his mother Nella House are owners of the property. They purchased this property last year and were told it was a legal two-family dwelling. The property has been taxed as a duplex since the 1950s as reflected in the City records. Prior to purchase of the property his mother inquired as to the zoning office to sure it was a lawful duplex. The zoning officer was not present, but someone in the office advised that it was a legal duplex.

Mr. Finley indicated that two family dwellings are permitted in the R zone. The property record card reflects that the property was built in 1915 as a two family dwelling, and was a two family dwelling since 1981. The property is undersized for a two-family dwelling at 7,500 square feet whereas 15,000 square feet is required. The property has frontage of 50 feet whereas 65 feet is required.

Chairman made a motion to close the public hearing.

Roll call:

Susanna Philipusus: Yes

Victoria Lods: Yes

Ryan Feaster: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

George LoBiondo: Yes

Ms. Philipusus made a motion to approve the application.

Roll call:

Susanna Philipusus: Yes

Victoria Lods: Yes

Ryan Feaster: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

George LoBiondo: Yes

Application granted.

Applicant- **Brad Hayes/Jamil Benjamin**, 2575 S. Main Road, Block 6801, Lot 84, Zones B-2/R-5, request for a use variance for a private trucking company.

Mr. Brad Hayes testified on his own behalf. He and Jamil Benjamin are business partners. They agreed to proceed with a six member board. The proposed building is the former Roto Rooter. It is a masonry building with four bay doors. There is currently a U-Haul rental business on the property. They are only proposing their own trucks to be on site. There will not be any other trucks. The garage will be used to perform minor repairs to their own vehicles. Major maintenance will be conducted off site. The trucks are tractor trailers. The site is small for a trucking company, but there is enough space for their needs. He submitted exhibit A-1, a photograph of the site. Currently they own 5 tractors and 4 to 5 trailers and employ four drivers. The trucks leave the site between 4:00 to 5:00 am. All vehicles will be parked on the existing asphalt and nothing will be on the grass. They do not lease the single-family home on the property, but they will be using the apartment in the garage building. The location of the garage is off of Main Road and shielded by trees. The tenant in the house onsite has no issues with the proposal.

John Mitch, member of the public, lives across from the site. He does not object the business. He does object larger trucks crossing lanes while exiting the site. He is concerned with the driveway apron and it should be larger.

Chairman made a motion to close the public hearing.

Roll call:

Victoria Lods: Yes

Ryan Feaster: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

Susanna Philipusus: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ryan Feaster: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

Susanna Philipusus: Yes

Victoria Lods: Yes

George LoBiondo: Yes

Application granted.

Applicant- **Columbia Care NJ, LLC**, 1560 N. West Boulevard, Block 6801, Lot 4, Zone I-2, temporary use permit for two (2) temporary grow pod containers and a construction trailer to be located on site.

The applicant was represented by Clint Allen, Esq. The applicant was granted approval by the Planning Board on June 12, 2019 to operate a medical marijuana growing and processing facility in a vacant industrial building located at 1560 N. West Boulevard.

The industrial building is 50,106 square feet and will have all the appropriate security required by New Jersey Law and as required by the Vineland Planning Board. The applicant will be rehabilitating the industrial building which will take some time. The applicant has plants which must be properly cultivated pending the rehabilitation of the industrial building. They are requesting a temporary use for a grow pod. They would like to start their grow process during renovations to the building. The pods will be located inside of the building. The applicant is seeking a six-month temporary use permit for two (2) temporary grow pod containers and a construction trailer to be located on site.

Theodore Wilkinson, Professional Engineer, testified on behalf of the applicant. The site will be left as is and the parking lot will be modified. Landscaping and fencing will be added to the site.

George DeNardo, Vice President of Columbia Care, testified on behalf of the applicant. Harvest takes 16-18 weeks, so they would like to start the process in a grow pod. There will be cameras around the facility and pods. A monitoring company will monitor all activity on the site. The applicant will maintain cleanliness and pharmaceutical standards.

Stephen Hawk, Professional Planner, testified on behalf of the applicant. The ordinance allows temporary use permits. There will be an initial setup and then it will be over. There will not be any traffic and there will be very low activity. The public and neighborhood will not know that it exists. The grow facility will be in business when the grow is complete. This is an industrial building and industrial zone. It will fit into the neighborhood. This use will be in the far rear of the lot. There is no substantial detriment to the public good. This use is permitted in the zone.

Mr. DeNardo explained that grow process to the board.

Chairman made a motion to close the public hearing.

Roll call:

Joseph Stefano: Yes

Gena Pacitto: Yes

Susanna Philipusus: Yes

Victoria Lods: Yes

Ryan Feaster: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Gena Pacitto: Yes

Susanna Philipusus: Yes

Victoria Lods: Yes

Ryan Feaster: Yes

Joseph Stefano: Yes

George LoBiondo: No

Ms. Pacitto made a motion to approve Resolution #2019-31.

Roll call:

Gena Pacitto: Yes

Susanna Philipusus: Yes

Victoria Lods: Yes

Ryan Feaster: Yes

Joseph Stefano: Yes

George LoBiondo: Abstain

Applicant- **Raymond & Deanna Graiff**, 2384 Palermo Avenue, Block 6412, Lot 18, Zone R-4, requesting to construct an oversized pole barn.

Mr. Raymond Graiff testified on his own behalf. He is seeking an approval for a detached 1,500 square foot pole barn building. The pole barn will be for private use, and there will be no commercial business conducted. The applicant would like to attach the pole barn to the house in the future.

Chairman made a motion to close the public hearing.

Roll call:

Susanna Philipusus: Yes

Victoria Lods: Yes

Ryan Feaster: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

George LoBiondo: Yes

Ms. Philipusus made a motion to approve the application.

Roll call:

Victoria Lods: Yes

Ryan Feaster: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

Susanna Philipusus: Yes

George LoBiondo: Yes

ADJOURN:

Victoria Lods: Yes

Ryan Feaster: Yes

Joseph Stefano: Yes

Gena Pacitto: Yes

Susanna Philipusus: Yes

George LoBiondo: Yes

Meeting adjourned at 9:29 PM

Yasmin Ricketts, Secretary

Zoning Board of Adjustment