

**ZONING BOARD OF ADJUSTMENT MEETING**  
**March 16, 2022**

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

**Members present were:**

Victoria Lods  
Raquel Soto  
Joseph Stefano  
Ryan Flaim  
Rudolph Luisi  
Darwin Cooper  
George LoBiondo

**Members absent:** Gena Pacitto

**Others Present were:**

Frank DiDomenico, Solicitor  
Yasmin Ricketts, Zoning Board Secretary  
Patrick Finley, Zoning Officer  
Ulrick Crudele, Assistant Zoning Officer  
Ryan Headley, Supervising Engineer

Mr. DiDomenico went over revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the February 16, 2022 meeting.

Roll call:

Ryan Flaim: Abstain  
Victoria Lods: Yes  
Raquel Soto: Yes  
Joseph Stefano: Yes  
Darwin Cooper: Yes  
Rudolph Luisi: Yes  
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the February 16, 2022 meeting

Roll call:

Ryan Flaim: Abstain  
Victoria Lods: Yes  
Raquel Soto: Yes  
Joseph Stefano: Yes  
Darwin Cooper: Yes  
Rudolph Luisi: Yes  
George LoBiondo: Yes

**MARCARIO POMALES & ESMERALDA ROSADO**, 613 E. Cherry Street, Block 4115, Lot 2, Zone R, certification of non-conforming use for a three-unit family dwelling.

The applicant was represented by Michael J. Gruccio, Esq. The applicant is seeking an approval for a pre-existing, non-conforming three family dwelling. The lot is 5,000 square feet and is pre-existing and non-

conforming. Three family dwellings are not permitted in the R zone. The LSA records date back to 1998, and they indicate that there are three units. VMEU records show three separate electric meters. The property record card indicates that the building was constructed in 1930. It also indicates that there was a two family conversion and a three family conversion. There were no dates provided for those conversions. The applicant provided a floor plan and a survey. They purchased this property as a three family dwelling in 1996.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes  
Victoria Lods: Yes  
Raquel Soto: Yes  
Joseph Stefano: Yes  
Darwin Cooper: Yes  
Rudolph Luisi: Yes  
George LoBiondo: Yes

Ms. Lods made a motion to approve the application.

Roll call:

Ryan Flaim: Yes  
Victoria Lods: Yes  
Raquel Soto: Yes  
Joseph Stefano: Yes  
Darwin Cooper: Yes  
Rudolph Luisi: Yes  
George LoBiondo: Yes

Application granted.

**PAVEL RADZIVILYUK**, 2188 N. Delsea Drive, Block 1101, Lot 34, Zone B-3, use variance along with a waiver of site plan requirements to establish a mixed-use property that includes a single-family residence and an automobile dealership.

The applicant was represented by Michael Gruccio, Esq. The applicant is proposing a mixed-use property. The property had a single-family dwelling in the past and it was converted into an office. They are now proposing to convert the office back to a single family home, and continue the used auto wholesale business. The applicant is requesting a waiver of site plan requirements. The Planning Board approved a minor site plan for an auto repossession business in 2016. This is a similar use and the applicant proposes to comply with that approved plan. There are single-family homes in the area, so the proposed restoration of the home will fit into the area. The used car dealership will be a 2,408 square foot building at the rear of the site. The garage will include a small office and minor vehicle repairs will be done. There will be a total of eight parking spaces with five spaces located indoors. There will be two employees, which will include the owner. There will be two dedicated spaces for customers, two for the house residents and two display spaces required by NJMVC. This is a wholesale used car business, so very few customers will visit the site. There is no substantial impairment of the City's Land Use Ordinance or Zoning Plan, and no substantial detriment to the public.

Pavel Radziviluk, owner, testified on his own behalf. There will be only two employees including himself. Hours of operation are 9:00 am until 6:00 pm, Monday through Friday. The garage repair work is only for the vehicles being sold. This is a wholesale business and sales are on-line and to dealers only.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes  
Victoria Lods: Yes  
Raquel Soto: Yes  
Joseph Stefano: Yes  
Darwin Cooper: Yes  
Rudolph Luisi: Yes  
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ryan Flaim: Yes  
Victoria Lods: Yes  
Raquel Soto: Yes  
Joseph Stefano: Yes  
Darwin Cooper: Yes  
Rudolph Luisi: Yes  
George LoBiondo: Yes

Application granted.

**1303 ASSOCIATES, LLC**, 3680-3700 N. Delsea Drive, Block 303, Lot 29, Zone I-B, use variance along with a waiver of site plan requirements to allow a mixed use property which includes a single family residence and a commercial building (HVAC Contractor).

The applicant was represented by Michael Fralinger, Esq. There is a single family home and a garage on this property. They are proposing a mixed-use property with a single family home and a contractor storage building. Both structures have existed for 50 years. The applicant is seeking certification for the home as a pre-existing, non-conforming use and certification as to the lot size and existing bulk variances. An old aerial from 1956 shows both structures on this property. Delsea Floor Covering owned the property during that time. The next owner sold carpeting. Then, Cohansey Bridge, LLC operated a kitchen cabinet retail center. He was not able to obtain a property record card. A use variance is needed for the change of use. The home will be occupied by the owner's niece. The 3,600 square foot building will be a contractor storage building containing a small office. There will be a maximum of three employees. No outside storage is proposed.

Steven Filippone, Professional Engineer, testified on behalf of the applicant. There are two special reasons that are satisfied. Those reasons are providing sufficient space in appropriate locations for a variety of uses and promoting a desirable visual environment. The building is not suitable for residential use. The use is compatible with the area. There is no substantial detriment to the public good or substantial impairment of the Land Use Ordinance or Zoning Plan.

Mr. Finley, Zoning Officer, explained that this has been a problem property and this new owner has cleaned up the site. The owner is also replacing the failed on-site septic. The proposed uses are less intense than previous uses.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes  
Victoria Lods: Yes

Raquel Soto: Yes  
Joseph Stefano: Yes  
Darwin Cooper: Yes  
Rudolph Luisi: Yes  
George LoBiondo: Yes

Ms. Lods made a motion to approve the application.

Roll call:

Ryan Flaim: Yes  
Victoria Lods: Yes  
Raquel Soto: Yes  
Joseph Stefano: Yes  
Darwin Cooper: Yes  
Rudolph Luisi: Yes  
George LoBiondo: Yes

Application granted.

ADJOURN:

Ryan Flaim: Yes  
Victoria Lods: Yes  
Raquel Soto: Yes  
Joseph Stefano: Yes  
Darwin Cooper: Yes  
Rudolph Luisi: Yes  
George LoBiondo: Yes

Meeting adjourned at 8:27 PM

Yasmin Ricketts, Secretary  
**Zoning Board of Adjustment**