

ZONING BOARD OF ADJUSTMENT MEETING
April 20, 2022

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

Members present were:

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

Members absent: Gena Pacitto, Victoria Lods

Others Present were:

Frank DiDomenico, Solicitor
Alena Broshchan, Substitute Zoning Board Secretary
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 March 16, 2022 meeting.

Roll call:

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

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

Roll call:

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

E.T. REALTY, LLC, 544 E. Wood Street, Block 3018, Lot 10, Zone CPO, certification of non-conforming use for a mixed-use property which includes two single-family residences and a professional office on one property.

The applicant was represented by Michael J. Guccio Esq. The applicant is seeking an approval for a pre-existing, non-conforming use for an office on the first floor and two one-bedroom apartments on the second floor. ET Realty acquired the property from J. Einstein in 1994. Prior to that, Mr. Einstein owned the property from 1981.

Both dwelling units contain a bathroom, a bedroom, a kitchen and a living room. The office is consistent with the current zone. Landis Sewage Authority records trace back to 1997. Those records reveal that three residential units were serviced by them. In 2003, the owner downscaled the number of dwelling units from three units to two units. The first floor apartment was made into an office. City of Vineland Electric Utility confirms that the property contains the office and two dwelling units. Code Enforcement provided documentation tracing back to 1997. Those documents indicated that in 2003, the property was downscaled to an office and two dwelling units. The most compelling records were obtained from the City of Vineland Tax Assessor's office. Those records revealed that the property has been recognized as a mixed-use property since 1980. Permits were issued with respect to the office and the dwelling units. Every record obtained speaks to the existence of the mixed-use property. He explained that the garage is for storage and the additions to the west and north sides are for storage.

He has provided a survey dated January 24, 2021 and floorplans.

Mr. Crudele indicated that there are no objections to the certification.

Chairman made a motion to close the public hearing.

Roll call:

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

Mr. Stefano made a motion to approve the application.

Roll call:

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

Application granted.

GL REALTY, 2464 and 2516 Mays Landing Road, Block 7703, Lots 35 & 36, Zone W-5, use variance along with a resubdivision approval to convey a portion of one lot to another lot on a legal non-conforming contractor's yard.

The applicant was represented by Michael P. Fralinger, Esq. The applicant is seeking a resubdivision to convey a three-acre portion of lot 36 to lot 35. Lot 35 is the site of Tri- State Construction. Margaret Siniavsky owns lot 36, which is the larger lot. Lot 36 contains a single- family home and outbuildings. Tri-State Construction previously received an approval for a contractor's yard. They are a pre-existing, non-conforming use in the W-5 zone. They are in need of additional laydown area for material and equipment storage. They will return for site plan approval for those changes to the

site. Lot 35 will increase from 2.566 acres to 5.566 acres. Lot 36 decreases from 8.194 acres to 5.194 acres. Impervious lot coverage on lot 35 from 56.9 % to 19.1 %. The site is appropriate for this use. There is no substantial detriment, because the contractor yard exists as a lawful use. The lot is remote and has no impact to the surrounding area. The W-5 zone permits small contractor yards. This one is larger but it is not a substantial deviation.

Chairman made a motion to close the public hearing.

Roll call:

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

Mr. Stefano made a motion to approve the application.

Roll call:

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

Application granted.

SW BLVD REAL ESTATE, 46 S. West Boulevard, Block 501, Lot 24, Zone A-5, use variance along with preliminary and final major site plan approval for the construction of a metal storage structure with asphalt drive.

The applicant was represented by Michael J. Gruccio, Esq. The applicant agrees to proceed with a five member Board. The property is the location of Advanced Cabinetry and Storage Systems. The property crosses through the municipal boundaries of Vineland and Newfield. The property has frontage in Newfield. A portion of the property in the rear is in Vineland A-5 zone. The lot is 1.82 acres with .57 acres in Newfield and 1.25 acres in Vineland. The applicant proposes to construct a 32` x 72 metal storage building with site improvements to include an asphalt drive and stormwater management. The Cumberland County Planning Board has determined that no approval was required. The Gloucester Planning Board approval is pending. The Newfield Land Use Board determined it had no jurisdiction. A use variance is required, as the use is not permitted in the A-5 zone. A 4,800 square foot masonry building used in the business that exists. No records have been attainable for that building. The building is at least 50 to 70 years old. The area that is in the A-5 zone would not qualify for farmland assessment because of its size.

Rami N. Nassar, Professional Engineer, represented the applicant. In the Planning Report, dated April 12, 2022, paragraph 6, lists the variances requested. 6a, side yard setback variance of 33.2 feet whereas 40 feet is required for the masonry building is an existing condition. 6b, the shed was removed eliminating that side yard setback variance of 0 feet. 6c, impervious coverage of 50.5 % whereas 15 % maximum permitted. Paragraph 8, applicant requests a waiver from the two required bicycle parking spaces. The building is for storage only and there will be no visitors or employees.

Paragraph 9 a and b, waivers from providing 3 street shade trees and parking area shade trees. Street frontage is in Newfield. 9c, waiver is requested from paving the horseshoe driveway around the masonry building. Truck traffic will be minimal perhaps one truck a week. 9d, applicant will provide a completely screened refuse station. Paragraph 13a, waivers from omitted plan detail. Specifically showing all structures within 150 feet of land to be developed. 13e, providing a landscape plan. 13d, showing centerline elevations of existing streets. 14d, waiver is requested from showing any septic system within 50 feet of the property. The applicant will comply with the remainder of Planning Report. The applicant will comply with the requirements of the Engineer Report. There is no detriment to the public good nor to the City's Land Use Ordinance by granting the use variance. The site is an existing business site. As to the positive criteria, traffic will be reduced. As to the Environmental Commission Report, there is no impact on any active farming. The agricultural portion of the lot is very small and it cannot be farmed.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes
Joseph Stefano: Yes
Raquel Soto: Yes
Darwin Cooper: Yes
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ryan Flaim: Yes
Joseph Stefano: Yes
Raquel Soto: Yes
Darwin Cooper: Yes
George LoBiondo: Yes

Application granted.

REHM HOLDING CO, LLC, 1055 S. East Avenue, Block 5804, Lot 121, Zone R-5, use variance to establish the operation of a construction yard, shop and office with variances for signage.

The applicant was represented by Robert DeSanto, Esq.

Brian Rehm, testified on his own behalf. He and his father are owners of Archetto Construction, Inc. They purchased the property for their construction company on 2021. Edward Campbell manufactured concrete in 1945. In 1977, the Boy Scouts purchased the property. In 1987, Bob Beaton Commercial Landscaping purchased the property and operated from 1987 to 2019. Exhibit A-1, photos of existing grounds. Exhibit A-2 show the lot as unkept with piles of debris and the building in poor condition. They plan on cleaning the site and repairing the building. Exhibit A-3 is a rendering depicting what the site will look like with improvements. The building is suitable for their use. Fencing will be repaired, and damaged areas in the asphalt will be repaired. Hours of operation are Monday through Friday 6:30 am to 6:30 pm, Saturday 7:00 am to noon, and closed on Sunday. There will be 7- 10 employees on-site including 4 in the office. 7 to 9 employees pick up their work trucks and job instructions in the morning. 8 parking spaces are needed for the office employees and employees that drop their cars off for a work shift. The existing parking is sufficient for their

operation. Most deliveries are delivered directly to job sites. There will be storage of forklifts, backhoes, trailers and construction trailers on site. There will be no maintenance of vehicles or equipment on-site.

Stephen Hawk, Professional Planner, testified on behalf of the applicant. There is grass landscaped area in the front. They are planning to remove the pavement in the right of way and return it to grass. The building has a blue roof that resembles a house. It is a rare feature where a business or industrial use looks like a house. Some of the area in the rear is wooded and grassed. Plantings will be placed along the frontage. They will screen the view from East Avenue. The fence is 6` high. Landscaping will be proved if there is sufficient space out of the right of way. Special reasons exist for this use variance, items a and i, create desirable visual environment will be created. This is an unkempt site and it will be cleaned up. The site is suitable for a contractor yard. He sees no substantial detriment from granting this approval. The site fits in with the neighborhood. It is not a densely populated residential area. There is a lot of open space. The improvements can be done as conditions of the approval for CO. The applicant is seeking waiver of site plan. The site is in conformity with 1987 approval. The use is less intense than what was there before. A variance for one 4` x 6` sign is requested because this is a non-conforming use. It is smaller than what the business zone allows.

Felix Girone, member of the public, had questions regarding tractor trailers or tri-axle dump trucks using the site.

The applicant responded that they would not be on the site.

Mr. Girone expressed that he was not opposed to the cleaning of the site.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes
Raquel Soto: Yes
Darwin Cooper: Yes
Rudolph Luisi: Yes
Joseph Stefano: Yes

Mr. Flaim made a motion to approve the application.

Roll call:

Ryan Flaim: Yes
Raquel Soto: Yes
Darwin Cooper: Yes
Rudolph Luisi: Yes
Joseph Stefano: Yes

Application granted.

3119 Chammings Court, 1055 S. East Avenue, Block 5804, Lot 121, Zone R-5, use variance to establish the operation of a construction yard, shop and office with variances for signage.

They made some improvements as required by the Zoning Office, and they have obtained new counsel.

Mr. Stefano believed that they should be given one more month to return to the board.

Mr. LoBiondo disagreed and the board has given them too much time.

Mr. Headley indicated that the new applicant is operating under a different use that was approved by the board.

Mr. Stefano made a motion to deny the extension request.

Roll call:

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

Request denied.

ADJOURN:

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

Meeting adjourned at 9:38 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment