

**ZONING BOARD OF ADJUSTMENT MEETING**  
**January 18, 2023**

The public hearing began at 7:00 P.M.

**Members present were:**

Darwin Cooper  
Ryan Flaim  
Rudolph Luisi  
Joseph Stefano  
Mark Grussenmeyer  
Joseph Repice  
George LoBiondo

**Members absent:** Victoria Lods, Raquel Soto, Eric Hernandez

**Others Present were:**

Nathan Van Embden, Zoning Board Solicitor  
Elena Broshchan, Substitute Board Secretary  
Patrick Finley, Zoning Officer  
Ryan Headley, Zoning Board Engineer/Planner

Mr. Van Embden went over revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the December 21, 2022 meeting.

Roll call:

Darwin Cooper: Yes  
Victoria Lods: Abstain  
Raquel Soto: Yes  
Joseph Stefano: Yes  
Mark Grussenmeyer: Yes  
Joseph Repice: Yes  
Eric Hernandez: Abstain  
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the December 21, 2022 meeting

Roll call:

Darwin Cooper: Yes  
Victoria Lods: Abstain  
Raquel Soto: Yes

Joseph Stefano: Yes  
Mark Grussenmeyer: Yes  
Joseph Repice: Yes  
Eric Hernandez: Abstain  
George LoBiondo: Yes

**MAURO CONTE**, 916 E. Cherry Street, Block 4220, Lot 12, Zone R, lot frontage and lot area to allow construction of an oversized garage.

The applicant was represented by Robert De Santo, Esquire.

Mauro Conte testified on his own behalf. Exhibit A1, variance plan. Exhibits A2 and A3, photos of garage and addition. Exhibits A4, 5, 6, 7, photos of surrounding farmland and fields from all angles. The applicant has owned the property consisting of 6.3 acres for over 20 years. The garage was previously approved. The applicant now seeks to remove a small addition from the garage and add a larger addition of 50 feet by 60 feet for additional storage. The garage is for personal use only and will be for the storage of automobiles. The current building configuration does not allow him to access the vehicles easily and requires him to move vehicles around. He also wants to store a 33 foot boat, a motorcycle and a 4 wheeler as well as a John Deere tractor. He testified he has 6 cars.

Patrick Finley, Zoning Officer, testified that the applicant would be allowed 1,200 square feet for a garage and a shed.

Ryan Headley, Board Planner, noted that this lot is over a 6 acres.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes  
Ryan Flaim: Yes  
Rudolph Luisi: Yes  
Joseph Stefano: Yes  
Mark Grussenmeyer: Yes  
Joseph Repice: Yes  
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

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

Mark Grussenmeyer: Yes  
Joseph Repice: Yes  
George LoBiondo: Yes

Application granted.

**JOHN JOHNSON**, 1057 E. Park Avenue, Block 3103, Lot 8, Zone R-2, certification of non-conforming use for a three-unit family dwelling.

The applicant, John Johnson was sworn and testified.

Mr. Johnson testified that the structure was originally constructed in 1900. Records from 1973 show it was a triplex. The applicant agreed that the survey he supplied has a misidentification on it where it referenced a quadraplex, and agreed to correct that survey to reflect a triplex.

Patrick Finley, Zoning Official, testified that he believed the most important document was the tax record and the old property card. It shows three kitchens and three residential units at least from 1980. The floor plans indicate that there are two bedrooms per unit.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes  
Ryan Flaim: Yes  
Rudolph Luisi: Yes  
Joseph Stefano: Yes  
Mark Grussenmeyer: Yes  
Joseph Repice: Yes  
George LoBiondo: Yes

Mr. Stefano made a motion to grant the application.

Roll call:

Darwin Cooper: Yes  
Ryan Flaim: Yes  
Rudolph Luisi: Yes  
Joseph Stefano: Yes  
Mark Grussenmeyer: Yes  
Joseph Repice: Yes  
George LoBiondo: Yes

Application granted.

**L & K TAYLOR INVESTMENTS**, 214 S. Fourth Street, Block 3811, Lot 9, Zone R, certification of non-conforming use for a two-unit family.

The applicant was represented by Brian Huen, Esquire.

Kerry Taylor and Kim Taylor testified on their own behalf. The applicants purchased the property in October of 2022 as a two family dwelling. They supplied historical records including a 1980 tax record showing the two units. Records from 1993 show two electric services, two sewer connections, two water connections and two trashcans. They also provided a rental registrations that dated back to 2018.

Patrick Finley, Zoning Officer, noted that the applicant submitted a survey and a floor plan. The floor plan indicates that the first floor has two bedrooms, and the second floor has one bedroom. He also explained that the property record card from 1979 indicates that there was a two family dwelling conversion.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

**YEHUDA (ZACK) RUBIN**, 428 W. Montrose Street, Block 3812, Lot 22, Zone R, certification of non-conforming use for a two-unit family.

The applicant was represented by Michael J. Gruccio, Esquire. He made reference to photographs which depict lot nonconformities. A tax record from 1980 indicates the use a two

family dwelling. According to the floor plan, the first floor has three bedrooms and the second floor has two bedrooms.

Patrick Finley, City Zoning Official, agreed that the site had preexisting conditions and the use was a two family dwelling. He also testified that the fence is a common downtown element.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Luisi made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

**2520 NW BLVD**, 2520 NW Boulevard, Block 803, Lot 11, Zone I-2, amended preliminary/final major site plan approval to permit a Class I Cannabis Cultivation facility.

The applicant was represented by Charles Fiore, Esquire. The applicant applied for a micro license with the state of New Jersey that limits 2,500 square feet of grow space with 10 employees locally hired. They explained that they received an approval for a micro license and a standard license. The applicant indicated that they would like to adopt the standard license and use it on the existing site. They do not intent to expand the property, buildings or the operations beyond that configuration in the original site plan. The applicant proposes to improve the new site plan in accordance with professional staff input. They will be creating better truck access, traffic flow, and more security as a result of fencing and the rear paved parking area. They will be reducing the 8 grow pods to 5 grow pods located in the rear of the property.

David Keck and Paul Kramer testified on behalf of the applicant.

Mr. Kreck indicated that the grant of a standard license permits an unlimited number of employees and an increase in the square footage of grow space. However, the applicant is willing to limit its use to a 3,262 square foot building and still maintain 10 employees for this location. In order to expand, they would have to relocate to another site to accommodate their operation. The applicant agreed to comply with the terms of the Planning Review letter dated January 12, 2023. All controlled product uses, growth, and functions are contained inside the fenced subject to security measures. Deliveries will be made by box truck because of the size of the operation.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

**GL REALTY**, 2516 Mays Landing Road, Block 7703, Lot 35, Zone W-5, use variance and minor site plan approval to construct a new equipment and inventory storage building.

The applicant was represented by Michael Gruccio, Esquire. The property is currently used as a contractor's yard operated by Tri-State Construction. A use variance was approved in 2022. The property is a contractor's yard, which is not visible from the road. The applicant now seeks to erect a 140' x 35' pole barn building in the northeast corner of the site for inventory storage. In the Planning Report, item 5a and b, there are two variances. Side yard setback at 9 feet provided whereas 40 feet required. Rear yard setback of 6 feet provided whereas 50 feet required. There are existing nonconformities, called out in item 6. Lot frontage of 200 feet provided whereas

250 feet required. Impervious lot coverage of 36.9% provided whereas 15% maximum allowed. The new proposed building will be built upon existing impervious coverage. Item 7, two bicycle spaces will be provided inside of the building. Item 8, waivers for street shade trees, parking area shade trees, and screening materials along the property line.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

**LOMBARDI MECHANICAL**, 775 S. Delsea Drive, Block 4801, Lot 69, Zone B-3, use variance and minor site plan approval to establish a mixed-use property that includes administrative office for HVAC company, metal shop for the off-site HVAC jobs.

The applicant was represented by Matthew Robinson, Esquire.

Dawn Lombardi testified on behalf of Lombardi Mechanical.

The applicant proposes to obtain D Variance authority to conduct operations on this site with a preexisting building where the operations would include fashioning sheet metal into ductwork for offsite jobs. The fabrication component of the building's use is industrial, and it triggers a use variance. There are variances for side yard setback of 6.3 feet whereas 20 feet is required. Lot frontage of 100 feet whereas 150 feet is required. These nonconformities preexist and are functions of the lot size and building location as currently configured. There is also a variance for four parking spaces whereas five parking spaces are required. There is a waiver for driveway width minimum of 14 feet and 15 feet provided whereas 24 feet required. The applicant agreed to

reduce traffic to one direction, permitting an 11 foot drive. The applicant also requests a waiver from providing two bicycle spaces.

Ms. Lombardi testified that the building on the site is a vacant building, and it is ideal for the needs of their HVAC business. They will have up to five employees. Hours of operation will be 7:00 a.m.-3:30p.m. Monday through Friday. Activity will mainly be offsite. Some deliveries will be to the shop, and other deliveries will be directly to job sites. Trash pick-up will be once every two weeks, and a box delivery trucks will be used. Parking onsite is sufficient, because company vehicles are used.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

**PAVEL RADZIVILYUK**, 2188 N. Delsea Drive, Block 1101, Lot 34, Zone B-3, use variance to allow retail sales of used vehicles whereas only wholesale is currently allowed along with a waiver of site plan requirements.

The applicant was represented by Michael Gruccio, Esquire.

Pavel Radziviluk, testified on his own behalf.

The applicant has previously obtained approval in 2022. The designation was described a “wholesale” operation for sale of used automobiles. The applicant indicated that the NJ Motor

Vehicle Commission do not recognize a “wholesale” operation. The applicant seeks to change the wording to “wholesale”. He is primarily conducting online sales and sales to other dealers, so there is limited traffic on the site. The site plan indicates that parking provides two spaces for the residence, two spaces for car dealership employees, two spaces for customers and seven spaces for car display. The applicant agreed to designate the spaces with signage. They will be servicing its own cars acquired from auction and purchase. No damaged vehicles will kept outside, and they will be kept inside in the garage area.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

**1667 E LANDIS WELLNESS PARK, LLC**, 1667 E. Landis Avenue, Block 4301, Lot 1, Zones IN-2/B-3, use variance and minor subdivision approval to create three (3) new lots.

The applicant was represented by Michael J. Guccio, Esquire.

Corey Gaskill, Professional Engineer, testified on behalf of the applicant.

The applicant obtained approval one year ago for demolition and construction of a pharmacy. The pharmacy is for a dermatology medical office. The applicant originally proposed to divide the parcel into 3 lots with a remainder lot. However, the City of Vineland staff suggested a realignment of the minor subdivision plan. The changes call for a boulevard entrance to the

interior of the property, which will have 100 feet of frontage on Landis Avenue. Ryan Headley testified that the changes are to improve access through the Boulevard entrance. The remainder lot is still open to future redevelopment.

Mr. Gaskill testified that the 3 new lots all have frontages on E. Landis Avenue. The proposed lot 1 will continue to have access on Main Road.

The applicant proposes to create a Lot 1.04 with dimensions of 330.18 by 959.99 to encompass existing building and parking (7.276 acres). Proposed new lot 1.02 will contain a net area of 191,147 square feet (4.388 acres), with frontage of approximately 300 feet on Landis Avenue. Proposed new lot 1.03 will contain a net area of 5,021,027 square feet (115.267 acres), with frontage of 100 feet on Landis Avenue, 470 feet on Landis Avenue, 1,756.46 feet on Chestnut Avenue and 1,041.67 feet on S. Spring Road with a net depth of 1,041.67 feet. Proposed new lot 1.04 will contain a net area of 316,952 square feet (7.276 acres), with frontage of 220 feet on Landis Avenue with a net depth of 650 feet. Proposed new lot 1.05 will contain a net area of 92,723 square feet (2.151 acres), with frontage of 375 on Landis Avenue with a net depth of 250 feet. The proposed remainder of lot 1 will contain a net area of 1,288,231 square feet (29.574 acres), with frontage of 140 and 110 feet along S. Main Road and 948.06 feet along Landis Avenue. There are variances associated with this application. Lot frontage, remainder lot 1 (140 feet provided whereas 150 feet required). Lot frontage, remainder lot 1 (110 feet provided whereas 150 feet required). Lot frontage, proposed lot 1.03 (100 feet provided whereas 150 required).

Michael O'Neil, partner of the owner of the project, testified that parking calculations for new lot 1.04 will meet parking requirements independently. The use will not generate traffic beyond with the current parking capacity. Proposed signage will be 50 square feet by 10 feet with double sided messaging and illuminated ground lighting.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Rudolph Luisi: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes  
Rudolph Luisi: Yes  
Joseph Stefano: Yes  
Mark Grussenmeyer: Yes  
Joseph Repice: Yes  
George LoBiondo: Yes

Application granted.

**ROBERT & MARITZA DIAZ**, 1018 W. Garden Road, Block 604, Lot 18, Zone I-B, use variance for the construction of an oversized garage.

Maritza Diaz, testified on her own behalf. Her house is in an industrial zone, so construction of the garage triggered a use variance. She would like to construct a 1,200 square foot garage. It will be a 3 car, one story garage. There is another building that is a vacant masonry building now used for personal storage. The applicant stipulated that no business use will be conducted on the property.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes  
Ryan Flaim: Yes  
Rudolph Luisi: Yes  
Joseph Stefano: Yes  
Mark Grussenmeyer: Yes  
Joseph Repice: Yes  
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes  
Ryan Flaim: Yes  
Rudolph Luisi: Yes  
Joseph Stefano: Yes  
Mark Grussenmeyer: Yes  
Joseph Repice: Yes  
George LoBiondo: Yes

Application granted.

Meeting adjourned at 10:04PM

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Skip Luisi: Yes

Raquel Soto: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Yasmin Ricketts, Secretary

**Zoning Board of Adjustment**