

ZONING BOARD OF ADJUSTMENT MEETING
March 15, 2023

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

Members present were:

Darwin Cooper
Ryan Flaim
Mark Grussenmeyer
Victoria Lods
Eric Hernandez
Joseph Stefano
George LoBiondo

Members absent: Raquel Soto, Rudolph Luisi, Joseph Repice

Others Present were:

Nathan Van Embden, Zoning Board Solicitor
Yasmin Ricketts, Zoning Board Secretary
Rick Crudele, Assistant 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 February 15, 2022 meeting.

Roll call:

Darwin Cooper: Yes
Ryan Flaim: Yes
Mark Grussenmeyer: Yes
Eric Hernandez: Yes
Joseph Stefano: Yes

The Chairman entertained a motion to approve the resolutions from the February 15, 2022 meeting

Roll call:

Darwin Cooper: Yes
Ryan Flaim: Yes
Mark Grussenmeyer: Yes
Eric Hernandez: Yes
Joseph Stefano: Yes

ADRIAN ALICEA, 3442 Hance Bridge Road, Block 6409, Lot 14, Zone R-4, construction of an oversized garage.

Adrian Alicea testified on his own behalf. He is proposing to construct a 1,200 square foot three-car garage. The garage will store his racecar, four-wheeler and his daughter's equipment. It will be for personal use only and there will be no business use. The bays will face Hance Bridge Road.

Mr. Headley explained that this is a corner property with two front yards. There is a variance for an oversized garage of 1,200 square feet whereas 1,000 square feet permitted. There is also a variance for the garage located in front of the principal structure on Hance Bridge Road. The two front yards limits the space to place the garage.

Mr. Alicea agrees not to store flammable materials or oils. He will maintain his property and items will be stored inside of the garage.

Mr. Crudele indicated that Zoning had a few concerns. The placement was odd because of the large structure. He questioned if there would be any sight issues or concerns.

Mr. Alicea stated that he measured everything out and he feels that there will be a good side clearance.

Mr. Headley stated that there will be 41 feet and had no concerns with sight triangle.

Mr. Crudele stated that Zoning objects to that position of the garage on the property. He also questioned the existing stone driveway for the trailer.

Mr. Alicea indicated that he will make the middle bay smaller to give it a more residential appearance. He contacted the County Engineer regarding the stone driveway, and the Engineer indicated that he had no concerns. The access to garage will be from Swan Drive.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

Joseph Stefano: Yes

Mr. Flaim made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

Joseph Stefano: Yes

Application granted.

MATTHEW ADAMS/VALERIE HAMBURG ADAMS, 3106 Daldon Lane, Block 6901, Lot 98, Zone W-5, Zone R, certification of non-conforming use for a two-unit family dwelling.

The applicant was represented by Michael Gruccio, Esq. The property is small and on the westerly side of Daldon Lane. The property is undersized and is a non-conforming lot in the W-5 zoning district. The lot size is 100 feet by 141.97 feet. The lot is the middle of the three parcels shown on the plot plan.

The building conforms to the established building line. There is a variance for front yard setback of 30 feet whereas 50 feet required. Side yard setback of 28 feet whereas 40 feet required. Rear yard setback of 40 feet whereas 50 feet required. This subdivision was established in 1971. This application is consistent with the neighborhood scheme. The property is not serviced by LSA or water. The well will be located in the front of the property. The septic system will be located to the rear of the property.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes
Joseph Stefano: Yes
Mark Grussenmeyer: Yes
Eric Hernandez: Yes
George LoBiondo: Yes

Ms. Lods made a motion to grant the application.

Roll call:

Darwin Cooper: Yes
Ryan Flaim: Yes
Victoria Lods: Yes
Joseph Stefano: Yes
Mark Grussenmeyer: Yes
Eric Hernandez: Yes
George LoBiondo: Yes

Application granted.

MARIA DEL CARMEN GARCIA, 916 E. Cherry Street, Block 4220, Lot 12, Zone R, certification of non-conforming use for a two-unit family dwelling.

The applicant was represented by Robert Casella, Esq. Ms. Garcia has passed away since the application was initially submitted. Her niece is present to testify, because she has personal knowledge of this application. The dwelling on this property has been a duplex for many years. The applicant purchased the duplex in 1990, and no modifications were made to the property. In addition, the lot is undersized and bulk variances are requested. The zone permits 15,000 square feet and this lot is 7,700 square feet. Front yard setback of 18.9 feet whereas 25 feet required. Side yard setback of 7.7 feet whereas 10 feet. Lot width of 65 feet whereas 60 feet required. Lot depth of 128.5 feet whereas 150 feet required. A plan was submitted to show the size of the lot and location of the dwelling. He also submitted a copy of the tax and utility records indicating there is a two family dwelling. The floor plan shows the first floor apartment has 2 bedrooms and 2 bathrooms. The second floor apartment has 1 bedroom and 1 bathroom. The applicant will submit a floor plan with dimensions after the meeting.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes
Ryan Flaim: Yes
Victoria Lods: Yes
Joseph Stefano: Yes
Mark Grussenmeyer: Yes
Eric Hernandez: Yes
George LoBiondo: Yes

Ms. Lods made a motion to approve the application

Roll call:

Darwin Cooper: Yes
Ryan Flaim: Yes
Victoria Lods: Yes
Joseph Stefano: Yes
Mark Grussenmeyer: Yes
Eric Hernandez: Yes
George LoBiondo: Yes

Application granted.

GREAT AMERICAN HOMES, LLC, 815 Sawyer Avenue, Block 3104, Lot 6, Zone R-2, certification of non-conforming use for a two-unit family dwelling.

The applicant was represented by Victor Druziako, Esq. The applicant is in the process of selling the property. The applicant provided a survey, floor plan and supporting documents. The property record card recognizes the two family dwelling in 1977. There are separate electric and gas meters for each unit. The zone permits two family dwellings.

Mr. Crudele indicated that the floor plan has a bonus room and an 8' x 8' living room. The Zoning Office suggests removing the wall from the bonus room, adding more space to the living room.

Mr. Druziako agreed to meet that condition.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Ms. Lods made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

TWENTYFIRST REALTY, LLC, 73 W. Chestnut Avenue, Block 4804, Lot 7, Zone R-B-1, certification of non-conforming use for a two-unit family dwelling.

The applicant was represented by Robert Gleaner, Esq. A two family dwelling is a permitted use.

Jacamo Romano, Owner, testified on his own behalf. He purchased the property one year ago. There are two separate entrances, meters, addresses, and separate forms of heat. There is a Certificate of Occupancy in October 1999. There is a construction permit from 1993, indicating two family unit. The first floor apartment has 3 bedrooms, 1 bathroom, living room, basement, kitchen and porch. The second floor apartment has 2 bedrooms, kitchen, bathroom and living room. Both units has separate entrances. He will submit a floor plan with dimensions as soon as possible.

Mr. Crudele explained that the applicant needs a floor plan and a property record card.

Mr. Headley explained the applicant can request the bulk variances.

Ted Cernan, Professional Engineer, testified on behalf of the applicant. The property is larger than the minimum lot size for the zone. It has deficient width, 70 feet whereas 100 feet is required. Side yard setback on the east side for 15 feet whereas 20 feet required. It is a pre-existing condition. There are two sheds and one garage. The ordinance allows for one shed.

Mr. Headley explained that the driveway is a horseshoe and it encroaches on the adjacent lot. The applicant needs to show the easement for driveway or eliminate the encroachment.

Mr. LoBiondo indicted that the applicant had to produce the floor plan and easement within fifteen days. Verification is needed to approve the resolution at next meeting.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Ms. Lods made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

DMS RACECAR FAB, LLC, 1529 E. Wheat Road, Block 1801, Lot 48, Zone R-3, use variance for metal fabricating of chassis for racecar facility.

The applicant was represented by Dante Parenti, Esq. This property is on Wheat Road and was used for a tile business. The applicant would like to use the facility for his racecar chassis business. They will be using hand tools. They will have low traffic and one employee.

Duane Grow, Owner, testified on his own behalf. He explained that he builds racecars from the ground up. Business has been busy so he needs the space. He is there fulltime and his son and brother are there part-time. He has maximum one customer per week. Projects can take 6-7 months to complete. He does not work on engines or bodywork, so he does not have machinery. His business builds the metal. All work will take place indoors, and he cannot leave the cars outdoors. A 24-foot flatbed truck will make deliveries once every six months.

Stephen Hawk, Professional Planner, testified on behalf of the applicant. This property is located in the R-5 zone. The proposed use is an existing industrial building surrounded by houses. Operation at this facility is solely indoors. The racecars have to be stored and worked on inside. The intensity is less than the previous tile business. This meets Purpose A, promotion of the general welfare. It takes a dark vacant building that is underutilized and giving life to it. There will be people coming from out of town from multiple states. The site and the building are suited. It is a large building with no items in the way.

They can work on projects with plenty of space. There is more parking than required. This site has an area of asphalt in the front for the occasional deliveries. This location is between three racetracks in the area. Increase in desirable and visual environments with the proposed landscaping. There are very few negatives. It does not change the character of the neighborhood, because this building has existed since the year 1952. There are no additions, new pavement proposed, or variances proposed. The Master Plan calls for a scarcity of industrial sites. This industrial site is valuable and can be utilized. The applicant is proposing to eliminate the dirt driveway to the west. A family member of the owner owns the adjacent property. They will plant grass to eliminate that connection. To the east, the pavement encroaches over the property line and leads to the driveway and the house. They would like to install wheel stops to prevent access.

Mr. Headley explained that there should be screening to separate the residential use and adjacent industrial use. He agreed to large planters with trees.

Mr. Grow explained that hours of operation are from 9:00AM-5:30PM, Monday through Friday, Saturday, 9:00AM-2:00PM. Noise is minimal because he uses hand tools.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

JAZ TRANSPORTATION, 202 W. Park Avenue, Block 2228, Lot 37, Zone R-2, preliminary/final major site plan approval for a mixed use property including a minivan school bus transportation and maintenance facility with two residential units.

The applicant was represented by Michael Guccio, Esq. The board recently approved the use variance for this project. The applicant is in receipt of the Planning and Engineering Reports.

Stephen Nardelli, Professional Engineer, testified on behalf of the applicant. It is a 3,000 square foot footprint. There is parking in the rear for vehicles and transportation buses. The basin is located in the front yard, because there is a drastic slope. There are two variances associated with this application. Impervious lot coverage (47% provided vs. 40% maximum allowed). Side buffer, easterly (15 feet provided vs 25 feet required from a residential use). There are waivers for Stormwater Control standards. Stormwater management basin fence height (4 feet provided vs. 6 feet required). Storm water management basin front setback (2 feet provided vs. 30 feet required). Stormwater management basin side setback (7 feet provided vs. 20 feet required). Shape of a stormwater management basin in a front

yard (Curvilinear edge required). Stormwater management basin setback from dwelling (10 feet provided vs. 50 feet required). Location of stormwater management basin which requires a fence (front yard provided vs. side or rear yard required). The applicant is requesting a split rail fence. There is a waiver from the Community Design standards. Sidewalks are not proposed along the street frontage of the site. Sidewalks do not exist on abutting properties, therefore sidewalks are not required unless the Board finds that by reason of the particular conditions of the site, its location or surroundings, sidewalks are required to protect the public safety. The applicant is requesting a waiver from omitted plan details. Show storm sewer, existing and proposed, in plan and profile. The applicant will provide a trash enclosure with screening. One parking space on the northeast corner will be lost to meet that required. Turning templates for truck maneuvering will be shown on the perfected plan. They will provide a back flow preventer on the pipe that ties into the inlet to avoid backflow into the basin.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

VANESSA SOSA, 3780 N. Delsea Drive, Block 303, Lot 24, Zone I-B, use variance and preliminary/final major site plan approval for a tractor-trailer parking garage.

The applicant was represented by Matthew Robinson, Esq. This application is requesting a use variance and major site plan approval. The industrial zone allows truck terminal parking, but must be for owner operated trucks. These trucks will be owned by third parties. This will be a 4 bay truck parking under a covered pole barn. There will be monthly leases with the truck operators. They expect minimal traffic and minimal turnover.

Vanessa Sosa, testified on her own behalf. She has been in business for five years in the trucking business. Owner operators usually have one truck. Trucks will arrive every 12-24 hours. There will be 2-3 trucks a day. There will be no loading or unloading on the property. This will prevent them from parking in a residential area. They will sign a month to month lease to prevent high traffic. The site will be monitored. There are overflow parking spaces available for the truck drivers. There will be one part time employee to audit the parking spaces. There will be no excess noise. The area is a mixed-use area. Parking will be available 7 days a week and 24 hours per day.

Mr. Robinson indicated that the application would comply with most of the items in the Planning Report. The applicant is requesting a waiver from the Stormwater Control standards. Stormwater management basin fence height (0 feet provided vs. 6 feet required). They are proposing a 4 foot split rail fence. The

applicant is requesting waivers from Community Design standards. Sidewalks are not proposed along the street frontage of the site. Sidewalks do not exist on abutting properties, therefore sidewalks are not required unless the Board finds that by reason of the particular conditions of the site, its location or surroundings, sidewalks are required to protect the public safety. All landscaped areas shall be irrigated with a timed, automatic underground system utilizing pop-up heads and/or tree bubblers. They will comply with irrigation until landscaping is established. They are requesting waivers from omitted plan details. Show any wetlands or wetlands transition areas. Provide copies of any existing or proposed deed restrictions or covenants. Show contour lines based on United States Coast and Geodetic data or bench marks approved by the City Engineer. Provide approximate location of water well(s) and/or lateral(s). Show the centerline elevations of the existing streets. The applicant will comply with the Engineering Report.

Mr. Robinson explained that the site is suited for the use. It is a perfect location for a very small parking use. It is permitted in the zone but one sentence away. It is not residential or inappropriate. 5 acres to develop. There is not detriment to the public good. It will give small truck operators a place to park their trucks. It is a low impact site with low noise.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Ms. Lods made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

KREZNER ENTERPRISES, 141 N. Lincoln Avenue, Block 3303, Lot 21, Zone B-4, preliminary/final major site plan approval for the construction of a car wash.

The applicant was represented by Stephen Barse, Esq. A use variance was previously approved to permit the construction of a car wash. The applicant would like to place a temporary sign at the site during construction.

Aaron Krenzer, Owner, testified on his own behalf. He is proposing to construct a car wash with a tunnel and two bays. It will be self-contained and high efficient. It is new technology with very low noise. There will be 1-2 employees. There will be scheduled monthly deliveries of soap and supplies during the morning hours. Deliveries will be made by box truck. There will an area on the north side for trash that will be fenced. Vacuum facilities will be located on the west side.

Stephen Fillipone, Professional Engineer, testified on behalf of the applicant. 50 % of property is wooded and wetlands. This use fits nicely on the property. There is a two-way drive isle off Lincoln Avenue. The drive isle is 26 feet and wider for free movement. There is landscaping, site lighting and trash enclosure. There are variances that the applicant is requesting. Front buffer (15 feet provided vs. 25 feet required). Sign setback from front property line (6 feet provided vs. 10 feet required). The applicant is requesting waivers from Stormwater Control standards. Stormwater management basin side setback (10 feet provided vs. 25 feet required). Fencing and screening around the perimeter of the proposed stormwater management basin. (The proposed stormwater basin is 3 feet deep, and the ordinance requires fencing and screening for basins that are greater than 2 feet in depth). They are proposing a 4 foot, split rail fence with wire mesh. A waiver for driveway width-maximum, one-way (20 feet provided vs. 17 feet required). In the Engineering Report, waiver for location of the one-foot freeboard elevation of all stormwater basins shall meet the minimum yard requirements of the zone.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

Meeting adjourned at 10:10 PM

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Yasmin Ricketts, Secretary

Zoning Board of Adjustment