

ZONING BOARD OF ADJUSTMENT MEETING
May 17, 2023

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

Members present were:

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

Members absent: Rudolph Luisi, Ryan Flaim, Raquel Soto

Others Present were:

Nathan Van Embden, Zoning Board Solicitor
Yasmin Ricketts, Zoning Board Secretary
Patrick Finley, Zoning Officer
Rick Crudele, Assistant Zoning Officer
Ryan Headley, Zoning Board Engineer/Planner
Elizabeth Jambor, Planner Trainee

Mr. Van Embden went over revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the April 19, 2022 meeting.

Roll call:

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

The Chairman entertained a motion to approve the resolutions from the April 19, 2022 meeting

Roll call:

Darwin Cooper: Abstain
Victoria Lods: Abstain
Joseph Stefano: Yes
Mark Grussenmeyer: Abstain

Joseph Repice: Yes
Eric Hernandez: Yes
George LoBiondo: Yes

PERAINE FAMILY, LLC, 1005 E. Landis Avenue, Block 4202, Lot 2, Zone R-P, use variance and minor subdivision approval to create one new lot with one remainder lot.

The applicant was represented by Robert De Santo, Esq. The applicant requests a minor subdivision approval, in conjunction with a use variance, to create one (1) new lot with one (1) remainder lot. There are two billboards located on the site, which triggers the use variance. The applicant is in receipt of the Planning and engineering Reports. There is a variance for lot frontage, proposed lot 6 (310 feet provided vs. 330 feet required). The applicant is requesting a submission waiver from item 8c, show any wellhead protection areas and identify any best management practices for wellhead protection, if applicable.

Jean Peraine, Member of LLC, testified on her own behalf. She would like to take full ownership of the residence. The home was built in the year 1950, and the billboards were always there.

Mr. Headley explained that staff had no objections to the variances and waivers requested.

Chairman made a motion to close the public hearing.

Roll call:

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

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes
Victoria Lods: Yes
Joseph Stefano: Yes
Mark Grussenmeyer: Yes
Joseph Repice: Yes
Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

LWM PREDEVELOPMENT, LLC, 1292 W. Sherman Avenue and 2477 & 2557 S. Orchard Road, Block 6101, Lots 32, 35 & 36, Zone B-3, use variance approval for the construction of a congregate living community

The applicant was represented by Michael Gruccio, Esq. The applicant is the contract purchaser of the application. The use variance is to allow the construction of an age restricted facility with supportive services for citizens over the age of 65. There will be 30 two-bedroom units, 26 studio units, 24 one-bedroom units, and a 5,000 square foot commercial building. The solar field will be accessory to the development.

Andrew Jubelt, Principal and Managing Member, testified on behalf of the application. This is a new concept to zoning in New Jersey. He has 30 years of experience in this industry, and he has developed the largest continuing care development facility containing services. His first project with supporting services was in Hamilton, New Jersey. The rental model only affordable to 20% of the population. This concept gives them sense of community giving them a place to live. The rent provides home care including housekeeping, groceries and other services. The tenant can chose hours of home care. This type of home care is licensed through the DCA. The only difference is cost, full kitchens and included transportation. There will be a community center, fitness center, hall, library and computer center. The location is close to the hospital and close to medical facilities.

Carolyn Fagen, Professional Engineer, testified on behalf of the applicant. The site is located at the intersection of Sherman Avenue and Orchard Road. The site is about 25 acres on 3 lots. The proposal is for 130 units in 80 buildings. The units are situated in pockets and they will vary from 6-11 cottages. There are driveways on each side of the units. Circulation will be at the fronts of the units. They will have carports or driveways on their buildings. Rear yards will have walking paths, benches, and vegetation. Encouraging a sense of community in each of the pockets. There are walking paths with connectivity from pocket to pocket. The community center is 5,000 square feet with a parking lot. There are overflow-parking sections throughout the property. Driveways will accommodate 2 vehicles. The basins will meet the current requirements. The applicant is proposing to preserve the solar field in the NE corner.

Steward Wiser, Professional Planner, testified on behalf of the applicant. The property is located in the B-3 zone and Residential Townhouse Overlay zone. If approved, the applicant will return for site plan approval. There are no bulk variances requested for this application. The application satisfies multiple purposes. Purpose a, to encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare. Purpose c, to provide adequate light, air and open space. Purpose e, to promote the establishment of appropriate population densities and

concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment. It is infill housing as recommended by the Master Plan. Purpose g, to provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens. Purpose I, to promote a desirable visual environment through creative development techniques and good civic design and arrangement. Purpose l, to encourage senior citizen community housing construction. Purpose p, to enable municipalities the flexibility to offer alternatives to traditional development, through the use of equitable and effective planning tools including clustering, transferring development rights, and lot-size averaging in order to concentrate development in areas where growth can best be accommodated and maximized while preserving agricultural lands, open space, and historic sites.

Mr. Jubelt indicated that the development is age restricted, 65 and over with the exception of a spouse.

Mr. Finley explained that the resolution should indicate that any disputes concerning provided services will be handled by the regulatory agencies.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Ms. Lods made a motion to grant the application.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

DAVID CRESCENZO, 522 & 524 N. East Avenue, Block 2324, Lots 8 & 9, Zone R-2, use variance to maintain a mixed-use property, which includes an existing two-family dwelling, establishment of a public purposes (massage therapy) school in existing commercial building.

The applicant was represented by Michael Gruccio, Esq. The applicant is proposing a mixed-use property. The two family dwelling on that property is permitted in the zone. The applicant owns lots 8 and 9. He has agreed to provide shared access drive on lot 9. Public purpose uses are also permitted in the zone including any school. He proposing the establishment of a massage therapy school on the premises. The use variance is for the mixed use. The adjacent property will provide ingress and egress, and there is adequate parking for the school. The parking standard is one space per employee and one space each three students. There will not be more than 6 students at a time. There will be 2 parking spaces for each dwelling unit. 14 parking spaces will be provided on site.

Schaffer, Professional Engineer/Planner, testified on behalf of the applicant. The lots are located in the R-2 zone. Both proposed uses are permitted in the zone. Those uses are less intense and noisy than a typical school or childcare. No expansion to the footprint or height of the building is proposed.

As for the positive criteria, this application satisfies purpose a, to encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public general welfare. There is a need for this type of vocational training facility. This particular use will be quiet. Item e, to promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment. This site will provide necessary training lacking in the area. There will not be a large increase to traffic to the site. Purpose g, to provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens. This site is 55 feet away from the I-2 zone with more intense uses. Purpose I, to promote a desirable visual environment through creative development techniques and good civic design and arrangement. The site is well suited for the area, and it will not present a detriment to the zone plan.

David Crescenzo, Purchaser of property, testified on his own behalf. The property is in need of rehabilitation. He is having issues with finding local massage therapist for his business. There are no schools available in the area. He has worked hard to beautify the neighborhood. It is difficult to accommodate more than 6 students per 1 instructor. The property was vacant and it is gutted. The exterior of the commercial building is in rough shape, and he plans to rehabilitate it. The duplex is rented and active. The duplex has one bedroom upstairs and two bedrooms downstairs. This property will look similar to the Utopia Salon properties.

Chairman made a motion to close the public hearing.

Roll call:

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

Ms. Lods made a motion to approve the application

Roll call:

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

Application granted.

SANDRA TAKETOSHI, DVM, 1013 E. Landis Avenue, Block 4203, Lot 1, Zone R-P, use variance along with waiver of site plan approval to establish office for the practice of veterinary medicine.

The applicant was represented by Michael Gruccio, Esq. The property is located in the R-P zone. Dr. Taketoshi has practiced for over 30 years and proposing to establish a veterinary medical office. The applicant would like the board to waive a new site plan approval. There is an approved plan from 1992 for this site. She is not proposing any changes to the site. The current improvements are appropriate for her operation. The applicant would like to rent the property and possibly purchase it in the future. The structure looks like a dwelling and it complies with the special R-P zone standards with access and parking. The veterinary office is not allowed in the zone. There is no intension to run a kennel, bread, train, board animals or any outdoor facilities. The use for this site is more than appropriate and suitable for what she intends to do.

Stephen Hawk, Professional Planner, testified on behalf of the applicant. The R-P zone is a unique zone. It consists of a stretch of Landis Avenue to Myrtle and a stretch along Chestnut Avenue to almost Memorial School. Homes along those stretches are used as offices, because there was less of a desire to use those homes. There are special conditions in that zone. No front parking and screening along residential. The zone has done well through the years. The demand for offices in that area dropped when Newcomb Hospital closed. There are former offices that are unoccupied, and this property has been vacant for some years. This business

operates solely indoors, and her operation will fit in nicely in this site. This site meets the R-P zone standards. It promotes Purpose a, promotes general welfare. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare. Purpose j, helping with the environment to promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land. There is a potential for customers to walk to the site. It is not a substantial detriment to the area.

Mr. Gruccio indicated that the applicant will change sign to her business.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Ms. Lods made a motion to deny the application.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

RURAL DEVELOPMENT CORPORATION, 4880 N. Delsea Drive, Block 132, Lot 1, Zone A-5, use variance and major site plan approval for a warehouse expansion.

The applicant was represented by Justin White, Esq. This site is the former battered women's shelter, and is currently a temporary living facility for the homeless. There is a warehouse on site that is a pre-existing non-conforming use. The warehouse is used for a food pantry. This warehouse has existed since the 1970's. There is a site plan from 1986 that includes this warehouse. This use is to feed the hungry and it is an inherently beneficial use.

Jill Lombardo, Executive Director, testified on behalf of the applicant. In the year 2020, there were 45 pantries in the Southern New Jersey. Today there are 123 pantries in Southern New Jersey. They are feeding 32,000 people per month. Food supply is distributed to churches and non-profits. The food is also used at the shelter. There are currently 100 people staying the night. They are seeking an expansion because the numbers are increasing. They are receiving more food and need storage for those donations.

Cory Gaskle, Professional Engineer, testified on behalf of the applicant. The applicant is looking to add 1,600 square feet of warehouse with an access drive for forklifts and pallet jacks. They would like to provide an additional parking lot for the shelter housing, lighting and a sidewalk. There are existing areas of gravel not utilized, so they are removing a significant portion of that gravel to reduce the impervious coverage. The applicant is in receipt of the Planning and Engineering reports. In the Planning report, item 6, waivers are requested for parking space width (9 feet provided vs. 9.5 feet required). Parking space depth (18 feet provided vs. 19 feet required). Parking area shade trees (0 trees provided vs. 3 trees required at 1 per 12 parking spaces). Waivers for item 7, driveway width-minimum, two-way, warehouse driveway (20 feet provided vs. 24 feet required). Driveway width-minimum, two-way, community shelter driveway (20 feet provided vs. 24 feet required). End parking space back-up aisle width (0 feet provided vs. 5 feet required). Waiver for item 8b, 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. Item 14b, show types of vehicles that will be used for deliveries and trash removal, and other large vehicles likely to enter the site on a regular basis. Provide circulation patterns of these vehicles using AASHTO Minimum Turning Path for said vehicle.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

Eric Hernandez: Yes
George LoBiondo: Yes

Application granted.

Meeting adjourned at 9:55 PM

Roll call:

Darwin Cooper: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Yasmin Ricketts, Secretary

Zoning Board of Adjustment