

**ZONING BOARD OF ADJUSTMENT MEETING**  
**July 19, 2023**

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

**Members present were:**

Darwin Cooper  
Skip Luisi  
Joseph Stefano  
Joseph Repice  
Eric Hernandez  
George LoBiondo

**Members absent:** Victoria Lods, Ryan Flaim, Mark Grussenmeyer, Raquel Soto

**Others Present were:**

Nathan Van Embden, Zoning Board Solicitor  
Yasmin Ricketts, Zoning 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 June 21, 2023 meeting.

Roll call:

Darwin Cooper: Abstain  
Skip Luisi: Abstain  
Joseph Stefano: Yes  
Joseph Repice: Yes  
Eric Hernandez: Abstain  
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the June 21, 2023 meeting

Roll call:

Darwin Cooper: Abstain  
Skip Luisi: Abstain  
Joseph Stefano: Yes  
Joseph Repice: Yes  
Eric Hernandez: Abstain  
George LoBiondo: Yes

**JOHN A. TAYLOR**, 1437 N. West Avenue, Block 1604, Lot 43, Zone R-3, construction of an oversized garage.

The applicant was represented by Ray Went, Esq. The applicant is requesting to construct a 1,700 square foot garage. Three exhibits were submitted. Exhibit A1, variance plan. A-2, colored photographs. A-3, depiction of proposed garage. A-4, three photos of automobiles. The applicant's hobby is collecting old cars and he is currently storing them off site. The proposed garage is for the storage of his vehicles, a place to work on them and keep them out of the elements. This garage is for his personal use and not for commercial purposes.

Greg Simons, Professional Engineer, testified on behalf of the applicant. The proposed garage is 32' x 56' and is located midway to the rear of the property. Maximum lot coverage is 30% and existing is 14.36%. It is well under the maximum impervious coverage permitted. The height to the peak of the building is 18 feet.

Mr. Finley indicated that there are two accessory structures on the property.

Mr. Simmons stated that they would remain. They are all storage purpose garages.

John Taylor testified on his own behalf. –The building directly behind his house is 16' x 20' single car garage. The building behind that is a coop that is dilapidated. He kept the portion that is structurally sound and that is 30' x 30'. He uses it for woodworking and he has a car. He collects antique cars, and he would like to keep his belongings at his residence. There is a boat on the property and he will clean up the yard when the proposed garage is constructed.

Mr. Headley explained that two accessory structures are permitted. The third accessory structure is not permitted, so will bring it to 1,719 square feet whereas 0 square feet allowed. There are two variances for the size of the structure and having a third accessory structure.

Mr. Finley explained that the zone allows for recreational structures and he could use it for his car collection. It is also 10 feet off the side yard and exceeds that requirement.

Carlos Negrón, member of the public testified. He owns property on the north side. He also own antique cars and has no objections to the pole barn.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

**CENTURY SAVINGS BANK**, 4880 N. Delsea Drive, Block 132, Lot 1, Zone A-5, use variance and minor site plan approval for site improvements and a digital freestanding sign at an existing bank.

The applicant was represented by Vince Pancari, Esq. The bank has existed since the year 1965. They are seeking to make some changes to the ATM and add an additional drive through lane with a canopy. They will get rid of lane on the east side of the building and add another on the south side. The first lane will be the ATM lane.

Stephen Fillipone, Professional Engineer, testified on behalf of the applicant. The applicant is in receipt of the Planning and Engineering Reports. They will comply with all the comments in the Engineering Report. In the Planning Report, the applicant is requesting variances in item 5. Item 5a, sign face area, freestanding sign (56.7 square feet provided vs. 24 square feet maximum allowed). Item 5b, sign height (16.2 feet provided vs. 12 feet maximum allowed). Item 6a, waiver for driveway width-maximum, one-way (31.3 feet provided vs. 17 feet maximum allowed). Item 6b, waiver for lane width (8.5 and 9 feet provided vs. 12 feet required). This property is in the residential and professional zoning district. Item 6c, they will provide 6 shade trees.

Mr. Headley agreed with Mr. Fillipone's reasons. The proposed digital sign will have to comply with the ordinance.

Mr. Hammerhand explained that there are two locations. One at Sherman Avenue and one on Orchard Road. The other locations have the same sign.

Mr. Fillipone explained that this application meets 40:55D-2. 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 h, to encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight.

Mr. Headley explained that banks not allowed in the R-P zone. This bank has existed and the benefits do outweigh the negative.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

**OZTURK FAMILY TRANSPORTATION, LLC**, 1146 S. Delsea Drive, Block 5502, Lot 44, Zone B-3.  
Use variance for truck and trailer parking with portable garage and office.

The applicant was represented by Victor Druziako, Esq. The applicant is seeking to amend the application to a temporary use permit and would like the balance of the application fee refunded. The property was previously used as a restaurant. They are seeking to use the existing parking lot for truck parking and light repair. There will be no oil changes and they will not store supplies outside. They will also not connect to water or sewer. The intension is to have no more than 20 bobtail trailers and no more than 20 trailers at any given time. There will be three portable toilets on site. Section 425-310, allow for temporary use, public emergency or personal hardship. It was not self-imposed. The applicant would

suffer a personal hardship if forced to terminate operations immediately. He believed the property could be used for the requested purposes. There is no detriment to the adjoining properties. They are seeking a 6-month temporary use permit and waiver from site plan improvements.

Mustafa Ozturk, testified on his own behalf. He owns all vehicles on the parking lot. The trucks are usually on the road and arrive late at night or early in the morning. There is no parking in Cumberland County, and The Garden Truck stop does not work for him. There will be 20 bobtail, 20 trucks and up to 20 personal vehicles.

Mr. Headley indicated that he prefers a maximum of 6 months to find another area to store the vehicles.

Mr. Finley explained that the temporary use is a reasonable request. He purchased property with good intension and found out that the city was not in favor. Admires that he is withdrew his original application.

Mr. LoBiondo explained that he did not want to see oil changes and mechanical work because of site contamination.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

**ROCK TOWING**, 2490 S. West Blvd, Block 6103, Lot 21, Zone I-3, preliminary/final major site plan approval, to construct a 4,920 square foot towing business that will include a three (3) bay auto shop, storage area, and an office, along with associated site plan improvements.

The applicant was represented by Terry Bennett, Esq. The use variance was previously approved and now the applicant is asking for site plan approval.

Gamiel Cruz, testified on his own behalf. He is the owner and operator for Rock Towing. He needed another location to meet his business's needs.

Rami Nassar, Professional Engineer and Planner, testified on behalf of the applicant. They are proposing small building with 3 bay garage and 25 parking spaces. The applicant will store vehicles in the rear. There is a basin and they will comply with the new Stormwater Standards. In the Planning Report, variance for item 6a, side buffer, northerly side (10.5 feet provided vs. 25 feet required from a residential use). Item 9a, waiver for presence of a stormwater management basin drive. Item 9b, waiver for stormwater management basin fence height (0 feet provided vs. 6 feet required). Item 9c, waiver for

stormwater management basin side setback, Bio-Retention 1 (2 and 10 feet provided vs. 25 feet required). Item 9d, waiver for stormwater management basin side setback, Bio-Retention 2 (15 feet provided vs. 25 feet required). Item 9e, waiver for stormwater management basin side setback, Infiltration Basin 1 (15 feet provided vs. 25 feet required). The swales will be landscaped. Item 10c, waiver for parking space depth (18 feet provided vs. 19 feet required). Item 10d, partial waiver for fencing and screening around the perimeter of the proposed stormwater management basin. (The proposed stormwater basin is 4 feet deep, and the ordinance requires fencing and screening for basins that are greater than 2 feet in depth). Item 10e, partial waiver for screening materials along the residential use or residential zone located on the adjacent property to the southerly of the site. They will extend the fencing to include the basin. Item 12a, waiver for building front entrance is not oriented towards the street. Item 12c, waiver for 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 12d, partial waiver for landscaped areas shall be irrigated with a timed, automatic underground system utilizing pop-up heads and/or tree bubblers. Item 19a, waiver for standard engineering scale, not less than 1"=50' and not more than 1"=10'. Sheet size shall be 24"x36" or 11"x17". In the event that the overall site does not fit onto a standard sheet size, an additional site plan sheet shall be provided which shows the entire site development at a reasonable standard scale. Item 19b, partial waiver for showing all structures within 150 feet of the land to be developed. Structures are considered to include, but not be limited to, buildings, driveways, mailboxes, signs, utility poles, drainage and sewerage structures, and valves. The applicant will comply with all the comments in the Engineering Report.

Neida Neives, member of the public, was concerned with distance to the property line.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

**DEE, LLC**, 947 N. Delsea Drive, Block 2201, Lot 110, Zone B-3/R-2, minor subdivision plan approval to create one (1) new lot with one (1) remainder lot along with a request for a "D" use variance for a mixed-use property including a used car dealership and two (2) multi-family residential dwellings.

The applicant was represented by Michael Gruccio, Esq. This application is for a minor subdivision to create one lot and one remainder lot. This is a mixed-use property with a used car dealership, four dwelling units and a restaurant. Restaurant will be on reminder lot, and the remaining lot will have dwellings, dealership, office. At one time all the uses were contained in one parcel. In the Planning Report, item 7a, variance for side Buffer, Lot 110.01, northerly (0 feet proposed vs. 25 feet required from

a residential use). Item 7b, variance for side Buffer, Lot 110.02, southerly (0 feet proposed vs. 5 feet required). The applicant will comply with all the comments in the Engineering Report.

Samuel Marciano, testified on his own behalf. The rear building has two bedrooms, a living room, dining room, bathroom and basement. The front has the car sales office, upstairs has three bedrooms and downstairs rear has two bedrooms.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

Joseph Repice: Yes

Eric Hernandez: Yes

George LoBiondo: Yes

Application granted.

**FRANK FERRERI, JR**, 1761 Almond Road, Block 2701, Lot 3, Zone I-2, establish a second contractor's yard at a mixed-use property, which currently includes a painting contractor's yard and single-family dwelling along with a request for waiver of site plan requirements.

The applicant was represented by Michael Gruccio, Esq. The operator is an existing business. He is seeking an approval to establish a second contractor's yard for a debris-hauling contractor's yard featuring overnight parking of dump trucks. Exhibit A-1, photos of business and trucks. They will not load, discharge or stockpile. The applicant will repair and maintain cars on the property. The painting company that used the lot previously has the same type of vehicles. There will be activity on the site, and they will not conduct any other business. It has characteristics of a trucking operation, and truck terminals allowed in the zone.

Francesco Ferrari, testified on his own behalf. The dump trucks are empty when they are in his yard, and they park on asphalt.

Mr. Stefano explained that asphalt trucks are sprayed with oil, and rain can wash it off and contaminate the yard.

Mr. Ferrari indicated that trucks are on asphalt. He knows that they move stone and debris.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes

Joseph Stefano: Yes

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

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes  
Skip Luisi: Yes  
Joseph Stefano: Yes  
Joseph Repice: Yes  
Eric Hernandez: Yes  
George LoBiondo: Yes

Application granted.

**HUDSON COMMUNITY ENTERPRISES**, 2575 S. Main Road, Block 6801, Lot 84, Zone B-2/R-5, establish an office and warehouse for a mobile document shredding service and building cleaning/janitorial business in an existing commercial building along with a waiver of site plan approval.

The applicant was represented by Michael Gruccio, Esq. The Applicant requests a “D” use variance along with waiver of site plan approval to establish a mixed-use property which would include an office and warehouse in an existing building on premises in connection with the operation of a mobile document shredding service, building cleaning/janitorial business, and counseling and employment services and existing residential use. The Applicant has also requested usage of the existing signage on property for the proposed businesses. The subject property is approximately 4.74 acres and is located in two zones, B-2 Business and R-5 Residential. The project previously received use variance approval for a variety of business uses including a plumbing contractor’s yard and private-trucking operation. There are no site improvements proposed and the site will remain the same. The existing site plan depicts a building occupied by Hudson Community Operations. The building has three bays. There is an upstairs residential apartment. The residential portion is not part of his lease. His concern is the bottom floor and parking for the use. There will be one vehicle for paper shredder business, and a van for the cleaning service. The truck ventures out to offsite to a location to shred paper and taken to disposal facility. There will be office space for the business. The company has social outreach services that provides jobs, training and counseling to disabled people. There will be three helpers on the truck. The counselors will be on the premises and give service on one to one basis. The driver will pick up the truck with a worker and return at the end of the day. Then they will park the truck in the garage. There will be one van for janitorial services and employees will meet at the job site.

Tom Masgetti testified on his own behalf. He explained that the building was vacant for about a year and a half. They did not want the apartment, so it was leased to someone else.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes  
Skip Luisi: Yes  
Joseph Stefano: Yes  
Joseph Repice: Yes  
Eric Hernandez: Yes  
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes

Skip Luisi: Yes  
Joseph Stefano: Yes  
Joseph Repice: Yes  
Eric Hernandez: Yes  
George LoBiondo: Yes

Application granted.

**1667 E LANDIS WELLNESS PARK**, E. Landis Avenue, Block 4301, Lot 1.05 (formerly Lot 1), Zone IN-2, convert an out of service institutional group home to a single-family dwelling.

The applicant was represented by Michael Gruccio, Esq.

Michael O'Neil, Jr., member and authorized representative of applicant, was present to testify.

Carlton Carter, prospective purchaser, was present to testify.

The applicant is seeking a conversion of an institutional group home to a single-family dwelling. This lot was subdivided in January of 2023 and the approvals was memorialized on February 15, 2023. This property consists of 2.15 acres with frontage on Landis Avenue. It is next to three lots with single-family dwellings, and the conversion will be compatible with the surrounding area. The lot is still in the I-2 zone and single-family residences are not permitted. The director of Elwyn up until the year 1990 formerly occupied this dwelling. After 1990, the house was converted into a group home.

Mr. Finley explained that he was in support of this application.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes  
Skip Luisi: Yes  
Joseph Stefano: Yes  
Joseph Repice: Yes  
Eric Hernandez: Yes  
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Darwin Cooper: Yes  
Skip Luisi: Yes  
Joseph Stefano: Yes  
Joseph Repice: Yes  
Eric Hernandez: Yes  
George LoBiondo: Yes

Application granted.

Meeting adjourned at 9:31 PM

Roll call:

Victoria Lods: Yes  
Joseph Stefano: Yes  
Mark Grussenmeyer: Yes



Joseph Repice: Yes  
George LoBiondo: Yes

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