

ZONING BOARD OF ADJUSTMENT MEETING
September 20, 2023

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

Members present were:

Ryan Flaim
Darwin Cooper
Joseph Repice
Mark Grussenmeyer
George LoBiondo

Members absent: Skip Luisi, Joseph Stefano, Eric Hernandez

Others Present were:

Nathan Van Embden, Zoning Board Solicitor
Yasmin Ricketts, Zoning Board Secretary
Rick Crudelle, 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 August 16, 2023 meeting.

Roll call:

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

The Chairman entertained a motion to approve the resolutions from the August 16, 2023 meeting

Roll call:

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

ROGELIO GARCIA, 745 E. Grape Street, Block 4011, Lot 9, Zone R, conversion of a single-family dwelling to a two family dwelling.

Rogelio Garcia testified on his own behalf. Salvador Garcia testified as an interpreter from English to Spanish and Spanish to English. He also works as a general contractor for Mr. Rogelio Garcia. Mr. Rogelio Garcia has a house on a corner lot on Grape Street. It is a very large home with many bedrooms. When he rents the house, it becomes over crowded due to the size. The house recently had a fire and Salvador Garcia is the contractor renovating the house. He suggested converting it into a duplex, because there are two entrances. There is an entrance on Grape Street and an entrance on Seventh Street.

Mr. Headley explained that there is a side yard setback on Grape Street, 18 feet whereas 10 feet required. There is a side yard setback on Eighth Street, 17 feet whereas 25 feet required. He has concerns regarding the size of the lot. The point of the redevelopment plan was to ensure responsible development in the downtown area. It is a corner lot and very small. The lot is half the size of what is required. There are duplexes nearby but that standards have changed considerably.

Mr. Crudelle stated that the Zoning Office was not opposed with the application. The house looks like a duplex and the intensity is low.

Chairman made a motion to close the public hearing.

Roll call:

Joseph Stefano: Yes

Ryan Flaim: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Flaim made a motion to approve the application.

Roll call:

Ryan Flaim: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

DAVID CRESCENZO, 522 & 524 N. East Avenue, Block 2324, Lots 8 & 9, Zone R-2, site plan approval for a mixed-use property, which includes an existing two-family dwelling, establishment of a public purposes (massage therapy) school in existing commercial building with bulk “c” variances and any other variances that may be required.

The applicant was represented by Michael Gruccio, Esq. This is a site plan approval that follows a use variance approval granted by the board. The applicant agrees with all the comments in the Planning Report dated September 8, 2023, and there are no significant issues with the Engineering Report dated September 8, 2023.

Andrew Schaser, Professional Engineer, testified on behalf of the applicant. Planning Report, section 6a, lot 8, side buffer to create more of a separation. Property to the north will be maintained. They are maintaining a 1-foot buffer. There is a gravel driveway and this will create more of a separation. Item 6b, lot 8, rear buffer 5' vs. 25'. Proposing fence to create separation to the residential lot. There will be room for more landscaping. Item 6c, impervious lot coverage (47.5% provided vs. 40% maximum allowed). They are providing a 20-foot drive isle width by purchasing the property next door. They will create cross easement agreements that will make the drive isle behave a little wider. Item 9a, driveway width-minimum, two-way (22 feet provided vs. 24 feet required). 22 feet near the garage and the rest of the driveway is 24 foot. The applicant is proposing a less intense use than what was previously there. There are circulation improvements. Item 7, signage, the applicant will comply with sign standards. The chain link fence will be removed and to allow the sign to be seen. Item 8a, waiver for end island width (3 feet provided vs. 10 feet required). Waiver for item 8b, parking space width (9 feet provided vs. 9½ feet required). The applicant will provide hairpin markings. Waiver for 8c, parking space depth (18 feet provided vs. 19 feet required). Waiver for 8d, end parking space back-up aisle width (2 feet provided vs. 5 feet required). This is for the northwest corner. Waiver for 8f, screening materials along the residential use or residential zone located on the adjacent property to the northerly, westerly and southerly side of the site. Item 10, 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. The applicant will comply with item 14, on-site parking requirement for the proposed development is based on the standards for a residential use and a school (“other” standards). A residential use requires two (2) spaces per dwelling and the school use requires one (1) per employee on the main work shift plus one (1) per three (3) students. The plan indicates that there are two (2) dwellings. There

will also be two (2) employees are on the main work shift and eight (8) students. Therefore, four (4) parking spaces are required for the residential use and three (3) parking spaces are required for the school use. A total of seven (7) parking spaces are required on-site. The plan shows that fifteen (15) parking spaces will be provided on-site. That will change to (14) parking spaces on-site. Item 15, pursuant to P.L. 2021, c.171, which Governor Murphy signed into law on July 9, 2021 regarding Electric Vehicle Supply/Service Equipment (EVSE) & Make-Ready Parking Spaces, the Applicant shall comply with the Model EV Ordinance published by the Department of Community Affairs (DCA) on September 1, 2021. This does not apply to this application. The applicant agrees with the remaining comments in the Planning and Engineering reports.

David Crescenzo, testified on his own behalf. He purchased the property but does not have a reason to attach it to his adjoining properties. He needs flexibility for future use of the new property. He will provide an easement.

Mr. Headley stated that there are new variances added to this application. New item 6d, side buffer, southerly side of lot 8, (0 feet vs. 25 feet required). New item 6e, side buffer, northerly side of lot 9, (0 feet vs. 25 feet required). Item 6c, impervious lot coverage, lot 8 (90% provided vs. 40% maximum allowed).

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ryan Flaim: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

SAVCHENKO AUTOMOBILE DEALERSHIP, 1728, 1746, 1752 & 1754 N. Delsea Drive, Block 1101, Lots 56, 57, 58, 59, 61 & 62, Zones B-3/R-4, use variance and major site plan approval for an automobile dealership with associated site improvements.

The applicant was represented by Michael Gruccio, Esq. He acknowledged receipt of the Planning and Engineering Reports dated September 8, 2023 represented the applicant. The property consists of 2.5 acres. It is split zone with all the development in the B-3 portion of the zone. A small portion of the stormwater management basin is proposed in the R-4 zone. There are several proposed lots to be consolidated and deed will be provided.

Stephen Phillipone, Professional Engineer, testified on behalf of the applicant. The lots are currently vacant and the proposed development portion is not forested. They will provide a stormwater basin and shielded lighting on this site. The rear of the site if forested and it will not be disturbed. Planning Report, item 6a, waiver for stormwater management basin side setback (14 feet provided vs. 20 feet required). There is a portion (15 feet) of the basin that extends into the residential zone. It will be contained within a fenced in area. Item 7a, waiver for end parking space back-up aisle width, westerly row (0 feet provided vs. 5 feet required). Three stalls need relief. Waiver for 7b, end parking space back-up aisle width, easterly row (0 feet provided vs. 5 feet required).

Item 8a, 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 12, on-site parking requirement for the proposed development is based on the standards for an auto sales. An auto sales use requires that two on-site parking space be provided for every employee on the main work shift. The plan indicates that two (2) employees are on the main work shift. A total of four (4) parking spaces are required on-site. The plan shows that thirty-three (33) parking spaces will be provided on-site. There are actually 29 parking spaces.

Mr. Gruccio explained that the neighbors have raised concerns with drainage and access.

Mr. Fillipone explained that drainage was a big concern to the north. The storm water basin will capture all the water on the site. They are not clearing any trees to the rear of the site. These drainage improvements will be beneficial to the neighborhood. There was another comment from a neighbor to the south. They were concerned about tractor-trailers. There will be no tractor-trailers on this site. This is a low intensity use and the buffer requirements are met. They are providing shielded lights because of the residential neighborhood nearby. There is a 15-foot wide asphalt road (right of way) with structures in the rear. There will be no change to that driveway and there will be a buffer to that drive.

Hector Martinez, member of the public, he is concerned with drainage and explained where water currently accumulates.

Mr. Fillipone explained that someone excavated that area and the applicant is going to fix it. The proposed stormwater basin will collect the water that currently accumulates.

Paul Green, member of the public, owns the car lot on the other side. He explained that there are existing right of ways (access easements). He wanted to make sure that they will remain.

Mr. Headley stated that access easements will remain and the access drives will remain.

Chairman made a motion to close the public hearing.

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Flaim made a motion to approve the application

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

Meeting adjourned at 8:40 PM

Roll call:

Darwin Cooper: Yes

Ryan Flaim: Yes

Mark Grussenmeyer: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Yasmin Ricketts, Secretary

Zoning Board of Adjustment