

**ZONING BOARD OF ADJUSTMENT MEETING**  
**October 16, 2024**

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

**Members present were:**

Joseph Repice  
Andrew Groetsch  
Albert Fisher  
Cedric Holmes  
Jameson Afanador  
Terry Andrus  
George LoBiondo

**Members absent:** Ryan Flaim, Rudolph Luisi, Joseph Stefano, Eric Hernandez

**Others Present were:**

Amanda Mosciello, Substitute Zoning Board Solicitor  
Patrick Finley, Zoning Officer  
Ryan Headley, Zoning Board Engineer/Planner  
Yasmin Perez, Zoning Board Secretary

The Chairman entertained a motion to approve the minutes from the September 18, 2024 meeting.

Roll call:

Albert Fisher: Yes  
Andrew Groetsch: Yes  
Joseph Repice: Yes  
Cedric Holmes: Yes  
Jameson Afanador: Abstain  
Terry Andrus: Abstain  
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the September 18, 2024 meeting.

Roll call:

Albert Fisher: Yes  
Andrew Groetsch: Yes  
Joseph Repice: Yes  
Cedric Holmes: Yes  
Jameson Afanador: Abstain  
Terry Andrus: Abstain  
George LoBiondo: Yes

**BDGS, INC.**, 317 W. Elmer Road, Block 604, Lot 2.01, Zone I-B, second extension request.

The applicant was represented by Robert Baranowski, Esq. Ethan Byler, President of BDG was also present. The extension request pertains to an application that was approved back in the year 2020. The board approved an industrial building with a 125,000 square foot footprint, and a 15,000 square foot mezzanine totaling 140,000 square feet. The application went before the Zoning Board because of a height variance. Since the approval, zoning has changed permitting a great height. The zoning district permits 65 feet, but they are looking to maintain the validity and effectiveness of the approval. The approval was previously extended in 2022 through the end of 2023, and again in last year through the end of 2024. The approval is still valid and within its period of protection from any other zoning changes. The applicant is requesting a 1 year extension under section 52A of the Municipal Land Use Law, which provides that the board with discretion to grant up to three one year extensions. The applicant has obtained all outside approvals. The projects is ready to go once a final end user is identified, and it can be built in accordance with that user. The applicant is working with the city to look for an end user, and there is a lot of activity in the industrial market. The requested extension request is through December 2025.

Chairman made a motion to close the public hearing.

Roll call:

Albert Fisher: Yes

Andrew Groetsch: Yes

Joseph Repice: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Terry Andrus: Yes

George LoBiondo: Yes

Mr. Repice made a motion to approve the application.

Roll call:

Albert Fisher: Yes

Andrew Groetsch: Yes

Joseph Repice: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Terry Andrus: Yes

George LoBiondo: Yes

Application granted.

**AREC 27, LLC/U-HAUL** 2290 S. Delsea Drive, Block 6101, Lot 19.01, Zones B-3/R-5, minor site plan approval for an amended site plan for signage to an existing storage facility.

The applicant was represented by Augusta O'Neill. Exhibit A-F, packet containing photographs of signage. The application is for signage at the facility at 2290 S. Delsea Drive. This is the third time that this application related to the U-Haul property has been before the board. They are requesting sign variances related to the U-Box warehouse that was approved in the year 2022. It is now close to completion, and they want to add some accessory signage to that new U- Box warehouse along with signage at the retail center. The signage that is proposed is going to make it easier for U-Haul customers to identify the retail store, and distinguish it from that new U- Box warehouse. The U-Box is a product that U-Haul has recently put out within the past ten years. They drop off the box at your door, and you fill it with your belongings. They then they take it to warehouse like the one that was approved in Vineland. Since it is a new product, they are asking for signage to help customers to identify it. The additional advertisement is going to not only help potential customers, but also give it the best

chance of success. There is one existing sign that is currently at the property. Tab letter A in the exhibit package is a depiction of one freestanding sign that is located on Delsea Drive. Tab E of the exhibit package is a depiction of the signage that they are proposing next to the retail store. There are two signs that require variance relief. One is the moving supplies signage, and the other sign is on the east elevation of the building. The other signs that requires relief is on the south elevation. There is a rendering that shows what that signage is going to look like on the building. It would be on the portion of the building that a traveler driving north will see and one facing south. This is technically a freestanding sign on a beam, because the roof itself is not able to support the signage, even though it looks like a wall sign. They are also proposing accessory signage on the U-Box warehouse. There are two signs facing South Delsea Drive, and the U-Box moving container signage. They are requesting relief for both of those signs as well. There are two wall signs and two freestanding signs as part of the application. One freestanding sign is existing, so there they are proposing two additional freestanding signs. The signage that is proposed is appropriate for a large warehouse of this size. It is helpful to anyone who is traveling on Delsea Drive to orient himself or herself to the building. The proposed signage is consistent with other businesses in the area. Tab C depicts pictures of other signs on commercial businesses located on Delsea Drive that have a similar number and size. There is also a letter of support from a neighboring business owner in the packet.

Chris Dentson, Manager for Aerial Signs and Awnings, testified on behalf of the applicant. A couple of things that went into the consideration when preparing the sign package. U-Haul is trying to advertise a new product that they are bringing to the market with U-Box facility. They want to advertise to new potential customers and even existing customers. The existing retail store does not have any signage, and they are trying to promote that as well. He also took travel into consideration. The signage will face traffic in both directions to provide their new services and product.

Ms. O'Neill explained that there are several variances that the board planner had identified. Freestanding signs, proposing three whereas one is permitted. As part of the 2022 application, they consolidated the lots. As a result, they are reducing the number of signs that permitted at this facility. There is a variance for freestanding sign number, 3 provided whereas 1 maximum permitted. Sign face area, freestanding "Moving Supplies" sign, 320 square feet whereas 0 square feet permitted. Sign face area, freestanding "Your Storage Place" sign, 320 square feet whereas 0 square feet permitted. Sign face area, wall sign, northerly side of warehouse, 111.5 square feet whereas 0 square feet permitted. Sign face area, wall sign, easterly side of warehouse, 132.5 square feet whereas 100 square feet permitted. Wall sign not oriented to a street frontage.

Mr. Headley stated that there is excessive signage for this project. There are a couple of signs that he takes issue with. One being the "Your Storage Place" sign on the south side of the retail. That sign is not particularly effective or useful. It is not branded with U-Haul, although he did find out that that is one of their trademarks slogans. It does not add to the property, and it and it is excessive in the way of signage. Additionally, both signs on the retail are 320 square feet. Even if they were wall-mounted signs versus them being freestanding signs, they would only be allowed a maximum square footage of 100 square feet. In the rendering, it is almost 1/5 of the building façade, which is a lot larger than what we see usually in business zones. Also the U-Box sign on the northern side of the of the new warehouse storage area. This was a use variance was deemed more of an industrial use than a business use. Having some sensitivity to signage in this area is important, because you already have a large U-Box sign that exceeds the ordinance 132.5 square feet on the frontage versus 100 square feet. There is already an existing freestanding sign that clearly establishes a U-Haul business, and then they are adding two additional signs on the retail. It is a lot of repetitive signage, and U-Haul is not necessarily a on a whim type stop. It is more of a destination and not a planned trip. He is not as concerned with the portion of the signage that faces Delsea Drive on the retail. It is more the non-frontage facing side.

Ms. O'Neill stated that the ordinance intends to have attractive looking buildings on the huge commercial thoroughfare in the city, so she believes that the size is appropriate given the size of the building. A smaller sign would get swallowed up by the by the size of the facility.

Mr. Finley wanted clarification on the picture with the lock. If it was going to be on the building, because it could be either be decoration, painting or a wall sign.

Daniel Dibuo, U-Haul representative, testified on behalf of the applicant. The picture is a decal on the building.

Mr. Finley explained that the decal will be considered a mural and not part of the sign count.

Chairman made a motion to close the public hearing.

Roll call:

Albert Fisher: Yes

Andrew Groetsch: Yes

Joseph Repice: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Terry Andrus: Yes

George LoBiondo: Yes

Mr. Fisher made a motion to approve the application.

Roll call:

Albert Fisher: Yes

Andrew Groetsch: Yes

Joseph Repice: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Terry Andrus: Yes

George LoBiondo: Yes

Application granted.

**VINELAND PRESERVATION, LLC**, 775 S. Sixth Street, Block 4911, Lot 7, Zone R-3, use variance for an expansion of site improvements to an existing non-conforming apartment complex.

The applicant was represented by Benjamin Zeltner, Esq. The Vineland Preservation is the contract purchaser of the subject property. It is an affiliate of Foresight Affordable Housing, which is a nonprofit corporation and developer of many affordable housing communities in New Jersey and throughout the United States. Vineland Gardens has been around since the 1960s, which is well before Vineland's first zoning ordinance in 1977. It contains 76 affordable housing units and various amenities for tenants. The property's ability to provide safe and adequate housing facilities is compromised by its inability to keep up with the property's capital needs. Many of the buildings critical systems are at risk of failure, and now as they are nearing their end of their useful lives. Several roofs need replacement, and there is a need for Americans with Disability Act accessibility to entrances and handicapped accessible units. The applicant is proposing a moderate rehabilitation of the entire facility. As part of that rehabilitation, they are requesting relief to expand certain portions of the project. They are proposing to convert the existing maintenance building to a laundry facility for residents with accessible door and equipment. They will expand the existing maintenance building by approximately 807 square feet for maintenance and storage use. They are proposing to construct ADA accessible entryways, paths, ramps, vestibules and dumpsters. Finally, they are requesting to convert the laundry room, which is in the management building to a file storage area. The R-3 district does not permit multifamily affordable housing uses, but it constitutes as an established preexisting non-conforming use. The proposed items trigger the need for an expansion of a nonconforming use or D2 variance.

Martin Walen, Senior Vice President of Acquisitions and Development for Foresight Affordable Housing, testified on behalf of the applicant. They are a nonprofit 501C3 with 54 communities across the country including one in Hawaii. They are continually get superior grades by the Housing Urban Development, and they are good neighbors. It is time to inject some meaningful capital to make it remain competitive with the marketplace. There are 4 two-story garden style apartments on the property, and fundamentally they are not changing anything with the operation of property. The property has 76 units and 76 units will remain. Exhibit A4, recent current photographs of the project. There will be a total of five exhibits in total. They purchased the property in 2007, but since its inception, it has been an affordable housing community. It is legally an affordable project, and there are land use regulations that are required by HUD for their subsidies as well as tax credit subsidies. It is rent restricted, and all the tenants there can pay no more than 30% of their annual income. It is further we broken down to 60% of AMI average median income of 50% and 30%. There is a mix of income qualifications, but all the tenants are rigorously tested to make sure that they qualify for occupancy in the property. They are proposing upgrades to the interior of the apartments and throughout the property as indicated by Mr. Zeltner. The project is expected to be completed by June 2026.

Maribel Ramos, Tenant, testified on behalf of the applicant. She has lived in Vineland Gardens since 1989. She was in favor of the proposed improvements on the property.

Norman Rodgers, Project Engineer, testified on behalf of the applicant. The site is located on Sixth Street. It has a frontage on Seventh Street, so it is situated between those two municipal roadways. There are two points accessibility. There is one from Sixth Street, and the other on is on Seventh Street. There is also internal access for parking adjacent to each building. The property has four buildings with 76 apartment units. There will be an expansion to the existing maintenance building, and a conversion of the building for a laundry room. The principal conversion takes place because of six ADA units within the buildings. There are two buildings where there are 6 conversions for ADA compliance. That would require additional exterior building improvements that would be associated with additional ADA parking ramps, and the route from the paved parking areas to the building entrance. There is an existing maintenance building that is now is being converted back to a laundry room. The expansion of that building which is approximately 810 square feet. There is also an existing one-story office building, which will have some possible improvements around it from an engineering standpoint but the building will remain in the same size. Other improvements that include landscaping, lighting, public water and sewer that you know services the site. He stated that when he did an evaluation of the bulk standards, he found additional variances that may be required for their subsequent application for site improvements. Both variances are due to pre-existing nonconforming situations. There is a building measuring 34.5 feet away from the frontage of Sixth Street. The zone requires 35 feet, so there would be a minor bulk variance required. The R-3 zone permits one unit, and they have 4 buildings with 76 apartments. That would be due to a preexisting nonconforming use. The proposed addition of the maintenance building is considered an accessory building to the apartments, and the accessories in R-3 zone only permits 15 foot height building. The building would most likely be less than 30 feet, which is the allowable height and the R-3 zone. Another nonconforming pre-existing condition would be is that the existing impervious coverage now is about 35% whereas 30% is permitted. Finally, the parking that now exist is 120 spaces whereas 151 spaces are required. The applicant is not proposing to add more apartment units.

Stephen Hawk, Project Planner, testified on behalf of the applicant. The use is 76 apartment buildings, and the R-3 zone allows single-family homes. At one time the zone allowed duplexes, and it may have allowed apartments in 1952. It is a nonconforming use and has legally been there since the late 60s. Exhibit A-1, resolution dated February 9, 2005 approving changes to the site allowing a parking variance. Exhibit A-1, site plan from 20 years ago. The board acknowledged that Vineland Gardens was a pre-existing nonconforming use. There are two resolutions from February and May of 2009. The property continues to be a nonconforming apartment complex. The applicant is seeking a variance relief, because of the small expansion to the one building for the laundry facility. The laundry facility is taking over the maintenance building. The small addition for the maintenance building is an expansion to a nonconforming use. The applicant must still satisfy the same positive and negative

criteria as other use variants applicants. The existing affordable housing use of the property is an inherently beneficial use in zoning. The application also satisfies the positive criteria notwithstanding the inherent beneficial use and promotes the general welfare. There have been several cases about affordable housing. The Mount Laurel decision and several others have deemed affordable housing to promote the general welfare. In addition, the addition of the six handicapped accessible spaces also helps the general welfare. The units are being upgraded to some extent helping with bringing them up to code. The granting of this variance would not result in a substantial detriment to the public good nor would substantially impair the intent and purpose of the zone plan and zoning ordinance. This has been the character of the neighborhood since the late 60s so the character remains the same. On the end of the zone plan, affordable housing is an important element for Vineland in meeting its obligations under the Mount Laurel decision.

Chairman made a motion to close the public hearing.

Roll call:

Albert Fisher: Yes

Andrew Groetsch: Yes

Joseph Repice: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Terry Andrus: Yes

George LoBiondo: Yes

Mr. Groetsch made a motion to approve the application.

Roll call:

Albert Fisher: Yes

Andrew Groetsch: Yes

Joseph Repice: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Terry Andrus: Yes

George LoBiondo: Yes

Application granted.

Meeting adjourned at 8:18 PM

Roll call:

Albert Fisher: Yes

Andrew Groetsch: Yes

Joseph Repice: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Terry Andrus: Yes

George LoBiondo: Yes

Yasmin Perez, Secretary

**Zoning Board of Adjustment**