

ZONING BOARD OF ADJUSTMENT MEETING
February 21, 2024

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

Members present were:

Ryan Flaim
Joseph Repice
Joseph Stefano
Andrew Groestsch
Albert Fisher
George LoBiondo

Members absent: Eric Hernandez, Rudolph Luisi

Others Present were:

Michael Malinsky, Zoning Board Solicitor
Yasmin Perez, Zoning Board Secretary
Patrick Finley, Zoning Officer
Rick Crudelle, Assistant Zoning Officer
Ryan Headley, Zoning Board Engineer/Planner

Mr. Malinsky went over revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the January 17, 2023 meeting.

Roll call:

Ryan Flaim: Yes
Joseph Repice: Yes
Joseph Stefano: Yes
Andrew Groestsch: Yes
Albert Fisher: Abstain
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the January 17, 2023 meeting.

Roll call:

Ryan Flaim: Yes
Joseph Repice: Yes
Joseph Stefano: Yes
Andrew Groestsch: Yes
Albert Fisher: Abstain
George LoBiondo: Yes

SONIA ALEMAN, 75 W. Landis Avenue, Block 3602, Lot 12, Zone B-1, use variance approval to establish a mixed-use property that includes a single-family dwelling, personal services establishment, and a storage building along with a waiver of site plan improvements.

The applicant testified on her own behalf. She is the contract to purchaser of the property. The property has a barbershop, single family dwelling, garage, and large garage in the rear. Her and her husband have a home

improvement company. They have been in business since the year 2016 and they remodel homes. Exhibit A-1, photograph of the site. The barbershop will become a showroom for the business and consultation area. The showroom will be open from 9:00AM-5:00PM, Monday-Friday. Customers will be serviced by appointments only. The sign will be replaced and meet the City's ordinance. A tenant will occupy the single-family dwelling. The smaller structure next to the house will be the company's office space. The rear building will be a large storage facility for the business. There will be no manufacturing on the premises. There will be no delivery trucks on site. Deliveries with larger materials will be delivered at the top of the driveway adjacent to the showroom. Deliveries will be transported to the storage building by pallet jacks if necessary. They plan to utilize the three parking spaces between the residential home and the office building. There will be two parking spaces designated for the residence and one for a customer. They would like to add an additional parking space between the office building and the storage building for an employee.

Mr. Finley explained that the pre-existing dwelling triggers the variance. There are also three other buildings on the site. The use itself is permitted but the combination of the house and other uses are not. It is a very crowded site.

Mr. Headley explained that the rear building becomes a warehouse, which is not permitted in the B-1 zone. He is concerned with space for parking. There is not enough space for a truck for deliveries, or enough parking spaces for the house and the business. The tractor-trailer will create a safety issue because there is no space for deliveries. This site is on a busy intersection on Landis Avenue and near West Avenue. Visibility is key in that area.

The applicant explained that deliverers go straight to clients and not the property. Deliveries are delivered in pallets and it takes approximately twenty (20) minutes to unload. He does not believe that this will block traffic. There is enough space in the front to unload deliveries. He will use the dump for the disposal of construction debris. The company's vehicles are parked at his home. There will be only one employee and customer's will be attended by appointment. If the business grows, they will expand at another property. There is sufficient space between the house and storage building for a pickup to make a k-turn internally.

Mr. Headley stated that there should be a condition that the storage building is not rented.

Mr. Finley stated that the buildings should be used for one business to limit activity on the site.

The applicant stated that business hours are Monday-Friday, 9:00AM-5PM by appointments. There will be four (4) total parking spaces. Two of those spaces will be dedicated to the house.

Maria Casiano, owner, owned the property for 40 years and purchased it in the year 1984. She rented the front business for many years and never had any issues with parking or blocking traffic.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groestsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ryan Flaim: Yes
Joseph Repice: Yes
Joseph Stefano: Yes
Andrew Groestsch: Yes
Albert Fisher: Yes
George LoBiondo: Yes

Application granted.

AREC 27, LLC (d/b/a U-Haul), 2290 S. Delsea Drive, Block 6101, Lot 19.01 (f/k/a/ 19 & 20), amendment of major site plan approval for the construction of a self-storage warehouse with related site improvements.

The applicant was represented by Augusta O'Neill, Esq. The applicant received a site plan approval in the year 2022 for a U-Box warehouse on the site of an existing U-Haul storage facility. That approval stated that if outside agencies requested amendments, the applicant had to return to the board for an amended site plan approval. Construction of the U-Box warehouse was underway in September of 2023. NJDOT asked for some minor site plan adjustments. The changes did not affect the variances and they were de-minimus.

Rhett Chiliberti, Professional Engineer, testified on behalf of the applicant. Exhibit A-1, colored site plan. The property fronts on South Delsea Drive. The approved plan has two curb cuts on the north and south sides with full access point movements. NJDOT does not want full access point movements. The applicant is proposing to maintain the curb cuts but restrict access to one way in and one way out. There will be signage and stripping accordingly. The applicant added crosswalks, a few more ADA signs, more wheel stops, and more grass for an added stormwater benefit.

Mr. Headley explained that it is recommended that curbed and landscaped islands be provided on both the north and south sides of the parking area adjacent to Delsea Drive to provide additional protection from incoming and outgoing traffic. The accessible route from the proposed ADA parking spaces to the building shall be revised to provide a more direct route that is outside the center of the drive aisle.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes
Joseph Repice: Yes
Joseph Stefano: Yes
Andrew Groestsch: Yes
Albert Fisher: Yes
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ryan Flaim: Yes
Joseph Repice: Yes
Joseph Stefano: Yes
Andrew Groestsch: Yes
Albert Fisher: Yes
George LoBiondo: Yes

Application granted.

VICTOR & FABIOLA RIVERA, 222 S. Eighth Street, Block 4011, Lot 12, Zone R, certification of non-conforming use for a three-unit family dwelling.

The applicant was represented by Matthew Robinson, Esq. The applicant received City records concerning this property. The Zoning Officer received a survey and floor plan with all four units as they currently exists. The property record card has an extensive history dating back to the year 1900+, and it was constructed as a three family conversion. In addition to that, there is a zoning permit from the year 2002 for an accessory shed. It notes that it is for a three family structure. He believes these proofs satisfy the burden for a certification.

Mr. Headley stated that the property record card has the proof.

Mr. Finley noted that a three family dwelling is not a permitted use in the zone. He has a survey with current conditions. There are front yard setback variances on Eighth Street and Montrose Street. There are side yard setback variances on the south side of the property. The floor plan shows one-two bedroom apartment and two-one bedroom apartments. Certification will be subject to the survey and floorplan.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Flaim: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groestsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Ryan Flaim: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groestsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

Meeting adjourned at 8:01 PM

Roll call:

Ryan Flaim: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groestsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Yasmin Perez, Secretary

Zoning Board of Adjustment