

ZONING BOARD OF ADJUSTMENT MEETING
June 19, 2024

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

Members present were:

Rudolph Luisi
Cedric Holmes
Jameson Afanador
Joseph Repice
Joseph Stefano
Albert Fisher
George LoBiondo

Members absent: Ryan Flaim, Eric Hernandez, Andrew Groetsch

Others Present were:

Michael Malinsky, Zoning Board Solicitor
Patrick Finley, Zoning Officer
Rick Crudelle, Assistant Zoning Officer
Ryan Headley, Zoning Board Engineer/Planner
Alena Broshchan, Substitute Zoning Board Secretary

The Chairman entertained a motion to approve the minutes from the May 15, 2024 meeting.

Roll call:

Rudolph Luisi: Abstain
Cedric Holmes: Abstain
Jameson Afanador: Abstain
Joseph Repice: Yes
Joseph Stefano: Abstain
Albert Fisher: Yes
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the May 15, 2024 meeting.

Roll call:

Rudolph Luisi: Abstain
Cedric Holmes: Abstain
Jameson Afanador: Abstain
Joseph Repice: Yes
Joseph Stefano: Abstain
Albert Fisher: Yes
George LoBiondo: Yes

EDWARD FENTZLAFF, 3040 Union Road, Block 7409, Lot 8, Zone W-6, construction of an oversized garage.

The applicant has requested a bulk "C" variance for the construction of an oversized garage as an accessory structure to an existing single-family dwelling. The applicant proposes a 2,400 square foot pole barn whereas a

1,200 square foot accessory garage is permitted. The applicant also proposed an accessory building height of 25 feet whereas only 16 feet is permitted. The subject property, which is approximately 5.99 acres, is located in the W-6 Woodlands Zone.

Edward Fentzlaff testified on his own behalf. He purchased this property from his step- father, and is requesting to construct 1200 square foot garage. It will be for the storage of his personal vehicles, tractor and personal storage. An existing garage, gazebo and chicken coop will be demolished. There are also two storage units that will be removed when the garage is constructed. It will be 25 feet high to the peak of the building.

Chairman made a motion to close the public hearing.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

MARCIAL RAMOS, 1786 Washington Avenue, Block 4302, Lot 31, Zone R-3, construction of an addition to an existing single-family dwelling.

The applicant requests a bulk "C" variance for side yard setback of approximately 4 feet whereas 15 feet is required for the construction of a 96 square foot addition to an existing single-family home. The proposed addition is in line with the existing sidewall of the home. The subject property, which is approximately 30,702 square feet (0.70 acres), is located in the R-3 Residential Zone.

Marcial Ramos testified on his own behalf. His house is 4 feet from the property line and his addition will be in line with the house. The addition will be added to the master bedroom.

Chairman made a motion to close the public hearing.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

OAK COMMERCIAL, Vine Road, Block 1910, Lot 7, Zone I-2, certification of non-conforming use for a five-unit family dwelling.

The applicant has requested a certification of pre-existing non-conforming use to allow a five-unit residential dwelling. The subject property, which is approximately 29,422 square feet (0.68 acres), is located in the I-2 Industrial Zone. The I-2 Industrial Zone does not allow residential uses. Additionally, the applicant has also requested a waiver of site plan requirements.

The applicant was represented by Matthew Robinson, Esq. A survey and floor plan was submitted as exhibits. The survey shows the exterior of the property, and the floor plans show the interior of the units. The property record card indicates that this structure was constructed in the year 1930 with five apartments listed. There is a notation that it is a multi-residential structure. In the year 2015, the Construction Department issued a permit for a roof and it was listed as a five unit dwelling. The documents submitted all indicate that the structure is a pre-existing five unit dwelling.

Mr. Finley had no objections to the application.

Chairman made a motion to close the public hearing.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the use variance.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

VICTORIANO RIVERA JR., 614 E. Pear Street, Block 3008, Lot 19, Zone R, certification of non-conforming use for a three-unit family dwelling.

The Applicant has requested a certification of pre-existing non-conforming use to allow a three-unit residential dwelling (triplex). The subject property, which is approximately 9,750 square feet (0.22 acres), is located in the R Residential Redevelopment Zone. The R Residential Redevelopment Zone does not allow three-family residential uses. Additionally, the subject property does meet the current bulk standards for even a single-family dwelling.

The applicant was represented by Michael Gruccio, Esq. The lot is undersized for three family dwelling, but the structure is pre-existing non-conforming. The current bulk standards do not even satisfy the development of a single family home. Those conditions are also pre-existing non-conforming. The property record card requires some measure of interpretation. There is a notation indicating 2 FF +1C. The tax assessor explained that the notation indicates two first floor dwelling units plus a second floor dwelling unit that was converted. This structure was built in the year 1890. In 1980, at some point it was converted to a three unit dwelling. The applicant obtained records from the Landis Sewerage Authority going back to the year 1998. Those records indicate three dwelling units. Three units are registered with Licenses and Inspections since the year 2018. The department explained that records only go back to the year 2018 now. The applicant has a registration issued by the State of NJ indication that it is a three unit dwelling. The floor plans show two 1-bedroom units on the first floor. They contain a living room, bedroom, bathroom and kitchen. The second floor contains two bedrooms, living room, kitchen and bathroom. A survey was obtained in the year 2017.

Chairman made a motion to close the public hearing.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

WISMOND F. BRISSET ESTATE, 226 W. Elmer Street, Block 3802, Lot 17, Zone R, certification of non-conforming use for a two-unit family dwelling.

The Applicant has requested a certification of pre-existing non-conforming use to allow a two-unit residential dwelling (duplex). The subject property, which is approximately 7,500 square feet (0.17 acres), is located in the R Residential Redevelopment Zone. The R Residential Redevelopment Zone does allow two-family residential uses. However, the subject property does not meet the current bulk standards for even a single-family dwelling.

The applicant Eilanete Brisset testified on behalf of her father's estate. She is selling the property and needs to obtain a CO for the sale. It is a two family dwelling and it was purchased in the year 2015. The property record card indicates that there was a two family dwelling conversion sometime in the 1980's.

Mr. Finley indicated that the applicant needs a survey and floor plan of the units. The property record card confirms the two family conversion. He believes that the structure might have been built as a two family dwelling. The survey and floor plan will be a condition of approval. The survey has to reflect current conditions.

Nicole Pokes, member of the public, wanted to know if they could move forward with closing with the conditional approval.

Mr. Finley explained the process to obtain a CCO.

Chairman made a motion to close the public hearing.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

MARPED PROPERTY HOLDINGS, LLC, 1071 E. Landis Avenue, Block 4206, Lot 3, Zone R-P, use variance to continue a real estate investment management office with waiver of site plan requirements.

The Applicant has requested approval of a "D" use variance to continue use of the property as a business office space. The subject property, which is approximately 18,548 square feet (0.42 acres), is located in the R-P Residential-Professional Zone. The R-P Zone does not allow business offices. The Applicant does not propose any changes to the site and is requesting a waiver of site plan requirements.

The applicant was represented by Tara Vargo, Esq. This property has existed in this format since the year 1974. Exhibit A-1, letter from Zoning Board to City Council recommending the zone change. She explained that the definition of professional uses is vague.

Mr. Finley explained that the R-P zone allows residential uses and professional uses. It defines as offices of a recognized profession. It is a little vague but is determined by the Zoning Officer. Professions at the time it was written were doctors, lawyers, accountants and etcetera.

Jennifer Burton, Operations Manager, testified on behalf of the applicant indicated that the current use is training for a cleaning company. There are 18 parking spaces on the property and it is sufficient for their operation. They also have an office another office down the street, and employees report to that office as well. Their vehicles are being vandalized, and the homeless are living there. Her employee are harassed on a daily basis. The owners of the building are considering hiring a security guard. The sole use for the proposed location is for administrative offices, and the vehicles will be stored at night for security reasons. There are approximately three employees in the office. The employees pick up their vehicle and leave. Hours of operation are 5AM-1:30AM, for the exchange of the vehicles. There are six vehicles for the business.

Mr. Finley explained that this application is before the board, because of complaints from neighbors about after-hours activity.

Ms. Vargo indicated that the activities are not detrimental to the neighborhood. The uses on the property are massage therapist, property management company, and the commercial cleaning company. The recognized definition is not met. They are proposing to also include massage therapy in their request for use.

Chairman made a motion to close the public hearing.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

NORTH CYPRESS RENTALS, LLC, 1010 E. Landis Avenue, Block 3118, Lot 19, Zone R-P, use variance and waiver of site plan requirements to establish a mixed-use property containing certain B-1 business uses.

The Applicant has requested approval of a “D” use variance to convert a former carriage house to permit certain business uses in an existing structure. The subject property is located in the R-P Residential-Professional zone where business uses are not allowable. The Applicant is also requesting waiver of site plan requirements. The subject property, which includes an existing business and professional office building, is approximately 53,340 square feet (1.22 acres).

The applicant was represented by Michael Gruccio, Esq. This property was before the board in the year 2023 to accommodate a specific tenant on the first floor of the principal building for professional office usage. The second building was left untouched. This application is with respect to the second structure, which is the carriage house. They currently have an operator wishing to occupy a portion of the carriage house. There are three stories associated with the rectory building with all usable office space. The rectory is in complete compliance with the zone. They are proposing to utilize the carriage house for general business use with certain exceptions. They are proposing to eliminate liquor, tobacco, lottery and vaping. The uses that are not suitable for the applicant are passenger-terminal facility, bus depot, parking lot and indoor theater. They are also not proposing any prohibited uses. They are requesting to utilize allowable B-1 uses. The third structure is not included in this application.

Robert Odorizzi testified on behalf of the applicant. The proposed 3,000 square foot building from 2023 was not built. The carriage house has about 860 square feet on the lower level and the former garage for the residence when the rectory was formally a house. They have had numerous prospective tenants for various businesses. The proposed uses are less intensive than what was previously approved. Site work was done to the property including a irrigation system, sewer lines were checked and apron was installed on Landis Avenue. They are willing to temporarily line stripe the parking lot.

Chairman made a motion to close the public hearing.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

ROTH 3880 REALTY, LLC, 3880 S. Delsea Drive, Block 7007, Lot 10.2, Zone B-4, height variance along with minor subdivision and preliminary/final major site plan approval to construct a 4-story hotel.

The applicant was represented by Robert De Santo, Esq. The applicant requests a minor subdivision approval to create one (1) new lot with one remainder lot.

The following were sworn in to testify on behalf of the application: Edward Roth, Corey Chase, Joshua Sewald, Mario Martinez and Matt Runyon.

Joshua Sewald, Professional Engineer/Planner, testified on behalf of the applicant. Exhibit A-1, aerial map with existing conditions. Exhibit A-2, colored aerial. They are looking to carve out 3.589 acres behind the TD Bank for a hotel, associated parking and stormwater. The hotel will operate and maintain its own property. It will still function as an overall planned development with the stores and restaurants. No one will see the separation of that proposed new lot line. The applicant is proposing a four (4) story 89,272 square foot Marriott Brand Hotel (1st Floor Footprint – 24,550 square feet; 2nd, 3rd, & 4th Floor Footprint – 21,574 square feet) with associated site improvements. There will be 140 units overall, 500 square foot area for office or business uses. This is a limited services hotel because of the surrounded uses that currently exist. There are 159 parking spaces spread throughout the property, landscaping, trash enclosure and stormwater management. Marriot have a robust landscaping requirement. There will be 41 shade trees, 23 ornamental trees, 17 evergreens, 1,000 plantings and 600 to 700 shrubs and plantings in the bio- retention basin. There will be brand new LED illumination throughout the property with no spill over.

Edward Roth, 50% owner, testified on behalf of the application. His brother owns also owns 50%. They are proposing to develop a dual branded Marriot Hotel called Towneplace Suites by Marriot and Fairfield Inn and Suites by Marriot. The Towneplace Suites is extended stay. Each guestroom has a kitchen with supplies, refrigerator and dishwasher like an apartment for guests that are staying for a week or more. The other half is Spring Hill Suites and it is an upscale brand. They have a refrigerator and microwave, but they do not have a full kitchen. Those units are for guests staying 1-3 nights. Mr. Roth and his brother believe the market can support a new hotel in the area. They have 50 years experience in the local hotel market, and they know what the lodging needs are in Vineland. Vineland does not have extended stay hotels. Marriot Real Estate agrees with their assessment after conducting their own research. There are currently five new hotels on west Landis Avenue, but there are only two by Route 55 and by the mall. That is the region's premier shopping and dining area. They feel Vineland needs another hotel in that area.

Mario Martinez, COO of Solar Construction Company, testified on behalf of the applicant. The shading study was requested, because there are existing solar arrays to the north of the proposed building. The height of the building was taken into consideration, and the study showed that there was no adverse impact to the surrounding area.

Joshua Sewald addressed the staff reports for the Minor Subdivision, Planning and Engineering reports dated May 31, 2024. Proposed new lot A will contain a net area of 156,333 square feet (3.589± acres), with no frontage. The proposed remainder lot (lot B) will contain a net area of 449,052 square feet (10.308± acres), with frontage of 663± feet along S. Delsea Drive and a net depth of 576± feet. Item 6, variances requested, lot frontage, proposed lot A (0 feet provided vs. 200 feet required). Lot width, proposed lot A (0 feet provided vs. 200 feet required). Impervious lot coverage, proposed lot B (60.4%± provided vs. 60% maximum allowed). Item 7, existing non-conformances, front yard, lot B (34 feet provided vs. 50 feet required). The applicant will comply with the remaining of the reports.

Site Plan, Planning and Engineering reports dated May 31, 2024. Item 5, variances, side yard setback, Maintenance Shed (3.6 feet provided vs. 25 feet required). Side Buffer, Southerly (4± feet provided vs. 5 feet required). On-site Parking Space Amount (166 spaces provided vs. 178 spaces required). Principal building height (59± feet provided vs. 35 feet maximum allowed). Item 6, signage variances, sign face area, freestanding sign (49.7 square feet provided vs. 0 square feet maximum allowed). Sign face area, wall sign, easterly façade

(110.6 square feet provided vs. 0 square feet maximum allowed). Sign face area, wall sign, southerly façade (328.3 square feet provided vs. 0 square feet maximum allowed). Sign height (8 feet provided vs. 0 feet maximum allowed). Sign setback from side property line (10 feet provided vs. 30 feet required). Wall sign not oriented to street frontage. Directional sign size (6.75 square feet provided vs. 2 square feet maximum allowed). Sign distance from intersection of driveways or drive aisles (5 feet provided vs. 10 feet required). Item 7, waiver, stormwater management basin side setback (0 and 5 feet provided vs. 25 feet required). Item 8, waivers, divider strip width (5 feet provided vs. 10 feet required). Parking space width (9 feet provided vs. 9½ feet required). Parking space depth (18 feet provided vs. 19 feet required). Parking space row length without a tree island break (14 space row provided vs. 12 space row maximum permitted). Item 10, waivers, building front entrance is not oriented towards the street. Number of Bicycle Parking Spaces (0 spaces provided vs. 16 spaces required). The Community Design Standards require a minimum of one bicycle parking space for every 10 motor vehicle parking spaces for a commercial parking lot. The applicant will comply with the remaining items in the report. Engineering Report, the applicant will comply with all the comments in the report.

Chairman made a motion to close the public hearing.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the minor subdivision.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the site plan.

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes

Jameson Afanador: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

Meeting adjourned at 10:35 PM

Roll call:

Rudolph Luisi: Yes

Cedric Holmes: Yes
Jameson Afanador: Yes
Joseph Repice: Yes
Joseph Stefano: Yes
Albert Fisher: Yes
George LoBiondo: Yes

Yasmin Perez, Secretary
Zoning Board of Adjustment