

ZONING BOARD OF ADJUSTMENT MEETING

August 20, 2025

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

Members present were:

Terry Andrus
Andrew Groetsch
Eric Hernandez
Rudolph Luisi
Joseph Repice
Joseph Stefano
George LoBiondo

Members absent: Ryan Flaim, Albert Fisher, Cedric Holmes

Others Present were:

Bridget Sykes, Substitute Zoning Board Solicitor
Yasmin Perez, Zoning Board Secretary
Ryan Headley, Zoning Board Engineer/Planner
Pat Finley, Zoning Officer

Ms. Moscillo went over revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the July 16, 2025, meeting.

Roll call:

Terry Andrus: Yes
Andrew Groetsch: Yes
Eric Hernandez: Yes
Joseph Repice: Yes
Joseph Stefano: Yes
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the July 16, 2025, meeting.

Roll call:

Terry Andrus: Yes
Andrew Groetsch: Yes
Eric Hernandez: Yes
Joseph Repice: Yes
Joseph Stefano: Yes
George LoBiondo: Yes

ROBERT & DEBORAH DECRESCENZO, 1710 S. Main Road, Block 6202, Lot 20 Zone R-5, use variance for the conversion of a mixed-use structure (1st Floor – Commercial & 2nd Floor – Residential) to a two-family dwelling.

Robert Decrescenzo testified on his own behalf. The structure is currently mixed with a commercial use on the first floor and an apartment on the second floor. He explained that the property was originally residential, but in 1982 he received approval to allow the commercial use on the first floor. He is now requesting approval to convert the building back into a two-family residential dwelling (duplex).

Mr. Finley noted that a survey and floor plan were requested to document the existing conditions. The applicant submitted a floor plan showing the layout of the proposed duplex. He explained that the sunroom at the front of the property, was once used as a photography studio, and it is now an enclosed foyer.

Chairman made a motion to close the public hearing.

Roll call:

Terry Andrus: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Rudolph Luisi: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

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

Roll call:

Terry Andrus: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Rudolph Luisi: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Application granted.

MANUEL V. BRIONES ABAD, 3413 N. Delsea Drive, Block 403, Lots 29, Zone B-3, expansion of existing non-conforming use for extension of roof rake on home to alleviate any future water damage.

Manuel Abad testified on his own behalf. The applicant is requesting a variance to permit a small extension of the roof overhangs, approximately one foot or less, on both sides of the dwelling. He testified that the house was originally constructed without adequate overhangs, resulting in deterioration of the exterior walls from exposure to weather elements. He stated that the modification is minor and it is solely to protect the structure and prevent further deterioration.

Mr. Finley stated that the proposed overhangs will be very close to the property lines. He also explained that most of the front lawn had asphalt and wanted to know if the applicant would be willing to remove it. The prior owner had agreed to remove it as a condition of the CO, and now that responsibility falls on the new owner. The asphalt in the front yard is a violation. After looking at a current aerial, it was discovered that some asphalt had already been removed, and the applicant's property was in compliance.

Mr. Headley reviewed the setbacks. Currently, the north side yard is 5.7 feet and the south side yard is 6 feet. With the requested roof extensions, each side yard would be approximately 4 feet for the variance. The addition would not significantly impact stormwater runoff, as water will drain toward the front (N. Delsea Drive) or the rear of the lot. The homes in this area are relatively close together, but the extension is minor and would not negatively impact surrounding neighbors. The extension would provide protection for the home's structural integrity.

It was determined that this issue would not prevent the roof variance request but agreed that any existing zoning violations must be corrected prior to issuance of permits.

Chairman made a motion to close the public hearing.

Roll call:

Terry Andrus: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Rudolph Luisi: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Terry Andrus: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Rudolph Luisi: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Application approved.

JOHN PROVENZANO, 829 S. Lincoln Avenue, Block 4505, Lots 92, Zone R-6, use variance to construct a 40'x 60' garage without a principal structure.

The applicant was represented by Michael Gruccio, Esq. The applicant was seeking a variance to construct a 2,400 square foot detached garage on his 21.23-acre property located in the R-6 zone without the presence of a principal dwelling. Mr. Gruccio explained that when the application was first submitted, a recorded deed was not included due to restrictions on accessing property records related to law enforcement officers. He described the proposed garage as being located approximately 425 feet from Lincoln Avenue, 145.6 feet from the southerly property line, 240 feet from the northerly property line, and 1,700 feet from the rear property line. The property is heavily wooded, and approvals have been issued by the NJDEP for both flood hazard area delineation and disturbance. A septic permit had previously been secured but has since expired because it was only valid for two years. He stated that the size of the lot makes the property suitable for the structure, and it would not be out of character with nearby farms and large accessory buildings.

Mr. Provenzano testified on his own behalf. He stated that the garage would be used only for the storage of approximately six personal vehicles and other personal belongings. He confirmed that he will not conduct business, does not intend to use the garage for commercial purposes, and does not plan to install a bathroom in the structure. He further stated that he does not perform mechanical work on his vehicles and has no plans to do so. He explained that although he originally intended to build both a residence and a garage, personal circumstances led him to abandon the house plan. He testified that his primary need is for storage, as his vehicles and belongings are presently kept at multiple locations.

Mr. Stefano raised concern about the size of the proposed garage. It is more than double the maximum permitted size and questioned whether such an oversized accessory structure was appropriate.

Mr. Gruccio explained that the ordinance permits 1,000 square feet for a garage and 300 square feet for a shed. The lot is quite large, and it is well vegetated with proper screening.

Mr. Headley stated that the ordinance requires a principal structure to prevent stand-alone buildings from being used in ways inconsistent with the residential zone. He had concerns with the granting of the variance because it would be enticing for a future owner to conduct a business. Large accessory buildings may exist on nearby farms, but those properties typically have principal residences or agricultural operations.

Chairman made a motion to close the public hearing.

Roll call:

Terry Andrus: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Terry Andrus: No

Andrew Groetsch: Yes

Eric Hernandez: No

Joseph Repice: Yes

Joseph Stefano: No

George LoBiondo: No

Application denied.

OAKS INTEGRATED CARE, 1420 S. Lincoln Avenue, Block 5223, Lot 18, Zone R-5, expand the services of an existing mental health counseling and treatment center to include drug and alcohol counseling and treatment.

The applicant was represented by Justin White, Esq. He explained that Oaks Integrated Care has been the sole tenant of the property since 2018, operating a mental health counseling and urgent care center. They are a private 501(c)(3) nonprofit organization that has been operating since 1962, with multiple locations throughout New Jersey. The Vineland property is a 1.9-acre corner lot in the R-5 Zone, and was purchased by an affiliated entity, Dakota Properties, in 2016. The building had historically been used as a professional office. When Oaks took occupancy, it obtained a use variance to operate its mental health facility, which has been in continuous operation for the past seven to eight years. The site includes adequate parking, with approximately 50 spaces, and has operated as a quiet and stable facility providing outpatient mental health care by appointment. The current application seeks to expand the nonconforming use to permit substance abuse counseling and treatment in addition to the existing mental health services. He emphasized that the request is strictly for outpatient counseling on an appointment basis. The proposal does not include a needle exchange, methadone clinic, detox facility, or soup kitchen, and no food service or prescription dispensing would occur at the site. There will be no changes to the building, site, or hours of operation. The intent is solely to expand the scope of counseling services offered so that patients already receiving mental health care at the facility may also receive substance abuse treatment at the same location.

Derry Holland, Chief Executive Officer of Oaks Integrated Care, testified on behalf of the applicant. She explained that Oaks Integrated Care is a nonprofit behavioral health organization operating more than 240 programs throughout New Jersey. Oaks has been serving Cumberland County for over 15 years and has occupied

the property on Lincoln Avenue since 2016. At present, 79 of Oaks' employees reside in Cumberland County, including 44 residents of Vineland. She explained that the organization provides a wide range of services, including urgent mental health care, in-home family preservation, and programs for individuals with intellectual and developmental disabilities. On a typical day, Oaks serves approximately 6,000 individuals across its programs, including 216 residents of Cumberland County, 103 of whom reside in Vineland. She testified that the proposed expansion would include outpatient substance counseling and would allow Oaks to better meet the needs of residents. Many of them have both mental health and substance use challenges. Currently, patients in need of substance use treatment must be referred to outside providers. With zoning approval, these individuals could receive care in their own community at the same location where they already receive mental health services. She also explained that the existing urgent mental health program operates similarly to a medical urgent care center, allowing both walk-in visits during set hours (8:00 a.m. to 8:00 p.m.) and scheduled appointments. This program is designed to divert individuals from emergency rooms and provide immediate mental health care, but it is not a 24-hour psychiatric crisis screening center. She confirmed that while Oaks employs psychiatrists and advanced practice nurses at the facility who prescribe psychiatric medications, no prescriptions would be dispensed on-site. Ms. Holland reiterated that the program would not include detoxification services, residential treatment, or unscheduled intake. The expansion is intended to provide structured outpatient counseling to those seeking help with substance use disorders.

Michael D'Amico, Vice President of Oaks Integrated Care, testified on behalf of the applicant. He explained that he oversees ambulatory and acute care programs for the organization, including both mental health and substance use treatment services. Oaks seeks to implement an outpatient program that would expand services already provided and address community needs. The proposed program would provide counseling on an outpatient, appointment-only basis, consisting of individual and group therapy sessions one to three times per week. Medication-assisted treatment may be included when clinically indicated, but no prescriptions would be dispensed on site. Prescriptions would be filled at outside pharmacies such as CVS or Rite Aid. The program would not involve detoxification, residential treatment, methadone dispensing, or syringe access. Individuals would not be congregating outside the facility. Instead, services would resemble a doctor's office, with patients scheduled throughout the day in small groups of five to seven individuals. He confirmed that psychiatrists and licensed staff may write prescriptions, but reiterated that no medications, including samples, would be stored or distributed. Mr. D'Amico explained that the New Jersey Department of Health regulates behavioral health facilities with strict standards, including separate licensing levels for outpatient, residential, and inpatient programs. The proposed program would operate as a Level 1 outpatient service. The licensing application requires submission of a program manual describing operations, which is reviewed by the state and verified during inspections. Oaks' application would specify that no medications would be stored or dispensed on site, and any deviation from that would subject the facility to citations or revocation of its license. The proposed outpatient program would operate Monday through Friday, into the evening hours (approximately until 8:00 p.m.) to accommodate individuals who work during the day.

Brittany Fair, Director of Oaks Integrated Care Vineland office, testified on behalf of the applicant. She stated that she has worked in Vineland for the past 11 years, providing mental health services and substance use treatment. She noted that in 2024, the county reported approximately 3,000 admissions for substance use treatments. It is more than triple the admissions of similarly sized counties such as Burlington. She explained that this figure represents only those who entered treatment, excluding individuals still waiting for services. All patients eventually require outpatient services to continue with their recovery. The county has limited resources, with only seven providers that offer outpatient substance use services. Only five of those providers accept Medicaid, and approximately 75% of individuals entering treatment in Cumberland County rely on Medicaid. In 2024, Oaks served roughly 1,100 individuals in its Cumberland County offices, with 40% residing in Vineland. This office currently serves about 15 individuals per day. With the proposed expansion, she anticipates serving an additional 10 individuals per day by appointment, including many already known to Oaks through existing programs.

Lance Landgraf, licensed professional planner, testified on behalf of the applicant. The site contains 46 parking spaces, two site identification signs on Lincoln Avenue and Magnolia Avenue, one trash enclosure, and three access drives. A previous expansion in 2018 added a second parking lot on Magnolia to accommodate the existing mental health facility. The property is located in an R5 zone, which does not permit the existing mental health facility. The expansion requires a D2 variance for the expansion of a nonconforming use, as was granted with the prior approval. The existing bulk conditions, including front yard setbacks, lot coverage, and fence height, were reviewed and no changes are proposed. The proposed use involves expanding the mental health services to include outpatient substance use counseling and treatment, with all activities conducted within the existing building. There is no residential component, no physical expansion of the building, and no increase in office space or group therapy rooms. The daily number of patients is not expected to increase significantly, and the schedule of appointments will remain consistent with current operations. The application meets the first and third criteria: the proposed use is inherently beneficial and promotes the general welfare by expanding critical outpatient services to the community. Regarding site suitability, the property is well-sized for the proposed use at nearly two acres. Parking is sufficient to accommodate the healthcare use without impacting local traffic, and the location is appropriate for the continuation and expansion of mental health and substance use services. No new construction, expansion of facilities, or increase in operational hours is proposed; the facility will continue to operate from 8:00 AM to 8:00 PM, five days per week. The property and proposed use meet the standards for approval, and the requested variance would allow Oaks Integrated Care to expand its outpatient mental health and substance use services without altering the character of the site or surrounding neighborhood. The existing services operate six days a week, with normal mental health services already in place, and that the site provides easy access through existing roadways. He testified that the need for outpatient behavioral health and addiction counseling services is substantial in Cumberland County, noting that Vineland functions as a hub for such services in the region. Behavioral health and addiction counseling services are considered inherently beneficial uses, which the board may recognize under NJSA 40:55D-4. Inherently beneficial uses are those universally regarded as serving the public good and promoting general welfare, including hospitals, schools, childcare centers, healthcare facilities, and, as established by court precedent, drug and alcohol rehabilitation facilities. He cited the appellate division case *Gersick v. Estelle Manor*, which affirmed the inherently beneficial status of addiction treatment facilities. He reviewed the Sica standard, noting four prongs. Prong 1, identification of the public interest at stake: The board heard testimony from the applicant and staff regarding the critical need for substance use treatment in the community. He highlighted that addiction has worsened since the COVID-19 pandemic, citing statistics such as 29.3% of the Cumberland County population experiencing homelessness or addiction in 2022, and an average of six suspected overdoses per month. Addiction creates ripple effects, impacting families, social resources, and the broader community. Prong 2, detrimental effects if the variance is granted: Potential impacts to surrounding properties would be limited or non-existent. The use of the building will remain outpatient only, with no physical expansion, no residential component, and a similar number of clients per day. The property, at nearly two acres, offers adequate setbacks and parking to accommodate activities without affecting neighboring sites. Prong 3, traffic and neighborhood impact: He testified that traffic would not increase significantly, if at all, because the number of patients is limited by the existing building size. The site is served by existing improved streets, and there is ample room on-site to accommodate patients and parking without disrupting the neighborhood. Prong 4, ability to mitigate impacts through conditions: he stated such measures would further minimize potential adverse impacts, though none are anticipated. Conditions could include maintaining operational hours, limiting patient counts per day, or ensuring parking compliance.

Mr. LoBiondo wanted to know what Mr. Landgraf's thought were on City Council recently made a zoning decisions, which designated IN-1 industrial zones for substance abuse and mental health counseling centers.

Mr. Landgraf acknowledged that City Council's actions represent good planning for future development and placement of these facilities. He emphasized that the Board's role is to evaluate this specific application on its merits, especially since the site in question is an existing facility with similar services already provided. He also noted that while the Council's ordinance updates indicate a preferred location for new facilities, there are "gray

areas” for existing uses, and the Board has jurisdiction to grant variances when the site and proposed expansion are appropriate.

Mr. Headley explained City Council’s zone change regarding these types of services.

Member of the public, 2521 Edna Drive, gave comments regarding the application. He has lived at his address for the past 40 years. He noted that he had heard similar promises which were not kept. He mentioned that the property has changed hands multiple times and previous assurances regarding noise levels, deliveries, and operational limits were not maintained. Seven years ago the applicant stated they would not pursue substance abuse services; now they are requesting approval. There is also concern that state approval could allow needle exchange services in the future, over which the community would have no local control. This facility is near a school and residential neighborhoods. He requested that the Board carefully consider the impact on the neighborhood, speaking both on his own behalf and on behalf of several neighbors.

Terry Forte, 2430–2534 Edna Drive, member of the public, gave comments regarding the application. He expressed the importance of mental health and substance use services because the issue is widespread. The area is primarily residential, with a school less than a mile away and a nearby park where children play. He expressed concern for the safety of his grandchildren and neighborhood children. He stressed that while he supports mental health services, he does not support the addition of substance use treatment services at this location.

Susan Elkins, 2580 Edna Drive, gave comments regarding the application. She researched the topic and found that New Jersey legislation has expanded syringe access and harm reduction services by eliminating the requirement for municipal approval and giving the state Department of Health sole authority. She expressed concern that granting the variance could open the door to services (e.g., needle exchanges or harm reduction programs) over which the municipality would have limited control. While recognizing the need for substance use services in the community, she expressed the opinion that the need would be better served in another, more appropriate location. She stated she prefers to maintain the current residential and rural character of the neighborhood.

Chairman made a motion to close the public hearing.

Roll call:

Terry Andrus: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Rudolph Luisi: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Terry Andrus: No

Andrew Groetsch: No

Eric Hernandez: No

Rudolph Luisi: No

Joseph Repice: No

Joseph Stefano: No

George LoBiondo: No

Application denied.

ROTH 3880 REALTY, LLC, 3880 S. Delsea Drive, Block 7007, Lot 10.2, extension request for resolutions #2024-35 & 2025-38.

The applicant submitted an extension for resolutions #2024-35 and #2025-38. This project is still waiting for approval from the New Jersey Department of Transportation, so they are requesting an extension until December 31, 2025.

Mr. Stefano made a motion to approve the extension.

Roll call:

Terry Andrus: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Rudolph Luisi: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Extension approved.

Meeting adjourned at 9:04 PM

Roll call:

Terry Andrus: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Rudolph Luisi: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Yasmin Perez, Secretary

Zoning Board of Adjustment