

ZONING BOARD OF ADJUSTMENT MEETING

August 19, 2026

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

Members present were:

Terry Andrus
Eric Hernandez
Albert Fisher
Joseph Repice
George LoBiondo

Members absent: Ryan Flaim, Rudolph Luisi, Luis Amberths, Andrew Groetsch, Joseph Stefano

Others Present were:

Amanda Moscillo, Zoning Board Solicitor
Yasmin Perez, Zoning Board Secretary
Brian C. Clark, Consulting Engineer, Pennoni
Stan Slachetka, Consulting Planner, Pennoni
Rick Crudele, Assistant Zoning Officer
Elizabeth Jambor, Assistant Planner

The meeting was being held in accordance with the New Jersey Open Public Meetings Act. Notice of the meeting was given on December 16, 2025, and was posted on the official bulletin board in City Hall, posted on the City's website, and published in the Vineland Daily Journal.

Ms. Moscillo went over revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the July 15, 2026, meeting.

Roll call:

Terry Andrus: Yes
Eric Hernandez: Yes
Albert Fisher: Yes
Joseph Repice: Yes
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the July 15, 2026, meeting.

Resolutions 2026-35, 2026-36, 2026-37, 2026-38 and 2026-39.

Roll call:

Terry Andrus: Yes
Eric Hernandez: Yes
Albert Fisher: Yes
Joseph Repice: Yes
George LoBiondo: Yes

WILLIAM & COURTNEY GRUCCIO, 1114 Venezia Avenue, Block 5204, Lot 11, Zone R-4.

Construction of an addition, outdoor kitchen and expansion of an existing patio for a single-family dwelling, with variances for impervious lot coverage and rear yard setback.

The applicant was represented by Michael Gruccio, Esq. He introduced Robert Larson, a New Jersey licensed architect and professional planner, who would testify on behalf of the applicant.

Mr. Gruccio explained that the property consists of a parcel containing 15,350 square feet of lot area, whereas the R-4 Zone requires a minimum lot area of 16,500 square feet. Therefore, the property has an existing nonconformity with respect to minimum lot size. The property also has deficient lot frontage, with 105 feet of frontage where the ordinance requires 110 feet. In addition, the required lot depth in the R-4 Zone is 150 feet, while the property has a lot depth of 146.1 feet. The applicants are proposing an expansion of the existing 1,720-square-foot single-family dwelling by adding 607 square feet, resulting in a proposed total dwelling area of 2,327 square feet. The application also includes an expansion of the existing rear concrete patio. The requested variances include relief related to the existing nonconformities concerning lot area, lot frontage, and lot depth, as well as proposed lot coverage and rear-yard setback. Existing lot coverage is approximately 34%, and the proposed lot coverage would increase to 39.91%, or approximately 40%. The ordinance permits a maximum lot coverage of 30% for a single-family property in the R-4 Zone. With respect to the rear-yard setback, the R-4 Zone requires 50 feet, while the proposed rear-yard setback is 26.53 feet. He stated that the reduced setback is primarily necessary to accommodate the proposed dwelling addition and expansion of the outdoor patio area. He characterized the proposed improvements as reasonable in size and stated that they would enhance the single-family residential use and quality of life associated with the property.

Mr. Larson provided architectural and planning testimony. He explained that the proposed addition would be located at the rear, or back-left portion, of the existing dwelling. The addition has a somewhat irregular shape, with the narrower portion approximately 17½ feet wide. The overall addition is approximately 30 feet wide and extends approximately 26 feet toward the rear of the home. He stated that the front of the home and the appearance of the property from the roadway would remain unchanged, as all the proposed improvements are located at the rear. He noted that the existing home has a gambrel roof and that the architectural character and finishes of the addition would be consistent with the existing residence.

Mr. Larson testified that the existing dwelling contains four bedrooms and two and one-half bathrooms. The proposed improvements would retain four bedrooms while increasing the number of bathrooms to three and one-half. The ground floor is proposed to include an office. He explained that the office includes a bathroom and what appears to be closet space intentionally designed to allow the space to potentially be converted into a ground-floor master suite in the future. Mr. Larson stated that the applicant occasionally works from home and that the additional office space is intended to accommodate that need. He further explained that the applicants intend to remain at the property long-term and that the design allows the space to be adapted as their needs change. The proposed improvements also include modernization of the interior of the dwelling, including a new kitchen, additional closet space, and a master suite with a full bathroom on the second floor. A sunroom is also proposed as part of the improvements.

The applicants also propose approximately 300 square feet of additional patio area. The existing shed is proposed to be relocated to a compliant location along the side yard, which would create additional usable yard area and play space. Mr. Larson stated that the proposed addition would work with the existing yard and that sufficient usable yard area would remain for the applicants and their children. He further testified that the rear of the addition would incorporate the same architectural character as the existing dwelling, including the gambrel roof design and matching finishes. Because the improvements are located at the rear of the property, he stated that the proposed addition would not be readily visible from the roadway.

Mr. Larson also testified regarding drainage and the relationship of the proposed improvements to neighboring properties. He stated that the applicant had discussed the proposed improvements with the neighbors and that the existing property currently manages its stormwater runoff without water problems. He stated that the applicant intends to direct the gutters associated with the new addition so that runoff does not drain onto neighboring properties.

An aerial exhibit that had not been included with the original submission was presented for informational purposes and marked A-1. The exhibit was used to provide additional context regarding the surrounding neighborhood. Mr. Larson explained that the surrounding area contains homes of varying sizes, including homes that are smaller and others that have undergone additions or improvements. He stated that many of the properties in the area have similar lot-size constraints and do not conform to the current minimum lot-area requirements.

From a planning perspective, Mr. Larson testified that the application was being pursued pursuant to a C-2 flexible variance. He stated that the applicant must demonstrate that one or more purposes of the Municipal Land Use Law would be advanced and that the benefits of the proposed development would outweigh any detriments. Mr. Larson testified that the applicants are long-term residents of Vineland who wish to remain in their existing home and improve the property rather than relocate. He stated that the R-4 Zone is intended to maintain the character of the residential neighborhood and that the proposed use remains a compliant single-family residential use. He emphasized that the proposed improvements would not materially change the appearance or character of the neighborhood because the work is concentrated at the rear of the existing dwelling.

Mr. Larson identified Purpose E of the Municipal Land Use Law as being applicable to the application, referring to appropriate concentrations of development that contribute to the well-being of persons, neighborhoods, and communities. He stated that the applicants are invested residents seeking to improve their existing home with limited, if any, impact on neighboring properties. He testified that the proposed addition is not excessive in size or scale, does not extend across the entire rear of the dwelling, and would not negatively affect drainage or create a significant massing impact on neighboring properties. He further stated that the proposed improvements are consistent with other homes in the surrounding area that have been improved by residents choosing to remain in the neighborhood.

Mr. Larson also addressed whether the proposed variances would impair the intent or purpose of the zoning ordinance or the zone plan. He stated that the R-4 Zone specifically seeks to maintain the character of the neighborhood and that the proposed improvements are consistent with that objective. He testified that the application would not impair the zone plan or the public good. He noted that the applicants have limited ability to expand the property because they cannot acquire additional land to the side or rear and are therefore seeking to make the best use of the property they currently own. Mr. Larson concluded that the benefits of the proposed improvements would outweigh any perceived detriments and requested that the Board grant the requested variances.

Chairman made a motion to close the public hearing.

Roll call:

Terry Andrus: Yes

Eric Hernandez: Yes

Albert Fisher: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Terry Andrus: Yes
Eric Hernandez: Yes
Albert Fisher: Yes
Joseph Repice: Yes
George LoBiondo: Yes

Application granted.

R.A.M. RENTALS, LLC, 401 W. Park Avenue, Block 2904, Lot 1, Zone R₂ Certification of non-conforming use for a two-unit family dwelling.

The applicant was represented by Diana Kayafa, Esq. of Testa Heck Testa & White. She explained that the property has historically been utilized as a two-family, side-by-side duplex. Mr. Biagi purchased the property in 2011 as a duplex and has continued to operate and rent the property in the same manner since his purchase, without making any changes to the use. Each dwelling unit contains two bedrooms. Ms. Kayafa stated that Mr. Biagi is currently selling the property; however, there was no certification of the pre-existing nonconforming use issued when he purchased the property in 2011. Therefore, the certification is necessary in connection with the proposed sale. Ms. Kayafa testified that the property has separate utilities and municipal services for the two dwelling units, including two electric meters, two gas meters, and two trash pickups. She stated that the property has been inspected by the City of Vineland throughout Mr. Biagi's ownership since 2011 and has consistently been approved and operated as a duplex rental.

Mr. Crudele stated that the records included the Property Record Card from the Tax Assessor's Office, which identifies the property as a long-standing duplex and indicates that the two-family use may date back to approximately the 1970s. He further stated that the applicant submitted four plans, which were consistent with the City's knowledge and records regarding the property, as well as a survey of the property. Based upon the documentation provided, Mr. Crudele stated that staff was satisfied with the evidence presented in support of the requested certification.

Mr. Biagi testified on his own behalf. He confirmed that he is the principal of the applicant and that the statements placed on the record by his attorney were true and accurate to the best of his knowledge.

Mr. Crudele further confirmed for the record that each of the two dwelling units contains two bedrooms and one bathroom, for a total of four bedrooms and two bathrooms within the duplex. It was also requested that any bulk variances required pursuant to the survey submitted with the application be memorialized as part of the Board's approval.

Chairman made a motion to close the public hearing.

Roll call:

Terry Andrus: Yes
Eric Hernandez: Yes
Albert Fisher: Yes
Joseph Repice: Yes
George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Terry Andrus: Yes
Eric Hernandez: Yes
Albert Fisher: Yes

Joseph Repice: Yes
George LoBiondo: Yes

Application granted.

LIVE WELL AT VINELAND, LLC, 1292 W. Sherman Avenue, 2477 & 2557 S. Orchard Road, Block 6101, Lots 32, 35 & 36, Zone B-3. Phasing of Previously Approved Major Site Plan and construction of temporary sales and construction trailer on-site.

The applicant was represented by Michael Gruccio, Esq. He explained that the application sought revised major site plan approval to establish a phasing plan for the previously approved development. He stated that the project had previously received a D-use variance pursuant to Resolution No. 2023-24, adopted on **June 21, 2023**, for the operation of a non-congregate care living community featuring personalized independent living with services for adults 65 years of age and older. The site subsequently received preliminary and final major site plan approval for the construction of a 130-unit, age-restricted (65+) senior cottage community with supportive services, pursuant to Resolution No. 2023-79, adopted by the Board on January 17, 2024.

Carolyn Fagan, Professional Engineer, testified on behalf of the applicant. She explained that the applicant submitted a package consisting of 15 sheets depicting the various phases of construction. The proposed amendment does not change the overall project in terms of the number of units, buildings, roadway network, or stormwater management. The project remains 130 units within 80 buildings, and the previously approved infrastructure and site design remain substantially unchanged. The revised plans were prepared to establish the precise sequencing of construction as the project moves toward construction.

Ms. Fagan explained that construction would begin with an entrance from South Orchard Road. Phase 1A would involve establishing the leasing trailer and construction trailer. Phase 1B would proceed substantially simultaneously and would include work associated with the clubhouse and maintenance area. Phase 1C would begin construction of the first 18 units contained within 10 buildings, located in the northeast portion of the site. Subsequent phases, identified as Phases 2, 3, and 4, would generally proceed in a north-to-south direction toward West Sherman Road. She explained that the site has largely been cleared and groundbreaking has already occurred.

She further testified that stormwater management facilities would be constructed ahead of each section of development that they serve. The basins would be constructed in conjunction with the applicable portions of the site so that contributing areas could be properly constructed and stabilized. Underground utilities, including sewer, water, electric, and gas, would likewise be installed in a methodical sequence corresponding with the phases of development.

Ms. Fagan identified several minor changes incorporated into the revised phasing plans. Certain unit locations were shifted to distribute the two-bedroom and one-bedroom units throughout the various development pockets. She confirmed that the overall impervious coverage remained unchanged and that there were no changes to the project's utilities or infrastructure. The revised plan also adds cluster mailboxes, with one cluster mailbox in each development pocket, allowing residents to retrieve their mail from a centralized location. The applicant also provided full grading information so that each portion of the site could be properly graded back to existing conditions as the individual phases are developed.

She further testified that an emergency fire vehicle was routed through each phase of the development to confirm that safe emergency access and egress would be maintained throughout construction. Each

phase is designed so that it can safely function as development proceeds. She also confirmed that ADA accessibility and the applicable barrier-free subcode requirements for circulation would be maintained on a phase-by-phase basis.

Ms. Fagan addressed comments contained in the Planning and Engineering review reports. With respect to Comment No. 6 of the Planning Report, she discussed the proposed temporary construction and sales trailers associated with Phase 1A. The temporary trailers are proposed to be located in an area ultimately designated for the dog park and playground. She explained that once the clubhouse is completed, operations conducted from the temporary trailers will cease and those operations will be relocated into the clubhouse. The dog park and playground can then be constructed. She estimated that this could occur within approximately six to twelve months, depending upon the duration of construction.

Comment No. 10 of the Planning Report, concerning omitted plan details required on a perfected plan. Items A through V, had already been included in the originally approved site plan set. Because the current application is limited to the phasing of the previously approved project, she requested a waiver from reproducing all of those previously submitted details in the revised plan set. She explained that the original complete plan set contained the required details concerning utilities, stormwater management, construction details, and other components necessary for site plan approval.

With respect to Comment No. 8, she raised a question concerning a discrepancy between the applicant's survey and the City's tax map. Staff clarified that the reference in the review letter was the result of an error and that there was no issue requiring correction as part of the application. Mr. Gruccio further noted that an all-inclusive deed had been recorded and that, once the tax map is adjusted to reflect the recording, the property information should be consistent.

Ms. Fagan also addressed Comment No. 12, confirming that all applicable outside-agency and City approvals, including approvals concerning water, electric, and fire, had been obtained. She stated that there had been no changes to the project that would invalidate those approvals and that the current application primarily clarified the sequencing of construction. With respect to Comment No. 13, she confirmed that the requirements identified in that comment had been complied with, including the applicable construction-related permits and requirements. She also stated that the required bonding had been posted, that everything was in place, and that the project had been cleared through construction. If necessary, six sets of perfected plans could be submitted for signature.

Item No. 7 of the Engineering Report, concerning the construction cost estimate and bonding. Ms. Fagan clarified that they were not requesting a reduction in the bond after completion of each individual phase. The purpose of the phasing plan is to allow temporary Certificates of Occupancy (COs) to be issued as individual development pockets are completed so that residents can begin moving into completed units. She anticipated that the entire construction project would be completed in approximately 12 months and stated that the developer was willing to maintain the entire bond amount until construction of the project was substantially completed, rather than seeking interim or phase-by-phase bond reductions. Mr. Clark indicated that there was no objection to this approach.

Ms. Fagan confirmed that there would be no change in the parking approved as part of the original project. The revised plans remain in general conformance with the previously approved site plan. The only minor changes identified were the relocation of certain units, corresponding adjustments to driveways, and modifications to grading. Mr. Gruccio clarified that the applicant was requesting relief from the waivers identified in Section 10 of the Planning Report, and that the City Engineering Department had indicated it had no objection. Mr. Slachetka clarified that these waivers relate specifically to the phasing plan before the Board and do not waive any requirements or conditions associated with the previously approved major site plan. Mr. Gruccio confirmed that understanding.

Chairman made a motion to close the public hearing.

Roll call:

Terry Andrus: Yes

Eric Hernandez: Yes

Albert Fisher: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Fisher made a motion to approve the application.

Roll call:

Terry Andrus: Yes

Eric Hernandez: Yes

Albert Fisher: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

CITY OF VINELAND - WEYMOUTH ROAD RESUBDIVISION, 1802, 1820, 1838, 1856 W. Weymouth Road, Block 130, Lots 2-4; Block 131; Lot 7 & Block 132, Lots 13-21, Zone I-B. Use Variance and resubdivision approval to convey portions of four (4) lots to a larger consolidate lot of nine (9) other lots.

The applicant was represented by Alan G. Giebner, Esq., Associate Solicitor for the City of Vineland. The next application before the Board was the application of the City of Vineland, concerning multiple blocks and lots located on West Weymouth Road in Vineland, with multiple owners of the premises. He explained that the City is the contract purchaser of the rear portions of four lots located on West Weymouth Road. All four lots are located in the IB Zone. Three of the four lots contain pre-existing residential uses, with the residential portions of the properties located toward the front of the lots along West Weymouth Road.

Mr. Giebner explained that the City proposes to purchase the rear portions of the four lots, totaling approximately eight acres, and incorporate those portions into other industrial property already owned by the City in the surrounding area. Because the existing residential uses are pre-existing nonconforming uses, the City is requesting a D-use variance to allow those residential uses to continue following the subdivision and conveyance of the rear portions of the properties. The proposed subdivision will not alter the existing residential uses or otherwise affect the use of the remaining residential portions of the lots. The remaining portions will continue to be used as single-family residential lots. Mr. Gabeton stated that the subdivision would have no impact on the land use ordinance or zoning because the existing residential uses would remain unchanged.

The City is also requesting C variances for side-yard and frontage requirements, as the existing residential lots do not meet the current dimensional standards. Mr. Giebner emphasized that the proposed subdivision would not create or worsen those conditions because the existing side-yard setbacks and frontage would remain unchanged. The principal purpose of the application is to separate approximately eight acres from the rear portions of the residential properties and return those areas to the City's existing industrial land holdings, consistent with the industrial use of the surrounding area.

Mr. Giebner further explained that the second portion of the application involves redividing the four subdivided rear portions with other City-owned property in the area. The resulting consolidated industrial lot would have approximately 270 feet of frontage on West Weymouth Road.

Mr. Giebner identified Item 9C of the Planning Report as the waiver being requested. The waiver concerns the requirement to show site structures within 150 feet of the land being subdivided.

Ms. Moscillo clarified the purpose and effect of the application. It was explained that the City is acquiring portions of the rear yards of the four residential properties and combining those acquired portions with industrial property already owned by the City in the area. Because portions of the residential lots are being removed while the homes remain, the existing residential uses must be recognized and permitted to continue as pre-existing nonconforming uses.

Chairman made a motion to close the public hearing.

Roll call:

Terry Andrus: Yes

Eric Hernandez: Yes

Albert Fisher: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Fisher made a motion to approve the application.

Roll call:

Terry Andrus: Yes

Eric Hernandez: Yes

Albert Fisher: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Application granted.

BAREISZIS AUTO HOLDINGS, LLC, 2575 S. Main Road, Block 6801, Lot 84, Zone B-2/R-5.

Use variance to occupy an office and warehouse within an existing commercial building in connection with an automotive repair facility, and to utilize existing commercial signage, with a waiver of the requirement for new site plan approval.

The applicant was represented by Michael Gruccio, Esq. He explained that the property presents a split-zone and mixed-use situation. A single-family residential structure is located toward the front of the property along South Main Road and is situated within the B-2 Zone portion of the property. The commercial building that is the subject of the application is located within the R-5 residentially zoned portion of the property. The commercial building is a large structure containing four overhead garage doors and four automotive work bays. The property also contains a large paved parking and vehicle maneuvering area. He stated that the applicant intends to repair and resurface the developed impervious area, fill potholes, and restripe the parking lot where the existing striping has deteriorated.

The applicant proposes utilizing the existing four-door commercial building as an automotive repair facility/general repair garage. Mr. Gruccio noted that the proposed use is consistent with the character of the surrounding area. A car wash is located immediately south of the property, while two properties immediately north contain automotive repair garages. He reviewed the prior history of the property, noting that the City records reflect several previous approvals. On May 18, 1994, the Zoning Board granted a variance permitting the operation of a plumbing contractor's yard for Roto-Rooter, together

with site improvements. On November 18, 1998, the Zoning Board approved a modification to the existing site plan following a variance that permitted expansion of the business use on the premises, including construction of a 3,000-square-foot building with a 1,600-square-foot, two-bedroom apartment above the building, together with various site improvements. On May 18, 2011, the Zoning Board issued a ruling clarifying that the second-floor apartment in the commercial building could be utilized for general rental purposes, including residential purposes as a dwelling unit. On June 19, 2019, the Board granted a variance permitting a private trucking company operating several tractors and trailers and employing four drivers to operate from the property. In July 2023, the Board granted a use variance, together with a waiver of site plan approval, allowing the existing Roto-Rooter signage to be modified to identify a document-shredding service. That approval also permitted operation of a document-shredding service and cleaning/janitorial service and was memorialized by Resolution No. 2023-55.

Mr. Gruccio explained that the application originally referenced a 1994 site plan as the last site plan of record. However, further review of the Zoning Board and Planning Division files revealed a subsequent 1999 site plan prepared to accommodate the Roto-Rooter use. He submitted that plan as Exhibit A-1. Exhibit A-1 depicted the existing development of the site, including a significant parking area and an enclosed outdoor trash-storage area. He noted that the 1999 plan bore an approval signature from a representative of the Cumberland-Salem Soil Conservation District. He also submitted the applicant's proposed parking layout as Exhibit A-2. Mr. Gruccio explained that the proposed parking arrangement is largely consistent with the parking arrangement shown on Exhibit A-1. The principal difference is that the 1999 site plan provided parking for 10 trucks, whereas the applicant's proposed layout provides parking for passenger vehicles and no trucks. He argued that the historical use of the property was substantially more intensive than the proposed automotive repair use and therefore requested that the Board waive the requirement for a new site plan. He stated that the 1999 plan already depicted parking, outdoor storage/trash facilities, and lighting, and that the proposed use would not substantially deviate from the prior site development.

Ryan Pierce, the property manager, was sworn in and testified regarding the historical uses of the property. Mr. Pierce testified that a prior document-shredding and cleaning operation utilized four trucks, which were kept at the property and serviced in the garage. During the first year, the trucks were routinely maintained at the property. During the second year the operation continued with two employees after the business's service needs decreased. He also testified regarding the trucking company that occupied the property before the document-shredding operation. He recalled that the trucking company had as many as 12 truck tractor-trailers traveling to and from the property. Trucks were also parked in the parking lot, including trucks used for parts, and work was performed both inside and outside the garage area. He testified that the trucking operation performed automotive and mechanical repairs, including oil changes and engine repairs. Mr. Pierce also recalled the property's use by Roto-Rooter. He testified that Ned Lang, the owner of Roto-Rooter, originally purchased the property, lived in the residence, and constructed the garage for his business at the rear of the property. The garage was used for working on and storing Roto-Rooter's trucks, both inside the building and in the outdoor yard. Mr. Pierce estimated that during Roto-Rooter's peak period of occupancy, approximately 10 to 12 trucks were present on the premises. He confirmed that the trucks associated with Roto-Rooter were repaired and maintained in the commercial garage.

Regarding the current application, Mr. Pierce testified that his understanding was that the applicant intends to work on automobiles inside the existing garage and utilize the existing parking area. He had reviewed the proposed layout and testified that the layout remained the same. He also confirmed that the applicant had discussed repairing and resurfacing the parking area and restriping it to accommodate the proposed parking arrangement.

Mr. Clark expressed concerns regarding the applicant's request to waive new site plan approval. He stated that a site plan was still strongly recommended to ensure that ADA accessibility is properly provided, that the required parking spaces comply with the ordinance, that the trash enclosure is properly screened, and that all parking areas are located on an appropriate impervious surface, such as concrete or asphalt, rather than on grass. He did not agree that the 1999 site plan, together with the proposed resurfacing and parking-striping work, was sufficient to satisfy the current site plan requirements.

Mr. Slachetka likewise stated that a new site plan was warranted. Although there was no objection to the nature of the proposed use variance itself, the proposed automotive repair facility would differ from some of the property's previous uses because customers would be coming to the facility. Therefore, the site plan would need to demonstrate that the property functions safely and efficiently. He reviewed the aerial photograph, the 1999 site plan, and the rendering submitted by the applicant and stated that, although there were general similarities among them, there were sufficient inconsistencies that the rendering could not substitute for a formal site plan. Mr. Slachetka stated that a site plan was necessary to ensure the protection of the public and to advance the health, safety, and welfare of the community.

Ms. Jambor also discussed the status of the 1999 site plan. She noted that the plan did not contain a City stamp or signature and appeared to bear only the approval of the Cumberland-Salem Soil Conservation District. Mr. Crudele explained that the City generally requires a City stamp and signature on site plans in order for them to be accepted as approved site plans. Ms. Jambor further explained that, when prospective tenants or property owners seek zoning permits, the absence of an approved site plan can require them to obtain a new site plan, particularly where an older plan, such as the 1994 plan, no longer accurately reflects the current development of the property.

Mr. Gruccio argued that the 1999 plan's Soil Conservation District approval and the historical development of the property supported the applicant's position. He further maintained that the proposed parking arrangement places all parking spaces on the existing paved area, that the property contains extensive pavement, that the outdoor trash receptacle would remain, and that the proposed parking arrangement includes parking at the front of the building intended to satisfy ADA requirements.

Mr. Slachetka, however, reiterated that regardless of the status of the 1999 plan, the current application involves a change in use and a D-use variance, and the submitted rendering was not an adequate substitute for a site plan. The applicant was advised that, once a site plan is submitted, the applicant may request appropriate waivers from individual site plan requirements.

Chairman made a motion to close the public hearing.

Roll call:

Terry Andrus: Yes

Eric Hernandez: Yes

Albert Fisher: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Fisher made a motion to approve the application.

Roll call:

Terry Andrus: Yes

Eric Hernandez: Yes

Albert Fisher: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Mr. Fisher made a motion to approve the application.

Roll call:

Terry Andrus: Yes

Eric Hernandez: Yes

Albert Fisher: Yes

Joseph Repice: Yes

George LoBiondo: Yes

Use variance- granted, waiver of site plan- denied.

Meeting adjourned at 8:37 PM

Roll call:

Terry Andrus: Yes

Albert Fisher: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Joseph Repice: Yes

Luis Amberths: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Yasmin Perez, Secretary

Zoning Board of Adjustment