

ZONING BOARD OF ADJUSTMENT MEETING
September 16, 2026

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

Members present were:

Luis Amberths
Ryan Flaim
Andrew Groetsch
Eric Hernandez
Joseph Repice
Joseph Stefano
George LoBiondo

Members absent: Albert Fisher, Terry Andrus

Others Present were:

Michael Malinsky, Zoning Board Solicitor
Yasmin Perez, Zoning Board Secretary
Ryan Headley, Engineer/Planner Board
Pat Finley, Zoning Officer

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.

The Chairman entertained a motion to approve the minutes from the August 19, 2026, meeting.

Roll call:

Eric Hernandez: Yes
Joseph Repice: Yes
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the August 19, 2026, meeting.

Resolutions 2026-21, 2026-40, 2026-41, 2026-42, 2026-43 & 2026-44.

Roll call:

Eric Hernandez: Yes
Joseph Repice: Yes
George LoBiondo: Yes

AREA-CHESTNUT, LLC, 1091 & 1121 W. Chestnut Avenue, Block 4709, Lots 6 & 7.01, Zone R-3.

Use variance for the construction of seven (7) townhouse buildings containing a total of thirty-seven (37) townhouses.

The applicant was represented by Duncan Prime, Esq. The applicant sought a bifurcated D-1 use variance to permit the construction of 37 townhouse units distributed among seven buildings. Each townhouse unit was proposed to be located on its own lot, resulting in an overall density of approximately 5.9 units per acre. The concept plan provided for a coordinated residential development with internal access, parking, landscaping, and open space.

Mr. Prime acknowledged that townhouses were not a permitted use in the property's existing zoning district and that a D-1 use variance was therefore required. He stated that the site was particularly suited for townhouse development because it was adjacent to the City's RT residential townhouse zoning district. He explained that the zoning boundary was immediately next to the property and that the proposed plan had been designed to comply with the density and bulk standards applicable in the RT district. He stated that if the zoning boundary were shifted to include the property, the application would be conforming under those standards. If the use variance were granted, the applicant would return to the Board for site plan approvals.

Paul Mutch of Stonefield Engineering, Project Engineer and Traffic Engineer, testified on behalf of the applicant. Mr. Mutch confirmed that he and his office prepared the use variance plan submitted with the application and that he had been retained to evaluate the potential traffic impacts associated with the proposed development.

Mr. Mutch identified Exhibit A-1 as an aerial exhibit prepared by Stonefield Engineering on August 24, 2026. He described the site as approximately 6.3 acres, consisting of two portions extending toward West Chestnut Avenue. The leftmost portion was generally aligned with Forbes Drive, across from an undeveloped lot. He noted that the eastern portion of the property had some clearing, while much of the rear of the property remained wooded. He also stated that the property was located near the existing townhouse overlay zoning district.

Mr. Mutch identified Exhibit A-2 as an Overall Zoning Exhibit prepared by Stonefield Engineering on September 16, 2026. The exhibit depicted the surrounding zoning districts, including portions of the R-3 and R-5 zones to the south and west, the B-3 zone extending north and south along the right-hand side, the subject property outlined in red, and the townhouse overlay area shown in blue. Mr. Mutch explained that the concept for the proposed townhouse development arose from the property's proximity to the existing townhouse overlay district, which extended to within approximately 650 feet of the subject property. He stated that the applicant viewed the site as an opportunity to extend townhouse development to a relatively large parcel within the surrounding area. He noted that the applicant's testimony that evening was limited to the use variance request, with detailed engineering and site design matters to be addressed during a future site plan application if the use variance were granted.

Mr. Mutch identified Exhibit A-3 as a site plan rendering exhibit containing the same technical information as the use variance plan submitted with the application. The exhibit included conceptual landscaping and a color rendering of the proposed development to help the Board visualize the applicant's proposal.

Mr. Mutch explained that the property was evaluated under its existing R-3 zoning, which permits single-family residential development, and by reference to the standards of the nearby townhouse overlay district. He stated that approximately 13 single-family residential lots could be developed on the 6.3-acre property in accordance with the existing zoning ordinance. The access arrangement for such a development would be similar to the access shown on the proposed townhouse plan. He compared that potential single-family development with the proposed plan for 37 townhouse units in seven buildings, each containing five or six units. Mr. Mutch stated that the proposed layout was guided by the standards of the townhouse overlay district.

Regarding bulk and buffering, Mr. Mutch testified that the applicant used the townhouse overlay standards as a guide for the proposed layout, including the bulk and buffer requirements along the site boundaries and adjacent properties. He acknowledged that additional design standards would be addressed during the subsequent site plan review process. He stated that the applicant's original concept had been substantially denser, exceeding 10 units per acre. Following discussions with the Board's

professionals, the applicant revised the concept to align with the townhouse overlay district's density standard of six units per acre. The current proposal was slightly below that maximum density. He further testified that the townhouse overlay district permitted up to 75% impervious coverage, while the current proposal provided approximately 47% impervious coverage. He cited this comparison as an indication that the proposed development was not excessively intensive for the property and that the site could accommodate the proposed townhouse concept when evaluated against the standards of the nearby overlay district.

Mr. Mutch stated that several site-specific details would be further developed during the subsequent site plan review process. The proposed driveway along West Chestnut Avenue was aligned with Forbes Drive to create matching intersections. The driveway would extend into the property and lead to a T-intersection with a cul-de-sac, an arrangement he described as common in townhouse developments. He stated that parking would be provided along the private roadway. He emphasized that the applicant did not intend for the Township to assume ownership or maintenance of the roadway, which would remain privately owned and maintained. The proposed development would provide at least one surface parking space per townhouse, in addition to an individual driveway space and a garage space, for a potential total of three spaces per unit. He added that the parking layout could be adjusted or expanded as the plans were refined with the Board's professionals during site plan review.

Mr. Mutch then discussed the traffic assessment submitted with the application. Traffic counts were conducted along Forbes Drive and West Chestnut Avenue on June 3, 2026. He stated that the surrounding roadway network was residential and operated at Level of Service B. Based on the traffic assessment, neither the proposed single-family development nor the townhouse development was expected to degrade the existing level of service. Using the Institute of Transportation Engineers (ITE) Trip Generation Manual, the applicant compared the projected traffic from 13 single-family homes with that from 37 townhouse units. Mr. Mutch testified that the 13 single-family homes were projected to generate approximately 14 to 15 vehicle trips during the weekday peak hours, compared with approximately 17 to 19 trips for the townhouse development. He stated that the difference would not be readily noticeable in the surrounding roadway network and that neither development was expected to generate traffic that would be significant or detrimental to the surrounding area.

In response to a question regarding the daily traffic figures, Mr. Mutch clarified that the comparison concerned weekday peak-hour trips rather than total daily traffic. During the midday peak period, the 13 single-family homes were projected to generate 14 total trips, consisting of four vehicles entering and 10 exiting. During the evening peak period, the single-family development was projected to generate 15 total trips, consisting of nine vehicles entering and six exiting. For the 37-townhouse development, the midday peak period was projected to generate 17 total trips, consisting of four vehicles entering and 13 exiting. During the evening peak period, the townhouse development was projected to generate 19 total trips, consisting of 11 vehicles entering and eight exiting. Mr. Mutch stated that the difference amounted to approximately three additional trips during the midday peak period and four additional trips during the evening peak period compared with the single-family alternative.

Mr. Finley questioned whether it was reasonable for 37 townhouse units to generate only a few more peak-hour trips than 13 single-family homes. Mr. Mutch explained that the projections were based on the ITE Trip Generation Manual, which uses studies of attached and detached single-family residential developments to establish standard trip-generation rates. He acknowledged the concern but stated that the applicant relied on the industry-standard data and methodology.

Dr. Amberths also asked when the traffic counts had been conducted, noting that traffic conditions could vary depending on the time of year and the presence of school buses. Mr. Mutch confirmed that the

counts were conducted on June 3, 2026, near the end of the school year, and stated that safety factors had been incorporated into the analysis.

David Robert Crawford, Architect, testified on behalf of the applicant. Mr. Crawford confirmed that he was familiar with the property and application and explained that he had been asked to prepare a conceptual design illustrating how the site could be developed to provide a comfortable living environment for the proposed residents. He clarified that the concept was preliminary and intended to illustrate the potential appearance of the townhouses following subdivision and site plan approval.

Mr. Crawford identified Exhibit A-4 as a colored perspective rendering of a conceptual six-unit townhouse building, prepared by his office and dated August 6, 2026. The exhibit was marked into evidence. He explained that the concept provided individual parking for each townhouse unit. Each unit was envisioned as having approximately three bedrooms and two-and-a-half bathrooms, with the living room, dining room, and kitchen located on the second floor. Individual alcove entrances were intended to provide each unit with a degree of individuality. He described the proposed exterior materials as traditional siding with double-hung windows. The final construction method had not yet been determined, although both conventional stick-built construction and modular construction had been discussed. Mr. Crawford noted that the rendering was conceptual and subject to change. The applicant would submit a complete package of building elevations with its future site plan and subdivision application.

Leah Furey Bruder, Professional Planner, testified on behalf of the applicant. Ms. Bruder confirmed that she had reviewed the City's 2008 Master Plan, 2018 Master Plan Reexamination Report, and 2020 Land Use Element Amendment. She also reviewed the City's 2025 Fourth Round Housing Element and Fair Share Plan, various redevelopment plans, the zoning map, applicable sections of the Zoning Ordinance, and the documentation submitted with the application. She stated that she had visited the subject property and surrounding area.

Ms. Bruder described the proposal as a 37-unit townhouse development consisting of seven buildings on approximately 6.26 acres in the R-3 Residential Zoning District, located on the south side of West Chestnut Avenue, approximately 750 feet east of the intersection with Delsea Drive. She noted that the property was southwest of the City center, approximately 2,000 feet southwest of the designated City Center Redevelopment Area. The property was located within the sewer service area and within Planning Area 2 on the State Development and Redevelopment Plan Policy Map, which she described as a suburban planning area intended to support smart growth and coordination between state and local policies. She explained that these areas are intended to encourage development and efficient use of existing infrastructure, including utilities and transportation facilities. She also noted that the property was within a designated regional center on the State Plan Map, which identifies an area of Vineland intended to support revitalization, infill housing, and development. Ms. Bruder described the surrounding land uses and zoning. West Chestnut Avenue runs generally east to west, south of Landis Avenue, and connects South Orchard Road to the west with Delsea Drive to the east. Residential properties surround the site to the north, east, and west. A commercial property lies to the south and is divided between the R-3 Residential and B-3 Business zoning districts. Additional commercial properties are located farther east along Delsea Drive. The B-4 Business District extends along Landis Avenue to the north, while the B-3 Business District is located along Delsea Drive to the east. Ms. Bruder also referenced the RT Residential Townhouse Overlay District, which applies to a larger area approximately 600 feet south of the subject property. She explained that the overlay district may be applied to tracts between five and 20 acres and that the subject property, at 6.26 acres, shared characteristics with properties within that district.

Ms. Bruder stated that the applicant anticipated the townhouse units would be offered for sale and that a homeowners' association would own and maintain the private roadways, stormwater facilities, and open space areas. She explained that a D-1 use variance was required pursuant to Section 425-277(b) of the City Code to permit attached housing rather than the detached housing permitted in the existing R-3 zone. She stated that the concept plan had been guided by the general requirements of the Land Use Code, including the RT District standards in Section 425-303.1. If the use variance were granted, the applicant would return for subdivision and site plan approvals and request any necessary deviations from the RT standards at that time. The applicant was asking the Board to permit the concept to proceed using the RT District standards as a planning guide, even though the overlay did not currently apply to the property. The proposed development was well suited to the location, appropriate for the surrounding area, and consistent with the overall intent of the City's Master Plan and zoning regulations. She stated that the proposal would advance the City's land-use planning goals and objectives.

Ms. Bruder stated that, before preparing the concept plan, the applicant reviewed the City's Housing Element and Fair Share Plan to determine the anticipated affordable housing obligation associated with the development. She testified that the City had a Fourth Round present need rehabilitation obligation of 276 units but no prospective need obligation. She stated that, if approved, the development would contribute to the City's Affordable Housing Trust Fund, with the funds available to support the City's rehabilitation program. She understood that the City rehabilitated an average of approximately 22 units annually.

Ms. Bruder outlined the positive and negative criteria applicable to a D-1 use variance. Regarding the positive criteria, she stated that the applicant was required to demonstrate special reasons for granting the requested relief by establishing that the property was particularly suited to the proposed use and structures. She explained that special reasons are evaluated in relation to the purposes of zoning set forth in Section 2 of the Municipal Land Use Law. She stated that the proposal would promote the general welfare and advance the purposes of the Municipal Land Use Law, the City's Master Plan, and its zoning ordinances. Regarding the negative criteria, Ms. Bruder stated that the applicant needed to demonstrate that the proposal would not cause substantial detriment to the public good, impair the character of the neighborhood, have a substantially detrimental impact on surrounding properties, or substantially impair the intent and purpose of the zone plan and zoning ordinance. She explained that the site's particular suitability for the proposed use depended on its specific location, physical characteristics, and relationship to the purposes of zoning and the City's overall planning objectives. She expressed the opinion that the property was appropriate for the proposed townhouse use and buildings. Her testimony on the particular suitability of the site continued. She opined that granting the requested use variance would allow the property to be put to productive use in a manner compatible with and complementary to the surrounding area.

Ms. Bruder explained that an overarching theme of the City's Master Plan was to use Vineland's existing suburban and urban areas efficiently through rehabilitation, redevelopment, and infill development rather than outward expansion. She referenced the Master Plan's longstanding concerns regarding housing and property conditions in the historic Center City area and the decline in downtown economic vitality. Approximately 20 years earlier, the City had designated a City Center Redevelopment Area and adopted a redevelopment plan that included a goal of increasing the downtown residential population. She stated that the 2018 Master Plan Reexamination and the 2020 Land Use Element Amendment recommended allowing greater residential density within and near the downtown area. These policies were intended to concentrate activity, increase demand for downtown services, and help preserve surrounding areas from outward development. The planning documents also recommended a townhouse overlay for undeveloped infill parcels between five and 20 acres, particularly parcels located within large blocks that were developed around their perimeters but remained largely undeveloped internally. Ms. Bruder explained that these areas, referred to in the Master Plan as "super blocks," presented opportunities for

moderate-density townhouse development at approximately six units per acre. According to Ms. Bruder, the townhouse overlay concept was intended to increase the number of homes near the downtown area, the hospital, and medical facilities to the south. The 2018 and 2020 planning documents contemplated townhouse development in areas with limited residential development and within existing neighborhoods where attached housing could coexist harmoniously with detached single-family homes.

Ms. Bruder referenced Section 425-303.1 of the City Code, adopted in 2020, which establishes the RT Residential Townhouse Overlay District. She explained that the district was intended to permit townhouse development on larger parcels near educational and medical centers and to expand housing options beyond those permitted in the underlying zoning district. The overlay requires a minimum tract size of five acres and a maximum of 20 acres, and access to water and sewer service. She stated that the subject property, at 6.26 acres, satisfied the minimum and maximum tract-size requirements and had access to the required utilities. Ms. Bruder further testified that the RT District requires a 25-foot perimeter setback to provide separation between townhouse development and adjacent properties. She stated that the proposed plan satisfied that setback requirement. The maximum permitted townhouse building height was 35 feet, and no more than eight townhouse units could be located within a single structure. The applicant proposed no more than six units per building and intended to comply with the applicable height requirements.

Ms. Bruder addressed the purposes of zoning under Section 2 of the Municipal Land Use Law (MLUL), explaining why she believed the proposal advanced several of those purposes. Regarding Section 2(a), she stated that the variance would promote the general welfare because the property was particularly suited to the proposed use. The development would be located in an existing developed area near infrastructure, transportation services, and other community resources, and would provide housing at a scale she considered compatible with the surrounding area. Regarding Sections 2(c) and 2(e), Ms. Bruder stated that the proposal would provide adequate light, air, and open space while promoting appropriate population densities and concentrations that contribute to the well-being of neighborhoods and communities and the preservation of the environment. She noted that residential use was already permitted in the R-3 district, but attached townhouse construction was not. The proposed density of approximately 5.9 dwelling units per acre would provide compact housing while preserving a substantial portion of the site as conservation or open space. Regarding Section 2(g), she stated that the proposal would provide additional housing in an appropriate location to help meet the State's need for residential development. She characterized the proposed units as high-quality housing at a moderate density within the designated regional center. Regarding Section 2(i), Ms. Bruder stated that the development would promote a desirable visual environment through its proposed design and arrangement. She also referenced the planned connection to the existing street network and potential pedestrian connections to the surrounding area. Regarding Section 2(m), she stated that the proposal would encourage coordination of public and private land development activities, reduce development costs, and promote efficient land use. She explained that the project would support local and state housing policies while responding to market conditions. In her opinion, compact infill development would provide homeownership opportunities and attractive residential spaces near business districts, supporting the local economic environment by placing additional residents near commercial areas. She explained that the proposed development would advance the City's Master Plan goals by directing compact development toward the City Center area, limiting sprawl, and supporting nearby commercial uses through additional residential rooftops and population.

Addressing the negative criteria, Ms. Bruder opined that permitting townhouse development on the subject property would not undermine the goals, intent, or purpose of the City's Master Plan or zoning regulations. She stated that the proposal advanced the City's land-use, housing, and environmental objectives. She testified that the applicant had considered and would continue to consider appropriate design practices to ensure that the development functioned effectively internally and connected

appropriately with the surrounding community. She referenced roadway alignment, utilities, buffering, and privacy screening as matters to be addressed in the design process.

Ms. Bruder further explained that the positive impacts of granting the requested use variance would outweigh any potential negative impacts. She stated that the development was not expected to have an appreciable effect on traffic volumes in the surrounding area and that reasonable efforts would be made to mitigate impacts on neighboring properties through buffers and privacy screening as needed. She stated that neither the requested variance nor the proposed development would undermine the overall goals, policies, or objectives of the City's land-use planning framework.

Mr. Stefano made a motion to close the public hearing.

Roll call:

Luis Amberths: Yes

Ryan Flaim: 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:

Luis Amberths: Yes

Ryan Flaim: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Application granted.

187 W WHEAT LLC c/o ALI BAS, 187 W. Wheat Road, Block 1604, Lot 2, Zone R-3.

Preliminary/final major site plan approval, in conjunction with a "d" use variance, to construct a cold storage facility. The plan includes the conversion of an existing building along with the construction of a proposed 51,180-square-foot warehouse building, consisting of 2,400 square feet of office space and 48,780 square feet of warehouse space, together with six loading stalls and one drive-in ramp.

The applicant was represented by Louis Magazzu, Esq. Mr. Magazzu explained that the application concerned the proposed development of a 51,108-square-foot cold storage facility at 187 West Wheat Road, also known as the former Morse building. The applicant proposed to complete the development in two phases. The first phase would involve reconstruction of the existing building. The proposed use was described as approximately 70% storage and 10% office space, with the remaining 20% also identified as storage space in the testimony. The second phase would involve construction of a new building with similar dimensions on the same property. Mr. Magazzu stated that the application would require variances, waivers, approvals, and authorizations, which would be addressed through the testimony of the applicant's professionals. He introduced the proposed witnesses, including Damian Dyskowski, identified as an investor and owner; Vlad Kolovaz, associated with TMT; architect Martinez Martinez of Chop Shapiro; and Tiffany Morrissey. He requested that the witnesses be sworn before beginning their testimony.

The Board Solicitor swore in the applicant's representatives and professionals who would be providing testimony. Those present identified themselves and their respective roles as follows: Tiffany Morrissey – Professional Planner. Damien Daskaloski – Partner and investor in the project. Vlad Kolomasov – Project engineer with TWT. Roberto Martinez – Architect of record. David Shropshire – Traffic Engineer with Shropshire Associates.

Damien Daskaloski, Partner and investor in the project, testified on his own behalf. He explained that the applicant proposed to renovate the existing building, formerly identified during the testimony as the Elks Lodge, for a combination of cold storage, general storage, and office space. He initially described the proposed cold storage component as approximately 60%, but subsequently clarified that the renovated building would contain approximately 40% to 50% cold storage, with the remainder used for general storage and office space. The applicant also proposed constructing a new building of approximately 50,000 square feet, which would be used entirely for cold storage of produce. Mr. Daskaloski stated that the project would include improvements to the surrounding area, including streets, a park area, drainage, and other improvements necessary to meet applicable code requirements. He confirmed that due diligence had been conducted during the property transfer and that he believed the property could be accessed and used for the proposed project.

Vlad Kolomasov, Project Engineering, testified on behalf of the applicant. Mr. Kolomasov identified Exhibit A-1 as an aerial site exhibit depicting existing conditions. The property was outlined in red, with yellow offset lines indicating distances of 200 feet and 500 feet from the site to illustrate surrounding development. He noted that the property was located in the R-3 Residential Zoning District and that the applicant was seeking a use variance to permit warehouse and cold storage uses. He explained that the zoning designations were shown in blue and described the property as a missing link within the surrounding I-2 Industrial area. He also referenced Block 1604, Lot 4, which included an R-3-zoned property with frontage on both Northwest Boulevard and West Wheat Road. Mr. Kolomasov identified the subject property as Block 1604, Lot 2, commonly known as 187 West Wheat Road, and stated that it contained approximately 5.11 acres. The property was bounded by West Wheat Road, identified as Cumberland County right-of-way No. 619, to the north; an unimproved industrial property to the east; an improved property to the south; and farmland to the west.

He described the existing improvements as a former recreational club known as the Moose Lodge, consisting of an 11,515-square-foot building. The site had two existing driveways: a one-way entrance on the western side and a full-movement driveway on the eastern side. Existing pavement and surface parking served the former Moose Lodge. Mr. Kolomasov stated that the site did not have existing stormwater infrastructure. Runoff flowed over the surface from south to north and discharged directly onto West Wheat Road.

Mr. Kolomasov identified Exhibit A-2 as a color rendering of the proposed site plan and explained that the project would be constructed in two phases. Phase One would involve repurposing the existing Moose Lodge building for cold storage. Proposed improvements included milling and overlaying the parking area along the left side of the property and constructing two loading docks at the rear of the building. Phase Two would involve constructing a new cold storage building on the eastern portion of the property. Mr. Kolomasov identified the proposed building as approximately 51,180 square feet, with six loading bays and one drive-up ramp. He explained that the layout was intended to provide buffering along the front of the property by positioning the loading areas away from the frontage and toward the rear of the site. The loading areas would be located at the rear of the buildings, consistent with the arrangement at the existing Moose Lodge. When questioned by Mr. LoBiondo about the location of the loading bays, Mr. Kolomasov clarified that they were along the western side of the proposed building but positioned toward the eastern portion of the property. The proposed parking layout included 34 spaces serving the renovated former Moose Lodge building and 28 spaces serving the new building. The existing driveway locations would be maintained, including the one-way entrance on the western side

and the full-movement driveway on the eastern side. Minor driveway improvements were proposed to provide sufficient width for turning vehicles to maneuver safely through the site.

Mr. Kolomasov began addressed the variances identified during the professional review of the application. Impervious Coverage: The applicant proposed approximately 61.5% impervious coverage. The maximum permitted in the R-3 Residential District was 30%. Mr. Kolomasov noted that the existing site was already nonconforming, with approximately 34% impervious coverage. He stated that the proposed coverage was consistent with the bulk standards of the I-2 Industrial District, which permitted a maximum of 65% impervious coverage. Building Height: The proposed new building would have a height of 50 feet, exceeding the 30-foot maximum permitted in the R-3 District. The existing Moose Lodge building was approximately 18 feet, 6 inches high to the parapet, and would not require height relief. Mr. Kolomasov stated that the proposed 50-foot building would comply with the I-2 Industrial District's maximum permitted height of 60 feet. Front Buffer: Mr. Kolomasov began discussing the proposed front buffer, identifying a dimension of 16.4 feet compared with the 25-foot requirement. He noted that the Board's professionals had identified a 14-foot requirement. His testimony on the front buffer and additional requested relief continued.

Mr. Kolomasov explained that Stormwater Management Basin No. 1 was located on the western side of the property and that the applicant intended to relocate it to provide additional buffering and address the applicable stormwater management requirements. He then discussed Basin No. 2, which was proposed along the front of the new building. He stated that the property drained from south to north and that the proposed basins would collect and attenuate runoff, provide water-quality treatment for total suspended solids, and provide the required groundwater recharge. The stormwater improvements would also address existing runoff that currently discharged directly onto West Wheat Road. Mr. Kolomasov stated that the applicant was requesting relief from the required 35-foot setback for Basin No. 2 because of the site's orientation and physical constraints. He acknowledged the residential zoning to the west and residential properties across West Wheat Road. He stated that the applicant was willing to relocate the basin to maintain a 55-foot separation from the front-yard setback area. He indicated that relief would still be required for Basin No. 2.

Mr. Kolomasov identified an existing nonconforming rear buffer of 1.8 feet, compared with the required five feet. He explained that the existing driveway along the southern property line was already located 1.8 feet from the property line. The applicant proposed to maintain the existing driveway edge, mill and overlay the pavement, and install full-height curbing to prevent further encroachment. He stated that the driveway required a full width of 30 feet to accommodate safe turning movements for emergency vehicles and truck maneuvering into the loading bays. Mr. Kolomasov addressed the accessory structure setback for the proposed trash enclosure. The original plan showed a setback of 2.7 feet, where six feet was required. Following discussions with the Board's professionals, the applicant adjusted the enclosure's location and orientation. He stated that the revised plan satisfied the six-foot setback requirement and that no variance was therefore needed for the trash enclosure.

Mr. Kolomasov stated that the proposed stormwater basin access drive was 10 feet wide, satisfying the required width. However, the original plans showed an eight-foot-wide fence opening. The applicant agreed to revise the fence opening to provide the full 10-foot width, eliminating the need for design waiver relief for that item. He next addressed the required fencing around stormwater management basins. He explained that the City's ordinance required a six-foot-high black chain-link fence for basins with a depth of two feet or greater. The applicant proposed a four-foot-high split-rail fence with wire mesh behind it. Mr. Kolomasov opined that the proposed fencing was appropriate and more aesthetically compatible with the proposed landscaping along West Wheat Road. He stated that the split-rail design would provide a better visual appearance and integrate more effectively with the landscape materials than chain-link fencing.

Mr. Kolomasov reiterated that stormwater management basins located within a front-yard setback were required to maintain a 35-foot setback. He explained that the site's configuration and drainage patterns made compliance difficult for Basin No. 2. The basin was intended to mitigate existing drainage conditions and provide stormwater attenuation for the proposed development. The applicant agreed to relocate the basin to increase its separation from the front-yard area, while maintaining the request for the necessary relief.

Mr. Kolomasov addressed the proposed parking lot landscaping islands. The initial layout included islands of varying widths, including four, six, and eight feet, while the City Code required a width of 10 feet. He stated that the applicant agreed to revise the islands to meet the required 10-foot width, eliminating the need for relief on that item. He also identified a requested waiver for parking stall dimensions. The City Code required spaces measuring 9.5 feet by 19 feet, while the applicant proposed spaces measuring nine feet by 18 feet. Mr. Kolomasov stated that the proposed dimensions were consistent with standards referenced by the Urban Land Institute and the Institute of Transportation Engineers. He noted that the proposed drive aisles provided 30 feet for truck traffic and 25 feet for parking aisles, exceeding the City's 24-foot aisle requirement. He further explained that many parking spaces were adjacent to six-foot-wide sidewalks and landscaped open space, which would provide additional room for vehicle overhang. He stated that the layout could accommodate an effective parking arrangement despite the requested stall-dimension relief.

Mr. Headley commented on the requested waivers discussed to that point. He stated that he had no objection to the six waivers identified in the professional review, which he associated with items B, C, and E concerning stormwater, as well as Item 7 concerning screening, shade trees, and landscaping standards. He indicated that he would address the variances separately after the applicant completed the testimony.

Mr. Kolomasov identified a further requested waiver concerning the one-way driveway width. The applicant proposed a 20-foot-wide driveway, although the City ordinance permitted a maximum width of 17 feet. He stated that the proposed width was consistent with industry standards and would allow vehicles to maneuver around a stopped vehicle while maintaining approximately 12 feet of clearance. He also referenced the National Fire Protection Association requirement for a 20-foot-wide unobstructed fire lane and stated that the proposed width would provide adequate access for emergency vehicles.

Finally, Mr. Kolomasov addressed the bicycle parking requirement. He stated that the Board's professionals had identified a requirement for seven bicycle parking spaces. The applicant agreed to provide bicycle racks, with one rack at each building, for a total of eight bicycle parking spaces.

Mr. Headley reviewed additional design waivers, including Waiver 9A, pertaining to the building's front entrance not being oriented toward the street. The applicant confirmed that the waiver would still be requested and that no sidewalks were proposed along this area. Mr. Headley noted that pedestrian activity in the surrounding area was limited. He also stated that the application had been submitted to the Cumberland County Board, which recommended providing the required 8-foot right-of-way easement and widening the road by 5 feet. The County made no recommendation regarding sidewalks.

Mr. Headley asked whether the applicant agreed to provide irrigation for the landscaped areas, and the applicant confirmed that it would. He also noted that the applicant was requesting waivers related to the location and configuration of the stormwater basins. Mr. Headley stated that he had no objection to the waivers discussed.

Mr. Stefano asked Mr. Headley whether the proposed 4-foot split-rail fence with wire mesh along the rear was acceptable in a residential area. Mr. Headley confirmed that it was, noting that the Planning

Board had approved similar fencing on several prior occasions without any reported issues. He also agreed that the fence was acceptable in the front yard, explaining that the site's drainage design required the basin to be located in that area. He noted that the applicant had proposed substantial shrubbery along the front of the basin to soften its appearance and provide an additional layer of screening.

Mr. Kolomasov explained that the basins would be approximately 3.25 to 3.75 feet deep and would typically retain less than 2 feet of water. The applicant stated that, based on the anticipated infiltration rate, the basins would drain within 72 hours. Mr. Stefano cautioned that drainage performance could decline over time as sediment accumulates, unless the basins are regularly maintained and cleaned out. The applicant acknowledged the concern and agreed that long-term performance would depend on proper facility maintenance.

Mr. Martinez, Architect, testified on behalf of the applicant. Mr. Martinez reviewed the proposed building plans and explained that the new cold storage building would contain approximately 51,180 square feet and be used for the storage of produce. He clarified the loading dock configuration, explaining that the loading area had been recessed approximately 92 feet into the building to screen truck activity from public view. The intent was to position the loading operations farther into the site so that passing motorists would not readily see the trucks and loading activity.

The proposed building would be constructed with 10-inch insulated precast concrete panels and a TPO roof. Due to the building's size and height, the HVAC and refrigeration equipment would be located toward the southern side of the building and, where possible, toward the center. Mr. Martinez stated that the building was approximately 164 feet wide, providing approximately 80 feet of building depth at an angle that would limit visibility of the equipment. He further stated that any HVAC equipment would be screened and that the design would comply with applicable code requirements. The building would include the required means of egress, with exits provided at intervals of no more than 125 feet. Mr. Martinez stated that the proposed building would have five loading docks and one drive-in door. Approximately 2,400 square feet had been allocated for office space, although the final office area could depend on the operation of the business. Plumbing calculations had been based on the current proposed office area and would be adjusted if the design changed. The building would be approximately 50 feet high.

Using the architectural rendering, Mr. Martinez reiterated that the loading area would be located approximately 92 feet into the building, leaving only a corner of the building visible from the street and screening the remaining loading operations. The building's exterior colors would consist of earth tones with gray accents and glazing to provide the lighting required for the warehouse area. He described the design as understated and explained that the intent was not to create an overly prominent building. Mr. Martinez also discussed the proposed improvements to the existing building on the opposite side of the property. He stated that the applicant intended to restore the building to its best possible condition by cleaning the exterior, repairing the deteriorated roof, painting the columns, and restoring the windows to their original appearance. The remaining three sides would be cleaned and painted. Cold storage equipment would be installed inside the existing building. In response to a question from the Chair regarding the anticipated use of the existing building, the applicant indicated that approximately 60% would be used for storage. Mr. Martinez stated that, because the existing building was considerably smaller than the proposed new building, it would require less refrigeration equipment, the location of which was expected to be shown on the site plan. Mr. Martinez explained that the rendering showed only a corner of the building because the structure extended approximately 92 feet farther into the site. He noted that the perspective made the building appear smaller than it would be in reality.

David Shropshire, Professional Engineer, testified on behalf of the applicant. Mr. Shropshire testified that the proposed development was anticipated to generate 35 weekday morning peak-hour trips and 47

weekday afternoon peak-hour trips, based on Institute of Transportation Engineers data for similar facilities. Traffic counts had been conducted along West Wheat Road to the west, at Northwest Avenue and Delsea Drive, and to the east, at Northwest Boulevard and Northeast Boulevard. After assigning the anticipated site-generated traffic to the studied intersections, the analysis indicated that there would be no meaningful change in the levels of service. Mr. Shropshire attributed this to the relatively low volume of traffic generated by the facility and the distribution of trips in multiple directions from the site. He therefore did not anticipate a substantial traffic impact.

Mr. Shropshire also addressed two comments in the engineering review letter concerning signage and parking-lot striping. He confirmed that the applicant was willing to comply with both recommendations. Regarding the D variance, Mr. Shropshire discussed traffic intensity as potential negative criteria. Because the property was located in a residential zone, he considered the traffic that could be generated by a permitted use, identifying a child care center as a comparable example. Depending on its size, a child care center could generate substantially more traffic than the 35 morning and 47 afternoon peak-hour trips anticipated for the proposed facility. He acknowledged that a child care center would not generate truck traffic but explained that truck activity associated with the proposed facility would generally occur outside the peak commuting periods. Based on the Institute of Transportation Engineers data, he anticipated a maximum of approximately two trucks during the peak hours.

In response to questions from the Board and professional staff, Mr. Daskaloski clarified that the facility would likely operate 24 hours a day and remain accessible at all times to accommodate the storage and availability of fresh produce. The representative explained that truck traffic was not expected to be concentrated during peak commuting hours, as trucking operations typically schedule deliveries to avoid heavier traffic. Based on the applicant's experience and research involving trucking companies and warehouses, most loads were expected between 5:00 a.m. and 10:00 a.m., with additional loads generally occurring between 4:00 p.m. and midnight, depending on dispatch schedules. Once the facility was operating at capacity, the applicant anticipated approximately three to four trucks per day, or approximately eight truck movements entering and exiting the site. He confirmed that all trucks would be refrigerated units.

Tiffany Morrissey, Professional Planner, testified on behalf of the applicant. Ms. Morrissey explained that the applicant was seeking a use variance because the property was located in the R3 zoning district, although it was surrounded by the I2 industrial zoning district on three sides. The applicant was also requesting a height variance to permit a 50-foot building, which would be below the 60-foot maximum permitted in the I2 district but above the 30-foot maximum permitted in the R3 district. In addition, a bulk variance was requested for impervious coverage, as the proposed 61.5% coverage exceeded the R3 maximum of 30% but remained below the I2 maximum of 65%. The applicant was also requesting the design waivers previously discussed by the project engineer.

Ms. Morrissey explained that the project was designed to take advantage of the property's proximity to existing industrial uses. She identified the FedEx facility across West Wheat Road, an industrial aluminum facility to the south, and the Comcast facility and a gas station farther north along Northwest Boulevard. In her professional opinion, the property was an isolated residentially zoned parcel within an established industrial area. She attributed the R3 zoning designation to the former Moose Lodge, which had not been operating or used for several years. She stated that adaptively reusing the existing building and developing the eastern portion of the property for industrial purposes represented a better planning alternative than residential development.

Ms. Morrissey reviewed the site plan and explained that the proposed improvements would be concentrated on the eastern portion of the property, adjacent to the I2 zoning district. Along the portion of the site facing residential properties across West Wheat Road, the applicant proposed to retain the

existing one-way entrance and reuse the existing building, while relocating the stormwater basin farther back to meet the applicable ordinance requirements and enhancing the landscaping. She stated that concentrating the new construction and other improvements toward the eastern portion of the site would limit changes along the residential side of the property. She also noted that the residential lots across the road were themselves surrounded by the I2 district.

Addressing the positive criteria for the use variance, Ms. Morrissey stated that the applicant was required to demonstrate that the property and proposed use were particularly suited to one another and that the proposal advanced the purposes of zoning under the Municipal Land Use Law. She identified several characteristics supporting the application, including the existing building's size and established nonresidential use, the property's location within an industrial area, its size of more than 5 acres, and its approximately 899 feet of frontage along West Wheat Road. She explained that converting the existing building to a single-family residential use would be impractical and that residential development would place homes directly adjacent to established industrial uses and the proposed new industrial building. In her opinion, the property's location and characteristics made the proposed industrial use more appropriate.

Ms. Morrissey also discussed the City's 2018 Master Plan Reexamination Report and 2020 Land Use Element. She explained that prior zoning changes had expanded the I2 district to the south and west, ultimately extending the industrial zoning boundary around the subject R3 property. In her professional opinion, the property's residential zoning had remained unchanged because the Moose Lodge was still operating as a civic use at the time. Had the property been vacant and unused, she believed consideration might have been given to extending the I2 zoning designation to include it.

Ms. Morrissey stated that the proposal advanced the purpose of zoning under the Municipal Land Use Law concerning the promotion of the general welfare, given the unique characteristics of the property and its compatibility with the surrounding industrial area. She also identified the purpose of providing adequate light, air, and open space. Although the applicant sought variances for building height and impervious coverage, she emphasized that the proposed development would remain below the maximum standards permitted in the I2 district. The proposed impervious coverage of 61.5% was below the I2 maximum of 65%, and the proposed building height of 50 feet was below the I2 maximum of 60 feet. Ms. Morrissey further testified that the project maintained the applicable side-yard, front-yard, and rear-yard setbacks. She stated that the proposed front-yard setback of 51.5 feet exceeded the 35-foot requirement applicable in the R3 district and also exceeded the minimum front-yard setback requirement in the I2 district. She maintained that the proposal would provide appropriate building coverage and adequate light, air, and open space.

Ms. Morrissey next addressed the purpose of zoning concerning the provision of sufficient space in appropriate locations for a variety of uses, including industrial uses, based on their respective environmental requirements and the needs of New Jersey residents. She cited the City's 2018 Master Plan Reexamination Report and 2020 Land Use Element, which identified the need to support additional industrial development. She referenced the report's recommendation that the zoning map be amended to provide more land for industrial purposes in suitable locations, including sites with reasonable access to the highway system and, where appropriate, rail service. The report also identified a need for medium-sized sites to accommodate the market for new industrial land. Ms. Morrissey stated that the subject property provided an appropriate location and sufficient space for the proposed use.

She also addressed the purpose of zoning concerning the location and design of transportation routes to promote the free flow of traffic and discourage congestion and blight. Referring to Mr. Shropshire's traffic testimony, she noted the anticipated limited traffic impact and the operator's estimate of three to four trucks per day. Given the property's location adjacent to the I2 district and directly across from the

FedEx access point, she considered the site appropriate for the proposed use, with no substantial change to the existing traffic pattern.

Finally, Ms. Morrissey addressed the purpose of coordinating public and private development activities to reduce development costs and promote the efficient use of land. She stated that reusing the existing building and returning the property to productive use would benefit the community and represent a development pattern consistent with the surrounding area.

Addressing the negative criteria for the use variance, she stated that the proposal would not substantially impair the City's zoning ordinance or Master Plan, noting that the site was being designed in accordance with the standards established for industrial uses in appropriate locations. She reiterated that the Master Plan's recommendations concerning the expansion of industrial development, together with the change in the property's former use, supported consideration of an I2 zoning designation for the site.

Regarding potential detriment to the public good, Ms. Morrissey explained that the applicant had carefully considered the site layout and was willing to revise the plan to increase the setback of the stormwater basin and provide additional landscaping along West Wheat Road. She stated that the plan included more than 400 plant materials to enhance the property's appearance. She also noted that the loading bays had been positioned to screen truck activity from the street and direct the activity toward the industrial portion of the site. The trash enclosure had also been relocated to comply with the applicable zoning requirements.

Ms. Morrissey then requested that the Board consider an additional variance for signage to permit signage in accordance with the I2 district standards rather than the R3 residential standards. She explained that the I2 district permitted a monument sign of up to 50 square feet, as well as a wall sign not exceeding 10% of the building façade or 100 square feet. In her opinion, the R3 sign standards would not provide adequate identification for truck drivers entering the property. She stated that applying the I2 sign standards would be consistent with the proposed industrial use and would allow the applicant to design appropriate signage without returning to the Board for a separate application. She maintained that the request satisfied the positive and negative criteria and represented a more appropriate zoning alternative for the property.

Mr. Headley requested clarification regarding items 16 and 17 of his review report, specifically the perfected-plan requirements and any associated waiver requests. Mr. Kolomasov confirmed that the applicant intended to comply with the applicable requirements, with the exception of certain items under Item 16. For Item 16(f), the applicant requested permission to provide a typical retaining-wall detail at that time, with detailed retaining-wall plans to be submitted to the Construction Office during the construction phase. The applicant also requested a waiver from providing cross-sections at 50-foot intervals showing the required 1-foot freeboard for the stormwater basins, explaining that a generic detail would be provided instead. Mr. Headley indicated that these requests were acceptable to him. The applicant confirmed that there were no outstanding issues under Item 17.

Mr. Headley then addressed a letter from the Environmental Commission concerning tree removal and replacement requirements. Under the City's current ordinance, the applicant would be required to replace 481 trees, while the proposed landscaping plan included 118 replacement trees. Mr. Headley explained that the State of New Jersey had adopted a tree removal and replacement ordinance that the City would be required to implement. Although the City had not yet adopted the new ordinance, it was in the process of doing so, and the new requirements would likely reduce the number of replacement trees required because they were less stringent than the existing City ordinance. Mr. Headley explained that the current ordinance provided an option for a contribution in lieu of planting replacement trees. He stated that, in his opinion, the applicant had provided a substantial landscaping plan and that the proposed tree removal

was not excessive compared with other industrial developments in the City's industrial parks and I2 zoning districts. He further explained that the contribution would be calculated at approximately \$1,000 per tree, based on twice the estimated current value of an unplanted tree, which was approximately \$500. He estimated that the contribution for this application could exceed \$370,000. Mr. Headley noted that the industrial park was subject to the same standard, but that he had not seen an applicant provide replacement or a contribution approaching the calculated amount. He added that the City did not enforce the requirement at that level and that he would not advocate doing so.

Mr. Headley confirmed that he agreed with Mr. Finley and had no objection to allowing signage consistent with the I2 zoning standards. The applicant confirmed that it was requesting the signage variance and believed that the proposed signage would improve the appearance of the building.

Mr. Stefano made a motion to close the public hearing.

Roll call:

Luis Amberths: Yes

Ryan Flaim: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the Use Variance.

Roll call:

Luis Amberths: Yes

Ryan Flaim: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: No

Mr. Stefano made a motion to approve the Site Plan.

Roll call:

Luis Amberths: Yes

Ryan Flaim: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Abstain

Application granted.

DAVID CRESCENZO, 522 & 524 N. East Avenue, Block 2324, Lots 8 & 9, Zone R-2.

Preliminary/final major site plan approval, in conjunction with a "d" variance, to permit the conversion of an existing detached two-car garage into a proposed one-bedroom dwelling unit and continue the existing two-family residential and previously approved public-school use, along with associated site improvements.

The applicant was represented by Michael Gruccio, Esq. Also present was Ryan Hagee of Taylor Wiseman-Taylor, who prepared the site plan for the application. Mr. Gruccio explained that the application sought a use variance and site plan approval to maintain and expand the existing mixed use of the property, which included a dwelling and a public-purpose school. He stated that the mixed use had previously received Board approvals in 2000 and 2023 for a variance and site plan approval. The applicant proposed to convert the existing two-car garage into a one-bedroom dwelling unit and provide additional on-site parking to accommodate the applicant's other businesses in the surrounding area.

Mr. Gruccio confirmed that the applicant had received the Planning and Engineering reports prepared by Mr. Headley, both dated September 10, 2026. He stated that the Engineering report contained no materially critical comments and that the applicant's engineering testimony would address the applicable issues and requested waivers, as well as the variances identified in the Planning report.

Ryan Hagee, Professional Engineer and Planner, testified on behalf of the applicant. Mr. Hagee confirmed that he was familiar with the application and the subject property. He identified the site as Block 2324, Lots 8 and 9, comprising approximately 0.57 acres at Northeast Avenue in the R2 residential zone. He described the surrounding area as primarily residential, including properties across the street. He also identified the applicant's other business properties farther south along East Avenue, shown outlined in purple on the exhibit. The subject application concerned the property to the north, where the school, existing dwelling, and garage were located. Mr. Hagee stated that the property had previously received a use variance in June 2022 to permit the mixed use of the dwelling and school. Mr. Hagee explained that the school and existing two-bedroom dwelling would remain. The applicant proposed to convert the existing two-car garage at the rear of the property into a one-bedroom apartment, install a total of 34 parking spaces, and provide the associated utility improvements needed to connect the new apartment to the existing utilities on the property. He explained that all 34 parking spaces were not intended solely to serve the subject property. Rather, the expanded parking area was also intended to provide additional parking for Mr. Crescenzo's businesses located farther south along East Avenue. Mr. Hagee confirmed this understanding.

Mr. Gruccio reiterated that the applicant was seeking a use variance to permit the additional dwelling unit and the proposed parking arrangement as part of the expanded mixed use.

Mr. Gruccio then directed Mr. Hagee to the Planning report dated September 10, 2026, and confirmed that they had met with Mr. Headley and City Planner Elizabeth Jambor earlier that week for a professional application review meeting to discuss the report's provisions.

Addressing Section 6(a) of the Planning report, Mr. Bruce noted that the proposed one-bedroom apartment would have a rear-yard setback of 5.7 feet, where 20 feet was required. Mr. Hagee confirmed that the existing two-car garage, which would be converted into the apartment, was located 5.7 feet from the rear property line. Mr. Gruccio confirmed that the existing rear-yard setback would remain unchanged, as the applicant proposed only to convert the existing two-car garage into a one-bedroom dwelling unit.

Addressing Section 6(b) of the Planning report, Mr. Hagee discussed the front buffer along Lots 8 and 9, facing East Avenue. He explained that the applicant needed to maximize the available parking to accommodate both the subject property and the applicant's off-site businesses. This required parking to be located close to the property line, resulting in the need for a front-buffer variance. Mr. Hagee stated that, following discussions with Mr. Headley, the applicant agreed to remove a portion of the proposed pavement adjacent to the ADA parking spaces near the existing building and replace it with grass. This revision would provide additional area for buffering and trees to soften the appearance of the site.

Mr. Hagee explained that the parking spaces along the easterly side of the property would be adjacent to an existing residential development and the garage proposed for conversion. Approximately 8 feet would separate the parking spaces from the property line. The applicant proposed shrubs to provide screening between the parking area and the adjoining property.

Mr. Gruccio asked whether the proposed parking arrangement and limited front buffering would affect the remainder of the property, including the school, existing two-family dwelling, and proposed one-bedroom dwelling. He then directed Mr. Hagee to discuss the southern side-yard buffer. Mr. Hagee explained that parking spaces were proposed along the southern property line, where an existing fence was in relatively poor condition. At Mr. Headley's request, the applicant was willing to work toward replacing the fence with a cleaner, more attractive fence to screen the property from the adjoining property. Mr. Hagee noted that the existing fence, according to the survey, was located on the subject property, although it belonged to the adjoining property owner. He confirmed that the applicant intended to improve the buffering along this side of the site.

Mr. Hagee next addressed Section 6(d) of the Planning report concerning the rear buffer. The proposed setback was approximately 5 feet, compared with the 25-foot requirement for the residential zone. He identified the parking spaces along the rear of the property, adjacent to the existing garage that would be converted into a dwelling. The applicant proposed to maintain the existing building line and provide shrubs within the approximately 5-foot buffer to screen the parking area from neighboring residences. Addressing Sections 6(e) and 6(f), Mr. Hagee reviewed the impervious coverage calculations for Lots 8 and 9 individually. For Lot 8, the northern lot containing the existing school, dwelling, and garage, he corrected a typographical error on the plans that listed impervious coverage as 92%. He clarified that the correct proposed coverage was 67%. The existing impervious coverage was approximately 66%, and the increase to 67% would accommodate an expanded parking area for a van-accessible ADA parking space. For Lot 9, the southern lot, Mr. Hagee explained that the majority of the proposed parking improvements would be located there. The expanded parking area was intended to accommodate both the uses on the subject property and the applicant's off-site businesses. Mr. Bruce confirmed that the application called for Lots 8 and 9 to be consolidated. Mr. Hagee agreed and stated that the combined property would have approximately 74% impervious coverage. Mr. Gruccio referenced the Planning report's discussion of a 90% benchmark and the applicant's prior agreement, in connection with the 2023 application, to limit impervious coverage if the lots were not consolidated. He confirmed that the current application contemplated consolidation of the two lots. Mr. Hagee agreed that the combined impervious coverage of approximately 74% would be considerably below the 90% benchmark.

Mr. Gruccio then referred to Section 7 of the Planning report, which addressed previously granted variances. He requested that, if the Board approved the application, it consider the existing nonconformities associated with the prior variance approvals.

Turning to Section 8 of the Planning report, Mr. Hagee addressed the request for landscaping to break up the appearance of the proposed fence along the southern property line. He explained that the available area along the narrower portion of the fence was limited and would not accommodate the requested shrubbery throughout its length. However, the applicant could provide landscaping at the ends of the fence, including trees and additional vegetation. Mr. Gruccio confirmed that the applicant was willing to install a white vinyl fence along the southern property line to provide screening from the adjoining residential property. Mr. Hagee agreed that the fence would serve as a screening measure.

Mr. Hagee continued addressing Section 8 of the Planning report and the requested design waivers. Regarding Section 8(b), he explained that the proposed end parking island would be 2.6 feet wide, compared with the required 10 feet. The island was located near the existing garage and the four parking spaces along the western side of the property. He stated that increasing the island to 10 feet would result

in the loss of parking spaces needed for the project. Alternatively, maintaining the number of spaces while expanding the island would increase impervious coverage and the overall impact of the development. The applicant therefore proposed a narrower island.

Regarding Section 8(c), Mr. Hagee explained that the applicant proposed a painted and striped area instead of a curbed, landscaped island. Given the limited size of the island, he stated that a curb could create a tripping hazard for pedestrians walking through the parking area, particularly at night. Addressing Section 8(d), Mr. Hagee stated that the proposed parking spaces would be 9 feet wide, rather than the required 9.5 feet. This reduced width was intended to minimize the amount of impervious coverage. Under Section 8(e), the proposed parking spaces would be 18 feet long instead of the required 19 feet, also to reduce the paved area. Mr. Hagee noted that 8-foot-by-18-foot parking spaces were typical under Institute of Transportation Engineers standards for passenger vehicles. Mr. Gruccio added that the applicant had agreed to comply with the Engineering report's recommendation to provide hairpin striping for the parking spaces. Mr. Hagee confirmed that the applicant would comply.

Regarding Section 8(f), Mr. Hagee explained that 14 parking spaces were proposed along the southern property line without an intervening tree island, although the ordinance permitted 12 spaces in a row without such an interruption. He stated that the additional spaces were needed to accommodate parking demand without expanding the impervious area. Providing a tree island would increase the parking lot's footprint and reduce the available buffer areas along the property boundaries.

Mr. Gruccio asked whether shade trees could be accommodated elsewhere on the site, noting that the plan showed none where three were required. Mr. Hagee confirmed that shade trees could be planted in the grassed areas surrounding the parking lot and agreed to provide the required number identified in the review letter. Mr. Hagee also addressed screening along the adjoining residential properties. He confirmed that the applicant would install a white vinyl fence along the southern property line and provide shrubs and other vegetation along the western property boundary to screen the parking lot from the existing residential development.

Turning to Section 9(a) of the Planning report, Mr. Gruccio asked whether the driveway could be narrowed to comply with the ordinance's maximum permitted width of 34 feet. Mr. Hagee explained that the plan showed a 24-foot-wide driveway or drive aisle connecting to East Avenue. The applicant agreed to remove the previously discussed section of pavement near the ADA parking space, replace it with grass, and narrow the driveway entrance accordingly. Mr. Headley confirmed that the applicant had agreed to comply with all requirements under Section 9, and Mr. Hagee affirmed that commitment.

Mr. Gruccio then confirmed that the applicant would comply with the requirements under Section 10 of the Planning report. Mr. Hagee stated that the applicant would provide the required bicycle parking. Regarding the refuse area, he explained that the existing refuse areas were located within a recessed portion of the existing structure. The applicant agreed to ensure that the refuse area was adequately screened from public view and confirmed compliance with the requirements.

Addressing Section 14, concerning electric vehicle parking requirements, Mr. Hagee confirmed, based on discussions with the applicant, that a make-ready space had been installed as part of the prior work associated with the garage.

Mr. Gruccio then proceeded to Section 16 of the Planning report, concerning perfected-plan requirements, and indicated that the applicant agreed to comply with the requirements except for Item 16(f), which remained to be discussed. Mr. Hagee confirmed that the applicant agreed to comply with the remaining applicable requirements of the Engineering report. Mr. Headley asked how refuse collection was handled at the property. Mr. Hagee explained that the trash was currently brought to the

curb for collection. Mr. Headley indicated that, because the collection vehicle did not need to enter the site, no additional on-site trash truck accommodation was necessary. Mr. Bruce confirmed that the applicant accepted the requirements of the Planning report and would comply with the Engineering report.

David Crescenzo, testified on his own behalf. He testified that he purchased his first building in 1999 and subsequently acquired a second building at Utopia as the business grew. He later purchased a third building but explained that the lack of parking had prevented its effective use. When the property at 524 Northeast Avenue became available, he purchased it to address the parking shortage. He noted that the property had previously been used as a convenience store and had been vacant for more than 20 years. The applicant invested substantially in rehabilitating the property, which was now in good condition.

Mr. Crescenzo explained that renovations to the third building were already underway, with the goal of creating the Utopia Wellness Plaza, consisting of three wellness-related buildings. On busy days, approximately 20 employees currently parked on the property. Once the third building opened, he anticipated that there would be no employee parking spaces available for general use, although employees responsible for opening and closing the business would likely continue to park on the property. He stated that the additional parking spaces requested were necessary to accommodate the businesses' needs. He explained that employees had previously parked at the Swanson property and walked to Utopia because of the limited parking available. Mr. Crescenzo stated that acquiring the nearby property provided a practical solution to the parking shortage and that the applicant was willing to invest in its rehabilitation. In response to a question from Mr. Bruce regarding safety, Mr. Crescenzo explained that the parking area would be striped and enclosed by fencing to provide a safer environment for employees, particularly because many of the employees were women.

Mr. Gruccio asked about anticipated sidewalk improvements along the area. Mr. Crescenzo stated that only one house between the subject property and Utopia currently lacked a sidewalk and that sidewalk installation was scheduled for the spring. He confirmed that the subject property and the property immediately to the south would receive sidewalks as part of the project. Mr. Gruccio noted that the improvements would create a continuous sidewalk connection from the northern edge of the development site to Utopia, benefiting employee and customer safety. Mr. Crescenzo agreed.

Mr. Stefano made a motion to close the public hearing.

Roll call:

Luis Amberths: Yes

Ryan Flaim: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the Use Variance.

Roll call:

Luis Amberths: Yes

Ryan Flaim: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the Site Plan.

Roll call:

Luis Amberths: Yes

Ryan Flaim: Yes

Andrew Groetsch: Yes

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

George LoBiondo: Yes

Application for Use Variance and Site Plan granted.

SUZANNE SMITH, 721 E. Grant Avenue, Block 6701, Lot 20, Zone R-3. Use variance to permit a small event space within an existing accessory garage, together with a waiver of site plan requirements.

Suzanne Smith testified on her own behalf. Ms. Smith requested a use variance to convert an existing barn or garage at the rear of her property into a small event venue accommodating 50 people or fewer for events such as parties and showers. She confirmed that events could be scheduled at various times but would conclude by 10:00 p.m.

Mr. Headley provided additional background regarding the property and proposal. He explained that the property was relatively large, with farmland to the west and residential properties in the surrounding area. The site included an existing residence, an older agricultural-style barn that Ms. Smith had adapted for personal use and larger gatherings, and an area previously used for growing flowers. The proposed event venue would accommodate smaller gatherings, including birthday parties and baby showers, a type of use that Mr. Headley noted was not commonly available locally on a smaller scale.

In addition to the use variance, Ms. Smith requested a waiver of site plan requirements. Mr. Headley explained that the applicant proposed a small stone parking area with approximately 12 spaces in an open area toward the western portion of the property. He stated that this arrangement was consistent with the anticipated parking needs for an event venue of this size, based on an estimated requirement of one space per five attendees. The property also contained a large grassy area that could accommodate overflow parking if necessary. The proposed parking area would have a separate entrance, while Ms. Smith's residence would continue to use its existing horseshoe driveway. An outdoor area with a fireplace or fire pit was also discussed.

Mr. LoBiondo asked whether food would be prepared on the property or brought in by caterers. Ms. Smith confirmed that food would be provided by caterers rather than prepared on site. Mr. Headley explained that catering employees could park behind the barn, where there was an existing doorway, and confirmed that sufficient space was available on the property to accommodate vehicles without requiring parking along East Grant Avenue.

Mr. Stefano asked whether the proposed stone parking area and the use of the grassy area for overflow parking were acceptable. Mr. Headley stated that he had no objection, given the anticipated nature and frequency of the use. He explained that the venue would likely be used primarily on weekends and some evenings rather than on a daily basis. He compared the proposed overflow arrangement to directing guests to designated areas when hosting a private gathering at a residence.

Mr. Stefano made a motion to close the public hearing.

Roll call:

Luis Amberths: Yes
Ryan Flaim: 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:

Luis Amberths: Yes
Ryan Flaim: Yes
Andrew Groetsch: Yes
Eric Hernandez: Yes
Joseph Repice: Yes
Joseph Stefano: Yes
George LoBiondo: Yes

Application granted.

Meeting adjourned at 9:30 PM

Roll call:

Luis Amberths: Yes
Ryan Flaim: Yes
Andrew Groetsch: Yes
Eric Hernandez: Yes
Joseph Repice: Yes
Joseph Stefano: Yes
George LoBiondo: Yes

Yasmin Perez, Secretary

Zoning Board of Adjustment