

MINUTES
March 14, 2012

PRE-MEETING CONFERENCE

A pre-meeting conference of the Planning Board was called to order by Acting Chairman Mr. David Manders at 6:45 PM in the Fourth Floor Conference Room of City Hall. Present were:

David Pickett
Stephen Plevins
Michael Pantalone
Susanne Morello
John Casadia
David Manders

Members not present:
Maria Perez
Victor Terenik
James Kubiak
Douglas Albrecht
Mayor Robert Romano

Also present were:

Frank DiDomenico, Planning Board Solicitor
Yasmin Ricketts, Planning Board Secretary
Brian Myers, City Engineer
Kathleen Hicks, Supervising Planner
Stephen Hawk, Senior Planner

Public notice pursuant to the Open Public Meetings Act was given on December 31, 2011 by posting written notice on the Official Bulletin Board in City Hall, and mailing written notices to the Daily Journal, the Press, the City Clerk and the Board members.

Michael Brosh - Located at the northeasterly southerly side of Sherman Avenue and northerly side of Butler Avenue, Block 7401, Lot 14, Project #12-1273, resubdivision approval to convey a portion of one lot to another lot with variances for lot area, amount of sheds and size of shed.

Mr. Hawk explained that this is a resubdivision application conveying portion of one lot to another lot. There's one property that fronts on Butler Avenue and has a very small frontage. The house for that property is approximately 1,000' back. The other property has a very small frontage on Sherman Avenue with a small house and a couple of sheds. The distance between Sherman Avenue and Butler Avenue is half a mile, so they are both quarter of a mile deep lots. The result will be a larger lot fronting on Butler Avenue, and then will be enough land to farm over five acres and get farmland assessment. Mr. Brosh has a farmer that currently farms some of the land. When reviewing the application, the Health Department had no record for a well. The Water Utility determined that there was a water valve was in an open position, so he was receiving water for ten years without being billed. He paid the unpaid amount and made good on the water. Another issue is the two sheds on the property. He is willing to take down one shed. The remaining shed looks over 200 square feet.

Mr. Manders wanted to know if the property was a construction yard.

Mr. Hawk explained that he does have a contracting business.

Mr. Manders wanted to know if this is a residential use.

Mr. DiDomenico explained that if it is a construction yard on a residential property, then it should be sent to the Zoning Board of Adjustment.

Ms. Hicks explained that a contractor's yard requires a site plan.

Dale Holding Co., LLC - Located at the westerly side of Mill Road between Weymouth Road and Gallagher Drive, Block 302, Lot 5, Project #12-1278, Major Site Plan preliminary/final approval to construct an 18,450 square foot one story warehouse addition, a 240 square foot shipping office addition and a 1,760 square foot landing dock with roof overhang to an existing cardboard box and packaging manufacturing building (Phase 1) and a preliminary major site plan approval to construct a 34,255 square foot one story addition to the cardboard box and packaging manufacturing building (Phase 2), with variances for side yard setback and impervious coverage.

Mr. Hawk explained that the proposal is two phases. One would be the addition to the north side of the existing building, and that would expand the existing building and allow warehouse space. Then phase two would be an addition to the back area to the west. The phase one area will become more the manufacturing end, and blend in with the existing site. Variances for the site are itemized in number six of the report. The side yard is 32.76' vs. 35', impervious coverage is at 61% after phase one, and 69% with

full build out of the site. There is enough parking and that will remain the same. The back area is currently wooded and will be for the most area cleared. The area does not qualify to be a forest and they are not subject to forest and tree clearing. Three sides of the storm water management basin going off to the sides and the rear does require set back relief. There are 25' and 22' for the sides, and rear set back is 24'. There may be a desire to keep it as shallow as possible.

Mr. Pantalione wanted to know if they had to fence the basin.

Mr. Hawk explained item #9 states fencing and screening around the perimeter of the storm. He calculated the basin depth as 2.5'. The Engineering report has the depth at 3.22' maximum berm depth. A basin at that depth does require a fence, so that would be a waiver that they are seeking.

Mr. Pickett stated that the water table is high.

Mr. Hawk explained that they could talk about that at the meeting.

Mr. Myers stated that their existing basin stays wet most of the year, and it is actually ground water. The new basin is going to be higher. They do get the separation from seasonable high water table that they are required to have. That played into saving trees and leaving the elevation to where they are now. The ground water table the way it is, they need to remove the tree to build the basin at the proper elevation for drainage. They were not able to save the trees they were trying to save.

Mr. Hawk explained the other item for relief on the site improvement. As part as phase one, they would build the addition and they would provide stone area in the rear as a staging area for their vehicles. The stone surface is a waiver.

Mr. Casadia wanted to know how many trucks could be parked in the stone area.

Mr. Hawk explained that it could fir about 15-18 vehicles along that area. The area consists of 2,480 square feet. There could be a larger number than what he has.

Mr. Manders wanted to if anyone looked into the turning radius of trucks getting into docks. Phase 2 seems to be tight back in the rear.

Mr. Hawk explained that comment #14B shows the types of vehicles that would be used for delivery. He went over supplemental sheets SP4A and SP4B describing both phases.

Mr. Myers explained that they had a comment regarding the entrance to the site. The Engineering department would like to see the driveway reconfigured in the front. It is visible that tractor trailers leaving are driving over the curb on the south radius.

Ms. Hicks explained that they are proposing a sign on the rear that is not allowed by ordinance. That can be discussed at the meeting.

AG Autogroup, LLC - Located at the northwest corner of Delsea Drive and Garden Road, Block 604, Lot 16, Project #12-1279, minor site plan approval to establish a used car sales lot with a variance for impervious lot coverage.

Mr. Hawk explained that the applicants are prepared to be the renters of the site. There was a recent site plan when it was a gas station. They now want to establish a used car dealership. They will eliminate the canopy, and there are four driveways. Two driveways will be eliminated curbing, and will be replaced with grass and mulch. They want to maximize the space that they have there. They want fourteen spaces across the front. There will be twenty display spaces, two parking spaces, and two spaces for employees in the building. They are creating a one way pattern, entering from Delsea Drive and leaving onto Garden Road. There is no radius on the driveway, so to make a right onto Garden Road is not conducive to good movements. There may be a car waiting to pull out.

Mr. Myers stated that the existing site has a No Left Turn sign, and they would like to see that remain.

Mr. Hawk explained that left turns will not be happening off of Main Road. There is a sight triangle issue for cars sitting at Garden Road and heading eastbound or turning onto Delsea Drive, the last space becomes victim of that sight triangle. The Water Utility gave comment about a display spot. There is a water meter and they are concerned about the weight of a car sitting on that meter. They may lose that space. Comment #8 specifically states the number of vehicles to be placed on the plan.

Special Business- Lenwood Court is requesting an extension of the final major subdivision, and will be discussed via telephone conference. There also is a redevelopment plan to turn an office into a duplex.

REGULAR MEETING

The regular meeting of the Planning Board was called to order by Solicitor Mr. DiDomenico, at 7:30 PM in City Council Chambers in City Hall.

Present were:

David Pickett
Stephen Plevins
Michael Pantalone
Susanne Morello
John Casadia
Douglas Albrecht
David Manders

Absent were: Victor Terenik, James Kubiak, Maria Perez, Mayor Robert Romano

Also present were:

Frank DiDomenico, Planning Board Solicitor
Yasmin Ricketts, Planning Board Secretary
Brian Myers, City Engineer
Kathleen M. Hicks, Supervising Planner
Stephen Hawk, Senior Planner

FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 31, 2011 by posting written notice on the Official Bulletin Board in City Hall, and mailing written notices to the Daily Journal, the Press, the City Clerk and the Board members.

MINUTES – Approval of minutes from the February 8, 2012 board meeting.

The Chairman Mr. Manders made a motion to approve the minutes. Roll call:

Mr. Plevins: Yes

Mr. Plevins: Yes
Mr. Pantalone: Yes
Ms. Morello: Abstain
Mr. Casadia: Abstain
Mr. Pickett: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

RESOLUTIONS – Approval of resolutions from the February 8, 2012 board meeting.

The Chairman Mr. Manders entertained a motion to approve the resolutions. Roll call:

#5994-

Mr. Plevins: Yes
Mr. Pantalone: Yes
Ms. Morello: Abstain
Mr. Casadia: Abstain
Mr. Pickett: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

#5995-

Mr. Pantalone: Yes
Ms. Morello: Abstain
Mr. Casadia: Abstain
Mr. Pickett: Yes
Mr. Plevins: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

#5996-

Ms. Morello: Abstain
Mr. Casadia: Abstain
Mr. Pickett: Yes
Mr. Plevins: Yes
Mr. Pantalone: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

The Board's professional staff, Kathleen M. Hicks-Supervising Planner, Stephen Hawk-Senior Planner, and Brian Myers- City Engineer were sworn in.

PUBLIC HEARING

1. Michael Brosh - Located at the northeasterly southerly side of Sherman Avenue and northerly side of Butler Avenue, Block 7401, Lot 14, Project #12-1273, resubdivision approval to convey a portion of one lot to another lot with variances for lot area, amount of sheds and size of shed.

Mr. Brosh testified on his own behalf and requested to convey property from existing lot that he occupies to another lot that he purchased on Sherman Avenue to create more lot area for farmland assessment.

Mr. Hawk explained that as far as lot area and conveyance, that he informed Mr. Brosh when he made the application that the remaining lot 14 was shy of the one acre minimum requirement. Adding a slight amount of land to the remainder of lot 14, and shifting the line over his suggestion would be an even twenty feet. That would mean lot 14 on Sherman Avenue would end up with 43,772 square feet, net depth of 446.09'. That would eliminate the variance for lot area that was part of the initial application.

Mr. Brosh stated that he has new drawings for Mr. Hawk's review.

Mr. Hawk wanted to know if the new drawings matched what he discussed. He did not get a chance to look at a new drawing, because they were not submitted to him. For simplicity, Mr. Brosh should add 20'.

Mr. Brosh wanted to know what the depth was.

Mr. Hawk stated that it was 446.09' if 20' is added.

Mr. Brosh explained that the plan has it at 444.97', and with minor adjustments he does not have any problems conforming to those lot lines.

Mr. DiDomenico wanted to know the size of the lot shown.

Mr. Brosh stated it was 43, 560 square feet.

Mr. Hawk explained that he extended the rear line 20' back from Sherman Avenue. The area for the remainder of lot 4 would be an acre, and depth 444.97', and 18.88' adjusted.

Mr. Hawk explained that the aerial photography displayed the amount of equipment that was on the property. He wanted to know what the situation was with that, and if he is storing his equipment from his contracting business.

Mr. Brosh stated that he occasionally stores his equipment there.

Mr. Hawk explained that they are concerned about it, because they do not want a situation where he is operating his business out of that site. The Planning Board does not have jurisdiction if he is.

Mr. Brosh explained that he has a farmer that rents property to farm, and he occasionally does work for him. Some of the equipment is used for farming, and some of it is used for the contracting business.

Mr. Manders wanted to know where he conducted his contracting business.

Mr. Brosh stated that 1193 Sharp Road is an office that he uses. He also has 1120 E. Butler Avenue is where some insurance bills are mailed.

Mr. DiDomenico explained that if Mr. Brosh's property appears to be a contracting yard with all of the equipment. It triggers a use variance and expansion of non-permitted use. He can carry this application for a month to sort out the issues and return.

Ms. Hicks suggested that the applicant schedule a staff meeting to discuss what is permitted on the property.

The Chair entertained a motion to close the public hearing. Mr. Pantalione so moved, Mr. Pickett seconded. Roll Call:

Mr. Pickett: Yes
Mr. Plevins: Yes
Mr. Pantalione: Yes
Ms. Morello: Yes
Mr. Casadia: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

The Chair entertained a motion to carry application for a month with no further notice, Mr. Pantalione so moved, Mr. Pickett seconded. Roll Call:

Mr. Plevins: Yes
Mr. Pantalione: Yes
Ms. Morello: Yes
Mr. Casadia: Yes
Mr. Albrecht: Yes

Mr. Manders: Yes

2. Dale Holding Co., LLC - Located at the westerly side of Mill Road between Weymouth Road and Gallagher Drive, Block 302, Lot 5, Project #12-1278, Major Site Plan preliminary/final approval to construct an 18, 450 square foot one story warehouse addition, a 240 square foot shipping office addition and a 1,760 square foot landing dock with roof overhang to an existing cardboard box and packaging manufacturing building (Phase 1) and a preliminary major site plan approval to construct a 34, 255 square foot one story addition to the cardboard box and packaging manufacturing building (Phase 2), with variances for side yard setback and impervious coverage.

Ms. Susanne Morello had a conflict with the application and she had to abstain.

The applicant was represented by Michael Fralinger, Esq, and is requesting a two phase expansion. Vineland packaging has been in existence for about 45 years. The aerial displayed shows the existing conditions off of Mill Road. There are six loading doors in the rear of the property. The applicant would like to expand to keep up with current competition and current technological advancement. They ship packages regionally and all over the eastern region. The first expansion 18,450 square feet to the northerly side will be for warehousing space. They are currently leasing warehousing space off site, and they could move it on site after the expansion. Phase two expansion, over 32,000 square feet, will expand the rear of the building. The warehousing will be moved to the rear when that occurs. They could then utilize the phase one expansion 18, 450 square feet for new technically advanced equipment to keep the facility competitive going into the future. The applicant will be seeking a preliminary and final approval for phase one. A preliminary approval for phase two. When phase one is completed, they will return for a final approval for phase two. Currently there is a metal frame building, prefab, box warehouse.

Steve Nardelli, Engineer, testified on behalf of the applicant. Part of phase one will be to reconstruct parking lot to 39 spaces. There will be 18,000 square feet addition to the north side of the area. The new loading area on the west side will load and unload as they do presently. The driveway will be widened to 30', and the island will be slightly 10'. There is a retaining wall in the back of the driveway heading towards the rear of the building makes up for grade change. The basin in the rear is very shallow and a little over 2' feet. The north of the adjoining property, west Rt. 55, there is no impact to the basin. The depth is a little over 2' with emergency overflow. In phase two, the area in to the rear, loading dock becomes an addition. Truck turning maneuvering in the back of the site is the same as the last twenty four years and the space will provide more distance. On the north side of the property, a stall space will be utilized by UPS. There are no objections to the engineering report. There was discussion on comment 10, turning diagrams.

David Delesandro, Principal, testified on behalf of the company. They have been in business for over forty years with three generations operating the business. There has been an increase in volume, so the company wants to expand. They do not have any concerns with the turning radiuses. Currently they communicate with receivers and direct the truck drivers. There will be between 8-12 doors in the rear. The stone area will be a trailer staging area. They are empty trailers, and they are not aware of oil in those trailers. They are also requesting a sign on the rear of the building to be seen from Rt.55 for product recognition. The company deals with very large businesses and opportunities can be enhanced.

Mr. Pantalione explained the reason for the buffering and lack of signage along Delsea Drive, keeping Rt. 55 as green as possible.

Mr. Manders has no problems with the site plan, but the one issue he has is with the sign facing Rt. 55.

Mr. Albrecht has no problems with the sign.

Mr. Plevins does not have any problems with the sign.

Ms. Hicks explained that there are special provisions in the I-1 zone. They were established when the park was, to have a campus like setting. There was a standard to maintain 20% natural vegetation. It has a different feel than other industrial parks. Unfortunately, there are a lot of illegal signs in Vineland. There has been a battle to keep signage off of Rt. 55. The speed limit is 65mph and there are trees. The opportunity to see any signage would be very difficult.

The Chair entertained a motion to close the public hearing. Mr. Pantalione so moved, Mr. Pickett seconded. Roll Call:

Mr. Plevins: Yes
Mr. Pantalione: Yes
Mr. Casadia: Yes
Mr. Pickett: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

The Chair entertained a motion approve the site plan. Mr. Pantalione so moved, Mr. Pickett seconded. Roll Call:

Mr. Plevins: Yes
Mr. Pantalione: Yes
Mr. Casadia: Yes

Mr. Pickett: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

The Chair entertained a motion approve the sign variance facing the rear. Mr. Pantalone so moved, Mr. Pickett seconded. Roll Call:

Mr. Pantalone: No
Mr. Casadia: No
Mr. Pickett: No
Mr. Plevins: Yes
Mr. Albrecht: Yes
Mr. Manders: No

3. AG Autogroup, LLC - Located at the northwest corner of Delsea Drive and Garden Road, Block 604, Lot 16, Project #12-1279, minor site plan approval to establish a used car sales lot with a variance for impervious lot coverage.

The applicants were represented by Robert Casella, Esq., and they wish to establish a used car dealership. The property was formerly operated as a gas station, and has been vacant for several years. The tanks have been removed on one side of the building. The use is permitted in the zone, paving additional area, removal of some trees, remove existing canopy, and utilize the sign on the Delsea Drive side. Proposing to eliminate two curb cuts and utilize the third on the northern portion of Delsea Drive, retaining exit and right turn only on Garden Road, and execute proper site triangle on the corner of the property. The structure is not going to change in any fashion with the exception of interior renovations for the offices. There will be two parking spaces inside. The maximum of twenty display parking spaces are proposed, and the area in the right rear paved. There is an existing fence on the western property line, will be repaired or replaced. There is mixed used, a house across the street on Garden Road. They cannot do anything with the side yard that's existing. They will not encroach or change anything with that. Any improvements to the building will be superficial to the outside but confined to the inside. Four parking spaces proposed and that meets the requirements.

Mr. DiDomenico asked if the entrance on Delsea Drive was entrance only.

Mr. Casella stated that the Delsea Drive entrance was entrance only.

Mr. DiDomenico asked if there was going to be any maintenance of cars on the site.

Mr. Casella stated that it was just for the sale of cars. There will also be no detailing or car washing.

Mr. Hawk explained that the fourteen spaces along Delsea Drive, the space closest to the intersection is eliminated according to their plans. That area should be made part of grass corner. The water utility has a water meter issue.

Mr. Casella proposed contacting the water utility to find a solution.

Mr. Hawk explained that the current plan has approximately 18-19 display parking spaces. The two parking spaces are inside the building, two parking spaces on the side of the building, and one of those parking spaces is a handicapped. If it is busy, there will be only one parking space available. The wheel stops have to be positioned so that the overhang of the vehicles does not go into the right of way. The removal of the two driveways on Delsea Dive does require curbing along the street frontage, so state NJDOT curb should be installed.

The Chair entertained a motion to close the public hearing. Mr. Pantalone so moved, Mr. Pickett seconded. Roll Call:

Ms. Morello: Yes
Mr. Casadia: Yes
Mr. Pickett: Yes
Mr. Plevins: Yes
Mr. Pantalone: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

The Chair entertained a motion to approve the site plan application. Mr. Pantalone so moved, Mr. Pickett seconded. Roll Call:

Mr. Plevins: Yes
Ms. Pantalone: Yes
Ms. Morello: Yes
Mr. Casadia: Yes
Mr. Pickett: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

Redevelopment Plan Amendment for 124 N. East Avenue- The redevelopment plan is not consistent with the zoning plan. It does not comply with the master plan. They would like to convert this structure into a duplex. It is a very large structure, grossly undersized lot, and half the size required for a duplex if it were permitted. The subcommittee reviewed it and commented. Licenses and Inspections wanted plans and fire separations. The Zoning Officer wanted both units to be two bedrooms only. It needs water and sewer approvals. It would figure into affordable housing obligations. Parking was an issue because the entire back yard is covered in sea shells and mixed with grass. The shells have to be removed and a lawn established. The garage and the spaces behind will give enough parking stalls.

The Chair entertained a motion to pass a recommendation to City Council. Mr. Pantalone so moved, Mr. Pickett seconded. Roll Call:

Ms. Pantalone: Yes
Ms. Morello: Yes
Mr. Casadia: Yes
Mr. Pickett: Yes
Mr. Plevins: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

Request for extension of final major subdivision for Lenwood Court- Mr. Hakim was contacted via telephone conference in Aventura, Florida. He is requesting to extend his approval. He has owned the property for 4-5 years. The property was purchased with a partner and it turned out to be a bad deal. He is having a difficult time selling the property because of the project going on next door. All the improvements that were asked by the city have been made, and he is maintaining the property as much as possible. There is a fence around the basin, and there is a problem with vandalism. They keep fixing it and the children keep messing with it. The property has been listed, and has an offer by Ryan Homes. There are nineteen lots remaining. The builder took five lots, constructed three homes, and disappeared.

Mr. DiDomenico wanted to know when the approval expired.

Mr. Hawk stated that it was April of 2006 to April 2007. That brings into the permit extension act, and it is good until the end of this year at the very least. He wanted to know if Ryan Homes purchased the property, if they would be taking over the site improvements.

Mr. Hakim explained that he would be responsible for completing the site improvements. The city has \$98,000 in a surety account.

Mr. Hawk explained that the engineering department did an inspection and the black top put down as a base has deteriorated. There's a concern with the detrition of that black top and additional monies are needed to hold in escrow until everything is done. The amount would be \$121,000.00.

Mr. Hakim explained that he does not have the money because of hardship.

Mr. Hawk explained that they like the fact that Ryan Homes is interested in the property but the street and curbing is important.

Mr. DiDomenico explained that the applicant has final approval. That final approval is good for two years, and it expired in 2005. He asked for and received a one year extension. Assuming it is approved, it will only give Mr. Hakim until December 31, 2012.

Mr. Myers explained that if it is granted, it will allow Ryan Homes to buy the lots and start making the improvements to be made.

Mr. DiDomenico wanted to know if Mr. Hakim could post \$10,000.00 per lot.

Mr. Myers explained that he could complete improvements as he sells the lots. It will build momentum and make the development better.

Mr. Hakim explained that according to Ryan Homes, the site will be complete in six months. They will damage the streets during constructions. If the project is completed, he will complete the improvements as soon as he can. He plans on completing the roadway once Ryan Homes is finished. He wants to complete the project and get out of it. He wants to know if he can take the slabs off the chain link fence.

Mr. Hawk explained the fence situation to the board. There is a screening requirement for the basin, and it is not an issue for the board.

The Chair entertained a motion to pass the applicant's request to grant an extension for one year. Mr. Pantalone so moved, Mr. Pickett seconded. Roll Call:

Mr. Casadia: Yes
Ms. Morello: Yes
Mr. Pickett: Yes
Mr. Plevins: Yes
Mr. Pantalone: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

ADJOURNMENT

The Chairman entertained a motion to adjourn. Mr. Pantalone so moved. Mr. Pickett seconded. Roll call:

Mr. Pickett: Yes
Mr. Plevins: Yes
Mr. Pantalone: Yes
Ms. Morello: Yes
Mr. Casadia: Yes
Mr. Albrecht: Yes
Mr. Manders: Yes

TIME: 9:45 PM

Respectfully submitted,

Yasmin Ricketts
Planning Board Secretary