

MINUTES
June 10, 2015

PRE-MEETING CONFERENCE

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

Christine Scarpa
Maria Perez
Sandy Velez
Stephen Plevins
Gary Stanker
Michael Pantalone
David Manders

Also present were:

Frank DiDomenico, Planning Board Solicitor
Christine Scarpa, Substitute Planning Board Secretary
Kathleen Hicks, Planning Supervisor
Stephen Hawk, Principal Planner
Brian Myers, City Engineer

Public notice pursuant to the Open Public Meetings Act was given on December 13, 2014 by posting written notice on the Official Bulletin Board in City Hall, and mailing written notices to the Daily Journal, City Clerk, and the Board members.

REGULAR MEETING

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

Present were:

Christine Scarpa
Maria Perez
Sandy Velez
Stephen Plevins
Gary Stanker
Michael Pantalone
David Manders

FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 13, 2014 by posting written notice on the Official Bulletin Board in City Hall, and mailing written notices to the Daily Journal, City Clerk, and the Board members.

MINUTES – Approval of minutes from the May 13, 2015 board meeting.

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

Christine Scarpa: Yes
Maria Perez: Yes
Sandy Velez: Yes
Stephen Plevins: Abstain
Gary Stanker: Abstain
Michael Pantalone: Yes
David Manders: Yes

RESOLUTIONS – Approval of resolutions from the May 13, 2015 board meeting.

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

#6118

Christine Scarpa: Yes
Maria Perez: Yes
Sandy Velez: Yes
Stephen Plevins: Abstain

Gary Stanker: Abstain
Michael Pantalone: Yes
David Manders: Yes

#6119

Christine Scarpa: Yes
Maria Perez: Yes
Sandy Velez: Yes
Stephen Plevins: Abstain
Gary Stanker: Abstain
Michael Pantalone: Yes
David Manders: Yes

#6120

Christine Scarpa: Yes
Maria Perez: Yes
Sandy Velez: Yes
Stephen Plevins: Abstain
Gary Stanker: Abstain
Michael Pantalone: Yes
David Manders: Abstain

PUBLIC HEARING

South Main Road Dollar General Store- Located on the westerly side of Main Road south of Magnolia Road, Block 5804, Lot 38, Project #15-00018, preliminary/final major site plan approval to construct a 9,100 square foot retail store and variance for sign face area and sign height.

The applicant was represented by Michael Gruccio, Esq. and requests a preliminary/final major site plan approval for the construction of a food retail store (Dollar General).

The two witnesses will be Daniel Smith and John Pettit.

Mr. Gruccio stated that the owner of the property in question is LTD Realty, LLC. The applicant is seeking two sign variances, paragraph 5 in the Planning Report. The waivers being requested are the driveway width of 18' whereas 17' is permitted, parking space width of 9' whereas 9.5' is required, and waiver from providing center line elevations of Main Road on the perfected plan. The property is located at 1470 S. Main Road and has 10 acres. The property has a vacant 10,200 square foot building that was previously used for an MRI. The applicant is proposing 9,100 square foot Dollar General Store to be located at the northeast corner of the site. The Zoning Board of Adjustment approved a major site plan in 2000 and the City currently hold a bond for the site. They will plant trees according to that plan and it will reflect on the new perfected plan.

Mr. John Pettit, Professional Engineer testified on behalf of the applicant. The proposed Dollar General building will be located at the northeast corner of the property. The entrance onto Main Road will remain the same. They are 26 parking spaces existing and additional spaces will be constructed. They will be providing 2 trash enclosures. The loading zone will be on the west side of the building. The loading will be by a WB-67 truck. It can circulate into the site and maneuver into the loading space. A total of 61 parking spaces are required and they will be providing 117 parking spaces. There are existing storm water facilities to the rear of the site and no new facilities are proposed. A waiver for the driveway width is required. The drive is 18' wide and it will accommodate tractor trailers. There is a waiver for 9' wide parking spaces. It is the standard with Dollar General Stores. They are seeking two sign variances. A free standing pylon sign will have a sign face of 97.5 square feet and will be 21' high. The ordinance permits a maximum of 75 square feet sign face and maximum height of 20'. There will be a building façade sign which will be 97.5 square feet whereas the ordinance permits a maximum of 126 square feet. The remainder of the Planning Report and the Engineering Report are acceptable. The applicant is seeking a waiver from showing the center line elevations of Main Road. The driveway entrance will not be changed therefore there is no need to show them.

Daniel Smith, agent for the property owner, testified on behalf of the applicant. He submitted Exhibit A-1, a 6 page document. The first page shows the sign requested by Dollar General. The remaining pages show other signs throughout the city. There is a Wawa on Brewster Road and Chestnut Avenue and they have 51 square foot sign. Brewster Village has a sign that is 85 square feet with a second sign having 32 square feet. The sign for Magnolia Court is 91 square feet plus another sign of 89 square feet. A sign for 1406 Main Road of 64 square feet on the reader board with the entire sign being 157 square feet. The sign shown

in Exhibit A-1 is a proto-typical sign for Dollar General. There are over 11,000 stores and he is not aware of Dollar General having other sizes.

Mr. Manders wanted to know if the owner was aware about the size being in excess size. He also wanted to know what they were going to do with future tenants.

Mr. Smith explained that future tenants would offer the right to mount a sign on the pylon below the Dollar General sign.

Ms. Hicks stated that she is concerned with future development on the site. The new tenants will require sign variances since the applicant is using all the permitted sign space plus additional space by the way of a requested variance. The height variance is only 1' over the standard and sees no justification for it. She also does not want the use of the existing bonding for the shade trees. The City has waited fifteen years for the trees to be planted therefore bonding should be part of this application.

The Chairman entertained to close the public hearing. Mr. Pantalone so moved, Ms. Perez seconded.

Michael Pantalone: Yes
Maria Perez: Yes
Christine Scarpa: Yes
Stephen Plevins: Yes
Gary Stanker: Yes
Sandy Velez: Yes
David Manders: Yes

The Chairman entertained to approve the request. Mr. Pantalone so moved, Ms. Perez seconded.

Michael Pantalone: Yes
Maria Perez: Yes
Stephen Plevins: Yes
Christine Scarpa: Yes
Gary Stanker: Yes
Sandy Velez: Yes
David Manders: Yes

SPECIAL BUSINESS

Amendments to the Housing Element and Fair Share Plan-

Brian Slough explained that this is a revised third round Housing Plan. It is responding to the Supreme Court decision on March 10, 2015 on several challenges to rules promulgated by the New Jersey Council and Affordable Housing decided because of the inaction of the State Agency to take the requirements for Affordable Housing at the municipal level and place them with superior court judges within the state. Plans will be filed with the court in a process called a declaratory judgment action. As part of that filing will also include a motion for immunity from Affordable Housing law suits. This process with set out by the Supreme Court in their decision and we have just completed the 90 day transition period and we are within the 30 day period in which municipalities can make these fillings. Vineland's Housing plan is being revised because it has a simple task which is to address its rehabilitation component. Rehabilitation is where low and moderate income households live in substandard housing. That is determined from various census data that is taken. This plan's start date is April 1, 2010 which is census day. The plan proposes the rehabilitation of at 323 housing units in the next 10 years. At the present time 103 units are creditable. An additional 220 units will need to be addressed. The municipality has rehabilitated 20-50 housing units per year through housing programs. The plan itself has several components. The first part is a preamble to discuss how we got to this state for the board's edification. The plan explains the housing conditions, demographics of the city, and development in growth. Also the areas are suitable for Affordable Housing. Then it explains how the municipality will address it. There have been several funding streams that have been used necessary for rehabilitation. It requires at least \$8,000 actual hard costs and \$2,000 for administrative costs. It will meet the requirements. The attempt of the plan is that if we average 22 housing units a year, will meet the obligation for rehabilitation. The other aspect is if funding streams are no longer available, new construction units can be used towards the program. The court should embrace the plan and give the city a judgment of repose.

The Mr. Pantalone made a motion to approve the adoption of the plan, Ms. Perez seconded.

Michael Pantalone: Yes
Maria Perez: Yes
Stephen Plevins: Yes
Christine Scarpa: Yes
Gary Stanker: Yes
Sandy Velez: Yes
David Manders: Yes

Mr. Pantalone entertained a motion to approve Resolution #6121. Ms. Perez so moved, Ms. Scarpa seconded.

Michael Pantalone: Yes
Maria Perez: Yes
Stephen Plevins: Yes
Christine Scarpa: Yes
Gary Stanker: Yes
Sandy Velez: Yes
David Manders: Yes

ADJOURNMENT

The Chairman entertained a motion to adjourn.

Roll call:

Michael Pantalone: Yes
Maria Perez: Yes
Stephen Plevins: Yes
Christine Scarpa: Yes
Gary Stanker: Yes
Sandy Velez: Yes
David Manders: Yes

TIME: 9:00 PM

Respectfully submitted,

Yasmin Ricketts
Planning Board Secretary