

MINUTES
February 13, 2019

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 Second Floor Caucus Room of City Hall. Present were:

Michael Pantalone
Keith Salerno
Christine Scarpa
John Casadia
Robert Odorizzi
David Acosta
David Manders

Also present were:

Frank DiDomenico, Planning Board Solicitor
Kathleen Hicks, Supervising Planner
David Maillet, Supervising Engineer
Ryan Headley, Principal Engineer/Planner

FLAG SALUTE

Public notice pursuant to the Open Public Meetings Act was given on December 15, 2018 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.

ROLL CALL-

Michael Pantalone
Keith Salerno
Christine Scarpa
John Casadia
Robert Odorizzi
David Acosta
David Manders

MINUTES –

Approval of minutes from the January 9, 2019 board meeting.
The Chairman made a motion to approve the minutes.

Roll call:

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Abstain
Robert Odorizzi: Abstain
David Acosta: Yes
David Manders: Yes

RESOLUTIONS –

Approval of minutes from the January 9, 2019 board meeting.
The Chairman made a motion to approve the resolutions.

Resolution #6319

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Abstain
Robert Odorizzi: Abstain
David Acosta: Yes
David Manders: Yes

Resolution #6320

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Abstain
Robert Odorizzi: Abstain
David Acosta: Yes

David Manders: Abstain

Resolution #6321

Michael Pantalone: Abstain
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Abstain
Robert Odorizzi: Abstain
David Acosta: Yes
David Manders: Yes

Resolution #6322

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Abstain
Robert Odorizzi: Abstain
David Acosta: Yes
David Manders: Yes

Resolution #6323

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Abstain
Robert Odorizzi: Abstain
David Acosta: Yes
David Manders: Yes

Resolution #6324

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Abstain
Robert Odorizzi: Abstain
David Acosta: Yes
David Manders: Yes

Resolution #6325

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Abstain
Robert Odorizzi: Abstain
David Acosta: Abstain
David Manders: Yes

Resolution #6325

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Abstain
Robert Odorizzi: Abstain
David Acosta: Abstain
David Manders: Yes

Open the Public Hearing

Roll call:

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Acosta: Yes
David Manders: Yes

McDonald's Store #029-0294- Located on the easterly side of North Main Road between Kay Terrace and Woodcrest Drive, Block 2501, Lot 98, Project #18-00093. Minor site plan approval to construct site improvements to an existing fast-food restaurant (McDonald's).

The applicant was represented by Stephen Nehmad, Esq. They are requesting a minor site plan to upgrade an existing McDonald's fast food restaurant. It is corporate policy to update the stores and this one was built in 1981. The renovations will include a new façade, site improvements, ADA improvements, landscaping and a pedestrian walk in Main Road. They will also improve the site's lighting.

Martin Swaggart, Professional Engineer, testified on behalf of the applicant. The current building was built during the 1980 to 1982 design style. The entire exterior of the restaurant will be remodeled. Exhibit A-4, renderings of the exterior elevations of the building. The new McDonald's will have a clean and modern look. The old red roof will be eliminated. The improvements will include a new sign package. There will also be interior remodeling and will be ADA compliant. The applicant is seeking a variance for a wall sign on the south side of the building. The wall is not oriented to a street frontage, therefore, requires a variance. The signage is 14 square feet for the McDonald's arch and 2.6 square feet for the welcome sign on the south side which identifies the entrance. Exhibit A-3, site improvements. The new improvements will bring parking and sidewalks up to current ADA standard. One parking space will be eliminated to provide a sidewalk on Main Road. The parking remains compliant. The applicant will be adding trees to replace trees along both sideyards. They will consult with the City's Planner regarding the landscaping plan. The applicant agrees with the remainder of the Planning and Engineering Reports. There will be no light pollution to the adjacent sites. They are anticipating to begin the work in June.

The Chairman entertained a motion to close the public hearing. Mr. Salerno so moved, Mr. Pantalone seconded.

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Acosta: Yes
David Manders: Yes

The Chairman entertained a motion to approve the request. Mr. Pantalone so moved, Mr. Odorizzi seconded.

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Acosta: Yes
David Manders: Yes

Estate of Celeste Deon Resubdivision- Located on the northerly side of east Chestnut Avenue between Myrtle Street and State Street, Block 4217, Lots 9 & 10, Project #19-00001. Resubdivision approval to convey a portion of one lot to another lot. Additionally, a portion of one existing lot will be conveyed as public right-of-way.

The applicant was represented by Tara Vargo, Esq. The application is for a lot line adjustment between lots 9 and 10. The two lots are owned by cousins. Lot 10 is unique in that the driveway is located on lot 9. They would like to move the lot line seventeen feet to relocate the driveway on lot 10. Lot 10 is also an undersized lot. Exhibit A-1, an aerial photograph. Ms. Deon purchased the home in 1949 and Arcadia Place was not a paved roadway. The intent of the application is to move the driveway. The applicant agrees to remove 5' of pavement from each side of the proposed new lot lines.

The Chairman entertained a motion to close the public hearing. Mr. Pantalone so moved, Mr. Salerno seconded.

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Acosta: Yes

David Manders: Yes

The Chairman entertained a motion to approve the application. Mr. Pantalione so moved, Mr. Salerno seconded.

Michael Pantalione: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Acosta: Yes
David Manders: Yes

Family Dollar- Located on the southwest corner of West Chestnut Avenue and South West Boulevard, Block 4808, Lot 9, Project #18-00066. Preliminary/final major site plan approval to construct an 8,320 square foot retail building (Family Dollar) along with associated site improvements.

The applicant was represented by Nathan Van Embden, Esq. The applicant is Chestnut Avenue, LLC and they are proposing to construct a Family Dollar Store. The current site is an eyesore. The proposal will improve drainage and landscaping.

Angela Oberly, Operations Manager with Family Dollar, testified on behalf of the applicant. Family Dollar utilizes trash containers for cardboard from waste management 2 to 3 times a week. Deliveries occur on Monday and Wednesday by a large tractor trailer each week. Smaller trucks also deliver frozen food and vendor trucks deliver other items each week. The trucks will unload at the back door which will face S. West Boulevard. They generally unload for 1.5 to 3 hours. The store is busiest from 11am to 7pm. The slowest time is between 8am and 11am. All deliveries are scheduled during the slow period. There is a maximum of 10 cars during peak shopping time. The store tends to have a lot of pedestrian traffic so the proposed 33 parking spaces are adequate. There are a maximum of 3 employees on a shift at one time.

William Gilmore, Professional Engineer, testified on behalf of the applicant. The site is a total of 0.86 acres. Exhibit A-3, color rendering site plan. The site has impervious coverage of 58% whereas a maximum of 45% is permitted. There are currently 3 curb cuts on the Boulevard and one curb cut on Chestnut Avenue. The site drains to the south. The site has all needed utilities required by Family Dollar. The building will be a total of 8,320 square feet. There will be a drainage basin at the south end of the lot. Delivery trucks will enter from the boulevard entrance, unload at the building then exit with a right turn only on to Chestnut Avenue. The applicant meets all stormwater management requirements. The site will have a drainage basin and recharge area. The applicant will revise the stormwater basin calculations as requested. He used the T-20 computer method which is more precise than the TR-55 method for stormwater calculations as required by City Ordinance. The applicant is seeking a waiver from the requirement of a one foot freeboard elevation for the stormwater management basin. The applicant will comply with the basin time calculations as per NJ Stormwater Best Management Practices Manual (BMP). The proposed application improves the drainage on site and also improves the aesthetics at the site. As to the Environmental Commission letter, the applicant will change the species of landscape plantings as required. The stormwater management plan resolves paragraph 2's issues. For paragraph 3, the applicant will expand the parking island ends and will add trees. The result is that two parking spaces will be eliminated resulting in 31 parking spaces.

David Horner, Professional Traffic Engineer, testified on behalf of the applicant. General merchandise will be delivered by WB-67 trucks once a week on either Monday or Wednesday. There will be a second WB-67 truck for frozen food once a week. There will be up to five delivery trucks that will deliver weekly. They are scheduled 24 hours in advance. Trucks will enter on the Boulevard entrance. The trucks will use a large part of both the in and out driveway entrance to the site. There is a striped island separating the in and out lanes which the trucks will traverse. Trucks will be scheduled during the slow morning period. Delivery trucks will park in the 8' wide truck unloading zone along the side of the building at the rear. His recommendation is that trucks exit right only onto Chestnut Avenue. The trucks will not have to back in or out of the site.

Stephen Hawk, Professional Planner, testified on behalf of the applicant. He addressed the variances as set forth paragraph 5 and deviations in paragraph 6 of the Planning Report. All the variances are classic C2 variances. Here the benefits outweigh any detriments. The site has seen better days and it is time for the site be rejuvenated. The current site has issues and the buildings are in poor condition. There are three roof styles including a rusted corrugated roof. Appliances are displayed on the outside of one of the buildings contrary to City Ordinance. The site is an eyesore with multiple uses. There are scrub trees at the rear of the property and a large concrete pad located at the rear. The plan proposes small buffers of 5' along Chestnut Avenue and 2.6' along S. West Boulevard. Those buffers are similar to nearby sites. The former Progresso building directly to the east has 0' buffers. There are no buffers for 700' south of the

property. The site has no trees or plantings. The proposed site plan would provide adequate air, light and space. The current 15' buffer between buildings on site and the residential house to the west increases to 40'. This proposal will create a better, desirable visual environment in accordance with the Burbridge case. There have been two fires here. The property is a fire hazard and is located next to a residential dwelling. The applicant is seeking a variance from the building line setback from the centerline of the Boulevard. The applicant is proposing 87.5' whereas 100' is required. The current setback is 47' so that is more conforming. Most of the setbacks on the Boulevard are 60'. Vineland Syrup and the former Progresso have 0' buffers. The applicant is seeking front buffer variances on Chestnut Avenue and S. West Boulevard as noted. Currently it is 0' so there is an improvement. There is a variance for side buffer on the west of 16' whereas 25' is required. Currently it is 1'. As to the parking variance, the 31 parking spaces being provided is adequate. Most of the stores are 7,000 to 8,000 square feet and all had 30 to 35 parking spaces. As to the impervious lot coverage variance, there is not a huge increase from the current 58% to the 77%. The site is within the RB-1 zone which extends from East Avenue almost to Delsea Drive. This area of the RB-1 zone is more industrial than other parts of the zone. In fact, it touches the industrial zone in two locations. As to the negative criteria he sees no substantial detriment to the public good. The proposed Family Dollar is not out of character with the area and will be one of the best sites in the area. There is no substantial impairment of the City's Land Use Ordinance or Zoning plan. The application increases the buffers. There are currently no shade trees on site. Trees will be added, and residential use will be screened. As to the aesthetics, there is no green space or landscaping and that will be added. The applicant will add five bicycle parking spaces.

Kathleen Hicks, Supervising Planner, noted that in her opinion the applicant is proposing too many major variances. She does not have a real issue with the parking variance. However, she believes that the site is being overbuilt. Even the drainage basin has a concrete wall and not greenery.

Members expressed concerns about tractor trailers having to use two lanes to enter the site and three lanes to exit the site. The concerns of members was that the site was totally inadequate for the proposed use.

The Chairman entertained a motion to close the public hearing. Mr. Pantalione so moved, Mr. Salerno seconded.

Michael Pantalione: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Acosta: Yes
David Manders: Yes

The Chairman entertained a motion to approve the application. Mr. Pantalione so moved, Mr. Odorizzi seconded.

Michael Pantalione: No
Keith Salerno: No
Christine Scarpa: No
John Casadia: No
Robert Odorizzi: No
David Acosta: No
David Manders: No

Extension Request- S.B. & B. Realty, LCC, Block 6101, Lots 28

The applicant applied for one year extension from July 1, 2018 until June 30, 2019 for a major site plan approval. This is the third and final extension approval.

The Chairman entertained to approve the request. Mr. Pantalione so moved, Mr. Odorizzi seconded.

Michael Pantalione: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Manders: Yes

The Chairman entertained a motion to approve Resolution #6329. Mr. Pantalione so moved, Mr. Odorizzi seconded.

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Manders: Yes

Redevelopment Plan Amendment- 721 E. Landis Avenue, Block 4003, Lot 7

Ms. Hicks explained that the building has four residential apartments on the second floor. The first floor includes a hair salon and a vacant space. The applicant is requesting a tattoo studio in the vacant space. Staff recommends that tattoo studios be removed from the list of prohibited uses in the Landis Main Street Redevelopment District. The City Health Departments requires a license for a tattoo parlor. This license requires two separate bathrooms. One for employees and one for customers.

The Chairman entertained a motion to make a recommendation to City Council. Mr. Pantalone so moved, Mr. Odorizzi seconded.

Michael Pantalone: Yes
Keith Salerno: No
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Manders: Yes

The Chairman entertained a motion to approve Resolution #6326. Mr. Pantalone so moved, Mr. Odorizzi seconded.

Michael Pantalone: Yes
Keith Salerno: No
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Manders: Yes

Pinelands Amendment

The Pinelands Commission forwarded a proposed amendment to the Pinelands section of the City Land Use Ordinance. The proposed amendment is mandatory within the Pinelands section of the City. The amendment will be “An Ordinance Amending the Pinelands Section of Chapter 425, Land Use, of the code of the City of Vineland”.

The Chairman entertained a motion to make a recommendation to City Council. Mr. Pantalone so moved, Mr. Odorizzi seconded.

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Manders: Yes

The Chairman entertained a motion to approve Resolution #6328. Mr. Pantalone so moved, Mr. Odorizzi seconded.

Michael Pantalone: Yes
Keith Salerno: Yes
Christine Scarpa: Yes
John Casadia: Yes
Robert Odorizzi: Yes
David Manders: Yes

Medical Marijuana Ordinance

New Jersey Legislature adopted, and the Governor signed legislation known as “The New Jersey Compassionate Use Medical Marijuana Act” with an effective date of October 1, 2010. One dispensary was approved for the City of Vineland. The Zoning Committee recommended that a medical marijuana alternative treatment center be allowed as a conditional use in I-2 Industrial Zones and provided suggested standards.

Louis Magazzu, Esq., representing Columbia Care New Jersey, stated there are two issues with the proposed ordinance. First, while he had told the Zoning Committee that the company would apply for a use variance to allow a dispensary only in a B-3 Business Zone on Delsea Drive, the company now requested that the dispensary be conditionally permitted in the B-3 Zone.

An attorney from Archer and Griener, also representing the company, explained that they wanted to keep the dispensary with the grow processing facility, but that the City requested that the dispensary be put on Delsea Drive. They had to amend their application to the State to go from the single location to two. Ms. Hicks asked if the State had specifically approved the two locations. He responded that was the case.

Mr. Magazzu said that the two properties selected on N. West Boulevard and N. Delsea Drive have existing buildings that may not meet the requirement for 10’ side yards, so they are requesting that the side yards be reduced to 5’.

Given that the State had specifically approved the two locations, the Board amended the draft ordinance to allow the dispensary as a conditional use in the B-3 Business Zone and to reduce the required side yards to 5’. They voted to recommend the amended draft ordinance to City Council.

The Chairman entertained a motion to make a recommendation to City Council. Mr. Pantalone so moved, Mr. Odorizzi seconded.

- Michael Pantalone: Yes
- Keith Salerno: Yes
- Christine Scarpa: Yes
- John Casadia: Yes
- Robert Odorizzi: Yes
- David Manders: Yes

The Chairman entertained a motion to approve Resolution #6327. Mr. Pantalone so moved, Mr. Odorizzi seconded.

- Michael Pantalone: Yes
- Keith Salerno: Yes
- Christine Scarpa: Yes
- John Casadia: Yes
- Robert Odorizzi: Yes
- David Manders: Yes

ADJOURNMENT

The Chairman entertained a motion to adjourn.

Roll call:

- Michael Pantalone: Yes
- Keith Salerno: Yes
- Christine Scarpa: Yes
- John Casadia: Yes
- Robert Odorizzi: Yes
- David Acosta: Yes
- David Manders: Yes

TIME: 11:44 PM

Respectfully submitted,

Yasmin Ricketts
Planning Board Secretary