

**ZONING BOARD OF ADJUSTMENT
MEETING JUNE 20, 2012**

The caucus meeting began at 7:00 P.M. and the regular meeting began at 7:30 P.M.

Members present were:

Edwin Bergamo
Elaine Greenberg
Edward Avena
John Cheli
George LoBiondo
Alan Angelo
Robert Ortega

Member absent was: Leroy Goldblatt, Jeffrey Francesconi

Others Present were: Solicitor Frank DiDomenico, Secretary Yasmin Ricketts, Senior Planner Steven Hawk, Principal Engineer David Maillet, and Zoning Official Patrick Finley.

Mr. DiDomenico went over the revisions to the agenda, and the order that they would be heard.

The Chairman entertained a motion to approve the minutes from the May 9, 2012 meeting.

Roll call:

Mr. LoBiondo: Yes
Mr. Avena: Yes
Ms. Greenberg: Yes
Mr. Cheli: Yes
Mr. Ortega: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

The Chairman entertained a motion to approve the resolutions from the May 9, 2012 meeting.

Roll call:

Mr. LoBiondo: Yes
Mr. Avena: Yes
Ms. Greenberg: Yes
Mr. Cheli: Yes
Mr. Ortega: Yes

Mr. Angelo: Yes
Mr. Bergamo: Yes

Applicant- **John King**, 1165 Mayfair Court, Block 2403, Lot 5, Zone R-3. The applicant testified on his own behalf. He is requesting to construct a detached garage 768 square feet vs. 600 square feet permitted. The garage will be for personal use only.

Mr. Bergamo read a correspondence from the Mr. Hawk, Senior Planner for the City of Vineland, explaining that a variance for impervious coverage is also needed.

Mr. Hawk explained that the impervious coverage variance is 42% vs. 30%. He is concerned with the amount of space along the property line, because it was going to be dominated the proposed driveway. He wants to make sure that there is enough area.

Chairman entertained a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes
Mr. Avena: Yes
Ms. Greenberg: Yes
Mr. Cheli: Yes
Mr. Ortega: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Mr. Ortega made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes
Mr. Avena: Yes
Ms. Greenberg: Yes
Mr. Cheli: Yes
Mr. Ortega: Yes
Mr. Angelo: Yes
Mr. Bergamo: No

Application was **granted**.

Applicant- **Laurie Seyboth-Leib & Jason Leib**, 1506 S. Main Road, Block 5804, Lot 39, Zone R-5. Mr. & Mrs. Leib testified. They explained that they would like to purchase a property and have horses in the rear for personal use. They would build two corals so that the horses could rotate pastures.

Mr. Bergamo wanted to know if there were any ordinances that limited the number of animals allowed.

Mr. Finley explained that the ordinance did not address the number of animals.

Mr. Bergamo explained that livestock is permitted and the only factor is the frontage.

Mr. Finley explained that they are proposing 40' from the side yards.

Mrs. Leib also explained that it was 40' from the rear.

Mr. Avena wanted to know more about the phasing.

Mr. Leib explained that the coral would be built first to get the animals on the property. The remainder would be done later.

Mrs. Leib explained that they would build the second coral when they could afford it.

Mrs. Greenberg wanted to know if there were any plans for a future business.

Mr. LoBiondo stated that a limit of animals should be set.

Mrs. Leib stated they she wanted four horses total.

Chairman entertained a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Ms. Greenberg: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Cheli made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Ms. Greenberg: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Laurie Conant**, 1149 S. West Ave, Block 4812, Lot 37, Zone R-5. Mr. Charles and Laurie Conant testified. Mrs. Conant explained that they are requesting to build a two car garage for personal use (cars, lawn equipment, and boat).

Mr. Bergamo explained that they have set a limit to oversized garages and it has been consistent.

Mr. LoBiondo also explained the issues after the sale of a property, and that the garage becomes a business when that happens.

Mr. Hawk explained the total size for the existing building.

Mr. Conant explained that the existing building is collapsed, and the insurance company is making them remove it. The collapsed structure was 30' x 30', and it was a story and a half wood structure that was an old barn.

Mrs. Greenberg wanted to know if there was a second floor.

Mr. Conant explained that is was one level.

Mr. Finley wanted to know if there would be any plumbing or plumbing.

Mr. Conant explained that there will be electric only.

Chairman entertained a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Ms. Greenberg: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Cheli made a motion to approve the application.

Roll call:

Mr. LoBiondo: No

Mr. Avena: No

Ms. Greenberg: No

Mr. Cheli: Yes

Mr. Ortega: No

Mr. Angelo: Yes

Mr. Bergamo: No

Application was **denied**.

Applicant- **Spring Oak Assisted Living at Vineland, LLC**, 1611 S. Main Road, Block 5901, Lot 112, Zone R-5. The applicant was represented by A. Steve Fabietti, Esq. Mr. LoBiondo and Mr. Avena had conflicts, so they had to step down from the application leaving five voting board members.

The applicant was seeking major site plan approval to expand the dining room 820 square feet, and 8,150 square feet towards the front for the Memory Care Unit. The expansion includes gazebos, walking paths, and retention units. Mr. Fabietti went over the Planning Report issued June 4, 2012. Item 6, impervious lot coverage relief, 37 % vs. 15% maximum allowed. Item 7, amending application to comply with the storm water basin setback requirement. Item 8, existing non-conformities for lot frontage on Main Road and Elmer Road, seeking continued approval. In the Engineering report revised June 12, 2012, the applicant will meet the requirement in item 2.

Mr. Matthew Baldino, Engineer, explained that all the adjacent lots within 50' of the basin are on public sewer and public water. Item 11, the lot has been restriped and there are no issues with vehicle parking.

Mr. Fabietti explained that the traffic is minimal on the property. He is also working with staff to provide additional plantings.

Mr. Hawk confirmed that the handicapped parking is okay as submitted. He also wanted to know about the proposed signage.

Mr. Fabietti explained that they are proposing to change the existing sign within the same dimension with ground lights.

Chairman entertained a motion to close the public hearing.

Roll call:

Mrs. Greenberg: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the application.

Roll call:

Mrs. Greenberg: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Danielle L. Gnatz/ SBH, LLC**, 1875 S. Main Road, Block 5902, Lot 88, Zone R-3. The applicant was represented by A. Steve Fabietti, Esq. Mr. LoBiondo and Mr. Avena had conflicts, so they had to step down from the application leaving five voting board members. The applicant is seeking approval to permit the use of a professional two story office building with additional parking, lighting, and two new signs. The site was developed ten years ago, and it has been out of use for quite some time. Mr. Fabietti went over the Planner's Report dated June 12, 2012. Exhibits A-1 and A-2 were distributed to the board. A-1 displayed the sign plan on file for the application. A-2 is a revision of the plan that addresses the Planner's and Engineering comments. Item 6a is longer applicable. Item 6b is for an impervious lot coverage, has been reduced to 41.66% vs. 15% maximum allowed.

Barbra Woolley-Dillon, Planner and Joe Maffey, Engineer testified on behalf of the applicant.

Mrs. Woolley-Dillon explained the impervious coverage would be reduced slightly. Item 6b, the parking lot being reconfigured opens up the buffer area. The reduction is 4.37 %. Item 7a, the 32 square feet, proposing the same size and relocating it.

Mr. Maffey explained that item 8, driveway isle onto Roosevelt Blvd, the radial curb is provided. The parking space width will be restriped and meet the requirement, and the parking space backup will be provided.

Mr. Fabietti explained item 14, parking space requirement is exceeded by one space.

Mrs. Woolley-Dillon went over the negative and positive criteria.

Mr. Fabietti explained the Engineering report June 11, 2012, item 1 additional grading information has been provided. The applicant will comply with the balance of the report.

Dan Angeline, 1888 S. Main Road, was concerned with the signage. The sign blocks the visibility for traffic.

Mr. DiDomenico explained that it would be a wooden sign, and it will not be a flashing sign.

Chairman entertained a motion to close the public hearing.

Roll call:

Mrs. Greenberg: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the application.

Roll call:

Mrs. Greenberg: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **God Is the Answer Ministry**, 399 E. Forest Grove Road, Block 909, Lot 7, Zone A-5. The applicant was represented by Sheldon Schulman, Esq. Elaine Greenberg had a conflict and has to recuse herself. The application is for a church use. It is not a traditional church, but more like an educational place or meeting center to provide services to the community. The property was previously used as a nursery school until the applicant took over. Very few people will be there at any given time. There were some concerns about parking. There were 22 parking spaces. Pictures were displayed of the site and interior and exterior.

Joe and Beverly Pazino, testified and explained that there are 25 people who participate in the ministry.

Mr. Hawk explained that he can only observe six parking spaces and a widened driveway.

Mr. Bergamo explained that delineated parking spaces are needed.

Mr. Finley wanted the exact use clarified. The last approved use was a daycare center.

Mrs. Pazino explained that they are a Christian outreach center, and they also provide educational bible classes.

Mr. Bergamo wanted to know the schedule of the center.

Ms. Pazino explained the daily operations.

Chairman entertained a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Chairman entertained a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes

Mr. Avena: Yes

Mr. Cheli: Yes

Mr. Ortega: Yes

Mr. Angelo: Yes

Mr. Bergamo: No

Application was **granted**.

Applicant- **Michael Brosh**, 1120 E. Butler Avenue, Block 7104, Lot 14 & 40, Zone R-5. The applicant testified on his own behalf. Alan Angelo had a conflict and has to recuse himself. He will be conveying 2.9 acres to 6.8 acres, qualifying the property as farmland. It qualified as farmland previous to the construction of the single family dwelling. He would also like to construct a building to store equipment, and would like the use to be changed to farm/contractor's yard.

Mr. Bergamo wanted to know if the building was for contracting equipment and the proposed use of the property.

Mr. Brosh explained that the building will be for farm equipment, attachments, fertilizers, snow plows, and personal items. There are two employees that show up for the landscaping business.

Mr. Bergamo wanted to know if he had deliveries.

Mr. Brosh explained that he received crushed concrete.

Diane Thomas, resides across the street, and she is concerned traffic.

Benard Panzora, was also concerned with traffic.

Joe Ortega, was concerned with someone else purchasing the property.

Chairman entertained a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes
Mr. Avena: Yes
Ms. Greenberg: Yes
Mr. Cheli: Yes
Mr. Ortega: Yes
Mr. Bergamo: Yes

Mr. Ortega made a motion to approve the application.

Roll call:

Mr. LoBiondo: No
Mr. Avena: No
Ms. Greenberg: No
Mr. Cheli: No
Mr. Ortega: Yes
Mr. Bergamo: No

Application was **denied**. The subdivision will have to go before of the Planning Board.

Chair made a motion to adjourn.

Roll call:

Mr. LoBiondo: Yes
Mr. Avena: Yes
Ms. Greenberg: Yes
Mr. Cheli: Yes
Mr. Ortega: Yes
Mr. Bergamo: Yes

Meeting adjourned at 10:40 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment