

**ZONING BOARD OF ADJUSTMENT
MEETING SEPTEMBER 18, 2013**

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

Members present were:

Edwin Bergamo
Elaine Greenberg
George LoBiondo
Allan Bernardini
William Guccio
Ryan Flaim
Alan Angelo
Robert Ortega
Jeffrey Francesconi

Members absent were: All members were present.

Others Present were: Solicitor Frank DiDomenico, Secretary Yasmin Ricketts, Zoning Officer Patrick Finley, and Principal Planner Stephen Hawk.

The Chairman entertained a motion to approve the minutes from the August 21, 2013 meeting.
Roll call:

Mr. LoBiondo: Yes
Mr. Guccio: Yes
Mrs. Greenberg: Yes
Mr. Flaim: Yes
Mr. Francesconi: Abstain
Mr. Angelo: Abstain
Mr. Bergamo: Yes

The Chairman entertained a motion to approve the resolutions from the August 21, 2013 meeting.
Roll call:

Mr. LoBiondo: Yes
Mr. Guccio: Yes
Mrs. Greenberg: Yes
Mr. Flaim: Yes
Mr. Francesconi: Abstain
Mr. Angelo: Abstain
Mr. Bergamo: Yes

Applicant- **Susan Federici**-2796 Cornucopia Avenue, Block 7302, Lot 14, Zone A-6.
The applicant testified on her own behalf. She was seeking a temporary use permit to construct a second dwelling on one lot. She intends to construct a new home and would like to reside in her existing home until the work is complete. She will demolish the existing house once a CO is issued for the new one.

Mr. Bergamo wanted to know what the time frame was.

Ms. Federici indicated that her contractor is quoting a six month time frame.

Mr. Bergamo explained that six months would be the maximum time frame.

Chairman entertained a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mrs. Greenberg: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mrs. Greenberg: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Robert G. Rone**-190 S. Main Road, Block 4211, Lot 15, Zone B-2.

The applicant was represented by Michael Guccio, Esq. The applicant was seeking a use variance for a 3,280 square foot Wendy's restaurant. The property has frontage along Main Road and it is a minor arterial highway with the City. The property is in the B-2 zone and restaurants are permitted in that zone. Fast food restaurants are not permitted, but drive in restaurants are. There are six B-3 zones in the City, but the B-2 zone is more expansive for restaurants than the B-3 zone. The proposed location is a suitable use for a fast food restaurant.

Phillip W. Synder, resides at 220 S. Main Road. He was in favor of the application. He prefers a fast food restaurant over a different use.

Frank Riesenburger, member of LLC for the property in question. The property has been underutilized for the past four years. It had been up for sale for the past four to five years. He submitted exhibits Rone-1, 28 photographs of the area.

Mr. Guccio also submitted exhibits Rone 2 through Rone 4.

Steven Filippone, Professional Engineer, testified on behalf of the applicant. He believes that property is suitable for the proposed use. The existing two story dwelling will be demolished. The carriage house and shed will remain. The Wendy's plan will have one way in and out. The mature trees on the south will remain, and the existing woods in the rear will be preserved. There will be a 35' buffer from residential properties. There will be a separate entrance for the office (carriage house). He explained that he did an analysis of the uses along Main Road. There are many uses including fast food restaurants, dine in restaurants, stores, banks, pharmacies, and shopping centers. He presented elevations for the proposed Wendy's.

Robert Rone testified on his own behalf. He has looked in the City of Vineland for a location for over ten years. The owner from the pad sites across the street stated that they had an agreement with Burger King, and they could not have a competitor on site. He indicated that he would install a short sign, and would blend the restaurant in with the area.

Jeffrey Zavis, resides on Roberts Boulevard. He was not in favor of the application. He was concerned with noise from the restaurant, trash, and increased traffic. He believes that applicant should build across the street. He was also concerned with it becoming a hang-out for the kids that attend the school down the street. It can also be dangerous for the children that walk to school.

Dominic Romano, owns the CPA to the north. He also believes that the applicant should build across the street and it will change the character of the neighborhood. He does not want to smell fried food in the air where his business is located.

Mr. Hawk indicated that he would like screening along the residential sides and to the rear.

Mr. Bergamo wanted to know the hours of operation.

Mr. Rone indicated that the Main Road site would probably close 11:00PM and Midnight.

Chairman entertained a motion to close the public hearing.

Roll call:

Mr. Ortega: Yes

Mr. Bernardini: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the application.

Roll call:

Mr. Ortega: Yes

Mr. Bernardini: Yes

Mr. Flaim: No

Mr. Francesconi: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Chairman made a motion to adjourn.

Roll call:

Mr. Ortega: Yes

Mr. Bernardini: Yes

Mr. Flaim: Yes

Mr. Francesconi: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Meeting adjourned at 9:46 PM

Yasmin Ricketts, Secretary

Zoning Board of Adjustment