

**ZONING BOARD OF ADJUSTMENT
MEETING APRIL 16, 2014**

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

Members present were:

Edwin Bergamo
Alan Angelo
George LoBiondo
Robert Ortega
Ryan Flaim
Allan Bernardini
William Guccio

Members absent were: Elaine Greenberg, Jeffrey Francesconi

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

The Chairman entertained a motion to approve the minutes from the March 19, 2014 meeting.

Roll call:

Mr. LoBiondo: Abstain
Mr. Guccio: Yes
Mr. Ortega: Yes
Mr. Bernardini: Abstain
Mr. Flaim: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

The Chairman entertained a motion to approve the resolution from the March 19, 2014 meeting.

Roll call:

Mr. LoBiondo: Abstain
Mr. Guccio: Yes
Mr. Ortega: Yes
Mr. Bernardini: Abstain
Mr. Flaim: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Applicant- **Boos States Development, LLC**-1151-155 E. Chestnut Avenue, Block 5007, Lots 12 & 13, Zone R-P.

The applicant was represented by Damien DelDuca, Esq. The applicant was requesting a major site plan approval, in conjunction with a “d” variance, to construct an 8,320 square foot retail building to be occupied by Family Dollar. They appeared in October for a use variance and that was granted. Exhibits Boos 1-4 were represented to the board. Boos 3 was an aerial of the site. The site is in the R-P zone and retail uses are not permitted. They are seeking approval for a “D” variance to construct the proposed retail building through resolution 2013-26. All of the

dwellings and a shed will be removed from the site. The site requires variances from area, yard, bulk, and parking. The side westerly buffer is 5' whereas 25' is permitted. The easterly side buffer is 5' whereas 25' is permitted. Impervious lot coverage is 62.37% whereas 50% is permitted. The parking is located in the front with 26 spaces whereas 42 spaces are permitted. There are also variances with regards to signs. The freestanding sign face area is 70.83 square feet whereas 24 square feet is permitted. The wall sign face area is 103 square feet whereas 24 square feet is permitted. The sign height is 20' whereas 12' permitted within that zone. The board resolution indicates to show building elevations to ensure that the proposed building matches the surrounding area. He has reviewed the Planning and Engineering reports and there are no comments.

John Pettit, Professional Engineer, testified on behalf of the applicant. Exhibit Boos 3, aerial photograph depicts the condition of the area. There is a CVS drug store located to the east and a dentist office located to the west. Exhibit Boos 2 is a revised site plan. The site plan is similar to the initial one submitted. One revision is access to the site. It can accommodate left and right turns. A sidewalk was added both across the front and into the site. Drainage is a combination of an underground system and will be 2.75' deep. Parking was eliminated by 16 spaces. Family Dollar does not need 42 parking spaces. The use variance approval required approval of a façade. The façade is brick veneer on all four sides. It is not the typical store design but it is more attractive and will match the area.

Mr. LoBiondo wanted to know where trucks would unload.

Mr. Pettit explained the process of truck maneuvering on the site.

Tim White, Director of Mid-Atlantic region for Boos States, testified on behalf of the applicant. Boos States is the largest Family Dollar Developer. The store will operate from 9:00AM until 10:00PM, seven days a week. There will be 8-10 full time employees and 3-4 part time employees. The 26 parking spaces are more than adequate for the site. The average customer stay is 14 minutes with an average is 20 customers per hour. Trash pickup will be one time per week during store hours. There will be one delivery per week during store hours. Peak times for Family Dollar are 2:00PM-7:00PM.

Creigh Rahenkamp, Professional Planner, testified on behalf of the applicant. The zone has other uses similar to this site. The front parking is similar to the CVS and the TD Bank. There will be red oaks that will enhance greenery on the site. The parking lot is a full circulation lot. Customers will not be cruise through the site. The signage is less than the one displayed by TD Bank.

Mr. Hawk indicted that he agreed with the testimony given. He has no objections to the side yard buffers and no objection to the impervious lot coverage. He is in favor of more green space. He wanted to add another variance, parking in the front yard in an R-P zone. The signs are less than what is on the adjacent sites.

Mr. Maillet indicated that the applicant agreed to comply with the Engineering report. He has no objection to the waivers regarding location of the 1' freeboard elevation for the storm water basins. The 1' freeboard is 6' from the rear property line and 4' from the side yard.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mr. Ortega: Yes

Mr. Bernardini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. LoBiondo made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mr. Ortega: Yes

Mr. Bernardini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **RGR Main Road Limited Liability Co.,**-190 S. Main Road, Block 4221, Lot 15, Zone B-2.

The applicant was represented by Michael Guccio, Esq. RGR Main Road Limited Co. is a limited liability company whose sole member is Robert G. Rone. The use variance for the Wendy's Restaurant was approved on September 18, 2013. The applicant is now seeking preliminary and final major site plan approval. They are seeking sign variances and design waivers. Comments from the Engineering report will be addressed with the site plan.

Steven L. Filippone, Professional Engineer, testified on behalf of the applicant. A variance for sign setback from the front of the property line is 5' whereas a minimum 10' is required. The front façade with the logo on the roof is under City's ordinance. They are seeking a wall sign not oriented to street frontage on the south side of 42.82 square feet. The Thank You sign with the Wendy's sign was eliminated. They are also seeking a wall sign not oriented to street frontage on the north façade of 31.42 square feet. They need a waiver for the drive aisle width of 10' whereas 12' is required. They need a waiver for 9' parking space width whereas 9.5' is required. They need a waiver for parking space depth or 60 degrees angle parking spaces of 20' whereas 21' is required. Another waiver for parking space row length without a tree island break. They are providing landscaping in another location on the site.

Mr. Hawk indicated that he is neutral on the proposed roof sign. This case is different than the usual. He has no objections to the waiver for parking space row length without an island because the site is small.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Ortega: Yes

Mr. Bernardini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Ortega made a motion to approve the application.

Roll call:

Mr. Ortega: Yes

Mr. Bernardini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

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. Steven Fabietti, Esq. The applicant is requesting a major site plan approval, in conjunction with a "D" variance to construct an 8,895 square foot building expansion with a 3,248 square foot basement and a separate 820 square foot building expansion to an existing assisted living facility building together with two free standing gazebos consisting of 196 square feet and 144 square feet each. During the summer of 2012, the applicant received an approval with similar expansions. Resolution 2013-27 granted approval for a dementia/memory care wing together with an 820 square foot dining room addition and related improvements. The dining room addition was constructed and the applicant needs a larger dementia unit. They now need 8,895 square feet. The applicant is seeking a variance for impervious coverage of 38% whereas 15% is permitted.

Matthew Baldino, Professional Engineer, testified on behalf of the applicant. The impervious lot coverage variance is due to the expansion of the memory care unit and not the parking lot. There will be a new storm water basin located to the south of the addition. The plan is almost identical to the previous approval and the only change is the size of the addition.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Gruccio: Yes

Mr. Ortega: Yes

Mr. Bernardini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Mr. Angelo made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes
Mr. Guccio: Yes
Mr. Ortega: Yes
Mr. Bernardini: Yes
Mr. Flaim: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Spring Oak Assisted Living at Vineland, LLC**, 1611 S. Main Road, Block 5901, Lot 112, Zone R-5.

The applicant Michael Russell testified on his own behalf. The applicant is seeking a home occupation to be operated by his wife Debbie Russell. She would be the only employee operating out of the proposed salon. It will operate 3 days a week and there will be no more than 2 cars at the home.

Mr. Hawk indicated that the applicant added an addition to his home for an entertainment room. Now the entertainment room is the proposed hair salon. There is no space for parking on the side or the rear of the house. The concrete apron for the driveway is not wide enough and will have to be widened. Signage cannot exceed two square feet. Retail sales are not allowed and applicant cannot rent out the space. They will be required to move the mailbox to expand the driveway opening and move the two columns.

Mr. Bergamo wanted to know about the amount of vehicles.

Debbie Russell, applicant's wife, testified. She will be operating Thursday, Friday, and Saturday from 10:00Am until 6:00PM. She will have 1-3 customers a day and will not exceed 4. There will never be more than one customer at a time. The services she provides are time consuming and can take a few hours each customer.

Mr. Bergamo explained that if the application is granted, the applicant will only be permitted one customer at a time.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes
Mr. Guccio: Yes
Mr. Ortega: Yes
Mr. Bernardini: Yes
Mr. Flaim: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Mr. Ortega made a motion to approve the application.

Roll call:

Mr. LoBiondo: Yes
Mr. Guccio: Yes
Mr. Ortega: Yes

Mr. Bernardini: Yes
Mr. Flaim: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Application was **granted**.

Chairman made a motion to adjourn.

Roll call:

Mr. LoBiondo: Yes
Mr. Gruccio: Yes
Mr. Ortega: Yes
Mr. Bernardini: Yes
Mr. Flaim: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Meeting adjourned at 10:02 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment