

**ZONING BOARD OF ADJUSTMENT
MEETING MAY 21, 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
Elaine Greenberg
Ryan Flaim
Jeffrey Francesconi
Allan Bernardini
William Guccio

Members absent were: Robert Ortega

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 April 16, 2014 meeting.

Roll call:

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

The Chairman entertained a motion to approve the resolution from the April 16, 2014 meeting.

Roll call:

Mr. LoBiondo: Yes, Abstain 2014-14
Mr. Guccio: Yes, Abstain 2014-14
Mrs. Greenberg: Abstain
Mr. Bernadini: Yes
Mr. Flaim: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Applicant- **Steven Schiavo**-100 Ava's Court, Block 3305, Lot 33.01, Zone R-4.

The applicant testified on his own behalf. The applicant seeks a bulk variance for a front yard setback of 37' whereas 40' is required to construct a single family dwelling.

Mr. Hawk indicated that the original plan was modified. The house was too close to the basin in the original plan and had a front yard setback. The house is a very large home and he estimated it to be about 3,900 to 4,000 square feet.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mrs. Greenberg: Yes

Mr. Bernadini: 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

Mrs. Greenberg: Yes

Mr. Bernadini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Frank Cugino**, 211 Mt. Vernon Avenue, Block 2226, Lot 5, Zone R-2.

The applicant testified on his own behalf. Mr. Cugino is proposing a 9' side yard setback whereas 10' is required from the westerly property line for an addition on his home. It is a 14' x 23' sunroom addition to the single family dwelling.

Mr. Bergamo indicated that it is pre-existing deficiency and that the applicant is extending what is already there.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mrs. Greenberg: Yes

Mr. Bernadini: 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

Mrs. Greenberg: Yes

Mr. Bernadini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Richard Speigel**, 1273 Samuel Drive, Block 3507, Lot 7.3, Zone R-3.

The applicant testified on his own behalf. He would like an additional 5' front yard setback to construct a 10' x 20' porch addition. The setback will be 30' whereas 35' is permitted. It will be an open porch with an extended roof.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mrs. Greenberg: Yes

Mr. Bernadini: 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

Mrs. Greenberg: Yes

Mr. Bernadini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Armit P. Dhaliwal and Raminder Sehgal**, 1228 S. Main Road, Block 5804, Lot 13, Zone R-3.

Mrs. Greenberg excused herself because of a conflict.

The applicant was represented by Robert Greenberg, Esq. The applicant purchased the liquor store in 2003. They plan to demolish the existing store and construct a new building. They will continue utilizing it as a liquor store. They are proposing to set the building back further from the road. The building that is currently there is an eyesore to the neighborhood, and they are replacing it with a modern structure. When they purchased the property, the owners were using the property to the north for parking. The applicant purchased a section to the property to the north and added twelve parking spaces.

Mr. Raminder Sehgal testified on his own behalf. The store is called Discount Liquor 2. Mr. Sehgal and his partner also own Discount Liquor 1. The store was a liquor store when he purchased. The current store has a basement, first floor, and second floor. The sales for is 2,500 -3,000 square feet. The entire store is approximately 7,500 square feet. The existing garage will be demolished. The existing building is 80-90 years old, the floors are uneven, and the rear is unusable. The new store will have wider aisles and will provide space for a more variety of products.

Mr. Hawk indicated that the existing building was probably a single family home and does not believe that there can be 7,500 square feet. There have been two additions to the building in the past. The proposal is a significant expansion.

Rami Nassar, Professional Engineer, testified on behalf of the applicant. He displayed an exhibit of a drawing of the current building. The footprint is 2,890 square feet, second floor is 50-60% of the first floor, and the basement is about 75% of the first floor. He did not measure every room so he cannot provide an exact number.

Mr. Hawk indicated that the original size of the dwelling is about 650 square feet. The driveway is not great and if there is an increase in intensity it matters. There are many positives to the site. The building will be an improved look to the neighborhood, landscaping will also be improved, but an unsafe driveway will not be a positive.

Mr. Nassar indicated that the design requires variances to properly design the site. There is no defined driveway. They plan to provide delineated parking during the site plan process. The parking area and circulation will be improved for a safer site. There are no sidewalks currently there that will be provided. They will get an additional topography to ensure the driveway is placed in the best location. They are requesting 15' side yard setback whereas 50' is required to the south and 10' side yard setback whereas 50' is required to the north. They need 5' buffer whereas 25' is required from residential uses, and a parking variance of 26 proposed spaces whereas 44 spaces are required. Deliveries will be made in the rear of the property. Typically deliveries are made before store hours. The trash enclosure will be approximately 5' from the lot line.

Mr. Finley wanted to know if the store would look like their other location.

Mr. Greenberg indicated that the store should blend in with the area.

Mr. Nassar explained that the site will increase the traffic because it is a bigger store, but the site will be safer. Currently the building is unsafe and the reconfiguration of the site will make it much safer.

Mr. Sehgal, owner, explained that the existing building will stay until they cannot function. During construction they will determine when they can reopen.

Anita Delvecchio, member of the public spoke in favor of the application. They believes that this will be a great improvement to the neighborhood.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Gruccio: Yes

Mr. Francesconi: Yes

Mr. Bernadini: 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. Francesconi: Yes

Mr. Bernadini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Application was **granted**.

Applicant- **Vineland First Church of the Nazarene**, 2725 N. Delsea Drive, Block 801, Lot 1, Zones B-3/R-4.

The applicant was represented by Michael Guccio, Esq. The site is primarily used as a church. The site also includes a school for the Vineland Pre-School program. The Board of Education occasionally uses conducts meetings there. The Cumberland County Probation Department, Division of Youth and Family Services, and the Vineland Police Department also utilize this site. The church owns both lots and is seeking a lot line adjustment. Lot 1 is approximately 12 acres. The applicant has agrees to provide two additional classrooms for the pre-school program. In order to provide the additional classrooms, the septic system has to be certified. One septic system is not working and the other septic system is undersized for the site. A portion of the adjacent lot 46 is needed to accommodate the new septic system so they will convey .6 acre to lot 1. The use variance is required because the lots are in a split zone of B-3 and R-4 and the church is a non-conforming use in the B-3 zone. Lot 46 requires a variance for lot size. Lot 1 has a single family dwelling that is a parsonage, lot 45 has a parsonage, and lot 46 has a single family home.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mrs. Greenberg: Yes

Mr. Bernadini: 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

Mrs. Greenberg: Yes

Mr. Bernadini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Applicant- **United Fellowship Church**, 2045 Almond Road, Block 2604, Lot 10, Zone I-2.

The applicant was represented by Richard Pescatore, Esq. The members of the church have been looking for a suitable site for a very long time and they have not been successful. The building on this location is suitable for their needs. The building has been vacant for many years.

Jerome Irick, Professional Planner, testified on behalf of the applicant. They are proposing to add 1,200 additional square feet behind the existing building. The lot is narrow and they need a buffer variance on the east of 20' whereas 25' is required and on the west 10' whereas a minimum 25' is required. They need that buffer for parking in the rear. The site does not have water and sewer service, and the building is too small for I-2 zone permitted uses.

Ferdinand Pope, member of Fellowship Church, testified on behalf of the applicant. Currently the church is renting space from Dane Barse School on Orchard Road. They have been looking for a suitable place for about approximately three years. The building on the proposed site has been vacant for nine years, and the seller lives next door.

Mr. Hawk indicated that this area has been zoned I-2 for 30 years. The original plan was to have Almond Road as the dividing line for residential and industrial uses. One house was built in the last fifteen years. The houses have stayed stable in that neighborhood. There are industrial uses nearby that are now closed. In order to use this property for an industrial use many lots would have to be combined to one larger lot. He does not see use of this lot as a substantial detriment to the Zoning Plan or the City's Land Use Ordinance because it fits the character of the neighborhood.

Tina Collondres, member of the public, spoke in favor of the application. She prefers to have a church in her neighborhood than an industrial business.

Stanley Burke, Assistant Pastor, testified on behalf of the applicant. He believes the site is perfect for their church. Their church will help people and this will benefit the community.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mrs. Greenberg: Yes

Mr. Bernadini: 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

Mrs. Greenberg: Yes

Mr. Bernadini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Applicant- **Manders/Merighi Realty Co.,LLC**, 2400 and 2426 E. Chestnut Avenue, Block 4405, Lots 33 and 34, Zone B-2.

The applicant was represented by Dante Parenti, Esq. This application is for a redivision and use variance. The use variance is required because there is a single family home on Lot 34 that is not a permitted use in the B-2 zone. Lot 33 is undersized and vacant. Lot 34 becomes smaller but is still larger than the lots in the surrounding area. It requires two variances, lot size and lot depth. It is immediately adjacent to the R-4 zone and meets those requirements.

Mr. Hawk indicated that the applicant wants the option of posting surety for the removal of the buildings. The Planning Division does not have a problem with that. The overall layout is encouraged.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mrs. Greenberg: Yes

Mr. Bernadini: 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

Mrs. Greenberg: Yes

Mr. Bernadini: Yes

Mr. Flaim: Yes

Mr. Angelo: Yes

Mr. Bergamo: Yes

Applicant- **Gary Ricciardi**, 783 DiFalco Avenue, Block 4912, Lot 21, Zone R-3.

The applicant testified on his own behalf. The property is an auto body shop and automotive repair/service shop. He proposes to construct a 24' x 32' pole barn building which is utilized for storage. The pole barn will be 10'4" in height to the eaves. He will be removing two existing trailers on the site. He also will be installing a 6' high vinyl fence along the easterly and northerly property lines for screening. His business has four employees including himself. There are no parking issues with parking with the exception of police tows.

Chairman made a motion to close the public hearing.

Roll call:

Mr. LoBiondo: Yes

Mr. Guccio: Yes

Mrs. Greenberg: Yes

Mr. Bernadini: 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
Mrs. Greenberg: Yes
Mr. Bernadini: Yes
Mr. Flaim: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Chairman made a motion to adjourn.

Roll call:

Mr. LoBiondo: Yes
Mr. Guccio: Yes
Mrs. Greenberg: Yes
Mr. Bernadini: Yes
Mr. Flaim: Yes
Mr. Angelo: Yes
Mr. Bergamo: Yes

Meeting adjourned at 10:02 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment