

**ZONING BOARD OF ADJUSTMENT
MEETING AUGUST 16, 2017**

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

Members present were:

Elaine Greenberg
Joseph Stefano
John Pierantozzi
Ryan Flaim
Alexis Cartagena
George LoBiondo

Members absent were: Susanna Philippoussis

Others Present were: Frank DiDomenico, Solicitor, Yasmin Ricketts, Zoning Board Secretary, Patrick Finley, Zoning Officer, Ryan Headley, City Planner/Principal Engineer.

The Chairman entertained a motion to approve the minutes from the July 19, 2017 meeting.

Roll call:

Mr. Flaim: Abstain
Ms. Cartagena: Abstain
Ms. Greenberg: Yes
Mr. Pierantozzi: Yes
Mr. Stefano: Yes
Mr. LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the July 19, 2017 meeting.

Roll call:

Mr. Flaim: Abstain
Ms. Cartagena: Abstain
Ms. Greenberg: Yes
Mr. Pierantozzi: Yes
Mr. Stefano: Yes
Mr. LoBiondo: Yes

Applicant- **Christopher Rizzolo** -710 E. Almond Street, Block 4103, Lot 21, Lot R.

The applicant was represented by Michael Gruccio, Esq. The applicant is a contract purchaser and is seeking a certification of pre-existing non-conforming use for the use of the property as a two family dwelling. The property is located in the R zone of the Center City Redevelopment Plan. Two family dwellings are permitted in the R zone. The property is undersized at 7,500 square feet for a two family dwelling. There is 75' frontage along East almond Street and it is 100' deep. Exhibit A-1, tax records dating to 1981 were submitted into evidence. City Hall does not have records prior to 1981. The tax record indicated the property was used as a two family dwelling in 1981 and the building was built in 1875. Exhibit A-2, 1972 City of Vineland Tax Map. The map reflected the property as a two family dwelling. Exhibit A-3, City Ordinance #13 dating to 1952. The lot at that time was within the C/Residential zone. The C zone required 6,000 square feet for a two family dwelling. Exhibit A-4, 1952 City of Vineland Zoning Map. The property has never been cited for any zoning violations. The property has two separate entrances and looks like a two family dwelling.

Mr. Finley agreed that the property has never been under violation.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Stefano: Yes

Mr. Flaim: Yes

Ms. Greenberg: Yes

Mr. Pierantozzi: Yes

Ms. Cartagena: Yes

Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Mr. Flaim: Yes

Ms. Greenberg: Yes

Mr. Pierantozzi: Yes

Ms. Cartagena: Yes

Mr. Stefano: Yes

Mr. LoBiondo: Yes

Application granted.

Applicant- **RGR Main Road Limited Liability** -190 S. Main Road, Block 4211, Lot 15, Zone B-2.

The applicant was represented by Michael Gruccio, Esq. The applicant was granted a use variance approval on September 18, 2013 for a fast food restaurant. The applicant was granted a site plan approval for a Wendy's Restaurant on April 16, 2014. The use variance was conditioned that the restaurant closed at midnight. Now the applicant is seeking amendment to extend the closing hour to 1:00 a.m. There are no changes being proposed to the site and all the required improvements are in place. There is no provision in the city's Land Use Ordinance regarding closing times for restaurants except those with liquor licenses. The Wendy's Restaurant is located diagonally across from a Super Wawa which is open 24 hours a day.

Chairman made a motion to close the public hearing.

Roll call:

Ms. Greenberg: Yes

Mr. Pierantozzi: Yes

Ms. Cartagena: Yes

Mr. Stefano: Yes

Mr. Flaim: Yes

Mr. LoBiondo: Yes

Ms. Greenberg made a motion to approve the application.

Roll call:

Mr. Pierantozzi: Yes

Ms. Cartagena: Yes

Mr. Stefano: Yes

Mr. Flaim: Yes

Ms. Greenberg: Yes

Mr. LoBiondo: Yes

Application granted.

Applicant- **Giordano's real Estate Holdings, LLC** –Landis Avenue and Mill Road, Block 2605, Lots 5, 8, 12.

The applicant applied for a first and second one year extension from July 1, 2016 until June 30, 2017 for a major site plan approval. The second extension is for July 1, 2017 until June 30, 2018.

Ms. Greenberg made a motion to approve the application.

Roll call:

Ms. Cartagena: Yes

Mr. Stefano: Yes

Mr. Flaim: Yes

Ms. Greenberg: Yes

Mr. Pierantozzi: Yes

Mr. LoBiondo: Yes

Application granted.

Applicant- **Antonio and Jeanne Ramos** -59 Yelkca, Block 2201, Lot 28, Zone R-2.

The applicant was represented by Theodore Ritter, Esq. The applicant agreed to proceed with five members on the board. The applicant proposes to conduct a part-time automobile repair shop in his detached two car garage. He is a police officer and works shift work.

Mr. Antonio Ramos testified on his own behalf. He has owned the property since 2001. He is off of work on Sundays and generally works on a four day on/ four day off schedule. He works on automobiles on his time off and it is only done inside the garage. He works on one vehicle at a time. There will be one inside the garage and one outside waiting to be serviced. He is the only worker on the site and does not intend to hire employees. He does not want to install a sign. He works on vehicles from 9:00 a.m. to 6:00 p.m. on his days off. He has no objections to limiting his hours. All work is done indoors. There is no loud noise and nothing will be stored outdoors.

Karen Pinizzotto, member from the public, indicated that she resides at 58 Yelkca Avenue and she is in favor of the application. She has lived at her property for 25 years and did not notice any activity relating to automobile repair.

David Adams, member of the public, indicated that he resides at 60 Yelkca Avenue and is in favor of the application. He has lived at his property for 20 years and did not notice any activity relating to automobile repair.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Flaim: Yes

Ms. Greenberg: Yes

Mr. Pierantozzi: Yes

Ms. Cartagena: Yes

Mr. LoBiondo: Yes

Ms. Greenberg made a motion to approve the application.

Roll call:

Ms. Greenberg: Yes
Mr. Pierantozzi: Yes
Ms. Cartagena: Yes
Mr. Flaim: Yes
Mr. LoBiondo: Yes

Application granted.

Applicant- **Eli Kuhnreich** -624 Highland Avenue, Block 4408, Lot 10, Zone R-4.

The applicant was represented by Anthony Granato, Esq. The applicant proposes to utilize a single family home as a law office. The applicant lives next door and wants to move his office to this location. The property is suited for a small office.

Mr. Eli Kuhnreich testified on his own behalf. He has lived at 606 Highland Avenue for 37 years. He purchased the property next door in 2006. His current office is located at Sixth Street and Wood Street in Vineland. He would like to slow down his practice and he does not have staff. His clients will be seen by appointment only. He anticipates hiring one secretary in the future. Generally, there is only one car at a time for a client with an appointment. The exception would be depositions where other parties are involved. He proposes a small front wall mounted sign measuring two feet by two feet. The sign would not be lighted.

Ms. Anna Latorre, member of the public, lives next door and stated that she had no objection to the application.

Ms. Darlene Castellini, member of the public, lives directly across the street and has no objections to the application.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Pierantozzi: Yes
Ms. Cartagena: Yes
Mr. Stefano: Yes
Mr. Flaim: Yes
Ms. Greenberg: Yes
Mr. LoBiondo: Yes

Ms. Greenberg made a motion to approve the application.

Roll call:

Ms. Cartagena: Yes
Mr. Stefano: Yes
Mr. Flaim: Yes
Ms. Greenberg: Yes
Mr. Pierantozzi: Yes
Mr. LoBiondo: Yes

Application granted.

Applicant- **Diane Fischer**-906 S. Main Road, Block 5007, Lot 48, Zone R-3.

Ms. Fischer testified on her own behalf. The applicant proposes a use variance because the R-3 zone does not permit two family dwellings. The existing two family dwelling is a pre-existing, non-conforming use within the zone. She would like to construct a 20' x 20' addition to the rear of her unit to expand two bedrooms. She is not proposing any additional bathrooms. The addition will be for her 96 year old father who is a veteran of World War II and the Korean War. She has lived at this property for 27 years. She is the Vice-President of the Condominium Association.

Mr. Finley testified that the two family dwelling was conforming when it was constructed.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Stefano: Yes

Mr. Flaim: Yes

Ms. Greenberg: Yes

Mr. Pierantozzi: Yes

Ms. Cartagena: Yes

Mr. LoBiondo: Yes

Ms. Greenberg made a motion to approve the application.

Roll call:

Mr. Stefano: Yes

Mr. Flaim: Yes

Ms. Greenberg: Yes

Mr. Pierantozzi: Yes

Ms. Cartagena: Yes

Mr. LoBiondo: Yes

Application granted.

Chairperson made a motion to adjourn.

Roll call:

Mr. Stefano: Yes

Mr. Flaim: Yes

Ms. Greenberg: Yes

Mr. Pierantozzi: Yes

Ms. Cartagena: Yes

Mr. LoBiondo: Yes

Meeting adjourned at 9:03 PM

Yasmin Ricketts, Secretary

Zoning Board of Adjustment