

**ZONING BOARD OF ADJUSTMENT MEETING
DECEMBER 19, 2018**

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

Members present were:

John Pierantozzi
Ryan Flaim
Ryan Feaster
Lydia Johnson
Susanna Philippoussis
Joseph Stefano
George LoBiondo

Members absent were: Elaine Greenberg, Alexis Cartagena, Gena Pacitto

Others Present were:

Frank DiDomenico, Solicitor
Yasmin Ricketts, Board Secretary
Patrick Finley, Zoning Officer
Ryan Headley, Principal Engineer/Planner

The Chairman entertained a motion to approve the minutes from the November 21, 2018 meeting.

Roll call:

Mr. Feaster: Abstain
Mr. Flaim: Yes
Ms. Johnson: Abstain
Ms. Philippoussis: Yes
Mr. Pierantozzi: Yes
Mr. Stefano: Yes
Mr. LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the November 21, 2018 meeting.

Roll call:

Mr. Feaster: Abstain
Mr. Flaim: Yes
Ms. Johnson: Abstain
Ms. Philippoussis: Yes
Mr. Pierantozzi: Yes
Mr. Stefano: Yes
Mr. LoBiondo: Yes, Abstain #2018-46 and #2018-47

Mr. DiDomenico went over the revisions to the agenda.

Applicant- **J. Bryson & B. Harris**, 532 E. Grape Street, Block 4008, Lot 13, Zone R, certification of non-conforming use for multi-family residential units.

Ms. Barbi Harris, Executix, testified on her own behalf. He father purchased the property as a four unit rental building in 1973. The building has two bedroom units in the front and two bedroom units in the rear. She submitted exhibit A-1, City's Property Record Card. The

property card shows that the building was constructed in 1922 as a duplex. The record card also shows that the City approved a conversion to a four unit dwelling in 1955.

Mr. Finley explained that the building was approved in 1955 and that predates the 1981 zone change. The R zone currently permits single and two family dwellings only. The lots have pre-existing variances. The side yard setback on the west side is 8.8' whereas 10' is required. The front yard setback is 20' whereas 25' or prevailing setbacks in the area is required. The prevailing setback is 20'. He had no issue with the documentation that was submitted.

Mr. Stefano wanted to know if enough parking spaces were being provided.

Ms. Harris stated that there were five parking spaces and street parking.

Chairman made a motion to close the public hearing.

Roll call:

Mr. Feaster: Yes

Ms. Philippoussis: Yes

Mr. Flaim: Yes

Mr. Stefano: Yes

Ms. Johnson: Yes

Mr. Pierantozzi: Yes

Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the use application.

Roll call:

Ms. Philippoussis: Yes

Mr. Flaim: Yes

Mr. Stefano: Yes

Ms. Johnson: Yes

Mr. Pierantozzi: Yes

Mr. Feaster: Yes

Mr. LoBiondo: Yes

Application granted.

Applicant- **Justin Selby** – 721 E. Peach Street, Block 3007, Lot 4, Zone R, certification of non-conforming use for multi-family residential units.

Mr. Finley explained that this is the same situation as the previous application. It is a duplex on an undersized lot.

Mr. Justin Selby, testified on his own behalf. He purchased the property on October 31, 2018 as a two family dwelling. The property has been used as a duplex since 1957. Vineland Electric Utility recognizes the property as a duplex since 1957. The Landis Sewage Authority recognizes the duplex since at least 1998. City records show the two family dwelling as of 1957.

Mr. Finley indicated that he is satisfied with the documents that were submitted. The R zone permits two family dwellings. The duplex predates the 1981 zoning change. The R zone now

requires a minimum lot size of 15,000 square feet for a two family dwelling and 9,750 square feet for a single family dwelling. This lot is 7,500 square feet. This lot is similar to the lots in the surrounding area. There are some bulk variances. The east side yard setback is 2.1' whereas 10' is required. The west side is 3' whereas 6' is required and the rear is 3' whereas 6' is required.

Mr. Selby explained that the first floor unit is three bedrooms. The second floor unit is two bedrooms. There is one parking space and street parking.

Chairman made a motion to close the public hearing.

Roll call:

Ms. Philippoussis: Yes

Mr. Flaim: Yes

Mr. Stefano: Yes

Ms. Johnson: Yes

Mr. Pierantozzi: Yes

Mr. Feaster: Yes

Mr. LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Mr. Flaim: Yes

Mr. Stefano: Yes

Ms. Johnson: Yes

Mr. Pierantozzi: Yes

Mr. Feaster: Yes

Ms. Philippoussis: Yes

Mr. LoBiondo: Yes

Application granted.

Applicant- **Boulevard Petroleum**- 1654 N. West Boulevard, Block 1202, Lot 16, Zone I-2, installation of two petroleum storage tanks.

The applicant was represented by A. Steven Fabietti, Esq. The applicant agreed to proceed with 6 members. They are proposing to replace underground storage tanks with two above ground tanks. They are also seeking a waiver of a site plan.

Paul Riggins, Owner, testified on his own behalf. He explained that there are three storage tanks that need to be removed. They are taking in water because the area has a high water table. He would like to replace them with aboveground storage tanks. They will have double walls and have containment from possible spills. The removal and installation of the tanks will be regulated by NJDEP. The above ground tanks are each 12,000 gallons. One tank will have gasoline and the other tank will have one part diesel and one part gasoline. The tanks will be 10' high. The area around the tanks will be surrounded by large concrete bollards. There will be no other site changes except for piping.

Chairman made a motion to close the public hearing.

Roll call:
Ms. Philippoussis: Yes
Mr. Flaim: Yes
Ms. Johnson: Yes
Mr. Pierantozzi: Yes
Mr. Feaster: Yes
Mr. Stefano: Yes

Ms. Philippoussis made a motion to approve the application.

Roll call:
Mr. Flaim: Yes
Ms. Johnson: Yes
Mr. Pierantozzi: Yes
Mr. Feaster: Yes
Ms. Philippoussis: Yes
Mr. Stefano: Yes

Application granted.

Applicant- **RK Chevrolet**- 612 N. Delsea Drive, Block 2104, Lot 95, Zones B-3/R-2, construct a building expansion with site improvements.

The applicant was represented by A. Steven Fabietti, Esq. The applicant is seeking a use variance for expansion of an existing automobile dealership. The lot is in a split zone of B-3 and R-2. They are seeking preliminary and final site approval for the first phase which is construction of a 18,937 square foot automobile dealership together with associated site improvements and preliminary approval only for phase 2 which is an expansion of the building of 5,194 square feet.

James Gruccio, RK Chevrolet representative, testified on behalf of the applicant. The Zoning Board previously approved an expansion for the Kia-Subaru dealerships. The plan will be to build a new Subaru building. The exiting building will be for the Kia dealership only.

Andrew Hogg, Professional Engineer, testified on behalf of the applicant. The proposed Subaru dealership will be to the west of the existing building Subaru/Kia dealership. There will be a single access drive from Delsea Drive. Vehicle storage will be at the rear of the building. There will be a stormwater management basin at the extreme rear of the lot. The 5,194 square foot addition in phase 2 will be added to the rear of the 18,937 square foot building in phase 1. Phase 1 building will be for a showroom and sales, service, and parts and service. Phase 2 will be an additional service area. Vehicles will be delivered from Delsea Drive around the south side of the building to the rear. The lot will interconnect to the Toyota lot to the south. The trash enclosure is at the rear of the building. In response to the Planning Report, paragraph 6, the applicant is requesting waivers. The applicant requests a waiver for parking space 9' x 18' which is a standard size. The applicant requests a waiver from parking space row length without tree island breaks. The area in question is for storage and display therefore, it is not needed. The applicant will convert the striped island at the north side front if the property into landscaped island. A waiver is requested for the end islands. The applicant will provide a fence around the basin and an access drive.

Mr. Fabietti went over paragraph 9, Forest Retention and Replacement Plan, the applicant will provide 20 trees at the north side of the property and an additional 10 trees at the rear. They will also install landscaped pods along Delsea Drive. They will also contribute \$5,000.00.

The applicant will comply with all the requirements of the City Engineer report with the exception of paragraph 22, drive isle width. The drive isle is not needed until phase 2. It will be 15' along the north side whereas 24' is required.

Lawrence M. Divietro, Professional Planner, testified on behalf of the applicant. The front buffer variance of 11' continues the continuity of the adjacent car dealership. Impervious lot coverage of 60% whereas 50% is required, automobile dealerships require a bigger parking area. The use variance is due to the split zone. The use variance promotes the general welfare. It is an appropriate location and is surrounded by other dealerships in the area.

Chairman made a motion to close the public hearing

Roll call:

Ms. Johnson: Yes

Mr. Pierantozzi: Yes

Mr. Feaster: Yes

Ms. Philippoussis: Yes

Ms. Flaim: Yes

Mr. Stefano: Yes

Ms. Philippoussis made a motion to approve the application.

Roll call:

Mr. Pierantozzi: Yes

Mr. Feaster: Yes

Ms. Philippoussis: Yes

Ms. Flaim: Yes

Ms. Johnson: Yes

Mr. Stefano: Yes

Application granted.

ADJOURN:

Mr. Pierantozzi: Yes

Mr. Feaster: Yes

Ms. Philippoussis: Yes

Mr. Flaim: Yes

Mr. Stefano: Yes

Ms. Johnson: Yes

Mr. LoBiondo: Yes

Meeting adjourned at 9:36 PM

Yasmin Ricketts, Secretary

Zoning Board of Adjustment