

ZONING BOARD OF ADJUSTMENT VIRTUAL MEETING
June 17, 2020

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

Members present were:

Ryan Feaster
Victoria Lods
John Pierantozzi
Joseph Stefano
Jeffrey Torchio
George LoBiondo

Members absent were: Ryan Flaim, Gena Pacitto

Others Present were:

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

Mr. DiDomenico went over the revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the May 20, 2020 meeting.

Roll call:

Ryan Feaster: Yes
Victoria Lods: Yes
John Pierantozzi: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the May 20, 2020 meeting

Roll call:

Ryan Feaster: Yes
Victoria Lods: Yes
John Pierantozzi: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Abstain Resolution 2020-22 and Resolution 2020-24

JORGE PEREZ-RAMOS, 1477 E. Grant Avenue, Block 6801 Lot 30.1 Zone R-5, construction of an oversized detached garage.

The applicant testified on his own behalf. He would like to construct the garage for his pickup truck, his wife's car, yard equipment, lawn furniture and personal belongings. The proposed detached garage will be located 250 feet to the rear of his home. There will be a driveway leading to the garage. The garage will not be used for any business or commercial uses and will be for personal use only. The garage will be a maximum of 14 feet high.

Mr. Headley, explained that if the applicant would like to add second driveway, the City would require a road opening permit.

Mr. Finley, wanted to know if there would be electric or plumbing in the garage. The applicant stated that there would be no electric or plumbing.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Mr. Feaster made a motion to approve the request.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Application granted.

WILLIAM & KATHY CRANE, 15 Ewan Terrace, Block 3117 Lot 26 Zone R-2, certification of non-conforming use for a two unit family dwelling.

Mr. Crane testified on his own behalf. When the property was purchased in 1977, the dwelling was a duplex. He checked with the City before purchasing the property and was advised that it was duplex. The property has two electric meters and two gas meters. There is one two-bedroom and one bath unit on the first floor and one two-bedroom and one bath unit on the second floor.

Mr. Finley explained that the property record card has entries dating back to 1972 and it indicates the property was a two-family dwelling. The property was built in 1925 and was constructed as a two-family dwelling. There are variances associated with this site. Side setback on the north side of 6 feet whereas 20 feet is required. Front yard setback of 20 feet to the porch whereas 30 feet is required. Side yard setback for the detached garage of 1.14 feet whereas 6 feet is required. Rear yard setback for the detached garage of .4 feet whereas 6 feet is required. Lot frontage of 60 feet whereas 110 feet is required. Lot size of 6,750 square feet whereas 19,500 square feet is required for a two-family dwelling. Duplexes are a permitted use in zone.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the request.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

TWIN REALTY, LLC, 17 W Landis Avenue, Block 3602 Lot 1 Zone B-3, banquet hall in an existing building.

The applicant was represented by Alfred Verderose, Esq. The application was originally heard on April 15, 2020. They now would like to amend their request and return on July 15, 2020 meeting.

AGVWO, LLC, 1801 E. Sherman Avenue, Block 7201 Lot 7 Zone A-5, establish a truck and trailer sales and repair facility along with a waiver of site plan requirements.

The applicant was represented by Michael J. Gruccio, Esquire. The applicant agreed to proceed with only six Zoning Board members. He submitted exhibits into evidence. Exhibit A-5, site plan for the January 21, 1987 approval for a truck terminal granted to Foundry Service Corporation. Business will not be conducted outside in the front yard. The sales, repair shop, and parts building will be in the existing building. Vehicles will be stored behind the building. Employee parking will park on the west side. The applicant also seeks waiver of formal site plan, and would like to use the 1987 site plan approval for truck terminal. The use is less intense and will have less traffic.

Stephen Hawk, Professional Planner, testified on behalf of the applicant. He addressed the positive criteria for the use variance. The property will be promoting a desirable visual environment. There is over one acre of lawn and trees in the front yard. The building is setback 160 feet from the road. The building suitable for this use. As to the negative criteria he sees no substantial detriment to the public good. The area has mixed uses.

He sees no substantial impairment to the Zoning Plan or the Zoning Ordinance. The number of employees is being drastically reduced.

This proposal advances the purposes of the Master Plan. The Master Plan recognizes scarcity of industrial land in the City. This application preserves industrial use, but it is a low impact use.

It is difficult to find replacement uses for industrial uses within the City here, the building onsite fits nicely with the proposed use. He believes the proposal meets the objectives of the City's Zone Plan.

Mr. Headley did not agree with the property promoting a visual environment. The area is mostly residential. He believes truck sales as a business not an industry.

Anthony L. Battellini, Owner, testified on his own behalf. This site will mainly be a commercial truck dealership. Ninety percent of the sales will be new trucks and new trailers.

This will be a new truck distributorship. The hours of operation will be Monday- Friday 7:00am to 6:00pm and Saturday 8:00am till noon. If there is an emergency, those hours may be extended for a customer. He anticipates he will have one to two trucks being sold per week.

The truck traffic will be drastically reduced, and noises will be reduced. He will advise any truckers visiting his site to not use jake brakes. No trucks will be towed to the site and no trucks will be stored on site. Deliveries for the site will be between 9:00am and 3:00pm.

Mr. Headley, explained that site was expanded in the rear with an approval. There is a stone parking area that generates a lot of dust which is used for trucks with no approval. There is an interconnection between the rear of the site and the adjacent Perna-Finnigan site. He would like the applicant to remove the stone and reseed those areas with grass. He strongly recommends that the applicant return for site plan approval.

Joyce Reimels, member of the public, stated that she owns land across the street. She believes this use would lower her property value.

Brian Smith, member of the public, indicated that he contacted Mr. Gruccio and his questions were addressed.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the request.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Application granted.

ADJOURN:

Ryan Feaster: Yes

Victoria Lods: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Meeting adjourned at 9:32 PM

Yasmin Ricketts, Secretary
Zoning Board of Adjustment