

ZONING BOARD OF ADJUSTMENT MEETING
January 20, 2021

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

Members present were:

Ryan Feaster
Ryan Flaim
Victoria Lods
Joseph Stefano
Jeffrey Torchio
George LoBiondo

Members absent were: Gena Pacitto, John Pierantozzi

Others Present were:

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

Pre-Meeting

Mr. DiDomenico opened the pre-meeting to reorganize for the year.

Mr. Stefano made a motion to nominate George LoBiondo as Chairman.

Roll Call:

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

Ms. Lods made a motion to nominate Joseph Stefano as Vice Chairman.

Roll Call:

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

Mr. Stefano made a motion to nominate Frank DiDomenico as Solicitor.

Roll Call:

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

Mr. Stefano made a motion to nominate Yasmin Ricketts as Secretary.

Roll Call:

Ryan Feaster: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Ms. Lods made a motion to approve the meeting schedule for 2021.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Dr. Pacitto made a motion to nominate Alena Broshchan as alternate secretary in the absence of Yasmin Ricketts.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Mr. DiDomenico went over the revisions to the agenda.

The Chairman entertained a motion to approve the minutes from the December 16, 2020 meeting.

Roll call:

Ryan Feaster: Yes

Victoria Lods: Abstain

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the December 16, 2020 meeting

Roll call:

Ryan Feaster: Yes

Victoria Lods: Abstain

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

ANDRES & MILKA TORRES, 222 S. Second Street, Block 3809, Lot 12, Zone R, construction of an addition to a two family dwelling with a variance for side yard setback.

Ms. Milka Rivera testified on her own behalf. She proposed to construct a laundry room addition on the right side of the two family dwelling. The addition will measure 18' x 7' and it will stay within the existing footprint.

Chairman made a motion to close the public hearing.

Roll call:

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

Mr. Torchio made a motion to approve the request.

Roll call:

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

Application granted.

JOSEPH MENEGHETTI, 978 E. Sherman Avenue, Block 6801, Lot 66, Zone R-5, construction of an oversized detached garage.

Mr. Joseph Meneghetti testified on his own behalf. He is proposing to construct a 1,200 square foot detached pole barn. The pole barn will only be used for the storage of his personal belongings. There will be no commercial or business use of the pole barn.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes
Ryan Flaim: Yes
Gena Pacitto: 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
Ryan Flaim: Yes
Gena Pacitto: Yes
John Pierantozzi: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Application granted.

MARGARITA & JOHN JOHNSON, 2580 Valhalla Road, Block 6901, Lot 33, Zone R-4, construction of a shed with a variance for side yard setback.

Application carried to February 17, 2021.

Mr. John Johnson testified on his own behalf. He would like to construct an outdoor restroom for his mom and wife. He has a swimming pool and it is good physical therapy for them.

Mr. LoBiondo noted that the proposed is close to the property line, and they would be required to go on neighbor's property to maintain it.

Mr. Finley explained that the applicant had to enter neighbor's property to build the structure, and it is an actual enforcement issue for constructing without a permit.

Mr. Johnson explained that it was a misunderstanding, and he was unaware of 6' variance required by variance.

Mr. Headley noted that there are concerns about its close to proximity to the property line and the fence.

Mrs. Margarita Johnson testified on her own behalf. She explained that they are willing to move the structure. The restroom is next to the swimming pool and it is used for health reasons

Mr. Finley explained that the structure is considered an addition because of the close proximity to the home. He also wanted to know if chemicals would be stored there.

Mr. Johnson explained that there would be no storage. He wants to comply with the regulations of the city.

Mr. Finley explained that there are code requirements and it is too close to the house.

The applicant decided to carry this applicant until Feb 17, 2021 with no new notice.

WILLIAM RIVERA, 2121 Maple Avenue, Block 3202, Lot 5, Zone R-3, construction of an oversized detached garage.

The applicant was represented by Michael Gruccio, Esq. The applicant is seeking a 1,440 square foot, detached garage whereas a maximum of 1,000 square feet is permitted. The garage will be used for the applicant's personal use only. There is a facility across the street with industrial activity. The adjoining property to the east is a single family home with two (2) bay garage and chicken coop. A variance was granted for the property immediately adjacent to this property. The property is large by residential standards measuring just under 1 acre in size. The detached garage will be located well to the rear of the lot and 55 feet from each side yard and 67 feet from the rear yard. The property does not have a garage and it will be a nice looking building.

Mr. William Rivera testified on his own behalf. He intends to have a stone surface. The garage will have electric and no plumbing is proposed.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes

Ryan Flaim: Yes

Gena Pacitto: Yes
John Pierantozzi: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Mr. Torchio made a motion to approve the request.

Roll call:

Ryan Feaster: Yes
Ryan Flaim: Yes
Gena Pacitto: Yes
John Pierantozzi: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Application granted.

GESTF, LLC, 2350 S. Main Road, Block 6701, Lot 24, Zone B-2, use variance to utilize the existing building for heating and air conditioning storage and a private training facility with a waiver of site plan requirements.

The applicant was represented by Michael Fralinger, Esq. The site is the former South Vineland Tavern, and is located directly across Grant Avenue from GE Mechanical. GE Mechanical operates a contractor's yard at that location and is approximately 2.5 acres. The GE Mechanical site is very well maintained and groomed. GE Mechanical is looking to expand operations to the former South Vineland Tavern building. They will use it for additional office space and for HVAC industry training. The interior will have a large conference room, and it has an existing kitchen that will be used for HVAC training. There will be a maximum of 2 to 3 employees onsite, and hours of operation will be the same as GE Mechanical. The use as proposed has a lower intensity than the former use. There is also a billboard located onsite which is a pre-existing, non-conforming use since the 1960s, and it is leased out.

Gary Forosisky, Principal of the Applicant, testified on his own behalf. Business has been growing and they are servicing new clients. They need more room for storage of equipment. There will be no outside storage. The training will be for his employees only. He has already installed a new roof, planted grass and shrubs.

The applicant was represented by Stephen Hawk, Professional Planner. The use as proposed is not permitted in the B-2 zone. There are special reasons to grant the use variance. He believes there is site suitability, and the site promotes the public health, safety, and general welfare. The property promotes a desirable visual environment because of the improvements to the building and to the site. The applicant is making the property look better with grass and shrubs. The property promotes the general welfare and public health and safety. Automobiles will no longer back on to Grant Avenue or Main Road which is dangerous. He also believes that the negative criteria is satisfied. He sees no substantial detriment to the public good as the proposal is not out of character with the neighborhood. There is a pre-existing, non-conforming billboard onsite. This billboard is located on the south side of the property and is 196 square feet. The green space being added by the applicant and the other enhancements all outweigh the negatives of the use.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes
Ryan Flaim: Yes
Gena Pacitto: 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
Ryan Flaim: Yes
Gena Pacitto: Yes
John Pierantozzi: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes
George LoBiondo: Yes

Application granted.

PETER LETUSHKO, 360 N. Lincoln Avenue, Block 3304, Lots 29 & 30, Zone A-5, conversion from a single family dwelling to a two family dwelling and utilization of a storage building.

The applicant was represented by Nathan Van Embden, Esq. The applicant purchased this property in 2019. The dwelling which was on the property was a single-family home with a mother in-law apartment. They are proposing a two-family dwelling with each unit having three bedrooms and two baths. The frontage is 166.42 feet whereas 250 feet is required. The property also has a side yard setback of 20 feet whereas 40 feet is required.

Mr. Peter Letushko testified on his own behalf. He purchased this home and is rehabilitating the property. There was termite damage therefore, and had to rip out all the wood. He could only save the foundation of the property. The property had a two bedroom, two bath unit and a mother-in-law suite which had two bedrooms and one bath. Both residences has separate entrances. There is enough space for parking for 10 parking spaces. He intends to use the garage for personal storage and may store some things for his business.

Mr. Finley explained that storing business equipment in the shed would constitute a business use.

The applicant agreed to only store items used to maintain the property. The duplex will not be constructed outside the current foundation's footprint.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes
Ryan Flaim: Yes
Gena Pacitto: Yes
John Pierantozzi: Yes
Joseph Stefano: Yes
Jeffrey Torchio: Yes

George LoBiondo: Yes

Ms. Lods made a motion to approve the request.

Roll call:

Ryan Feaster: Yes

Ryan Flaim: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Application granted.

KYLE DEITRICH, 1174 Roberts Boulevard, Block 4211, Lot 18, Zone R-3, use variance to utilize an accessory standalone structure for storage with a waiver of site plan requirements.

Mr. Deitrich testified on his own behalf. He purchased the garage for his storage. He is welder, mechanic and works with his father. He would like to store his welding materials, tools and his truck. He is not proposing signage and all work will be performed indoors.

Mr. Finley explained that the garage is a principal structure on the lot since there is no residential dwelling. It was previously used as an equipment storage building for the chicken hatchery business. The proposal is a good use for this property.

Chairman made a motion to close the public hearing.

Roll call:

Ryan Feaster: Yes

Ryan Flaim: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Mr. Torchio made a motion to approve the request.

Roll call:

Ryan Feaster: Yes

Ryan Flaim: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Application granted.

ADJOURN:

Ryan Feaster: Yes

Ryan Flaim: Yes

Gena Pacitto: Yes

John Pierantozzi: Yes

Joseph Stefano: Yes

Jeffrey Torchio: Yes

George LoBiondo: Yes

Meeting adjourned at 10:32 PM

Yasmin Ricketts, Secretary

Zoning Board of Adjustment