

CITY OF VINELAND

ORDINANCE NO. 2017-85

ORDINANCE AMENDING ORDINANCE 86-38 AS AMENDED, CHAPTER 425, ARTICLE XX, SECTIONS 425-345(A) AND 425-346(A) OF THE CODE OF THE CITY OF VINELAND ENTITLED ZONING BOARD OF ADJUSTMENT IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE PLANNING BOARD, RESOLUTION 6244.

WHEREAS, City Council passed a motion requesting the Planning Board consider an amendment to the Land Use Ordinance to increase the number of alternate members for the Zoning Board of Adjustment from two to four so as to reduce the delays in processing development applications caused by members' absences and conflicts of interests; and

WHEREAS, on November 8, 2017 the Planning Board considered the testimony of Kathleen Hicks, PP who indicated that absences and conflicts of members are problematic for the Zoning Board of Adjustment because of the need for five affirmative votes to approve D-variances and that additional alternates would alleviate this concern to a degree.

WHEREAS, City Council adopts and incorporates the findings of the Planning Board as set forth in Resolution 6244 of the Planning Board as if set forth herein at length.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland as follows:

1. Chapter 425, Article XX, Section 425-345(A) shall be deleted in its entirety and replaced as follows:

425-345(A) The City of Vineland hereby establishes a Zoning Board of Adjustment comprised of seven regular members and four alternate members. Alternate members shall be designated at the time of appointment as "Alternate No. 1", "Alternate No. 2", "Alternate No. 3" and "Alternate No. 4."

2. Chapter 425, Article XX, Section 425-346(A) shall be deleted in its entirety and replaced as follows:

425-346(A) Alternate members may participate in discussion of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, alternate members shall vote in the order of their numerical designations.

BE IT FURTHER ORDAINED that any Ordinance or portions thereof that are inconsistent herewith shall be deleted and void to the extent of such inconsistencies and the terms of this Ordinance shall supersede the same.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed void by a Court of Competent Jurisdiction, the balance hereof shall remain in full force and affect.

This Ordinance shall take effect upon adoption and publication according to Law.

Passed first reading:

Passed final reading:

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President of Council

Approved by the Mayor:

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Mayor

ATTEST:

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City Clerk

MEMORANDUM



TO: Bob Dickenson, Business Administrator

FROM: Yasmin Ricketts, Planning Board Secretary

DATE: November 13, 2017

RE: Land Use Ordinance Amendment  
Alternate Zoning Board Positions

Enclosed is a signed copy of Resolution #6244 of the Planning Board giving comments and recommendations regarding the proposed Land Use Ordinance Amendment.

YR/  
Encl.

xc: Keith Petrosky, City Clerk  
Richard Tonetta, City Solicitor  
Ken Heather, CDP

**RESOLUTION NO. 6244**

**RESOLUTION OF FINDING AND CONCLUSIONS AND  
DECISION OF THE VINELAND PLANNING BOARD**

**WHEREAS**, the Planning Board of the City of Vineland has considered a request from Kathleen Hicks, PP, Supervising Planner, City of Vineland, to consider an amendment to the Land Use Ordinance to increase the number of alternate members for the Zoning Board of Adjustment from two to four; and

**WHEREAS**, the amendment is recommended to reduce delays in processing development applications caused by members' absences and conflicts of interest; and

**WHEREAS**, members' absences and conflicts of interest are problematic for the Zoning Board of Adjustment because of the need for five affirmative votes to approve a d-variance.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the City of Vineland, that recommendation is made to City Council of the City of Vineland that §425-345(A) and §425-346(A) of the Land Use Ordinance be replaced with the following language:

§425-345(A) The City of Vineland hereby establishes a Zoning Board of Adjustment comprised of seven regular members and four alternate members. Alternate members shall be designated at the time of appointment as "Alternate No. 1", "Alternate No. 2", "Alternate No. 3" and "Alternate No. 4".

§425-346(A) Alternate members may participate in discussion of the proceedings but may not vote except in the absence or disqualification of a regular member. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, alternate members shall vote in the order of their numerical designations.

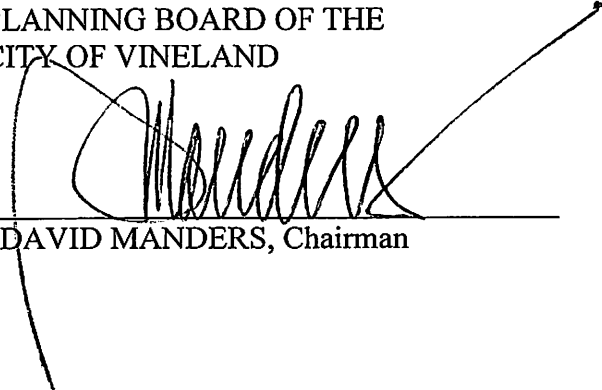
The foregoing is a true copy of the Resolution of decision adopted by the Planning Board of the City of Vineland at a meeting held on November 8, 2017, as reflected in the recorded minutes of said meeting.

ADOPTED DATE: November 8, 2017

Attest:

  
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YASMIN RICKETTS, Secretary

PLANNING BOARD OF THE  
CITY OF VINELAND

  
\_\_\_\_\_  
DAVID MANDERS, Chairman

**ROLL CALL VOTE**

**VOTING IN FAVOR**

SANDY VELEZ  
MICHAEL PANTALIONE  
DAVID ACOSTA  
CHRISTINE SCARPA  
STEPHEN PLEVINS  
MARIA PEREZ  
DAVID MANDERS

**ABSTAINING**

NONE

**ABSENT**

GARY STANKER  
KEITH SALERNO

**OPPOSED**

NONE