

**ZONING BOARD OF ADJUSTMENT MEETING**  
**April 17, 2024**

The public hearing began at 7:00 P.M.

**Members present were:**

Eric Hernandez  
Joseph Repice  
Joseph Stefano  
Andrew Groetsch  
Albert Fisher  
George LoBiondo

**Members absent:** Ryan Flaim, Rudolph Luisi

**Others Present were:**

Amanda Mosciello, Substitute Zoning Board Solicitor  
Rick Crudelle, Assistant Zoning Officer  
Ryan Headley, Zoning Board Engineer/Planner  
Yasmin Perez, Zoning Board Secretary

The Chairman entertained a motion to approve the minutes from the March 20, 2024 meeting.

Roll call:

Eric Hernandez: Yes  
Joseph Repice: Abstain  
Joseph Stefano: Yes  
Andrew Groetsch: Abstain  
Albert Fisher: Yes  
George LoBiondo: Yes

The Chairman entertained a motion to approve the resolutions from the March 20, 2024 meeting.

Roll call:

Eric Hernandez: Yes  
Joseph Repice: Abstain  
Joseph Stefano: Yes  
Andrew Groetsch: Abstain  
Albert Fisher: Yes  
George LoBiondo: Yes

**BRIAN WHEELER, SR**, 213 Fenimore Street, Block 2228, Lot 4, Zone R-2, certification of non-conforming use for a two-unit family dwelling.

Brian K. Wheeler Jr. and Brian K. Wheeler Sr. testified on their own behalf. Mr. Wheeler provided copies of electric bills, tax records and a building permit (exhibits A-1, A-2, A-3). This dwelling was converted into a duplex in the year 1955 by his great grandfather. It has operated and rented as such since that time. They are selling the property and must obtain a certification of pre-existing use. The property record card shows a two family dwelling with no date indicated. The Tax Assessor's office advised that the card is from the year 1980. Next, there are three pages of electric bills for the property. This shows billing for three electric meters on the

property. There is also a building permit to perform an electrical service update. The permit list the dwelling as a two family duplex in the year of 1999. The newer property card with an exterior sketch of the dwelling. That document shows the type and use of the property.

Mr. Crudelle indicated that he is in receipt of the survey and floor plan. The west side has two bedrooms and one bathroom. The east side has one bedroom and one bathroom. The approval should memorialize the bed and bath count and bulk variances for side yard setbacks.

Chairman made a motion to close the public hearing.

Roll call:

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groetsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to approve the application.

Roll call:

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groetsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

**ED FENTZLAFF**, 3040 Union Road, Block 7409, Lot 8, Zone W-6, construction of an oversized garage.

Edward Fentzlaff testified on his own behalf. He is purchasing the property from his stepfather, and he is looking to construct a garage. The garage will be a place to work on his vehicles. He has some vehicles, a truck, a tractor and motorcycles.

Mr. Stefano indicated that 2,500 square feet is more than twice of what is allowed. He asked the applicant if he would be willing to amend his request to a smaller building. He would be more inclined to approve 2,400 square feet. Mr. LoBiondo explained that another concern is when the property is sold it can become attractive to someone who wants to run a business. Every property has its own special circumstances, and it depends on zones and if the structure is pre-existing. 16-foot ceiling. Mr. Crudelli explained that proposed garage will be up near the house, which is going to be visible from the street. If this is approved, the approval stipulate that it is for personal use only because of the tractor trailers. Working on tractor-trailers can easily become a business. The property has many items that are not listed on the plot plan. The applicant indicated that the property will be cleaned and the proposed pole barn will be the only accessory structure. Zoning would like all storage kept indoors. No outdoor storage permitted.

Chairman made a motion to close the public hearing.

Roll call:

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groetsch: Yes

Albert Fisher: Yes  
George LoBiondo: Yes

Mr. Stefano made a motion to deny the application.

Roll call:

Eric Hernandez: Yes  
Joseph Repice: Yes  
Joseph Stefano: Yes  
Andrew Groetsch: Yes  
Albert Fisher: Yes  
George LoBiondo: Yes

Application denied.

**JAIME M. TORO**, 2259 W. Oak Road, Block 2003, Lot 3, Zone R-5, construction of an oversized garage.

Jaimie Toro testified on his own behalf. He is proposing to construct a 40' x 40' pole barn with 12' high walls for storage space. His father recently moved in with him and he needs a place for both of their vehicles. The existing shed containing his wife's household belongings will remain.

Mr. Crudelle explained that the location is acceptable. There are other structures on the property that are not on the plot plan. The applicant explained that everything will be removed with the exception of his wife's shed. There are also carports for his cars and one will be relocated to the driveway. The proposed garage will be placed on the existing black top.

Chairman made a motion to close the public hearing.

Roll call:

Eric Hernandez: Yes  
Joseph Repice: Yes  
Joseph Stefano: Yes  
Andrew Groetsch: Yes  
Albert Fisher: Yes  
George LoBiondo: Yes

Mr. Stefano made a motion to deny the application.

Roll call:

Eric Hernandez: Yes  
Joseph Repice: Yes  
Joseph Stefano: Yes  
Andrew Groetsch: Yes  
Albert Fisher: Yes  
George LoBiondo: Yes

Application granted.

**MICHAEL ATKINSON & ELIZABETH KORUTZ**, 2065 Mays Landing Road, Block 7801, Lot 3.02, Zone W-6, construction of a rear addition to a single-family dwelling.

Michael Paul Atkinson testified on his own behalf. He is seeking a variance to add a 440 square foot addition to the rear of an existing non-conforming single family dwelling located on the west side of the home. The house was constructed in the year 1880, and located in proximity to the house are a large garage and barn. The lot in

total is 24.9 acres which is farm for cut flowers. They will be utilizing this dwelling as our primary residence. There is a front yard setback of 15.5 feet where 60 feet is required. He is proposing to extend the house by 16.7 feet and maintain the same side yard setback of 29.9 feet. The plans would include the removal of a previously constructed addition, and the building back of said previous addition along with the additional space. The proposed addition will remain single story. He included elevations with his application. There might be some small changes to the roofline, but that is what they are looking to do. They want to keep it in with the character of the house. They acquired paperwork for the existing septic and C pit, and they will be properly abandoning them and getting a new septic for the property. There are waivers from producing plans that show adjacent property improvements that were over 600 feet away. The immediate properties within 200 feet are on the plan as part of their addendum. Everything is over 600 feet away and they are requesting to not show them.

Chairman made a motion to close the public hearing.

Roll call:

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groetsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to deny the application.

Roll call:

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groetsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

**PATRICIA LOPEZ-SANTIAGO & FERNANDO CHAVEZ**, 1027 & 1031 E. Chestnut Avenue, Block 5004, Lots 2, 3 & 4, Zone R-P, use variance to allow a hair salon along with a waiver of site plan requirements.

The applicant was represented by Michael Gruccio, Esq. This property was originally developed pursuant to use variance approval granted in year 1980, which permitted then practicing oncologist David Blum to establish his office for oncology medicine. Subsequent to the grant of the use variance the property was rezoned to R-P residential professional, which in effect legitimized the operation of the oncology facility. He and his partner effectively retired from the active practice of medicine leaving this medical facility. The building was available for use by other professionals. Newcomb Hospital was located across the street and they closed and now subject to development for affordable apartments pursuant to the city's Newcomb Redevelopment Plan. The underlying zoning category or classification of the Newcomb Campus as RB-2. It is a zoning classification the permits not only professional offices, but also personal service facilities such as hair salons. This property is located in the RP zone not RB-1. Not only is the property directly across from Newcomb Hospital, it is east of State Street and west of Valley Avenue. The property is in close proximity to areas of land along East Chestnut Avenue, which are zoned RB-1. RB-1 is similar to RB2 zoning, and it permits the establishment of professional offices as well as personal service facilities such as hair salons. The applicants acquired and at the point of acquisition, the property had an operating hair salon on its premises that had recently closed. There are photographs from June of 2023 showing hair salon signage on the face of this building oriented to Chestnut Avenue. The applicants acquired the property with the expectation of continuing the hair salon. They appropriately made applications the

City of Vineland Zoning Office for permits to refurbish and to renovate the hair salon. The Zoning Department denied the application, indicating that hair salons are not permitted in the zone. There is a chiropractor occupying one of the 1,500 square foot offices. The applicant is requesting a use variance to permit the operation of their hair salon on the premises. The hair salon previously operated on these premises without appropriate permits, but the applicants were not part or party to the original hair salon operation. There is no change to the building and the renovations that they intended were for interior refurbishments. The site plan was approved in year 1980, and it is still suitable for conversion to this particular use. They are requesting a waiver of site plan approval. Exhibit A1, several photos depicting the same condition from different perspectives.

Mr. Headley explained that the loss of Newcomb Hospital really hurts professional office space in this area. We have a good amount of available professional office space, and he does not think it is a detriment. The City does not have a shortage of professional office space, so it would be a good utilization of this property to allow something a little less intense like a hair salon.

Laura Cruz Lopez, applicant's daughter, stated that the business would be good for the community.

Sandra Lee Linton, member of the public, lives next door to the property. She wanted to know if anything else would occupy the remaining spaces of the building. She was concerned with buffering along her property because she has no privacy. There is an existing fence, but it stops where her house begins and ends.

Mr. LoBiondo explained that the property is zoned for the medical offices and other related type of businesses. The applicant is before the board because zoning does not permit professional services like a hair salon. One of the other offices is currently occupied, so if the hair salon is approved it will be the second. The third is unoccupied so the applicant has to try to find a tenant operating a business that is within the zoning regulations.

Mr. Headley indicated that the approved site plan has a row of evergreen trees along the property line. The buffer can be done with fencing or a row of evergreen trees. He does not have an issue with either because it accomplishes the same thing.

Mr. Gruccio stated the applicant would submit to two conditions. The first is that the buffer oriented to the easterly property line of the site be developed in accordance with the approved site plan. The second is if the applicant wishes to erect signage, the signage will be facade signage complying with ordinance standards.

Chairman made a motion to close the public hearing.

Roll call:

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groetsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Mr. Stefano made a motion to deny the application.

Roll call:

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groetsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Application granted.

Meeting adjourned at 8:07 PM

Roll call:

Eric Hernandez: Yes

Joseph Repice: Yes

Joseph Stefano: Yes

Andrew Groetsch: Yes

Albert Fisher: Yes

George LoBiondo: Yes

Yasmin Perez, Secretary

**Zoning Board of Adjustment**