



**CITY OF ABSECON  
Municipal Complex  
500 Mill Road  
Absecon, New Jersey 08201**

**PLANNING & ZONING**  
Tina M. Lawler, Secretary

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**JUNE 17, 2014  
ZONING BOARD  
MINUTES**

The meeting was called to order by Pat Malia, Vice-Chairman  
Chairman, Bonek arrived shortly after that.

Flag Salute

Notification of Meeting

**ROLL CALL**

**PRESENT:** Fritz, Baltera, Polisano, Corkhill, Roswell, Seher, Malia, Bonek

**ABSENT:** Lawler

**OLD BUSINESS:**

**Vote:** Minutes of May 20, 2014 meeting

Motion to approve: Pat Malia – second – Alex Corkhill

All were in favor.

**Vote: D&R for Appl. #4-2014** – Michele & John Wexler – Block 237 – Lot 22 – 251 Marlin Road for  
a rear yard setback for addition to home and front yard setback to legitimize construction of porch and  
overhang

Motion to approve – Pat Malia – second – Alex Corkhill

ROLL CALL: Baltera, yes; Corkhill, yes; Roswell, yes; Seher, yes; Bonek, yes

## **NEW BUSINESS:**

**Appl. #5-2014 – Traditional Roman Catholic Church** – Block 261 – Lot 7.01 – 101 Pleasant Avenue for a Use Variance for a church and Site Plan Waiver

**Joel Fleischman, attorney for applicant** – explained they are asking for a Use Variance and Site Plan Waiver. The property sits in an I/PI zone, which is an industrial zone and this type of use is not permitted there. The testimony tonight will show that this site is well suited for this use and beneficial to the city and promotes the general welfare of the community.

**Sister Violet M. Lamb**, was sworn in. She is the Episcopal administrative secretary who oversees the administration office duties, which take place basically Monday through Friday, 10:00 a.m. to 5:00 p.m. She then explained a little about their church and gave a brief history of it. They have about 85-95 persons now and are growing. The Mass schedule is Sundays at 8 a.m. and that is out by 9:15 and then they begin CCD classes and then after that an 11:00 a.m. mass. The first Sunday of the month, they have an additional mass at 10:00 a.m. The main room has 42 seats and usually 25-30 people attend. There is a smaller chapel that has about 15 seats. The church has a van for the elderly members who don't drive, and others are in carpools. See doesn't feel there will be a parking problem. They have looked for other locations for their church but nothing was found.

**Mark Petrella, from SOSH Architects**, – architect for the applicant – marked Exhibit A1 into evidence, which was an existing floor plan of the building and photos of existing conditions of the property. Two photos showed the exterior of the building and no proposed alterations to the exterior are needed. He explained the layout of the building and the use of each room. There are a total of 42 chairs in the main chapel for use.

**Deborah Wahl, from Doran Engineering** – engineer and planner for the applicant – Exhibit A2 was marked into evidence, which was an aerial photo of the site and neighborhood. She explained the neighboring sites and what is around there. Exhibit A3 was the site plan that was submitted with the application. She then explained the site plan, utilities and parking conditions. The landscaping is completely developed, so nothing is proposed. With her parking calculations, she came up with 17 required parking stalls and the site has 18. The Zoning Board engineer, in his review, said that 25 parking spaces were required. She had not included the garage that can hold 4 cars, where the clergy or Sister Lamb can park. There is also an area where there is a door area that they could stack a few cars, if approved by the Board by way of a waiver. This site accommodates all of the needs of the church and she feels this site is well suited as well. There have been no complaints in the years that they've been there. A banner is hanging in front of the building now, but a sign will be done in compliance with the city's ordinance. Since there are no other variances other than the use, she feels the applicant meets the requirements for a site plan waiver. She agrees that the church is a beneficial use, in that it promotes the public good as well as the general welfare. Any site in Absecon would have needed a Use Variance.

**Eddie Dennis, Zoning Board engineer** – he agreed that if the board approves the stacked parking, that there would be 26 parking spaces. There is an ADA requirement to provide a van-accessible parking space at the site and there are two now and they could be re-stripped and there is enough room to provide a center access aisle, which needs to be 96" wide. He recommends this be a condition of approval if the board grants it. The city has identified this as its only industrial area located in the municipality and they have taken proactive measures to try to locate those types of

uses. This site is located on a County Road (Mill Road) so it does not appear that any site improvements are needed. The County typically doesn't have requirements for this type of project, but ultimately they would need to comply if they do. He asked that testimony be given as to the lighting at the project even though they said they are not there at night a lot. He has no objection to the design waiver for the size of the parking spaces. The ordinance requires 10 ft. x 19 ft. spaces, and they are requesting 9.5 ft. x 19 ft. Regarding the site plan waiver, if there are any bulk variances required or if they had to provide more than 5 additional spaces, that would prohibit them from receiving a site plan waiver. Based on tonight's testimony, it appears they are eligible for a site plan waiver. If there are no physical changes to the property, we don't need to worry about wetlands. He recommends any approvals given, should be based upon reviews by the police and fire departments.

**Alex Corkhill** – questioned the requirements for sprinklers.

**Eddie** – that would be covered under the building code and the applicant would be told what the Construction Official requires when the C.O. is applied for.

**Pat Malia** – what was there before this?

**Maria Lianidis, owner of the property** – was sworn in and said that it was used for offices they were required to install some detectors and fire extinguishers for the past C.C.O. that was issued.

**Joe Polisano** – when all 26 spaces are occupied and if cars are stacked, would the driveways be free and clear in case of an emergency and access for those vehicles?

**Deborah** – yes, the driveway would be clear and she showed on the plan the configuration. The stacking would be in front of the garage.

**Alex** – asked why this is being presented now and why it's happening after years of being there.

**Joel Fleischman** – explained they've been working on it for some time and it took a while to get done. Prior to that, he asked the Arch Bishop to answer.

**Arch Bishop Moseley** – explained that it was due to finances. We were approved for office space only then. We were at Oyster Bay and had to leave and we needed somewhere to go. We did what we had to do. He knows that were not right in what they did.

**Pat Malia** – you have a good number of parishioners now, what is going to happen if you keep growing?

**Arch Bishop** – we would have to move priests to another place and divide up the parishioners. They would have to do what we ask.

**Joel Fleischman** – knows that any expansion at this site would need site plan approval and we would have to come back before the board.

**John Rosenberger** – tonight's approvals will be written out and they wouldn't give approval for carte blanche to do whatever you want in the future. You would be obligated to comply with the rules.

**Joe Polisano** – is there even land to expand for parking on this site?

**Deborah** – between the property and Mill Road is room maybe for more parking.

**Alex** – questioned the approval of this building and the tax consequences.

**John R.** – they are tenants, so the owner would still be paying the taxes on it.

**Joel** – this building was vacant for a few years before they moved in, so it's hard to say it would be a detriment to the industrial zone.

**Pat** – if approval is given tonight you still need to go through other processes like the County, Building Department for permits, etc.

**Joel** - we will be filing with the County, but didn't want to do that until approval was received. We will also abide by the local rules.

Jim opened it to the public.

No public comment.

Motion to close – Pat Malia – second – Jeff Roswell

All were in favor.

**John Rosenberger** – explained to the board their obligations tonight for this application.

**Eddie** - asked Deborah to address the lighting issue.

**Deb** – there are 3 existing pole standards located at the outer perimeter of the parking lot. There is a wall-mounted light also and feels it will all be adequate. As a condition, the lighting calculations will be provided to Eddie for his review and approval.

Arch Bishop Mosley asked Joel Fleischman, if Fr. Vincent, a judicial vicar in the church, could say a few words.

The board agreed.

**Fr. Vincent Valenciano** – as a traditional vicar of the church, which is the law of the church, he said they would always respect the order of the law. These would abide by the city building codes and all the arguments tonight are fair and hoped their presence here, would not only benefit the Industrial Zone, but also the spiritual mode of the city. People will see it when they pass and hopefully will realize that people don't live by bread alone.

Jim opened it to the public again.

No public comment.

Motion to close – Pat Malia –second – Jeff Roswell

All were in favor.

**John** – said there would be votes tonight. The first: to grant the use variance to permit the conduct of a church and administration office space in the I/PI zone.

Motion to approve – Pat Malia – second – Joe Polisano

ROLL CALL: Bill Fritz, yes; Baltera, yes; Polisano, yes; Corkhill, yes; Roswell, yes; Malia, yes; Bonek, yes

Motion to approve site plan waiver with conditions that will be listed in the D&R made by Pat Malia – second – Joe Polisano

ROLL CALL: Bill Fritz, yes; Baltera, yes; Polisano, yes; Corkhill, yes; Roswell, yes; Malia, yes; Bonek, yes

## **ADJOURNMENT**

Motion to adjourn meeting – Joe Polisano – second – Greg Seher

All were in favor.

Respectfully submitted,

Tina Lawler, Secretary

Approved: \_\_\_\_\_