

The Township of Haddon Planning/Zoning Board  
Meeting Minutes  
Thursday, March 7, 2024

A regular meeting of the planning/zoning board of the Township of Haddon was held on Thursday, February 1, 2024, in the municipal building court room (2<sup>nd</sup> floor), located at 135 Haddon Ave, Haddon Township, New Jersey was called to order by Chairman Richard Rotz.

Flag Salute  
Confirmation of Sunshine Law

Roll Call

Richard Rotz	Present
John Foley	Present
Renee Bergmann	Present
Marguerite Downham	Present
Joe Buono	Present
Frank Ryan	Excused
James Stevenson	Excused
Commissioner James Mulroy	Present
Gregory Wells	Present
Jose Calves	Present
Meredith Kerschner	Excused
Chris Janoldi	Excused
MaryRita D'Alessandro	Excused

Also present

M. Lou Garty – Solicitor

Lee Palo – Zoning Officer

Gregory Fusco – Board's Engineer and Professional Planning Consultant

Approval of minutes – A motion John Foley to approve the minutes from February 1, 2024, seconded by Marguerite Downham. All member present voted in the affirmative. Motion carried.

**Old Business:** Application 24-07, Block 1.01 Lots 1, 1.01 & 3 – Zone C2 - 400 W. Cuthbert Blvd – Advanced Auto (Business). Applicant is seeking a bulk variance to install two (2) façade signs along with a placard on the main free-standing sign for the shopping center. Ordinance 142-40(D)(3)(b) also the height of the letters allowed is 12” proposed 30”, along with any and all other variances, waivers deemed necessary to approve this application.

Lou Garty stated that after review of the notices they are in compliance.

Dave Madden (Attorney) representing the applicant stated that this is the former CVS property, it is a C2 zone, and the applicant is looking for 2 façade signs and a sign on the multi panel sign for the shopping center. The total area is 40 sq ft with lettering 12” seeking relief of 87.9 sq ft with lettering 30” high.

A1 – Photo of former CVS sign

Building is set back 162 feet from front property and 175 feet from roadway. The building is below grade from roadway. They feel this is an appropriate use and adequately identifies the site. It is consistent with the other signs in the shopping center and will be aesthetically pleasing.

Page 2

Jason Rosner from the Sign company was sworn in by Lou Garty.

Rotz: Will the LEDs be dimmable?

Rosner: Yes, 2 sets of 30" high channel letters with LED's, capital letters are 30", lowercase letters will be smaller. This is comparable if not smaller than the ACME letters.

Foley: Do you know the height of the old CVS letters?

Rosner: No

Downham: The CVS letters look larger than 30" in the photos.

Buono: What is the red background?

Rosner: Paint

Foley: What about the freestanding sign?

Madden: It will fit in the sign spot previously occupied by CVS and falls within the ordinance.

Public Comment:

Nick Bernardo (11 Wynnewood Ave) sworn in by Lou Garty.

- issue with people coming in off Cuthbert Blvd.
- Illegal lefts off Cuthbert
- Wants a truck only entrance sign at the old 711 entrance
- Opposes application due to illegal lefts not the sign itself.

Rotz: Signs are to identify building, not for advertising.

A motion by John Foley to close public comment and seconded by Marguerite Downham. All members present voted in the affirmative. Motion carried.

Madden: Recaps all the variances.

Lou Garty: Explains about style, conditions, taxes, permits, Inspections, assessments, etc. Needs to pay past due bills and applicant needs to comply with Fusco's letter and temporary sign will be coming down.

A motion by John Foley to approve application 24-07 as presented and seconded by Gregory Wells. 8 members voted in the affirmative. Motion carried.

Resolution will be signed at the April 4, 2024 meeting.

**New Business:**

Application 24-11- Block 27.15 Lot 19 – Z0ne C-2 -1025 Emerald Ave – Samir & Victoria Khalifa  
Applicants are seeking to construct a rear yard 2-story addition, seeking relief from lot size, side yard setback & rear yard setback with any and all variances, waivers deemed necessary to approve this application.

Samir & Victoria Khalifa were sworn in by Lou Garty.

Page 3

Lou Garty stated that after review of the notices they are in compliance.

Rotz – marked the Current Survey A1, and Survey with proposed addition in green A2.

Rotz: Lot size is pre-existing, non-conforming and the shed will be removed.

Mulroy: Is this where Penn Ave comes in?

Khalifa: Yes

Rotz - The Plans are marked A3, and the Photos taken by Lee Palo we will mark A4

Public Comment:

Adriana O’Conner (218 & 213 E. Cuthbert Blvd) sworn in by Lou Garty.

-Rental property is directly behind and drainage from the property already comes down onto her property. New addition will affect the drainage even more.

Yanqing & Dan hu Jian Zhu (207 E. Cuthbert Blvd) sworn in by Lou Garty. They read a letter they wrote themselves.

- backyards meet.
- drainage issues already
- impervious coverage will be decreased.
- Privacy issues and noise issues
- They have lived there for 25 years
- they are opposed

Objector #1 – Photo array taken by homeowner on 3/5/24 & 3/6/24.

A motion By Jose Calves to close public comment and seconded by John Foley. All members present voted in the affirmative. Motion carried.

Discussion:

Mr. Khalifa: Willing to put up a 5’ fence for privacy.

Fusco: Recommends downspouts go toward front of property.

Rotz: Whose owns the ivy-covered fence?

Khalifa: Neighbors

A motion by Richard Rotz to open Public Comment again and seconded by John Foley. All members voted in the affirmative. Motion carried.

Rotz: Would Greg Fusco’s testimony change your opposition to the application?

O’Conner – Don’t Know

Zhu – Still opposed

A motion by Joe Buono to close public comment and seconded by Greg Wells, all members present voted in the affirmative. Motion carried.

Mulroy: Greg Fusco is the main problem that the water table is too high in that section of town?

Fusco: The homes in that section were built before they did studies and the water table has risen over time.

Lou Garty: Explains about style, conditions, taxes, permits, Inspections, assessments, etc.

A motion by Jose Calves to approve application with the conditions that the gutters are to be front facing with 5" gutters and removal of shed and underlayment and seconded by Joe Buono. 4 – members voted in the affirmative, 4- members voted No. Application denied. 4- yes votes – Bergmann, Buono, Mulroy, Calves, No votes -Rotz, Foley, Downham, Wells.

Resolution will be signed at the April 4, 2024 meeting.

Application 24-12, Block 19.02 Lot 10 – Zone R1- 105 Hazel Ave – Robert & Arielle Chiarulli, Applicants are seeking to construct an addition, seeking relief from Lot Area, Lot Frontage, Lot Width, Front Yard setbacks, Side yard setback, Total side yard setback and Accessory building setbacks, along with any and all variances, waives deemed necessary to approve this application.

Robert Chiarulli sworn in by Lou Garty  
Arielle Chiarulli – Sworn in by Lou Garty

Lou Garty stated that after review of the notices they are in compliance.

Rotz – Marked the Survey dated 1/26/2024 as A1 and the Photo Array taken by Lee Palo with no edits on 2/6/24 as A2, the Plan with Elevations A3

Rotz asked if the lot size will not be changing.

Mr. Chiarulli – No we are only going up.

Rotz: listed the relief – Lot size – 10,000, required proposed 7,500 – relief 2500 sq. ft.

Lot Frontage 75' required, proposed 50' – relief 25'

Lot Width 75' required, proposed 50' – relief 25'

Front yard setback 30' required, proposed 24.25' - relief 5.75'

Side yard setback 10' required, proposed 9.6' -relief of .04'

Total side yard setback 25' required, proposed 21.84' – relief of 3.16' all pre-existing, non-confirming, also Accessory building required 5' from property line, exists 4' - relief of 1'

Public Comment: None

A motion by John Foley to close public comment and seconded by Marguerite Downham, all members present voted in the affirmative, motion carried.

Lou Garty: Explains about style, conditions, taxes, permits, Inspections, assessments, etc.

A motion by John Foley to approve this application as presented and seconded by Greg Wells. 8 members voted in the affirmative. Motion carried.

Resolution will be signed at the April 4, 2024 meeting.

Page 5

Application 24-14, Block 21.07 Lot 23 – Zone R-2 - 20 Reeve Ave – Celia Seward – Applicant is seeking to construct a rear yard addition. Seeking relief from Front yard setback, accessory building setbacks. Along with any and all variances, waivers, deemed necessary to approve this application.

Lou Garty stated that after review of the notices they are in compliance.

Celia Seward – sworn in by Lou Garty

Rotz – marked the Survey A1

Homeowner: Building a 1 story addition.

Rotz - asked about the photo array and who took the pictures. The Photo array taken by Lee Palo on 2/14/24 was marked A2, also the plans/Architectural drawings are marked A3.

Homeowner: Siding will match existing.

Public Comment: None

A motion by John Foley to close public comment and seconded by Joe Buono. All members present voted in the affirmative. Motion carried.

Homeowner recaps all variances needed.

Lou Garty: Explains about style, conditions, taxes, permits, Inspections, assessments, etc.

A motion by John Foley to approve application 24-14 as presented and seconded by Greg Wells. 8 members present voted in the affirmative. Motion carried.

Resolution will be signed at the April 4, 2024 meeting.

Application 24-13, Block 22.10 Lot 20 – Zone R2 - 441 E. Melrose Ave – MRL Development LLC (owner). Applicant is seeking to construct a 2<sup>nd</sup> story addition on the existing house. Seeking relief from front yard setback along with any and all other variances, waivers deemed necessary to approve this application.

Lou Garty stated that after review of the notices they are in compliance.

Kristopher Burr Esquire from DelDuca and Berr LLC - – see hand-outs – 2<sup>nd</sup> story addition needs front yard setbacks for C1 or C2 zone. This can fall under hardship and can extend upwards under C2 standards. Other properties on E. Melrose Ave have same set-backs.

David Brand (Architect) sworn in by Lou Garty. Has been a registered architect since 2012 and has appeared before various planning boards.

Rotz: Accepted.

Brand: He prepared the plans and they show remodeling of an existing 2-bedroom home and creating a 4-bedroom home by building upwards using the existing foundation and same setbacks.

Rotz - Marked – Survey A5, Pictures from google maps exhibit a-1 – marked A1, google maps exhibit marked– A2, exhibit A-3 plans marked A3 – Exhibit A-4 marked A-4, You are going to Modify to extend front porch across whole front of house.

Public Comment: None

A motion by Greg Wells to close public comment and seconded by John Foley, all members present voted in the affirmative. Motion carried.

Burr: Recaps variances needed and adds the front porch extension.

Lou Garty: Explains about style, conditions, taxes, permits, Inspections, assessments, etc.

A motion by John Foley to approve application 24-13 as amended with the front porch extension, and seconded by Greg Wells. Approved. 8 members voted in the affirmative. Motion carried.

Resolution will be signed at the April 4, 2024 meeting.

Application 24-15, Block 3.01 & 3.06 Lots 1-4, 1-11 – Zone I-1- 109 US HWY 130 N – Donald Delmonte (owner) applicant is asking for an interpretation for use of storage of trucks and their containers is a permitted use.

Peter Rhodes - Attorney for the applicant

Kevin Burns (Real Estate broker) sworn in by Lou Garty.

Rhodes - Looking to lease location to storage of trucks and shipping containers. The containers will be leased for storage.

I1 zone - Lou Garty lists permitted use.

Burns - Current use - Salvage, truck repair – Camden truck parts

Board's opinion use does not fit permitted use or within ordinance use of building not primary warehouse use. Needs to come back for a use variance.

A motion by Jose Calves to approve they would need a use variance and seconded by Marguerite Downham. 7 members voted in the affirmative, 0- No votes 1- abstention (Commissioner Mulroy) Motion carried.

Ordinance 1453 – Tax on Cannabis - Does not involve the planning board

Ordinance 1452 – Replace the Cannabis “Opt-Out” provisions

Fusco: Did a study of where in Haddon Township Cannabis would be a good to operate.

C3 – Black Horse Pike

I1 – Route 130

C2 – Westmont Plaza and Cuthbert Blvd

These locations would meet the goals and objectives of the master plan with recommendations.

Board discussed the C2 zone and where would that allow a retail store to be. At this time no C2 location could be thought to allow retail with the distance clause of a residence or school.

A motion by Richard Rotz to send recommendations to the governing with fixing the typos, require retail stores to have the odor filtration systems and eliminate subsection B and seconded by Marguerite Downham. Vote 5 (yes) -2 (no), Motion carried. Yes votes – Rotz, Foley, Downham, Buono, Wells, No votes – Bergmann, Calves.

Page 7

Resolution: 2024-04 – 202 Black Horse Pike  
2024-06 – 105/107 Haddon Ave  
2024-08 – 228 Fern Ave  
2024-10 – 314 Westmont Ave

A motion by Marguerite Downham to approve resolutions 24-04, 24-06, 24-08-24-10 and seconded by John Foley, 8 members voted in the affirmative for 24-04 and 7 members voted in the affirmative for 24-06, 24-08, & 24-10, one Abstention by Jose Calves. Motion carried.

Public Comment: None

Zoning officer report (Lee Palo): April (5 applicants so far) and May (2 applicants possibly)

Next meeting – Thursday, April 4, 2024

A motion by Jose Calves to close meeting and seconded by Renee Bergman. All members present voted in the affirmative, motion carried. 10:38 P.M.