

MINUTES OF THE PLANNING BOARD FROM JULY 18, 2013

The meeting was called to order by the Chairman, Tom Ferrese. Mr. Ferrese stated the meeting was being held in accordance with the Sunshine Laws of the State of New Jersey, Chapter 145, by Mayor and Council and the Planning Board for Official Notices. Notice of this meeting was posted on the Borough bulletin board for that purpose.

Present: Tom Ferrese, Chief Kinkler, Jaclyn Parisi, Christopher Soriano, Dean Doukakis, Earl Miller, Jeff Hanson, Terre Boccuzzi, Frank Ferrese

Absent: Mayor Forte, Rose Fitzgerald, Richard DiRenzo

Also Present: Don Ryan, Solicitor, Michelle Fareri, Secretary, Steven Bach, Planning Board Engineer, Ron Newell, Zoning Officer

Minutes:

Motion was made to approve the minutes from the June 20, 2013 Planning Board Meeting by Christopher Soriano seconded Terre Boccuzzi. Motion carried.

Resolutions:

CS#13-6-1P – Haddon Knolls Apartments

HPC Review

405 White Horse Pike – B34, L16

Frank Ferrese made a motion to approve the resolution, seconded by Terre Boccuzzi. Motion carried.

Roll Call:

Chief Kinkler	Yes
Jaclyn Parisi	Yes
Christopher Soriano	Yes
Earl Miller	Yes
Terre Boccuzzi	Yes
Frank Ferrese	Yes

CS#13-6-2P – Eileen Moynihan

Request for Bulk Variances

1304 Maple Avenue – B74, L14

Christopher Soriano made a motion to approve the resolution, seconded by Dean Doukakis.

Motion carried.

Roll Call:

Chief Kinkler	Yes
Jaclyn Parisi	Yes
Christopher Soriano	Yes
Earl Miller	Yes
Terre Boccuzzi	Yes
Frank Ferrese	Yes

**CS#13-6-3P – Mr. and Mrs. Crow
Application for Bulk Variances
313 Fourth Avenue – B30, L16**

Terre Boccuzzi made a motion to approve the resolution, seconded by Christopher Soriano. Motion carried.

Roll Call:

Chief Kinkler	Yes
Jaclyn Parisi	Yes
Christopher Soriano	Yes
Terre Boccuzzi	Yes
Frank Ferrese	Yes

**CS#13-6-4P – Mike McGuckin
Request for Bulk Variance
609 West High Street – B49, L13.01**

Christopher Soriano made a motion to approve the resolution, seconded by Jaclyn Parisi. Motion carried.

Roll Call:

Chief Kinkler	Yes
Jaclyn Parisi	Yes
Christopher Soriano	Yes
Terre Boccuzzi	Yes
Frank Ferrese	Yes

Business:

**CS#13-6-5P – Antti Uusiheimala
Request for Bulk Variances
1541 Maple Avenue – B100, L13**

The applicant seeks a bulk variance in order to construct a sun porch off the rear of an existing single family dwelling. The applicant's original application sought to build a rear addition with larger dimensions. However, this application was amended to the present application. The application is made pursuant to Section 450-40B of the Haddon Heights Zoning Code and the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-70(c)(1). Mark Cherry, Esquire, represented the applicant. Jason Davey appeared, was sworn and testified in support of the application for variance. The Planning Board, having determined that the Application, Notice to Property Owners, Notice of Publication and affidavits were in proper form and having examined the Exhibits and considered the testimony, finds as follows: The applicant originally proposed to build a rear addition 12 feet by 29.5 feet which would cover a portion of the enclosed porch which exists to the rear. This application was amended to include an enclosed porch only on an existing concrete slab. The enclosed porch will have dimensions of 10 feet in depth and 15 feet 6 inches in width for a total of 162 square feet in accordance with the engineering plans of Richard Lukoff, P.E., dated July 10, 2013. The proposed lot coverage would be 50.5%. The lot coverage permitted under the ordinance in the R-5 zone is 30%. The data provided in the application by the owner indicated the current lot coverage is 3,010 feet or 48% excluding the concrete slab for the enclosed porch. The pool area without the surrounding concrete is 450 square feet; 1068.75

square feet including the surrounding concrete. The Planning Board Engineer concluded that the proposed porch did not pose a drainage issue to surrounding neighbors.

There was discussion between board members and applicant.

Don Ryan, Solicitor outlined the legal criteria.

Tom Ferrese, Chairman opened the public comment portion of the meeting. There were no questions or comments.

Conclusion:

The Board concludes that there is a hardship to the property by reason of the existing location of the improvements, including the bituminous driveway leading to the framed garage in the rear of the property, which hardship warrants granting of a variance from the requirements applicable to lot coverage. The Board further concludes that the granting of the bulk variance will not substantially impair the intent and purpose of the Haddon Heights Zone Plan and Zoning Ordinance and would not be substantially detrimental to the public good.

On the motion of Jeff Hanson, seconded by Jaclyn Parisi, the Planning Board voted 8-0 to grant the lot coverage variance to the applicant for the proposed improvement not to exceed 50.5%.

<u>Roll Call:</u>	Chief Kinkler	Yes
	Tom Ferrese	Yes
	Jaclyn Parisi	Yes
	Christopher Soriano	Yes
	Jeff Hanson	Yes
	Earl Miller	Yes
	Terre Boccuzzi	Yes
	Frank Ferrese	Yes

**CS#13-7-1P – David and Anne Larsson
HPC Review
12 First Avenue – B2, L7**

The owners seek to remove the aluminum siding and repair and paint wood work and other improvements to their single family residence. The property is located in the Historic District and requires Historic District approval pursuant to Section 450-100 of the Haddon Heights Zoning Code and the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-111. The owners, David and Anne Larsson appeared, were sworn and testified in support of the application for Historic District approval. The Planning Board, having determined that the Application was in proper form and having examined the Exhibits and considered the testimony, finds as follows: The applicant proposes to remove aluminum siding, repair and paint wood work, install gutters, lights and a mailbox. The work would include the front, rear and sides of the subject property. The Historic District Preservation Commission has reviewed the applicant and has submitted a report dated May 30, 2013, recommending that the proposed improvements be approved.

There was discussion between board members and applicant.

Don Ryan, Solicitor outlined the legal criteria.

Tom Ferrese, Chairman opened the public comment portion of the meeting. There were no questions or comments.

Conclusions:

The Planning Board adopts the recommendation of the Historic Preservation Commission dated May 30, 2013 and finds that the proposed improvements are consistent with the Colonial Revival period in question and the criteria of the Haddon Heights Historic District ordinance.

On the motion of Dean Doukakis, seconded by Jaclyn Parisi, the Planning Board voted 9-0 to approve the Historic District application of David and Anne Larsson in accordance with the plans and specifications submitted and the testimony of the applicant.

<u>Roll Call:</u>	Chief Kinkler	Yes
	Tom Ferrese	Yes
	Jaclyn Parisi	Yes
	Christopher Soriano	Yes
	Dean Doukakis	Yes
	Jeff Hanson	Yes
	Earl Miller	Yes
	Terre Boccuzzi	Yes
	Frank Ferrese	Yes

**CS#13-7-2P – Mark MacDonnell
Request for Bulk Variance
1301 Sylvan Drive – B82, L25**

The applicant seeks bulk variances in order to construct a deck to the rear of the dwelling and to install a fence in the front yard along 13th Avenue. The application is made pursuant to Section 450-44D and 450-96A of the Haddon Heights Zoning Code and the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-70(c)(1). The applicant, Mark McDonnell, appeared, was sworn and testified in support of the application for variances. The Planning Board, having determined that the Application, Notice to Property Owners, Notice of Publication and affidavits were in proper form and having examined the Exhibits and considered the testimony, finds as follows: The applicant proposes to construct a 14 foot by 19 foot deck attached to the rear of the house. This applicant also proposes to install a fence in the yard area to the north of the dwelling. The proposed deck will be 6.77 feet from the common boundary line with tax lot 24. Under Section 450-44D the side yard requirement is 8 feet and therefore the applicant requires a side yard variance. The applicant will also require a rear yard variance by virtue of the construction of the deck. The applicant proposes 28 feet rear yard from the deck to the property line, whereas the ordinance requires a minimum setback of 30 feet. The applicant proposes to replace the existing fence, which violates the current ordinances and to replace that fence with a cedar stockade fence 6 feet in height and the location is depicted on the survey submitted to the Planning Board. A portion of the existing fence, which runs from the rear of the dwelling, along 13th Avenue to Sylvan

Avenue will be removed and not replaced. The fence will be approximately 3 feet inside of the property line along 13th Avenue. With respect to the location of the fence at the intersection of 13th Avenue and a 15 foot wide alley way, the applicant will place the fence so as to not violate the NJDOT Sight Requirement Standards and will comply with the Planning Board Engineers recommendation with respect to sight line.

There was discussion between board members and applicant.

Don Ryan, Solicitor outlined the legal criteria.

Tom Ferrese, Chairman opened the public comment portion of the meeting. Mike Hill, a neighbor at 1306 13th Avenue appeared and testified in favor of the proposed improvements.

Conclusions:

The Board concludes that property is a corner property and is deemed to have two front yards and therefore there is a hardship to the property which warrants the granting of the side yard variance for the deck and the front yard variance for the fence. The Board further concludes that granting the variances requested will not substantially impair the intent and purpose of the Haddon Heights Zone Plan and Zoning Ordinance and would not be substantially detrimental to the public good.

On the motion of Chris Soriano, seconded by Dean Doukakis, the Planning Board voted 7-0 to grant the side yard variance not to less than 6.4 feet on the westerly side for the construction of the deck and a front yard variance for the installation of a fence along 13th Avenue on the condition that the applicant locate the fence in accordance with the NJDOT sight line requirements and the recommendations of the Planning Board Engineer.

<u>Roll Call:</u>	Chief Kinkler	Yes
	Tom Ferrese	Yes
	Jaclyn Parisi	Yes
	Christopher Soriano	Yes
	Dean Doukakis	Yes
	Earl Miller	Yes
	Frank Ferrese	Yes

**CS#13-7-3P – Jason and Laura Moore
Request for Bulk Variance
414 Tenth Avenue – B72, L47**

The applicants seek a bulk variance in order to install a fence in the area which fronts W. High Street. The application is made pursuant to Section 450-96A of the Haddon Heights Zoning Code which prohibits the installation of a fence in front of the building line. The application is also made pursuant to the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-70(c)(1). The applicants, Jason and Laura Moore, appeared, were sworn and testified in support of the application for variance. The Planning Board, having determined that the Application, Notice to Property Owners, Notice of Publication and affidavits were in proper form and having examined the Exhibits and considered the testimony, finds as follows: The applicants propose to install a 4 foot high wooden picket fence depicted on the

survey submitted with the application. The purpose of the fence is to enclose a portion of the yard which fronts on W. High Street. The fence would run along the common property line between the applicant's lot and the Berry lot at a point beginning near the southerly side of the dwelling to the property line along W. High Street and then along the front property line on W. High Street, approximately 30 feet and then at a right angle back to a southerly point of the dwelling. The distance from the dwelling to the property line along W. High Street is 30.46 feet. The distance from the dwelling to the common property line is 5.28 feet. The R-2 bulk regulations which apply to the subject lot require a minimum lot size of 12,000 square feet and a front yard minimum of 30 feet and a rear yard minimum of 50 feet. The subject lot is undersized and is non-conforming with respect to these regulations.

There was discussion between board members and applicant.

Don Ryan, Solicitor outlined the legal criteria.

Tom Ferrese, Chairman opened the public comment portion of the meeting. Ralph and Olga Berry, the adjoining property owners, who reside at 1001 W. High Street, appeared, were sworn and testified in objection to the erection of the proposed fence. They were represented by Jeffrey Bier, Esquire.

Conclusion:

The Board concludes that there is a hardship to the property by reason of the fact that the lot is a non-conforming undersized lot in the R-2 residential zoning district and is a corner lot which by definition has two front yards. The Board further concludes that granting of the subject variance to install the fence in front of the building line can be done without substantial detriment to the public good and without substantial impairment to the intent and purpose of the Haddon Heights Zone Plan and Zoning Ordinance of the Borough of Haddon Heights.

On the motion of Chris Soriano, seconded by Earl Miller, the Planning Board voted 7-2 to grant the applicant's variance request to construct the 4 foot high picket wood fence in front of the building line along W. High Street in accordance with the plans submitted herewith, subject to the condition that the fence shall be a minimum of 2 feet inside the property line along the common border with the applicant's neighbor (Ralph and Olga Berry).

<u>Roll Call:</u>	Chief Kinkler	No
	Tom Ferrese	Yes
	Jaclyn Parisi	Yes
	Christopher Soriano	Yes
	Dean Doukakis	No
	Jeff Hanson	Yes
	Earl Miller	Yes
	Terre Boccuzzi	Yes
	Frank Ferrese	Yes

Caucus:

- Discussion on Storable Pools
- Discussion on Renewable Energy

Adjournment:

Jaclyn Parisi made a motion to adjourn, seconded by Dean Doukakis. Motion carried.
All Board members were in favor.

Michelle Fareri,
Planning Board Secretary