

## MINUTES OF THE PLANNING BOARD FROM MARCH 21, 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:** Rose Fitzgerald, Chief Kinkler, Richard DiRenzo, Tom Ferrese, Jaclyn Parisi, Dean Doukakis, Christopher Soriano, Jeff Hanson, Earl Miller, Terre Boccuzzi

**Absent:** Mayor Forte, Frank Ferrese

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

### **Minutes:**

Motion was made to approve the minutes from the February 21, 2013 Planning Board Meeting by Christopher Soriano, seconded by Jaclyn Parisi. Motion carried. All remaining members voted in favor.

### **Resolutions:**

**CS#13-1-1P – Stanfill Manor –Application for Bulk and Use Variances, HPC Review**

**109 East Atlantic Avenue – B25 L10**

Jeff Hanson made a motion to approve the resolution, seconded by Jaclyn Parisi. Motion carried.

### **Roll Call:**

Tom Ferrese	Yes
Jaclyn Parisi	Yes
Dean Doukakis	Yes
Christopher Soriano	Yes
Jeff Hanson	Yes
Earl Miller	Yes
Terre Boccuzzi	Yes

**CS#13-2-1P – Dr. Richard Doty – Appeal of Zoning Decision**

**125 White Horse Pike – B22, L15**

Earl Miller made a motion to approve the resolution, seconded by Jaclyn Parisi. Motion carried.

### **Roll Call:**

Rose Fitzgerald	Yes
Richard DiRenzo	Yes
Tom Ferrese	Yes
Jaclyn Parisi	Yes
Dean Doukakis	Yes
Christopher Soriano	Yes
Jeff Hanson	Yes

Earl Miller	Yes
Terre Boccuzzi	Yes

**Business:**

**CS#13-3-1P – Marc Zito - Application for Bulk Variance  
916-C Kings Highway – B44, L16**

Marc Zito, owner of Art Signs, presented an application for a free-standing sign in the Neighborhood Commercial zone. It was tabled for up to six months from the hearing date due to the fact that the Haddon Heights Borough Council has under consideration an amendment to the zoning ordinance relative to signage. Marc consented to this continuance and waived any time of decision requirements with respect to the application.

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. Josephine Talarico, owner 918 Kings Highway, had a question about parking and sign location.

**Conclusion:**

On the motion of Tom Ferrese, seconded by Christopher Soriano, the Planning Board voted 9-0 to table the application for up to six months pending an amendment to the zoning ordinance relative to signage.

**Roll Call:**

Rose Fitzgerald	Yes
Richard DiRenzo	Yes
Chief Kinkler	Yes
Tom Ferrese	Yes
Jaclyn Parisi	Yes
Dean Doukakis	Yes
Christopher Soriano	Yes
Jeff Hanson	Yes
Earl Miller	Yes

**CS#13-3-2P – Derek Isenberg - HPC Review  
202 Fourth Avenue – B23, L2.01**

The applicant seeks Historic District approval for the installation of 24 replacement windows on his residential dwelling. The application is made pursuant to the Haddon Heights Historic Preservation Ordinance Section 450-100 et seq. and the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-110. The applicant, Derek Isenberg appeared, was sworn and testified in support of the application. The Planning Board, having examined the exhibits and examined the testimony finds as follows: The applicant proposes to replace all of the windows on the home with the exception of a third floor wood diamond paned window and an etched glass staircase bay window. The applicant has already replaced 11 of

these windows and would continue if approved to replace the remaining 13 windows on the first and second floor.

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 Planning Board concludes that the recommendation of the Historic Preservation Commission should be adopted and therefore the application of the property owner to install 24 vinyl thermal windows should be approved.

On the motion of Earl Miller, seconded by Chief Kinkler, the Planning Board voted 8-1 to grant the application of Derek Isenberg to install thermal performance vinyl windows at the property with the exception of the third floor wood diamond paned windows and the etched glass staircase bay window.

<b>Roll Call:</b>	Rose Fitzgerald	No
	Richard DiRenzo	Yes
	Chief Kinkler	Yes
	Tom Ferrese	Yes
	Jaclyn Parisi	Yes
	Dean Doukakis	Yes
	Christopher Soriano	Yes
	Jeff Hanson	Yes
	Earl Miller	Yes

**CS#13-3-3P – Jeff Zuidema - Application for Bulk Variance  
114 W. Atlantic Avenue – B28, L7**

The applicant, Jeffrey Zuidema appeared, was sworn and testified in support of the application for variance. The applicant now seeks a bulk variance to install a lift and landing for handicap patients to gain access to the chiropractic offices. 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)(2). 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: In accordance with Resolution 12-5-1P, the Planning Board previously granted a side yard variance to the applicant for aggregate side yards of 12.64 feet where the ordinance requires a minimum of twenty feet and a side yard variance on the North side of 1.44 feet where the ordinance required a minimum of 8 feet. In addressing the needs of handicap patients, the applicant and his architect determined an alternative for constructing a ramp for access to offices on the southerly side of the property. For aesthetic reasons the applicant proposes to construct a deck landing with lift for the purpose of handicap access for wheelchairs. The applicant proposes a side yard on the southerly side

where the lift is to be installed of 6.64 feet and the aggregate side yards will be 8.08 feet. The landing and lift would project out 6 feet from the dwelling.

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 the purposes of the Municipal Land Use Law from the standpoint of aesthetics, as well as from the standpoint of general welfare for handicapped individuals coming to the property would be served by the proposed improvements. The benefits in granting the variance for the handicap improvements would substantially outweigh any detriments. The Planning Board concludes that the granting of the variance would 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 Christopher Soriano, seconded by Terre Boccuzzi, the Planning Board voted 9-0 to grant a side yard variance on the south side of the subject premises no less than 6.64 feet and an aggregate side yard variance of 8.03 feet subject to the following conditions:

- a. The applicant must comply with the requirement of providing a deed with a deed restriction as called for in Resolution #10-8-7P, which must be submitted to the Planning Board attorney and recorded prior to the issuance of a Certificate of Occupancy.
- b. The applicant will use waterproof materials for the lift and a child proof locking mechanism on the lift.
- c. The applicant will provide an updated and sealed survey from a licensed surveyor with the improvements depicted.

<b>Roll Call:</b>	Rose Fitzgerald	Yes
	Richard DiRenzo	Yes
	Chief Kinkler	Yes
	Tom Ferrese	Yes
	Jaelyn Parisi	Yes
	Dean Doukakis	Yes
	Christopher Soriano	Yes
	Jeff Hanson	Yes
	Earl Miller	Yes

**CS#13-3-4P – Stephanie and Glenn Ellison - Application for Bulk  
Variance  
1801 Narberth Avenue – B133, L6**

The applicants, Stephanie and Glenn Ellison appeared, were sworn and testified in support of the application for variance. The applicants seek to demolish a concrete patio and replace it with a deck with a roof extension which would require a front yard setback variance. The

application is made pursuant to Section 450-40C of the Haddon Heights Zoning Code and the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-70(c)(1). 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 demolish an existing 5 feet 9 inch by 13 feet 3 inch concrete patio which is in a state of disrepair with a deck 7 feet by 16 feet with a roof extension. The proposed deck would have a 0 setback for the front yard on Hillside Avenue. The roof extension must not encroach into the street right of way of Hillside Avenue and the applicant agreed to comply with this requirement.

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 Planning Board concludes that the existing patio is a non-conforming structure with respect to the front yard setback which is currently 2.2 feet. There is a hardship to the property by reason of the irregular triangular shape of the property and by reason of the fact it is a corner lot. These facts result in peculiar practical difficulties with respect to compliance with the front yard setbacks applicable to frontage on both Narberth and Hillside Avenue. The Planning Board further concludes that granting the front yard variance with a 0 front yard would 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 Rose Fitzgerald, seconded by Jeff Hanson, the Planning Board voted 9-0 to grant the front yard variance to allow for a 0 front yard for the proposed deck along Hillside Avenue on the conditions that:

- a. The roof extension would not encroach in the public right of way.
- b. The applicant must provide an updated seated survey with dated revisions to be approved by the Planning Board Engineer.

<b>Roll Call:</b>	Rose Fitzgerald	Yes
	Richard DiRenzo	Yes
	Chief Kinkler	Yes
	Tom Ferrese	Yes
	Jaclyn Parisi	Yes
	Dean Doukakis	Yes
	Christopher Soriano	Yes
	Jeff Hanson	Yes
	Earl Miller	Yes

**Caucus:**

Review Draft of Form Based Code  
- Sections 450-18 to 450-99.3

**Adjournment:**

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

Michelle Fareri,  
Planning Board Secretary