

## MINUTES OF THE PLANNING BOARD FROM MAY 16, 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, Tom Ferrese, Jaclyn Parisi, Dean Doukakis, Christopher Soriano, Jeff Hanson, Terre Boccuzzi

**Absent:** Mayor Forte, Richard DiRenzo, Chief Kinkler, Earl Miller, Frank Ferrese

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

### **Minutes:**

Motion was made to approve the minutes from the April 18, 2013 Planning Board Meeting by, Jeff Hanson seconded Rose Fitzgerald. Motion carried. All remaining members voted in favor.

### **Resolutions:**

**CS#13-4-1P – Darin and Doris Baratti – Application for Bulk Variance  
35 Eleventh Avenue – B46, L40**

Dean Doukakis made a motion to approve the resolution, seconded by Terre Boccuzzi. Motion carried.

### **Roll Call:**

Rose Fitzgerald	Yes
Tom Ferrese	Yes
Jaclyn Parisi	Yes
Dean Doukakis	Yes
Christopher Soriano	Yes
Jeff Hanson	Yes
Terre Boccuzzi	Yes

**CS#13-4-2P – Eric Eife - Application for Bulk Variance and Minor Sub-Division  
1423 Oak Avenue – B105, L9**

Rose Fitzgerald made a motion to approve the resolution, seconded by Jeff Hanson. Motion carried.

### **Roll Call:**

Rose Fitzgerald	Yes
Tom Ferrese	Yes
Jaclyn Parisi	Yes
Dean Doukakis	Yes
Christopher Soriano	Yes
Jeff Hanson	Yes
Terre Boccuzzi	Yes

**CS#13-4-3P – Michael Bartorelli - Application for Bulk Variance  
1418 Chestnut Avenue – B111, L3.01**

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

**Roll Call:**

Rose Fitzgerald	Yes
Tom Ferrese	Yes
Jaclyn Parisi	Yes
Dean Doukakis	Yes
Christopher Soriano	Yes
Jeff Hanson	Yes
Terre Boccuzzi	Yes

**Business:**

**CS#13-5-1P – Delaware and Susquehanna Railroad Club  
HPC Review  
535 Station Avenue – B200.01, L1**

The applicant seeks renovations to the railroad station which require Historic District approval by reason of the fact that the property is located in the Historic District. The application is made pursuant to Section 450-100 *et. seq.* of the Haddon Heights Historic Preservations Ordinance and the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-11. Robert Hubbard, a consulting engineer and a member of the railroad club appeared, was 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 several windows and install a five panel wood door in the location where a similar door was previously located when the station was constructed. The applicant will relocate existing windows and put replacement siding to match existing siding. The Historic Preservation Commission reviewed the matter and submitted its report dated April 25, 2013. The report noted that the installation of a new five panel wood door would actually restore the station to the way it was built. The Haddon Heights Preservation Commission voted to recommended approval to the Planning Board of the restoration as outlined on the submitted plans.

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 proposed renovations are consistent with the provisions of the Haddon Heights Historic Preservations Ordinance.

On the motion of Chris Soriano, seconded by Rose Fitzgerald, the Planning Board voted 7-0 to approve the proposed renovations by the Delaware and Susquehanna Railroad Club, Inc.

<b>Roll Call:</b>	Rose Fitzgerald	Yes
	Tom Ferrese	Yes
	Jaclyn Parisi	Yes
	Dean Doukakis	Yes
	Christopher Soriano	Yes
	Jeff Hanson	Yes
	Terre Boccuzzi	Yes

**CS#13-5-2P – Joseph Duffin**  
**Appeal Alleging Error in Administrative Decision**  
**714 Station Avenue**

The Board considered the application of Joseph Duffin, Jr., who appeals the decision of the Zoning and Code Enforcement Officer, Ron Newell, prohibiting the applicant from operating a rooming or boarding house at the premises, 714 Station Avenue, Haddon Heights, New Jersey. This appeal is authorized under the terms of the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-70(a). The applicant, Joseph Duffin, Jr., is the owner of the subject premises. He appeared, was sworn and testified with respect to the appeal. Ron Newell, Zoning and Code Enforcement Officer of the Borough of Haddon Heights, appeared, was sworn and testified with respect to the application. In addition, the Haddon Heights Fire Marshall, Frank Lafferty appeared, was sworn and testified with respect to the application, as well as the tenant in the property, Philip Ondrejadjk. 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 testimony of the owner indicates that the property is a mixed use property with commercial uses in the building fronting on Station Avenue and a residential dwelling located in the rear part of the lot. The dwelling is the subject of the letter issued by the Haddon Heights Zoning and Code Enforcement Officer.

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:**

Based upon the testimony of the landlord, Joseph Duffin, Jr., as well as the tenant, Philip Ondrejadjk, the Planning Board concludes that the individuals in question occupy and use the property as a relatively permanent functioning family unit and therefore should not be considering a rooming house or boarding house within the definition of the Haddon Heights Zoning Code. Accordingly, the action of the Haddon Heights Zoning Code and Enforcement Officer dated March 6, 2013 and March 19, 2013, should be reversed and under the current circumstances the occupancy of the premises should be permitted. This

decision is limited to the evidence presented in this case as to the current living arrangements.

On the motion of Rose Fitzgerald, seconded by Jeff Hanson, the Planning Board voted 7-0 that the current occupancy of the subject premises does not constitute a “boarding house” or “rooming house” under the Haddon Heights Zoning Code definition and in fact does represent a single housekeeping unit and should therefore be permitted under the current circumstances.

<b>Roll Call:</b>	Rose Fitzgerald	Yes
	Tom Ferrese	Yes
	Jaclyn Parisi	Yes
	Dean Doukakis	Yes
	Christopher Soriano	Yes
	Jeff Hanson	Yes
	Terre Boccuzzi	Yes

**CS#13-5-3P – Eric Eife - Application for Bulk Variances  
1413 Oak Avenue – B105, L10**

The Board considered the application of Eric Eife, who is the developer and former owner of the premises 1413 Oak Avenue, Haddon Heights, New Jersey. The applicant was previously before the Haddon Heights Planning Board in April 2013 at which time he applied for and was granted a minor subdivision with bulk variances and conditions for the premises 1423 Oak Avenue, a/k/a Block 105, Lots 9 and 9.01. At that time the Planning Board engineer and planner questioned whether the applicant developed adjoining Lot 10, Block 105 without obtaining the proper variances and minor subdivision approval. The applicant now makes this application to address the omission. The application is made pursuant to Sections 450-40B and 450-40D of the Haddon Heights Zoning Code and the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-47 and 40:55D-70(c)(2). The applicant’s brother, Ronald Eife and his Land Use Planner and Engineer, Cliff Quay, appeared, were sworn and testified in support of the application. 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 Planning Board finds that the side yard in the easterly side of the subject dwelling is the same as the side yard of the previously constructed home, which was demolished. The Planning Board also finds the proposed side yard is consistent with other side yards in the neighborhood. The Planning Board finds design of the subject home an enhancement to the neighborhood from an aesthetic standpoint and represents good planning for the development of the neighborhood. The excess lot coverage is a result of installing the driveway which accommodates parking of the homeowner’s cars on the property rather than on the street. Off street parking is a planning objective of the municipality.

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 variances requested for single side yard and aggregate side yards and lot coverage in fact promote the purposes of the Municipal Land Use Law from the stand point of good planning and esthetics and the benefits in granting the subject variances would substantially outweigh any detriments. The Planning Board further concludes the granting of the subject variances 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 Dean Doukakis, the Planning Board voted 7-0 to approve the variances to permit a side yard setback on the east of 6.19 feet, aggregate side yards of 17.11 feet and maximum lot coverage of 39%.

<b>Roll Call:</b>	Rose Fitzgerald	Yes
	Tom Ferrese	Yes
	Jaclyn Parisi	Yes
	Dean Doukakis	Yes
	Christopher Soriano	Yes
	Jeff Hanson	Yes
	Terre Boccuzzi	Yes

**Resident Speaker:**

Margaret Westfield appeared and spoke briefly about concerns she had regarding the Historic Preservation Commission.

**Caucus:**

Review Draft of Form Based Code  
Sections 450-133.1 through 450-133.2  
Sections 450-140 through 450-143.2

**Adjournment:**

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

Michelle Fareri,  
Planning Board Secretary