

MINUTES OF THE PLANNING BOARD FROM OCTOBER 16, 2014

The meeting was called to order by the Chairman, Christopher Soriano. Mr. Soriano 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, Richard DiRenzo Christopher Soriano, Chief Kinkler, Jaclyn Parisi, Dean Doukakis, Jeff Hanson, Vince Ceroli, Tom Ferrese, Frank Ferrese

Absent: Mayor Forte, Terre Sulock

Also Present: Don Ryan, Solicitor, Stephanie Gee, Secretary, Ron Newell, Zoning Officer Steve Bach, Borough Engineer

Minutes:

Motion was made to approve the minutes from the September 18, 2014 Planning Board meeting. Motion made by Jaclyn Parisi and seconded by Dean Doukakis. Ricard DiRenzo and Rose Fitzgerald abstained. Motion carried

Resolutions:

**CS#14-8-1P Pauline Esquinasi
507 Bellmawr Avenue-B73, L2
Proposed Addition & Rear Patio**

**CS#14-9-2HP Joe Gentile
533 Station Avenue-B25, L25
Signage & Safety Fencing for Roof Venting System**

Business:

**CS#14-10-1P Thomas Whitman
Del Buono's Bakery
319 Black Horse Pike- B137, L1-6
Expansion of Building, Minor Subdivision, Site Plan, and Use Variance lots 5 & 6**

The Board considered the application of LT Whitman, Inc., t/a Del Buono's Bakery, which is the owner and operates a bakery business at the premises at 319 Black Horse Pike, Haddon Heights, New Jersey. The property is designated as Block 137, Lots 1-6 inclusive on the Haddon Heights Tax Map.

The applicant proposes to make various improvements to the existing bakery facilities located on lots 1-5 inclusive. The applicant also proposes to subdivide lot 6 and to add a 25 foot wide parcel from lot 6 to the lots upon which the bakery facilities are operating. Based upon the Haddon Heights Land Development Ordinances, the applicant requires two use variances, three new bulk variances, site plan waivers and preliminary and final site plan approval for the proposed project.

A neighboring property owner, Rita Romano, who lives at 2029 S. Park Avenue, testified during the public

portion of the hearing regarding several issues which she has previous experienced relating to the operations at Del Buono's. The applicant and its predecessor in title have been is involved in the production of bakery goods for over 50 years at this location. Approximately 50% of the applicant's business is retail and 50% wholesale, including deliveries to offsite locations. The present owner is upgrading the equipment, the buildings and the exterior site. The applicant is purchasing a large bakery oven essential to the continued operations of the business. The oven will be housed in a new building adjoining the existing building. The applicant proposes to construct a 3,740 square foot building addition to an existing commercial building and to add 1,344 square feet of bituminous pavement. The building addition would house the new oven and provide additional retail customer area. A portion of the addition would be used as a garage for storage of delivery trucks. The applicant also proposes to realign the lot lines on lots 5 and 6 so to annex a parcel of 25 feet by 125 feet to the commercial site, thereby reducing the residential site to a lot of 50 feet in width and 125 feet in depth. Minor subdivision approval is required for this aspect of the application. The property has been the subject of previous zoning and planning applications. Lots 1-5, Block 137 are located in the Highway Commercial Zone, which permits the bakery operations. Lot 6 is located in the R-5 Residential Zone and because the applicant intends to subdivide a 25 foot parcel to be used in the bakery facilities, a use variance is required. In addition, the applicant is applying for a use variance under Section 450-18 (Prohibited Uses in all Districts), which prohibits "outdoor overnight parking of commercial vehicles except as permitted by Section 450-97." Section 450-97 prohibits more than one commercial vehicle with a gross weight of less than 10,000 pounds to be parked, stored or garaged in a residence zone. Section 450-97 is not applicable to this application. Thus, to the extent that the applicant will have outdoor overnight parking of its delivery truck, a use variance is required. With respect to lots 1-5 the following bulk variances are required:

- a. Minimum rear yard variance required 40 feet; existing 14.54 feet and proposed 5 feet.
- b. Maximum building coverage allowed 25%; existing 34.35%; proposed 36.38%.
- c. In addition there are preexisting non-conforming conditions which are unchanged and do not require variance approval. The maximum lot coverage (existing non-conforming) is being reduced from 96.5% to 95.31%.

With respect to lot 6, which is located in the R-5 residential zone, the following bulk variances are required:

- a. Maximum lot coverage 30% allowed; existing 37.8%; proposed 55.62%. (The increase is a result of reduction in lot size of Lot 6) In addition the pre-existing non-conforming conditions exist in the R-5 Zone:

- a. Front yard setback of 19.97 feet where 25 feet is required.
 - b. Minimum side yard on west is 7.38 feet where 8 feet is required.
- No variances are required for these preexisting conditions.

The Planning Board voted to determine the application complete based upon the recommendation of the Planning Board Engineer and Planner, Steven Bach and by the granting of submission waivers for the seven items listed on page 4 of Mr. Bach's letter dated October 15, 2004.

On the motion of Jeff Hanson, seconded by Dean Doukakis, the Planning Board voted 8-0 to deem the application complete.

With respect to the outdoor storage of commercial vehicles, the applicant testified that they intend to have three or four vehicles at the site, two of which would be housed in the garage. These vehicles would be box trucks which exceed 10,000 pounds. These vehicles are used for deliveries in the wholesale division of the bakery.

The applicant's testified that the previous outside activity with respect to the operations (preparation for baking) would be housed within the new building and would reduce concerns with respect to noise,

odors and other adverse effects of the outside activity. The applicant has also agreed to install a 6 foot high PVC or similar fencing along the side yard running from S. Park Avenue to the applicant's property which fronts on Bryn Mawr Avenue and along the rear yard of the property owned by the applicant on Bryn Mawr Avenue. This would provide screening from the residential neighbors which adjoin the applicant's property.

The applicant testified that the entrance to the property off the Black Horse Pike would be improved by eliminating parking space number 17, installing a one way entrance and new signage which must be approved by the Planning Board Engineer.

The applicant agreed that with respect to storm water management, its engineer and the Planning Board engineer would review any proposed improvements with respect to drainage in order to avoid any increase in the water runoff to S. Park Avenue and to avoid any detrimental drainage to the neighbors on lots 14 and 15 and lot 6.

The applicant and the applicant's engineer agreed to eliminate four parking spaces which are designated as lots 46, 47, 48 & 49 on the site plan. The Planning Board engineer recommends this revision in order to improve the circulation for the trucks egress and ingress to the facilities. As a result, the applicant requires a variance from the required. The total number of parking spaces required under the ordinance is 46 spaces and the applicant would be only providing 42 spaces.

The applicant has agreed to comply with the recommendation and comments set forth in the Planning Board engineering and planning report of Bach Associates dated October 15, 2014. The applicant will submit to the Planning Board engineer and counsel, revised plans incorporating these recommendations.

The Planning Board concludes that the general welfare would be promoted by reason of the fact that the proposed use of lot 6 for the expansion of the commercial operations of the bakery is particularly suited for this portion of the lot and that the purposes of the Municipal Land Use law from the standpoint of traffic safety and circulation would be advanced by these improvements.

The Planning Board further finds that the applicant's use of the outdoor commercial vehicles is also particularly suited for this site, provided the number of vehicles at the site do not exceed five delivery trucks of a "box type" model.

With respect to the bulk variances noted above, the Planning Board finds that the rear yard, maximum lot coverage and maximum building coverage variances requested are warranted by reason of the fact that there is a hardship to the property because of the unique physical features and the location of the existing improvements on the subject property.

The Planning Board further finds and concludes that the granting of the use variances and bulk variances requested would not substantially impair the intent and purpose of the Haddon Heights Zone Plan and Zoning Ordinance and can be granted without substantial detriment to the public good.

On the motion of Tom Ferrese, seconded by Dean Doukakis, the Planning Board voted 7-0 to grant the use variances to permit the use of the 25 foot portion of lot 6 for the bakery operations parking facilities and to grant a use variance to allow parking of commercial vehicles outdoors up to five vehicles of less than 20,000 pounds.

On the motion of Dean Doukakis, seconded by Jaclyn Parisi, the Planning Board voted 7-0 to grant the foregoing bulk variances for building coverage, lot coverage, rear yard variances and variance to permit no less than 42 parking spaces, subject to the conditions that the applicant comply with the recommendation of the Planning Board engineer with respect to stormwater drainage and comply with all of the recommendation and conditions of the Planning Board Engineer as contained in his letter of October 15, 2014.

On the motion of Dean Doukakis, seconded by Tom Ferrese, the Planning Board voted 7-0 to grant preliminary and site plan approval subject to the conditions contained in the previous granting of bulk variances and subject to approvals of all outside agencies including Camden County Planning Board.

CS#14-10-2P Thomas & Ashley Farina

312 Crest Avenue- B13, L6

2nd Floor Addition, & Front Porch

The Board considered the application of Thomas & Ashley Farina, who are the owners and reside at the premises at 312 Crest Avenue, Haddon Heights, New Jersey. The property is designated as Block 13, Lot 6 on the Haddon Heights Tax Map.

The applicants proposed to construct a second story addition to the rear of the existing residential single family home and a front porch. The applicant requires several bulk variances with respect to the front yard and side yard setbacks in accordance with the Haddon Heights Zoning Code.

The applicant proposes to remove the existing roof structure and to add a full second story with a roof in the rear of the subject premises. The applicant also proposes to construct a front porch 6 feet in width and the full width of the front façade of the house. There will be steps leading from the deck towards the front property line.

As a result of the applicant's proposed improvements, the following variances are required:

- a. A front yard setback permitting a setback of 20.56 feet (which includes the steps of 4 feet 2 inches).

The ordinance requires a minimum front yard of 30 feet or a setback similar to the properties adjoining on each side of the subject property.

- b. A side yard setback on the south of 4.7 feet, where the ordinance requires a minimum of 8 feet.

- c. Aggregate side yard of 13.5 feet, where the ordinance requires a minimum of 20 feet.

It is noted that the total of applicants' lot coverage does not exceed the lot coverage requirements of the ordinance (30% maximum).

The Planning Board concludes that there is a hardship to the property by reason of the fact that the lot is undersized under the current ordinance requirements which warrants the granting of the variances requested and that the proposed porch is an aesthetic improvement which benefits the streetscape.

The Planning Board further concludes that the granting of the subject variances would not be substantially detrimental to the public good and would not substantially impair the intent and purpose of the Haddon Heights Zone Plan and Zoning Ordinance.

On the motion of Dean Doukakis, seconded by Richard DiRenzo, the Planning Board voted 9-0 to grant the front yard variance to not be less than 20.65 feet; a side yard variance on the south to be not less than 4.7 feet; and aggregate side yard to be not less than 13.5 feet.

ADJOURNMENT:

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

Respectfully Submitted,

Stephanie Gee
Planning Board Secretary