

MINUTES OF THE PLANNING BOARD FROM FEBRUARY 16, 2012

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, Dean Doukakis, Gregory McAdams, Jaclyn Parisi, David Cox, Jack Merryfield, Terre Boccuzzi, Christopher Soriano

Absent: Rosemary Fitzgerald, Mayor Forte

Also Present: Donald S. Ryan, Solicitor, Michelle Fareri, Secretary, Steven Bach, Planning Board Engineer, Ron Newell, Zoning Official

Minutes:

Motion was made to approve the minutes from the January 19, 2012 Planning Board Meeting by Jack Merryfield, seconded by Terre Boccuzzi. Motion carried. All board members voted in favor.

Resolutions:

CS#12-1-P – Deborah M. O’Donnell, 533 Fourth Avenue – B32, L33. Christopher Soriano made a motion to approve the resolution, seconded by Jack Merryfield. Motion carried.

Roll Call:

Chief Kinkler	Yes
Tom Ferrese	Yes
Jaclyn Parisi	Yes
Gregory McAdams	Yes
Dean Doukakis	Yes
David Cox	Yes
Jack Merryfield	Yes
Christopher Soriano	Yes

Business:

CS#12-2-1P – Chad Devino – 1833 Maple Avenue – B151, L13

The applicant, Chad Devino and his builder John Pedisen, appeared, were sworn and testified in support of the application for variances. The applicant amended his application at the time of the hearing to cover the front yard setback which the Board deemed to be necessary. 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 requires a variance on the easterly side yard for the proposed 6.1 feet where the ordinance requires a minimum of 8 feet for a side yard.

The applicant requires a variance for the front yard of 4.21 feet where the ordinance requires 25 feet minimum under Section 450-40-A.

There was some discussion between board members and the applicant.

Don Ryan, Solicitor outlined the legal criteria.

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

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

Roll Call:

Tom Ferrese	Yes
Dean Doukakis	Yes
Greg McAdams	Yes
Terre Boccuzzi	Yes
David Cox	Yes
Jaclyn Parisi	Yes
Jack Merryfield	Yes
Richard Kinkler	Yes
Chris Soriano	Yes

The Planning Board concludes that there is a hardship to the property by reason of the location of the existing improvements on the lot and the size of the lot. The Planning Board further concludes that granting the subject variances will not substantially impair the intent and purpose of the Haddon Heights Zone Plan and Zoning Ordinance and will not be substantially detrimental to the public good.

CS#12-2-2P – Michael J. LaMainia – 115 Black Horse Pike – B131, L11

The applicant, Michael LaMainia, 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 proposes to use the basement of the subject premises as a single family residential (one bedroom) apartment. The applicant testified that the basement space is not marketable as commercial space under present economic conditions and has been vacant for a period of three years. There is a separate entrance to the basement apartment.

There was some discussion between board members and the applicant.

Don Ryan, Solicitor outlined the legal criteria.

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

Dean Doukakis made a motion to approve the application, seconded by Jaclyn Parisi. Motion carried.

Roll Call:

Tom Ferrese	Yes
Dean Doukakis	Yes
Greg McAdams	Yes
Terre Boccuzzi	Yes
David Cox	Yes
Jaclyn Parisi	Yes
Jack Merryfield	Yes
Richard Kinkler	Yes
Chris Soriano	Yes

The Planning Board concludes that there is sufficient credible evidence of “special reasons” in order to grant the use variance based upon the conclusion that the general welfare would be served by the granting of the proposed use because it is peculiarly suited for this location. The Planning Board concludes that the purpose of the Municipal Land Use Law from the standpoint of safety to the public is served by the inclusion of residential uses in this type of structure at this location.

The Board further concludes that the granting of the use variance will not be substantially detrimental to the public good and will not substantially impair the intent and purpose of the Haddon Heights Zone Plan and Zoning Ordinance.

The Board also concludes that the applicant has satisfied the enhanced burden of proof required under the Medici case.

CS#12-2-3P – Scott Ramalho – 1405 Chestnut Avenue – B108, L13

The applicant, Scott Ramalho and his builder John Kunkel, appeared, were 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 new front porch which would be 7 feet in depth and 32 feet in width for a total of 224 additional square feet of coverage. The front porch would span the entire width of the existing residential dwelling and would violate the side yards setbacks, front yard setback and would exceed the maximum impervious lot coverage.

There was some discussion between board members and the applicant.

Don Ryan, Solicitor outlined the legal criteria.

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

Jack Merryfield made a motion to approve the application, seconded by Dean Doukakis. Motion carried.

Roll Call:

Tom Ferrese	Yes
Dean Doukakis	Yes
Greg McAdams	Yes
Terre Boccuzzi	Yes
David Cox	Yes
Jaclyn Parisi	Yes
Jack Merryfield	Yes
Richard Kinkler	Yes
Chris Soriano	Yes

The Planning Board concludes that the subject variances would serve the purposes of the Municipal Land Use Law in terms of aesthetics and good planning and the benefits in granting the subject variances would substantially outweigh any detriments.

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

Interpretation:

Anne McAdams appeared before the board for an interpretation Resolution CS#09-12-2P for Stanfill Towers parking area. It was determined that porous concrete could be used to replace the pervious pavers and still be within the guidelines of the previous Resolution.

Adjournment:

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

Michelle Fareri,
Planning Board Secretary