

THE HADODN TOWNSHIP PLANNING/ZONING BOARD
MINUTES
September 5, 2019

Minutes of the regular meeting of the Township of Haddon Planning/Zoning Board, held on Thursday September 5, 2019, in the Municipal Building in said Township.

Confirmation of Sunshine Law

Compliance with Public Law 1985 was confirmed and it was reported that the Secretary had sent notices of meeting along with copies of the agenda to the courier-Post and The Retrospect newspapers and two copies were posted on the bulletin boards in the Municipal building.

Flag Salute

Roll Call

Richard Rotz	Excused
Joseph Iacovino	Excused
Suzanne Discher	Present
Marguerite Downham	Present
Joe Bruno	Present
Frank Monzo	Excused
James Stevenson	Present
Commissioner Linhart	Present
Gregory Wells	Present
Colleen Curren	Excused
Renee Bergman	Present
Jose Calves	Excused
Beth Berry	Arrived 7:40 PM

Also Present

Frank Ryan – Solicitor
Lee Palo – Zoning Officer
Gregory Fusco – Township Engineer

Meeting called to order by Marguerite Downham at 7:30 P.M

Old Business: Application 18-04 – Block 22.04 Lot 7 Zone C-4 – 350-352 Haddon Ave – Owner Henry and Julia McKee, Applicant is 350-352 Haddon LLC – Central Taco. This application is for parking only.

The previous application was for the new restaurant and the site plan all was approved, however the parking was appealed, it went to the courts and the Judge order it back to the Planning/Zoning board again, so tonight it is for the parking only, and everyone is to view it like it is a new application.

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Frank Tedesco, Esquire
From Dilworth Paxton representing the applicant.

Mr. Tedesco stated that they have 3 three witnesses

Adam Catherine, Professional Engineer – Sworn In
Stantec Consulting Services, Inc
10000 Midlantic Drive, Suite 300 W
Mount Laurel, New Jersey 08054

Christopher Webb – Vice President of PJW Corporation – Sworn In
222 Haddon Avenue
Haddon Township, NJ 08108

Clifton Quay – Sworn In
Engineer and Planner

Mr. Catherine who is a civic engineer, traffic engineer reported he did a study, which the board members got a copy of labeled Haddon Avenue On-Street Parking Assessment.

Mr. Catherine displayed a chart on the easel showing the area of study for all to see. Each board member has in their report has copies of the charts.

A copy of the report is on file in the Planning/Zoning office for anyone to review.

Mr. Catherine stated that on page 7 the study is from Marne Ave to Carlton Ave with a total of 27 spots north side and 20 spots south side. That is walking distance to the restaurant. The study was done between 11:00 a.m. until 6:00 P.M. every 15 minutes weekdays 9 days on the street, August 8 did not do study Utility work was being done. The study was not done on the weekend due to the fact that they have an agreement with 807 Haddon Ave to use their parking lot any time on the weekends.

Lunch time on the street North side on August 7 was at capacity. Average date shows midday 68% full. P.M. right before 6:00 P.M. 87% full.

Mr. Catherine stated that in his opinion there is adequate parking for Central Taco.

Mr. Buono asked why there stop the study at 6:00 P.M.

Mr. Catherine – answered because that is why the parking lot at 807 Haddon begins on the weekdays.

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Commissioner Linhart asked Does on the south side Brown and Connery use on street parking?

Mr. Catherine did not answer the question

Mr. Palo asked Do you know where the people went?

Mr. Webb testified that he sets up all new stores, and stated that lunch is light between 35-50 people, Happy Hour is 6:00 P.M. that is the bolt of the business between 6:00 P.M. until 10:00 P.M. I believe we are way better then the previous owners, we have signs asking people not to park in the Brown and Connery parking lot or the Patco Lot, we even have an employee put cones up at the Brown and Connery parking lot and a fence We have an agreement with Patco for Deliveries.

Mr. Ryan stated that was a condition of the prior approval, and it is still in agreement.

Gerald _____ Esquire – Sworn In
That has no effect on this hearing.

Mr. Ryan asked what is the Lunch? Ans you stated that there is between 35-50 people.

Answer – 12:00 – 2:00 P.M.

Greg Fusco – Township Engineer – Sworn In
Key Engineers Inc
80 S White Horse Pike
Berlin, New Jersey

Mr. Fusco remarked that 23 parking spaces at Giaumello has improved the situation with their new parking lot.

Mrs. Discher stated that 35 people does not generate 35 cars.

Mr. Quay stated that there are 12 spaces on site and the ordinance require. Mr. Quay also stated that he believes that the 4-18-2009 Master Plan promotes Haddon Ave to be a walking district, not everyone drives, the redevelopment of Haddon Avenue was and is for pedestrian, bicycle, shared parking walkable downtown and hopefully Uber & lifts. Also, if cars are parked illegally, they should be towed. The C2 variance has been met and the Board would be justified in granting the variance.

Mr. Ryan asked if this application in your opinion is superior to the current rules?

Mr. Quay – Yes

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Mr. Tedesco stated that there have no further witnesses.

A motion by Joe Buono to open the meeting to the public on this application only, Seconded by Suzanne Discher. All members present voted in the affirmative. Motion Carried.

Mark Asselta, Esquire – Sworn In (he is also a witness)
Brown & Connery
6 N Bear Place Hainesport, N.J.
Mr. Asselta if representing the objector Lawlands, LLC
360 Haddon Avenue
Haddon Township, N.J. 08108

Shawn Huber – Sworn In
106 Mums Lane
Cherry Hill, N.J. 08003
Brown & Connery

Mr. Asselta stated that he is a partner with Brown & Connery since 1986 and that he is not opposed to good growth., as long as it is properly done. The problem is that this use area was never meant for this use it was for take out only and a Drug Store. When it was the Irish Mile the board gave them 42 seats and 2 employees The Irish Mile kept adding seats without asking. Now Central Taco is more intense with 165 seats which has an impact on Brown & Connery parking.
Mr. Asselta asked Mr. Catherine when was the study done?

Mr. Catherine replied that it was done in August during the daytime hours. The parking agreement with the 807 Haddon Avenue building is for after 6:00 P.M. and all day on weekends.

Mr. Webb spoke and stated that PJW'S closed their office building on Haddon Ave in Haddonfield which was towards the end of the parking lot at PJ's which allowed more parking for PJ's

Mr. Asselta asked Mr. Quay what is your bases for a C2 variance, there is not a hardship. Unauthorized parking in our lot did you hear about that the last time. And would that be a negative impact?

Mr. Huber Esquire
22 years with Brown & Connery
Partner with Lawlands LLC

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Mr. Huber stated that he gets the complaints, and the complaints are up since 12/2/18 when Central taco and the UPS trucks pull into Brown & Connery parking lot.

Mr. Stevenson asked Mr. Huber why they have not posted signs that say unauthorized vehicles will be towed which is what other Business Improvement District members do.

Mr. Huber replied that he feels that should not be up to Brown & Connery to have to put up signs and have cars towed. And this parking problem happens mostly on Holidays and that the cones are left up and then Brown & Connery has to move them.

Mr. Asselta asked why the study was done in the summer instead of the fall/winter?

Mr. Ryan asked if Brown & Connery had any studies done on the parking?

Mr. Huber replied – No they have not.

Mr. Asselta stated that There is no Hardship, and maybe less than 165 Seats – there have 68 outdoor seats and 97 indoor seats. The board should only approve 97 seats total and maybe video cameras could go up on Brown & Connery Building provide by Central Taco. Central taco should be Fine when customers are using Brown & Connery parking lot. They should put up more signs on their property and create a barrier between Central Taco and Brown & Connery.

Carmel Mitchell Keele – Sworn In
100 Hazel Avenue
Haddon Township, NJ 08108

Mr. Keele stated that she was here at the last hearing and she still has a noise problem. The noise comes from the balcony and it is passed midnight. Has called the Police and made reports about noise (music, talking). Mrs. Keele is concerned about football season and what noise will come from central Taco when that starts.

Mr. Webb replied that the noise is not appropriate and he will take immediate steps to avoid any further problems. He also stated that Central Taco only has 2 TV's and he does not anticipate the same level of noise at Central Taco from there other restaurants.

Mr. Tedesco stated there should not be any Nosit from the balcony and that will be taken care of tomorrow. The Judge stated that everything in the last application was valid except the parking and this is the only item on this application for this evening. We will have the lease amended with 807 Haddon Ave Building that will state all day on weekends.

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A motion by Joe Buono to close the public portion, seconded by Suzanne Discher. All members present voted in the affirmative. Motion carried.

James Stevenson stated that outdoor seating is part of the Master Plan and that it has been critical with the growth of Haddon Avenue. Property values have gone up, and the parking every BID member puts up signs unauthored parking cars will be towed.

Beth Berry – stated the time the study was done was in the summer when outdoor seating happens.

Commissioner Linhart stated that seating is not always full mostly 65%

A motion by James Stevenson to approve the parking as presented with 12 on-site parking and 50 off-site parking. With conditions the applicant must submit full and complete copy of all agreements between Central Taco and Patco. Also, full and complete copy of all agreements between 807 Haddon Avenue and Central Taco. IF either of the agreements terminate the applicant must notified the Board within 5 days, Applicant is to reimburse the Objector reasonable cost of placing sign on Objector's property. Seconded by Joe Buono. 8 Members voted in the affirmative. 0- no votes Motion carried.

Application 19-28 – Block 16.04 Lot 1 – Zone R-1 – 779 Mt. Vernon Avenue – George Brunner III and Nancy Meriam – Applicants are seeking to put in rear yard addition asking relief of a pre-existing non-conforming Front yard setback where 30 feet is required only has 26.45 feet.

George Brunner – Sworn In
779 Mt. Vernon Ave
Haddon Township, NJ

Nancy Meriam – Sworn In
779 Mt. Vernon Ave
Haddon Township, NJ

The Board look at the application and the plans and the pictures

A motion by Joe Buono to open the meeting to the public seconded by Suzanne Discher, all members present voted in the affirmative., motion carried.

Hearing nothing from the public a motion by Joe Buono to close the Public portion, seconded by Suzanne Discher. All members present voted in the affirmative. Motion carried.

A motion by Greg Wells to approve application 19-28 for 779 Mt. Vernon Avenue to build a one story

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addition as presented. Seconded by Renee Bergman. 8 members present voted in the affirmative. 0-no votes. Motion carried.

Application 19-29 – Block 7.08 Lot 27 – Zone R-2 – 111 E Ormond Ave – Gary Smith – Applicant is seeking relief to construct a 2nd story addition requesting relief for side yard, front yard, building cover, impervious cover and one parking space (encroaches into front set back).

Gary Smith – Sworn In
111 E Ormond Ave
Haddon Township, NJ.

Mr. Smith is seeking relief from Section 142-37(B) lot area Has 6,000 sq. ft. and 4,000 Sq. Ft. is proposed and existing. Relief from Section 142-37(B)(4) lot Frontage of 50 feet and 40 feet is proposed and existing. Relief from section 142-37(B)(4) total side yard setback where 15 feet is required proposing 13.3 feet and existing. Relief of section 142-37(B)(4) single side-yard setback of 6 feet and 4.4 is proposed and existing.

The board looked at the survey, plans, pictures.

A motion by Joe Buono to open the meeting to the public seconded by Suzanne Discher, all members present voted in the affirmative. Motion carried.

Hearing nothing from the public a motion from Joe Buono to close the public portion of this meeting, seconded by Greg Wells. All members present voted in the affirmative. Motion carried.

There was a swimming pool that was part of the drawings however was not asked for on the application so the applicant withdrawn the pool from the application. Also, he will be pulling up sidewalk and removing shed.

A motion from Greg Wells to approve application 19-29 – 111 E Ormond Ave as amended taking out the swimming pool, pulling up sidewalk and removing shed. Seconded by Joe Buono. 8 members present voted in the affirmative. 0- no votes Motion carried.

Application 19-31 – Block 22.054 Lot 7 – Zone R-2 – 20 Elm Avenue – Paula Speicher – Applicant is seeking relief for pre-existing non-conforming front yard setback of 20.94' where 25' is required relief of 4.06'.

Paula Speicher – Sworn In
20 Elm Avenue
Haddon Township, N.J.

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William Watson – Sworn In
20 Elm Avenue
Haddon Township, NJ

The board looked at the survey, plans and pictures.

A motion by Joe Buono to open the meeting to the public, seconded by Greg Wells. All members present voted in the affirmative. Motion carried.

Hearing nothing from the public a motion by Greg Wells to close the public portion, seconded by Joe Buono. All members present voted in the affirmative. Motion carried.

A motion by Joe Buono to approve application 19-31 20 Elm Ave as presented, seconded by Greg Wells, 8 members voted in the affirmative, 0- no votes. Motion carried.

A motion by James Stevenson to approve the Minutes from July 15, 2019 Seconded by Joe Buono, 5 members voted in the affirmative, 0- no votes 3 abstentions (Suzanne Discher, Commissioner Ryan Linhart, Renee Bergman) Motion carried.

A motion by Suzanne to approve resolutions

19-16 – 89 Elgin Ave

19-17 – 82 Akron Ave

19-19-24 Haddon Ave

19-22 – 129 Geneva Ave

19-23 – 246 Burrwood Ave

19-25 – 400 Cooper Street

19-26 – 115 Elgin Ave

Seconded by James Stevenson. 4 members voted in the affirmative. 0- no votes 4 abstentions (Renee Bergmann, Beth Berry, Commissioner Ryan Linhart, Greg Wells) Motion carried.

Zoning Office report – Lee Palo - Everyone doing a great job.

The sign that was asked about at the old Sports for all building (the free-standing sign) that is old and not being used, I found a resolution dated 1986 allowing that sign to stay there.

The next work session we will be working on the Master Plan.

Next meeting – Work Session September 16, 2019

Regular meeting – October 3, 2019

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With no further business for the Planning/Zoning board for tonight. A motion by Beth Berry to adjourn the meeting. Seconded by Joe Buono. All members voted in the affirmative. Motion carried.
Meeting adjourns at 10:34 P.M.

A CD of this meeting is available upon request.

Respectfully submitted

Bonnie Richards
Secretary, Planning/Zoning