

TOWNSHIP OF HADDON
PLANNING/ZONING BOARD MEETING
JUNE 2, 2022

Minutes of the regular meeting of the Township of Haddon Planning/Zoning Board, held on Thursday June 2, 2022, in the municipal building, 135 Haddon Avenue, Haddon Township, New Jersey.

FLAG SALUTE
CONFIRMATION OF SUNSHINE LAW

Chapter 231, Public Law 1975 requires adequate notice of this meeting be provided by specifying time, Place and agenda. This has been done by mailing a copy of the agenda to the Courier-Post and The Retrospect newspaper and by posting on two bulletin boards in the municipal building.

Roll Call

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|----------------------|---------|
| Richard Rotz | Present |
| John Foley | Present |
| Suzanne Discher | Present |
| Marguerite Downham | Present |
| Joe Buono | Present |
| Eve Keller | Excused |
| James Stevenson | Excused |
| Commissioner Linhart | Excused |
| Gregory Wells | Excused |
| Renee Bergmann | Absent |
| Jose Calves | Present |
| Chris Janoldi | Absent |
| Meredith Kirschner | Excused |

Also Present

Lou Garty – Solicitor
Lee Palo – Zoning Officer
Gregory Fusco – Township Engineer

The meeting was called to order by Chair Rotz at 7:31 p.m.

A motion by Joe Buono to approve the minutes from 5/5/2022, seconded by Marguerite Downham. All members present voted in the affirmative. Motion approved.

Old Business: None.

New Business: Application 22-15 – Block 29.05 Lot 28 – Zone R1 – 215 Morgan Avenue – Robert & Caitlin Bukowski – Applications are seeking to construct a 2-story addition with crawl space, new side walk, patio, driveway needed relief of lot area, lot frontage, accessory structure side yard relief and rear yard setback relief, along with any and all variances, waivers deemed necessary to approve this application.

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Robert Bukowski – Sworn In

Caitlin Bukowski – Sworn In

Mr. Rotz stated that the survey is current dated 12/13/2021 and will be marked (A1)

Mr. Bukowski –stated that they are looking for approval to add a 2-story rear addition depth of 12 ft width of 24 ft and replacing a deck that is currently in place. Removing the side staircase on the left, stairs and covered landing on right side of the house. With those it would bring the setbacks to the correct spot. Seeking relief 6064 sq ft required 10000 lot width is 50 ft required 75, detach garage side and rear required is 2.5 ft. Addition is 576 sq ft.

Mr. Rotz – lot size is preexisting non-conforming situation? Lot width 50 ft preexisting, side yar setbacks that were out of compliance proposed renovations will eliminate those. Framed garage was also preexisting. You have supplied us with Elevations proposed and we will mark them (A2).

Mr. Foley– are there other similar type structures in that area that you are aware of?

Mr. Bukowski – yes, it is consistent with the neighborhood.

Mr. Rotz – You have a photo array of 4 photos, one front, side, rear, and driveway we will mark the, (A3)

Mrs. Garty – On the survey it is marked as side yard setbacks to the accessory structure, 5 ft required marking of 2.25 and 2.23, which is side and which is rear?

Mr. Bukowski – 2.23 to the side and 2.25 is to the rear.

Mr. Palo – confirmed.

Mrs. Downham – Are you are putting a new concrete driveway?

Mr. Bukowski – yes.

Mrs. Downham – And the concrete sidewalk is there to get you where? The concrete side walk 10' new concrete sidewalk

Mr. Bukowski – adjacent to driveway on the right side, proposing a paved driveway and connected to it adjacent will be a sidewalk.

Mrs. Garty – I did review the notice provided to 200 ft. list and advertisement. Review of taxes and fees, permits and inspections associated with the construction that you are going to engage in.

The meeting is now open to the public on this application only

NO PUBLIC COMMENT

A motion by Jose Calves to close public portion, seconded by marguerite Downham, all members present voted in the affirmative. Motion carried,

A motion by John Foley, to approve the application as it is presented, seconded by Joe Buono. 6 members voted in the affirmative, 0- no votes Motion carried.

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Application 22-18 – Block 20.13 Lot 1 – Zone R1 – 525 W. Park Blvd. – Theresa Coia – Applicant is seeking to install a 4’ fence where a 3’ high fence is allowed along with any and all variances, waivers deemed necessary to approve this application.

Theresa Coia – Sworn In

Ms. Coia stated that she is proposing a fence that will go all around the property, it is a corner lot the corner of Crystal Lake Ave and West Park Blvd, the fence would be around there up West Park Blvd along the side of the property and across the back.

Mr. Rotz remarked that the survey is dated 5/9/2022 and will be marked (A1) The red line placed on the survey to show proposed fence location is that correct?

Ms. Coia – yes, Audubon fence gave an outline as well.

Mr. Rotz – The fence will be set in from the property line a few feet on the front and the side facing the Haddon Hills property it is a few feet back from property line.

Mrs. Downham – which side of the bushes will it be on?

Ms. Coia – the bushes will be outside the fence. Fence is almost transparent.

Mr. Rotz – You provide us with a picture of fence from Audubon Fence we will mark the picture (A2) specification sheet. Fence is aluminum, painted to look like wrought iron and has visibility through fence.

Mrs. Downham – where will mailman deliver?

Ms. Coia – inside the fence there will be a gate. There is a bus stop at corner, trees removed a lot of people are using the property to cut through it is more protection than anything else. Like when I let my dog out at night people are cutting through the property. Would like to keep the fence consistent all of the way around.

Mr. Rotz – the front is the only area where you are looking for the relief, correct?

Ms. Coia – yes. I was just trying to keep it as simple as possible and all one height.

The meeting was open to the public

NO PUBLIC COMMENT

A motion by John Foley to close the public portion, Seconded by Suzanne Discher. All members present voted in the affirmative. Motion Carried.

A motion by John Foley to approve the application as presented, Seconded by Suzanne Discher. 6 members voted in the affirmative, 0 – no votes Motion Carried.

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Application 22-21 – Block 21.01 Lot 21 – Zone R2 – 119 Virginia Avenue – Taylor Love – Applicant is seeking to build a rear yard porch addition seeking lot size required 6,000 sq. ft. existing 5,625 sq. ft. relief of 375 sq. ft. lot frontage required 50' existing 45' relief of 5', lot width required 50' existing 45' relief of 5' side yard one side 6' required existing 4.47' relief of 1.53', accessory structure (garage) required 5' existing one side 2.97' back 3.33' relief of 2.97' and 1.67" along with any and all other variances, waivers deemed necessary to approve this application.

Tyler Love – Sworn In

David Scheidegg – engineer – Sworn In

David Scheidegg explained that there is already a rear porch there now 12x14 ft getting old and want to redo it and while doing so expand the width of the house. Porch will be 30 ft wide instead of 14 ft wide. Enclosed porch on rear, one story tall and can't see it from the street. Existing non conformity to the house 447 ft where 6 ft required, looking for variance for porch and existing non conformity of the house. Total side yard 15 ft required and we are at 14.58 ft. Several existing nonconformities, smallest lot on this bloc, 45 ft width, lot width and frontage where 50 ft required. Lot area requires 6000 it is 5625 sq ft in area. The house is very modest, 873 sq ft on first floor, addition will add 192 sq ft. Max building coverage allowed is 30 only at 20% with proposed addition, rear yard setback allowed to be 25 ft with addition still proposing 60 ft setback with addition. Small shed in back rear corner, distance to side, rear and other building less then requires. Fence in the side yard, 6 ft, rear 6 ft, preexisting non conformities.

Mr. Foley – you have a porch on the back and you are extending, it is not your intention at this time to extend a family room or kitchen into this area. You are keeping it a porch?

Mr. Scheidegg – yes, it is staying a porch, it will be a covered porch.

Mr. Love – yes, we are keeping it a porch. no heat, will have windows and two doors.

Mr. Rotz – your survey is dated 5/5/22 and will be marked A1 The Photo array you have will be marked A2 and the set of plan/drawings will be marked A3.

Mrs. Garty – what is your training that you were able to do elevations and numbers?

Mr. Love – no training, I worked with an architect.

The meeting was open to the public

NO PUBLIC COMMENT

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

Mr. Rotz – issue with vinyl 6 ft high fence, once that variance is there it is there forever. The fence is troubling.

Mr. Foley – the fence already exists. How old is the house? DO you have a sense of how long the fence was there? Are you attached to the fence?

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Mr. Love – I think it was built about 1952, not sure when it went up, it is in good shape and provides privacy.

Mrs. Downham – is the fence 6 ft all the way around?

Mr. Love – yes, all the way around, the shed sits a little higher so maybe it is an illusion. That area is down by the driveway and that section is 4 ft. that is in the front.

Mr. Rotz – where does it turn from 4 ft to 6 ft.

Mr. Love – turns to the back yard and the three sides in the back are 6 ft. Along the side property line, it is.

Mr. Calves – it looks like the terrain dips and drops a little bit around the shed.

Mr. Love – there is a mound next to the shed where maybe a tree was before that could make it look like that.

Meeting open to the public

No Public Comment

A motion by Joh Foley to close the public portion, seconded by Joe Buono, all members present voted in the affirmative. Motion carried.

A motion by John Foley to approve the application as presented, seconded by Jose Calves. 6 members present voted in the affirmative, 0- no votes, motion carried.

Mr. Foley – I understand the concern with the fence, the fence is not an eyesore and the public had a chance to weigh in and did not. It does provide value, privacy and is nice looking.

Application 22-23 – Block 2.08 Lot 4 – Zone R2 – 1312 Walnut Avenue – Katelynn Atkinson – Applicant is seeking to install 6' fence on side yard 22' long seeking – allowed is 3' on side yard, along with any and all variances, waivers deemed necessary to approve this application.

Katelin Atkinson – Sworn In

Ms. Atkinson – noted that the correction needs to be made from 5 ft fence to 6 ft fence.

Mr. Rotz – correction to 6 ft fence.

Mrs. Garty – confirmed the advertisement was 6 ft fence.

Mr. Rotz – stated that the survey is current 4/27/2022 and will be marked (A1) –The red line drawn around rear, back, side and a few feet front on the home. Is that the proposed fenced?

Ms. Atkinson – it is the right side of the house, a little further back from the front, that is the side yard per the township needs to be 3 ft which is where issue is. It is 6 ft fence not, picket that is falling apart and falling over. It is about 20 ft of fence, asking to match the rest. I am replacing the whole fence with 6 ft white vinyl. The only issue is the part of the fence that is considered the side yard. If you look at the

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survey the right side. Inground pool in backyard so 6 ft fence is allowed. If I could move the fence further back I would but the side door is a foot away from that portion of the fence so I can't move it.

Mr. Rotz –The photographs you have provide will be marked (A2) they depict the rear of property, showing swimming pool, side of property, front of home.

Mrs. Downham – where will gate be?

Ms. Atkinson – eliminating the side yard gate and keep the one where the driveway is.

Mrs. Richards - Gate is self-closing, latching and swings out?

Ms. Atkinson - yes and it will stay that way.

Mrs. Discher – can you clarify that you are replacing the whole fence?

Ms. Atkinson – yes, I am replacing the whole fence.

The meeting is open to the public

Patty Flemming – 1316 Walnut Avenue – Sworn In

Mrs. Flemming – we look at this fence all of the time, it has fallen down in many places, it needs to be replaced. That fence was there before we moved in 36 years ago. Reason for the 6 ft is privacy because of the side door being there it needs to be enclosed.

Mr. Palo – Looking at the photo is this your house where the car is parked in the driveway?

Mrs. Flemming – yes, it is.

Mr. Palo – so you would be affected more than anyone else?

Mrs. Flemming – yes.

A motion by John Foley to close the public portion, seconded by Joe Buono, all members voted in the affirmative, Motion carried.

A motion by Jose Calves to approve the application as presented, seconded by Joe Buono. 6 members voted in the affirmative, 0-no votes; Motion carried.

Resolutions

22-13 – 1009 Emerald Avenue

22-16 – 414 Addison Avenue

22-11 – 650-690 W. Cuthbert Blvd. (Sprouts Signage)

Mrs. Garty explained each resolution stated that Sprouts proposed 10% reduction in sign was agreed on.

A motion by John Foley to approve Resolutions 22-13, 22-16 and 22-11, Seconded by Suzanne Discher. 5 members voted in the affirmative, 0- no votes, 1 abstention (Jose Calves) Motion carried.

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Public Comment:

John Sandone 21 Reeve Avenue – Sworn In

Mr. Sandone – cannabis dispensary situation, I have more questions pertaining to that. The specific task of the board in their recommending to the governing body, what was the recommendation?

Mrs. Garty – that has not been finalized yet.

Mr. Sandone – was there a subcommittee and who were the members?

Mrs. Garty – there is a number of them, it may be in the minutes.

Mr. Calves – there were a few people in it. There were no formal recommendations, the board hasn't voted on anything yet.

Mrs. Garty – I was not the solicitor at the time of the board at that time.

Mr. Sandone – so my understanding is correct, the board makes a recommendation and then the governing body will consider it?

Mrs. Garty – yes. There has been no recommendation made yet. It still has to be formulated and provided.

A motion by John Foley to close the public portion, seconded by Marguerite Downham.

All members present voted in the affirmative. Motion carried.

Discussion of proposed revisions to application fee schedule

Mr. Rotz – You were given a copy of general provisions of the current existing fees and what is proposed.

Mrs. Garty – what Bonnie did was she looked at the existing fee scheduled when applying for bulk and use variances. We both notices and Lee and Greg noticed that the fees that are charge by Haddon Township are very, very low. She included existing escrow requirements and proposed and still on the modest side. The board can authorize changes to the governing body so they can adopt an ordinance to approve the fees. All that has changed is parts A and B application fees and escrow fees.

Mrs. Richards – we are constantly asking applicants for more escrow fees because we are not collecting enough in the beginning.

Mr. Fusco- 1 under part B that site plan should be at least \$600.

Mr. Foley – if our professionals agree that the fees are modest, then maybe we should consider the 600

Mrs. Garty – use variances are typically residential.

Mr. Rotz – what is a more customary fee for a town the side of Haddon Township or similar to.

Mrs. Garty – 500-600 for use variance

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Mr. Foley – Do you want to go back and see if we can take another look and what the final number should be.

Mr. Fusco and Mrs. Garty will go over and submit recommendations to Bonnie for an updated list. Table until work session.

Executive Session: litigation pursuant to NJSA 10:4-12B (7)

Mrs. Garty – provide update on possible litigation. Concern related to subcommittee that a certain number of people appointed initially, may have been 5 appointed if they met that the same time there is potential open public meetings act violation. I need to gather more information as to who was present at meetings. IF there is a potential violation, which I think there was. We think that there is a self-reporting obligation. It is review by the CC prosecutor's office. I will continue to work with the solicitor to do so. I know that we want to move forward with the cannabis recommendation. I have done research on the law; I think this one was completely unintentional. If there is a violation of the act the final decision is void. Because we did not take the final action there may be a way to cut around the bad spot. Not final decision made, other discussion have been had. If we can work around the subcommittee. I will continue to talk to members and form a narrative and game plan with the solicitors to approach this.

Mr. Foley – have you been approached by anyone from the prosecutor's office?

Mrs. Garty – no I have not.

Mr. Buono – was the direction that the line of questioning was headed too tonight?

Mr. Foley – we couldn't tell but it seems like it.

Mr. Rotz – we need to resolve this soon, move the process along.

Mrs. Garty – it was announced in a work session that it there was going to be a subcommittee meeting the next day.

Mrs. Calves – most of the meetings were 2-3 people.

Mr. Foley – what is the fallout here?

Mrs. Garty – they could recommend a suture, a fine, the process could be tainted and someone could file an action. That is what we are trying to avoid.

Mr. Buono – can we move forward with the cannabis before this is resolved?

Mrs. Garty – no we cannot.

A motion by John Foley to close executive session, seconded Joe Buono. All members present voted in the affirmative. Motion carried.

Zoning office report – Lee Palo

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Getting resolutions, getting people to come in and request variances for stuff that has been done unbeknown to the township. The check list which I have reviewed a little bit. Go over it on Monday 13th along with the fees.

Mr. Rotz – What about the driveway expansion was there no permit.

Mr. Palo – permit was for the sidewalk but the sidewalk hadn't been touched, they put two pads in the section that I believed was a site line issue. It is being kicked around with other professionals.

With no further business tonight for the Planning/Zoning board of the Township of Haddon a motion by John Foley to close the meeting, seconded by Joe Buono.

Meeting adjourn 8:52 P.M.

Next Meeting is 6-13-22 work session the last one