

TOWNSHIP OF HADDON
PLANNING/ZONING BOARD MEETING
JULY 7, 2022

Minutes of the regular meeting of the township of Haddon Planning/Zoning Board, held on Thursday July 7, 2022 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 cop of the agenda to the Courier-Post and the retrospect newspapers and by posting on two bulletin boards in the municipal building.

Roll Call

Richard Rotz	Present
John Foley	Present
Suzanne Discher	Present
Joe Buono	Present
Greg Wells	Present
Marguerite Downham	Excused
Eve Keller	Excused
Commissioner Ryan Linhart	Absent
James Stevenson	Present
Renee Bergman	Excused
Jose Calves	Present
Chris Jandoli	Excused
Meredith Kirschner	Present

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

The meeting was called to order by chair Rotz at 7:32 P.M.

A motion by John Foley to approve the minutes from June 2, 2022, Seconded by Suzanne Discher. It was asked if the minutes could be tabled due to some corrections that need to be made, a motion by John Foley to amend the motion to table the minutes to the August 4, 2022 meeting, seconded by Suzanne Discher. All members present voted in the affirmative, Motion carried. Minutes tabled until August 4, 2022

Old Business – None

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New Business – Application 22-29 – Block 6.02 Lot 12-20 – Zone C3 – 700 Black Horse Pike – Lembasis Real estate LLC (Rexy's Bar) Applicant is seeking to renovate the existing building to construct a 3,700 SF addition with outdoor seating in addition to the existing restaurant and bar.

Robert Mintz, Esquire of Freeman & Mintz, P.A. representing the applicant.

Mr. Mint provided a summary of the application which seeks Preliminary and Final Site plan approval for the proposed application. It is a 3,700 SF addition with outdoor seating in addition to the existing restaurant and bar by utilizing the property known as 2 Washington Avenue and 1 Lincoln Avenue. This is in a C-3 Zone Commercial shopping and the applicant proposes to modify an existing commercial building so as to increase the size of the footprint of the existing structure, which will also increase the parking required for the site.

Ronald Faul, Architect – Sworn In – Exhibits Exterior Elevation plans marked A-1, A-2 A-3 Floor elevation Plans marked A-4. The existing restaurant consist of 6300 SF, the proposed addition with open air seating bar area of approximately 1100 SF. The other proposed addition comprised of 2000 SF, which would be open air seating area with a roof and removable panels to allow air to circulate in this area, the walls contain shades, the outside seating area will not have heat. The outside seating area will add 20 seats and the enclosed area with the roof will be adding 76 seats plus 18 seats to the bar to be installed.

Jack Gravelin Jr, P.E. - Sworn In - Mr. Gravelin prepared the site plan for the applicant. He testified to the overall proposed improvements. The design team agreed to comply with the technical comments and suggested revisions as stated in Mr. Fusco's letter as to the additions revisions and notes to be added to the design plans. including the revisions as to the angel of the proposed parking which will provide two more parking stalls. The applicant is proposing construction of two patios. One being an open-air design with a roof and the second an outdoor patio. The one features a privacy wall for area adjacent to Black horse Pike, total area of improvement 3200 SF and that the new area will have ADA access. A Total of 260 seats internal and new additional seating is proposed. The lots ibn front with the residential structures will be demolished, parking lots will be constructed in those places and the lots will be surrounded by concrete curb and will be fully paved and marked.

We are proposing to enclose the dumpsters and install 6' privacy fence with bollards, The curb and sidewalk will be reconstructed adjacent to the trash enclosure area. Additional landscaping per Greg Fusco letter will be done. Parking lot will be repaired, and will have ADA compliant parking stalls The grading plan was submitted and it was marked A-6 also marked A-7 the Utility and Landscaping plan.

There are no changes in signage and the loading occurs along the alleyway which is why a variance or waiver is requested for the loading area. A variance is being sought for the setback of the trash enclosure and to permit a 6 ft. fence to enclose the trash enclosure around the area next to the residential area.

Greg DiSanrtis President of the Construction Co. Sworn IN

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Mr. DiSantis spoke about the roof/ pergola system which is constructed of aluminum and will be able to open and close. He described the side panels; progressive screens are to be used the addition will have screens with 5-7% air flow. There will be beams to support the duct ventilation system from the roof system.

Sophia Lembesis – Operator of the Restaurant – Sworn In

The bar and restaurant close at 11 PM and we agree to work with the board's engineer to reduce issues about disturbance raised by the neighbors.

Mr. Gravelin stated that there would be 14 employee's and 59 parking spaces are required, proposing 54 spaces we can get 56 spaces with help from the Township Engineer. New LED lighting in side and Front there will have shields for spillage. Shielding the neighbors. Landscaping

John Front planters, Washington Ave Trees & shrubs.

Greg Fusco – Township Engineer – Sworn In – The applicant has agreed to all the items on my letter. Will repair all broken concrete, no signage changes, loading in alleyway on off hours, site back for trash enclosure and fence.

Mr. Rotz – What is the material for the fence

Mr. Gravelin – ornate sculptured fence, solid PVC Tan Color The wall along the Back Horse Pike will be masonry wall 6 ft. tall concrete block or cast block.

Mr. Rotz – How will that stand up to cars? Will cars damage it, Is there a Utility pole on that street?

Mr. Gravelin – The solid wall will help the sound.

Mr. Foley – the ductwork heating system who will monitor the system, it looks like rough framing. Is there a beam on the roof? Will there be ceiling fans?

Mr. Calves is the ceiling like blinds to open and close?

Mr. Foley Hot Air raises, how does that work?

Mr. DiSantis – Because it is outdoors, People do not want to be inside anymore, I will be open most of the time. It makes it feel like an outdoor experience.

Lou Garty – do you agree to the following

ADA compliance, Affordable housing Fee, Bar service ABC approval.

Greg Fusco – I would like to reserve the right to sit with the applicant and professionals with this project.

Lou Garty – condition will be the Township Engineer must sign off on all items.

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A motion by John Foley to open the meeting to the public seconded by Joe Buono. All members voted in the affirmative. Motion carried.

Christine Collins – 14 Washington Ave – Sworn In

I live near the alley and the trash and other debris from the patrons is all over the place. And they also drive the wrong way out and onto her property late at night. I would like something to block them from doing driveway onto my property.

Jen Williams – 3 Washington Ave – Sworn In

I am concerned about the entrance and whether it will remain where it is. Will there be screening for vehicles in the parking area, like plantings to reduce headlights onto other people's property.

Mr. Mintz – noted that the applicant will provide a contact information of the on-site manager who can address and remedy any complaint, also the applicant agreed to work with the board's engineer on plantings/landscaping to reduce glare from the headlights onto the neighboring properties.

Sophie Lembesis - Pre-covid we starting closing early 11:00 P.M. and some of the inside seating will now be outside seating,

Residential – they use the alley for a bathroom, IS there enough bathrooms

Greg Fusco – that is a Building Code issue not this board. The Construction Building sub-code will address the bathrooms.

Residential – will there be live music or bands outdoor area.

Sophie Lembesis – Now with the tent we have music on Friday Nights until 10 PM with a DJ.

John Foley – will the Music be the same.

Jose Calves – the Township has a noise ordinance there is a process if there is a problem.

Jen Williams – 3 Washington Ave – will there be an exit on Washington Ave and will there be trees?

Greg Fusco – It is an entrance not an exit.

A motion by John Foley to close the public portion seconded by Jose Calves. All members presented voted in the affirmative. Motion carried.

Mr. Rotz asked the attorney if he had anything else to add.

Mr. Mintz – Nothing more Thank you

Mr. Rotz asked the board if there had anything else to add.

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Hearing none he asked for a motion.

A motion by John Foley to approve the application with the condition of Engineer's letter, affordable housing, contact person to the neighbor, ABC approval, taxes, professional fees, permits and inspections.

8 members voted in the affirmative, 0- no votes Motion carried.

Application 22-20 – Block 28.11 Lot 3 Zone R2- 11 Hampton Rd – Nicole and Gence Lange – Applicants are seeking to build an addition. The addition will meet the setbacks however there are pre-existing, non-conforming issues which need variances along with any and all other variances, waivers deemed necessary to approve this application.

Justin Lang – Owner – Sworn In

Jay Reinert – Architect – sworn In

Mr. Rotz marked the survey A1, Plans A2,

Mr. Reinert went over the plans and the setbacks with the board and explained that all are pre-existing, non-conforming

The Photo array was marked A-3 by Mr. Rotz

Mr. Reinert stated that the concrete pad will be leaving, there are taking it out.

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

Mr. Rotz stated all the conditions are pre-existing-non conforming,

Mrs. Garty stated that all permits must be sort, all fees paid, taxes up to date etc.

A motion by John Foley to approve application 22-20 as presented, seconded by Suzanne Discher. 8 members present voted in the affirmative, 0- no votes Motion carried.

Application 22-22 Block 7.04 – Lot 1 – Zone R-1 – 1030 Emerald Avenue – Michael & Elena Jarosz – Application is seeking to install 6' fence in front and side yard where 3' is required. Along with any and all variances, waivers deemed necessary to approve this application.

Michael Jarosz – Owner – Sworn In

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Elena Jarosz – Owner – Sworn In

Mr. Rotz starting by marking the following

Survey A-1

Photos that Mr. Palo took marked A-2

Handout of pictures Marked A-3

Mr. Rotz asked if the shrubs are planted are on the inside of the decorative fence.

Mr. Buono asked if they need a variance for the shed?

Mr. Jarosz stated that they would like to keep the fence

Mr. Foley is it needed? When you moved in was the fence there?

Mr. Jarosz – Yes it was there we have small children.

Mr. Calves It is really the rear yard.

Mr. Rotz the property slopes

Mr. Palo – It is set back 12 ft. and up on a hill

Mr. Wells – Next to you it looks like your neighbor also has a fence in the picture you are the 1st house, correct.

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

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

Lous Garty – Based upon the style it does not offend the character of the neighborhood

Mr. Stevenson stated that there is no line-of-sight issue.

A motion by John Foley to approve Application 22-22 – 1030 Emerald Ave as presented along with the shed, seconded by Jose Calves. 8 members presented in the affirmative, 0- no votes. Motion carried.

Application 22-25 – Block 29.05 Lot 27 – Zone R-1 – 217 Morgan Ave – Dinko Mitic – Application is seeking to construct a 2nd story addition over existing 1 story addition seeking relief for lot frontage, width, lot size, side yard and accessory structure and fence along with any and all other variances or waivers deemed necessary to approve this application.

Dinko Mitic – Owner – Sworn In

Mr. Mitic stated the following

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Variances needed are

Lot area	required 10,000	existing 6,000	relief 4,000
Lot frontage	required 75'	existing 50'	relief 25'
Lot Width	required 75'	existing 50'	relief 25'
Total side yard	required 15'	existing 13.45'	relief 1.55'

Accessory structure required 5' from property lines existing is 2.72' asking relief of 2.28'

Side yard fence where 3' is allowed existing is 5' asking relief of 2'.

Mr. Rotz – your survey is current it will be marked A-1, Architects plans from Jeffrey Brunner marked A-2

Mr. Mitic – the addition is going up not out, not changing the footprint.

Mr. Wells- It is adding 270 SF to the house

Mr. Rotz What is underneath?

Mr. Mitic – 1st floor is a family room; it is going over the 1st floor.

Mr. Rotz – You are not changing any setbacks rear of home not going to be seen.

Mr. Palo – this is an R-1 and I went over everything with Mr. Mitic of what he is seeking.

Lou Garty – Went over Taxes, Permits, Professional fees etc.

A motion by John Foley 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 John Foley and seconded by Greg Wells to close the public portion. All members presented voted in the affirmative. Motion carried.

Mr. Buono – Do you live there or rent the property?

Mr. Mitic – we live there.

Mr. Rotz – This is all pre-existing non-conforming.

A motion by Greg Wells to approve application 22-25 – as presented, seconded by Jose Calves. 8 members presented voted in the affirmative. 0 – no votes Motion carried.

Lou Garty – Explained the 45-day appeal process.

Application 22-26 – Block 8.02 Lot 18 – Zone R-1 – 113 Cornwall Drive – Joe Russo & Dan Bove, Applicants are seeking placement of shed, where 5' from all property lines is required and 10 feet from all structure.

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Joe Russo – Owner- Sworn In

Mr. Rotz – looked at the survey it was current and marked it A-1

Mr. Russo stated that the shed is 8' x 10', it was placed in this location by the contractor which was not where the shed was designated to be placed. It is 4.5 feet from the house and 1.41 feet from the side yard line and 1.51 feet from the rear yard.

The photo the applicant had Mr. Rotz marked A-2

Mr. Buono asked – Do you like where the shed is now?

Mr. Russo stated that the shed is more convenient in this location. And we store our bikes, nothing flammable.

The board explained that being closer that the 5' will now require construction and or Fire Marshal approval due to the fact that 2-hour fire rated material must be used.

Mr. Wells asked who put in the concrete pavers?

Mr. Russo – We did.

A motion by John Foley to open the meeting to the public, seconded by Jose Calves, all members presented voted in the affirmative. Motion carried.

Chris Kimber – Sworn IN
115 Cornwall Ave

I have no problem with the shed. I am in favor of the shed staying where it is.

Hearing nothing else from the public a motion by John Foley to close the public portion and seconded by Jose Claves. All members present voted in the affirmative. Motion carried.

Mr. Rotz asked the board if anyone has anything else to add. Hearing nothing Mr. Rotz asked for a motion.

A motion by Jose Calves to approve application 22-25 – 217 Morgan Ave for the shed with the condition of approval from the Construction/Fire marshal office. Seconded by John Foley. 6 members voted in the affirmative, 2- No vote (Richard Rotz, James Stevenson) Motion carried.

Application 22-28 – Block 17.09 Lot 9 – Zone-R-1 303 Glenwood Avenue – Jason Premus – Applicant is seeking to construct a rear yard screened in porch addition, seeking relief for lot area, lot frontage,

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width, side yard relief and accessory structure a Garage and height of fence along with any and all other variances, waivers deemed necessary to approve this application.

Jason Premus – Owner – Sworn IN

Mr. Rotz marked the survey A-1, he marked Construction permit for 3rd story dormer for attic A-2, Photo array A-3, Architectural renderings A-4

Mr. Rotz asked how many feet are you adding to the house?

Mr. Premus – 488 Sq. Ft. It is a side dormer, we would like to make this house work, we are hoping we will not have to move. We are seeking

Lot Area – required 10, 000	existing 8125	relief of 1875'
Lot Frontage – required 75 '	existing 65'	relief of 10'
Lot width – required 75'	existing 65'	relief of 10'
Sid yard – required 10'	existing 6'	relief of 4'
Total side yard – required 25'	existing 18.98'	relief of 6.02'
Accessory structure required 5'	existing 3.21'	relief of 1.79'

The board looked at the drawings and the pictures.

Mr. Wells will there be heating or Air in this addition

Mr. Premus – Yes

Lou Garty – told Mr. Premus about the taxes, permits, affordable housing, etc.

Mr. Premus – The neighbor received a resolution for their fence.

Lou Garty – will the vegetation be removed?

Mr. Premus – yes

Mrs. Garty – Will it be replaced?

Mr. Wells - Is there tree(s) coming out?

Mr. Premus – No

Mr. Rotz - is the garage vinyl siding?

Mr. Premus – It is an old structure

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

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Mr. Rotz asked the board if anyone had anything else to add. Hearing nothing Mr. Rotz asked for a motion.

A motion by Jose Calves to approve application 22-28 as presented, seconded by Suzanne Discher. 7 members voted in the affirmative. 1 no vote (James Stevenson) Motion carried.

Application 22-31 – Block 23.03 Lot 5 Zone R-2 – 421 Windsor Ave – Steven Malley – Applicant is seeking to construct a two-story addition in rear yard seeking any and all variances or waivers deemed necessary to approve this application.

Steve Malley – Owner – Sworn In

Mr. Malley explained that the two-story addition in the rear yard is 16' x 22' with approximately 700 SF of living space, I am removing the existing garage. The only variances I need I think is front yard setback which is pre-existing, non-confirming. Required is 25' I have 15.59 ft. I am asking relief of 9.41'

Mr. Rotz marked the survey A-1 and added you are only seeking front yard setback relief. The garage is being removed. The photo array will be marked A-2

Mr. Malley – Yes, the garage will be demolished.

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

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

Lou Garty – explained the Fees, permits, taxes, etc. the applicant agreed to all.

A motion by John Foley to approve application 22-31 – 421 Windsor Ave as presented, seconded by Greg Wells. 8 members voted in the affirmative 0- no votes. Motion carried.

A motion by Jose Calves to go in executive session to discuss potential litigation, seconded by Greg Wells. All members present voted in the affirmative. Motion Carried. Executive session started at 9:55 P.M.

A motion by John Foley to return to the regular public meeting, seconded by Joe Buono, all members present voted in the affirmative. Motion carried. Executive session ended at 10:10 P.M.

A motion by Jose Calves to amend the minutes approval and take out the executive session, seconded by Greg Wells. All members present voted in the affirmative. Motion carried,

Resolutions

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A motion by John Foley to approve resolutions 2022-15 and 2022-23 as explained by Lou Garty and copy given to each board members to read. Seconded by Joe Buono. All members present voted in the affirmative. Motion carried.

Lou Garty went over the new forms and fees that the board would like to present to the Governing body for approval.

A motion by John Foley to have the secretary Bonnie Richards and Lou Garty the Board Solicitor submit to the Commissioner the new Form and Fees. Seconded by James Stevenson. All members present voted in the affirmative. Motion carried.

Zoning Office report – Lee Palo - Thanks for tonight, I know it was a lot. You all did great.
Mr. Rotz asked about the reader board at Burger King it is not allowed.
Mr. Palo will look into the matter.

With no further business for the Haddon Township Planning/Zoning Board for tonight A motion by John Foley to adjourn the meeting, seconded by Suzanne Discher, all members present voted in the affirmative, Motion carried. Meeting adjourned 10:20 P.M.

Respectfully submitted

Bonnie Richards
Secretary