

The Township of Haddon Planning/Zoning Board

Meeting Minutes

Thursday, May, 1st 2025

A regular meeting of the planning/zoning board of the Township of Haddon was held on Thursday, May 1st, 2025, in the municipal building court room (2nd floor), located at 135 Haddon Ave, Haddon Township, New Jersey was called to Order by Chairman Richard Rotz.

Flag Salute

Confirmation of Sunshine Law

Roll Call

Richard Rotz	Present
John Foley	Absent
Renee Bermann	Absent
Marguerite Downham	Excused
Joe Buono	Present
Frank Ryan	Present
James Stevenson	Excused
Commissioner Mulroy	present
Gregory Wells	Present
Jose Calves	Present
Meredith Kirschner	Excused
Maryrita D'Alessandro	Present
Chris Jandoli	Present

Also

M. Lou Garty – Solicitor
Greg Fusco – Township Planner & Engineer
Lee Palo – Zoning Officer

APPROVAL OF MINUTES:

A motion by Jose Calvez to approve the minutes from April 3rd, 2025, seconded by Joe Buono. Gregory Wells and Jose Calvez abstained. Motion Carried.

OLD BUSINESS:

Discussion on Application 25-02 - Block 4.16, Lot 10 - Zone C3- 400 Black Horse Pike, a conditional use variance for a cannabis retail store by Quick Buds, LLC.

Cheryl Lynn Walters, attorney for the applicant, clarified the need for seven eligible board members due to the supermajority requirement. Richard Rotz, explained the application details and the public's right to speak on the matter. The board decided to wait for other applications before proceeding with this one.

Application 25-10 - Block 26.01, Lot 9 - Zone R-2 - 609 Cooper St - Jackie and Alex Bernardi - The applicants are seeking to build a front yard porch, seeking a variance for lot frontage relief of 4.43 ft, lot width of 6 ft and accessory building relief of 4 ft. With any and all variances deemed necessary to approve this application. Solicitor, Lou Garty, stated that after review of the notices they are in compliance.

Homeowner, Alex Bernardi, sworn in and introduced application.

Richard Rotz, assigned, discussed and confirmed exhibits:

A1 - Survey, Stephen R. Kelly, dated 12/8/24, exhibited the current as-built conditions.

A2- Architectural Renderings, Jeffrey M. King, dated 10/16/24, demonstrated the elevation plans for the proposed improvements to the property.

A3- Photo Array, Lee Palo, taken 3/11/25, accurately showed the current conditions of the home where the new project is intended.

The Homeowner explained that the need for the front porch extension is to improve the home's appearance. The board discussed the unique lot design, calling it, "trapezoidal," and the hardship of complying with the ordinance due to the lot's shape. Solicitor, Lou Garty, explained about style, conditions, taxes, permits, inspections, assessments, etc. Richard Rotz opened the application to the public.

Public Comment: None.

A motion by Gregory Wells to close the public portion and seconded by Chris Jandoli. Motion carried.

Chris Jandoli made a motion to approve this application based upon the conditions in the summary and the findings as stated, seconded by Gregory Wells. Motion approved (6-0 vote).

Resolution will be signed at the June 4th, 2025 meeting.

NEW BUSINESS:

Application 25-14 Block 15.01, Lot 16, Zone R-1- 409 Yale Rd- Joseph and Andrea Branco- The applicants are seeking to construct a rear yard two-story addition with a variance for lot frontage relief of 15 ft, lot width of 15ft, front yard set-back relief of .31 ft and an accessory structure relief of 1.10 ft. With any and all variances deemed necessary to approve this application. Solicitor, Lou Garty, stated that after review of the notices they are in compliance.

Homeowners, Joseph and Andrea Branco, sworn in, and introduced the application.

Richard Rotz assigned, discussed and confirmed exhibits:

A1: Survey, Erik F. Valentin, dated 1/24/25, exhibited the current as-built conditions.

A2: Architectural renderings, elevation plans, and photo array, David Brand, 10/20/24, accurately demonstrated the proposed addition.

The homeowner explained that the addition will follow the outline of the existing structure and will not change the property lines. The board discussed the pre-existing non-conforming conditions and the proposed addition's impact. Lou Garty explained about style, conditions, taxes, permits, inspections, assessments, etc. Richard Rotz opened the meeting to the public.

Public Comment: None.

A motion by Joe Buono to close the public portion and seconded by Jose Calvez. Motion carried.

Joe Bouno made a motion to approve this application based upon the conditions in the summary and the findings as stated, seconded by Gregory Wells. Motion approved (6-0 vote). Resolution will be signed at the June 4th, 2025 meeting.

Application 25-15 -Block 16.10 Lot 3 - Zone R-1 - 507 Avondale Ave- Robert and Marycarol Williams-

Applicants are seeking to construct a one-story rear yard addition connecting the home and garage, a variance for side yard set-back relief of 5.01 ft and accessory structure relief of 2 ft and 1.8 ft. With any and all variances deemed necessary to approve this application. Solicitor, Lou Garty, stated that after review of the notices they are in compliance.

Homeowners, Robert and Marycarol Williams, sworn in and introduced the application.

Richard Rotz assigned, discussed and confirmed exhibits:

A1: Survey, Walter H. McNamara Assoc., dated 12/9/24 exhibited the current as-built conditions.

A2: Photo Array, Lee Palo, dated 4/1/25, accurately showed the current conditions of the home where the new project is intended.

A3: Proposed architectural site plan, floor plan and elevations, by Kimberly Dechen of TK studio, dated April 2025, accurately demonstrated the proposed addition.

A4+A5: Additional renderings, Kimberly Dechen, dated April 2025, gave a sense of the massing and size of exterior.

Kimberly Dechen, Architect, sworn in.

Dechen explained that they are proposing a one-story addition off the back of the main house, connecting the house with the existing garage, giving a slightly more rear entry and fire lane. It will include a mudroom, sunroom, powder room. The addition will not have a brick exterior, but will be a siding material. Dechen confirmed that the addition cannot be seen from the front of the house and will not extend to the side property line. The board discussed the details of the connection to the pre-existing nonconforming garage, other non-conforming pre-existing conditions and the proposed addition's impact. The board recommended that the applicants request a larger setback relief. Dechen provided additional clarification on the variance relief, side yard setback and rear yard setback agreeing with the board's recommendation to request additional relief. Lou Garty explained about style, conditions, taxes, permits, Inspections, assessments, etc. Richard Rotz opened the application to the public.

Public comment: None.

A motion by Gregory Wells to close the public portion and seconded by Chris Jandoli. Motion Carried.

Mary Rita D'Alessandro made a motion to approve this application based upon the conditions in the summary and the findings as stated, seconded by Joe Buono. Motion approved (6-0 vote).

Resolution will be signed at the June 4th, 2025 meeting.

Application 25-17 - Block 4.07 Lot 11 - Zone R-2 - 129 Bellevue Ave - Ismael Mercado - Applicant is seeking to construct a 6-ft rear/side yard fence. With any and all variances deemed necessary to approve this application. Solicitor Lou Garty stated that after review of the notices they are in compliance.

Homeowner, Ismael Mercado, sworn in and introduced the application.

Richard Rotz, assigned, discussed and confirmed exhibits:

A1 -Survey, Ewing Associates, dated 4/3/2025, exhibited the previous as-built conditions.

A2- Photo Array, Lee Palo, taken 4/17/2025, accurately showed the current conditions of the home where the fence was confirmed to be already constructed.

The homeowner admitted he was not familiar with the ordinance and is seeking a variance from the ordinance. The board explained the need for the variance due to the property's topography and the existing fence. The board discussed the pre-existing non-conforming conditions, neighboring fences and the proposed fences impact. Richard Rotz opened the application to the public.

Public Comment:

John Kendall, 120 Washington Ave, sworn in.

Mr. Kendall inquired whether Mr. Mercado's fence would comply if he installed a pool. The board confirmed that it would be in compliance. Mr. Kendall then insisted that he should just install a pool. A board member responded by acknowledging that Mr. Mercado admitted to making a mistake, and the board expressed its understanding of the situation.

A motion made by Joe Buono to close the public portion, and second by Jose Calvez. Motion Carried.

Lou Garty explained about style, conditions, taxes, permits, Inspections, assessments, etc.

Homeowner agreed to get a permit.

Jose Calvez made a motion to approve this application based upon the conditions in the summary and the findings as stated, seconded by Joe Buono. Motion approved (8-0 vote).

Resolution will be signed at the June 4th, 2025 meeting.

Frank Ryan & Commissioner Mulroy left the room for this application.

Application 25-02 - Block 4.16 Lot 10 - Zone C-3 - 400 Black Horse Pike - Quick Buds, LLC - Applicant is seeking to establish and maintain a class 5 Cannabis Retail Store within the existing commercial building. With any and all variances deemed necessary to approve this application. Solicitor, Lou Garty, stated that after review of the notices they are in compliance.

Cheryl Lynn Walters, Esquire, of Nehmed Davis & Goldstein, explained the site's history, noting it was a former gas station needing various improvements like adding parking, repairing driveways, landscaping, and renovating building. The application was initially scheduled for a hearing on February 5th, 2025, but was postponed multiple times at the applicant's request. Walters gave details of the process of provisioning proper notice and the materials on file, including the witness and exhibit list. Before starting the application, Walters stated for the record that since they are entitled to seven members and the board only has 6 members, they will start the application tonight and will be carrying it to the next meeting, June 3rd, 2025. Two witnesses will be heard tonight.

Daniel Paterson, PE & LS, Site Civil Engineer, sworn in and explained exhibits:

A1: Existing Conditions Survey, Patterson Surveying & Engineering, LLC, dated 10/31/24.

A2: Enlarged Site and Circulation Plan, Patterson Surveying & Engineering, LLC, dated 10/31/24.

A3: Circulation and Lighting Plan, Patterson Surveying & Engineering, LLC, dated 10/31/24

Patterson described the existing site conditions, including the parking lot, existing building, and gravel area used for parking. The site is largely non-conforming with current ordinances and no changes are proposed to the existing non-conforming conditions. Patterson outlined the proposed

improvements, including maintaining two-way traffic from Black Horse Pike and one-way traffic from Marlborough Ave. The site will have 190-degree parking stalls, 90-degree parking including ADA space, and four parallel parking stalls for employees. A designated loading area will be enclosed by a new fence, and existing lighting will be expanded with mounted lights. The site will not require additional stormwater management as the site is largely impervious, and existing runoff will continue to the state highway. Patterson explained the proposed lighting plan, which included building-mounted lights and existing street lights on utility poles. The site will maintain existing landscaping along the property line and add small plantings in corners and at the front. The rear property line will have sporadic large arborvitae replaced with new plantings to create a solid vegetative buffer. Existing pavement conditions will be repaired, and the driveway apron on Marlborough Ave. will be refurbished. The vehicle in A2, is an armored truck delivery vehicle that will enter on Marlborough Ave, back into the delivery area and pull back out. They will also use small transit vehicles. The lack of a trash enclosure will be explained in operational testimony at the next meeting. Walters addressed certain items from their point-by-point response, including a waiver request for environmental information regarding the gas tank that used to be on site, in which they have that documentation now and other DEP documentation that's been closed out; this will be provided in advance of the next meeting. Paterson confirmed that he will be present at the next meeting for questions. The board agreed to hold questions until the next meeting, June 4th, 2025.

Chris Hammel, Architect, sworn in and explained exhibits:

A4: Floor Plan and Elevations, dated 12/8/2024

Hammel explained the proposed changes to the front of the building, including the removal of the garage doors, adding windows, and re-doing the face of the building to make it aesthetically pleasing using stucco. He described the current signage and proposed plans to replace/reface signs. Hammel described the proposed floor plan, which included an entry to a lobby with security and ID check, break room, IT room, vault, intake room, employee bathroom, lobby, office, dispensary, mechanical room, and loading area.

Paterson confirmed he will be present at the next meeting for questions.

The board agreed to hold questions until the next meeting date, June 4th, 2025.

This application will be carried to the special meeting date of June 4th, 2025, which has already been published. Richard Rotz, opened the application up to the public.

Public Comment:

John Kendall, 120 Washington Ave, sworn in.

Mr. Kendall, wanted to know if the oil tanks had been taken out.

Richard Sparks, 300 Black Horse Pike, sworn in.

Mr. Sparks owned the property for the last 25 years and confirmed that when he bought the property, he spent hundreds of thousands of dollars cleaning it up. He removed the ground lifts and obtained a "no further action" letter from the State of New Jersey Environmental Protection Agency. A remedial action report was filed, indicating the site has been fully remediated. The applicant will provide copies of these documents to the board before the next meeting. Mr. Kendall, also inquired why this variance requires a supermajority vote. Lou Garty, responded and explained that this is a use variance, which by statute, requires a greater burden of proof and a higher level of voting.

Craig Bell, 12 Nicholson Rd, sworn in.

Mr. Bell questioned the two-way access claim, noting that due to the median on Black Horse Pike, vehicles can't truly go both ways. He was concerned that vehicles entering the dispensary would have to use residential streets to exit. Walters, clarified that "two-way" refers to the Black Horse Pike entrance/exit, and they are limiting Marlborough Ave access to one-way in only. All traffic will be redirected back onto Black Horse Pike in the same direction to prevent vehicles from going through the neighborhood. Mr. Bell also asked about obtaining a list of variances, which Walters suggested he could get by contacting the office or requesting a copy of the application package.

Lou Garty Confirmed that this application and any additional public comment will be carried to the next special meeting date, June 4th, 2025, and no further publication is required. Walters, requested copies of certifications from any missing board members planning to attend the next meeting for her file.

Frank Ryan & Commissioner Mulroy re-joined meeting

Affordable Housing Ordinance Review

Lou Garty explained that the township commissioners had a first reading of Ordinance 1476, amending Chapter 12 relating to land use development. The ordinance involves a local housing overlay and requires a report from the planning board on its consistency with the master plan. Greg Fusco, Township Engineer, was sworn in to provide planning testimony. He began by reading excerpts from the re-examination report, explaining the township's obligation to address affordable housing units through various programs and settlement agreements. Fusco, details the township's history of addressing affordable housing units from 1987 to 1999, including specific projects and sites. The township is considering establishing an overlay inclusionary zoning in commercial areas to address its affordable housing obligations. Fusco, introduced Mary Beth Lonergan, the township's affordable housing planner, and explained her role in coordination with the township solicitor and his office. He explained how the fourth-round obligation for affordable housing in New Jersey has ended, increasing the township's obligation to provide more units. Frank Ryan, discussed the resolution and the hearing before Judge Fauci in 2020, noting the long period of inactivity until recently. Fusco, explained the challenges of planning and location for affordable housing in fully developed municipalities with limited vacant land. Fusco, also explained that the overlay adds an additional level of zoning to commercial areas, allowing for residential uses without extensive redevelopment plans. He elaborated on the overlay zoning, emphasizing its flexibility and the potential for commercial properties to include residential units. The board inquired about the specifics of the overlay, including the number of affordable units required in new developments. Fusco, clarified that the overlay creates more opportunities for additional uses rather than new restrictions. The board asked about the approval process and the township's obligation to comply with affordable housing requirements. Garty restated that the board's duty is to review the ordinance and determine its consistency with the Master Plan. Jose Calvez, complimented the planning consultant and the overlay zoning proposal, noting its alignment with the master plan and mixed-use development goals. Fusco, mentioned the next step of creating a vacant land system to include environmental constraints in the zoning. Richard Rotz opened the meeting to the public.

Public Comment:

John Kendall, 120 Washington Ave, sworn in.

Mr. Kendall, is a long-time resident and expressed his support for the affordable housing plan.

A motion by Joe Buono to close the public section, and seconded by Jose Calvez. Motion carried.

Lou Garty, prepared a draft resolution recommending the adoption of Ordinance 1476, noting its consistency with the master plan and its role in meeting the township's constitutional obligation.

Jose Calvez made a motion finding this Ordinance consistent with the master plan, and seconded by Frank Ryan. Motion Approved (7-0 vote).

The Board Chairman will sign the resolution, and the board secretary will provide a copy to the municipal clerk.

ZONING OFFICE REPORT:

Lee Palo, gave a brief summary of next month's meeting which includes 3 commercial applications, counting the continuation of Application 25-02.

RESOLUTIONS:

Lou Garty reviewed and explained the resolutions:

- 25-16 – 625 Rhoads Ave
- 25-03 – 601 Crescent Blvd
- 25-07 - 662 E. Greenman Ave
- . 25.-12 - 209 Cooper Street
- . 25-13 - 215 Emerald Ave

A motion by Jose Calves to accept the above resolutions and seconded by Joe Buono. Commissioner Mulroy and Frank Ryan Abstained from Application 25-03 – 601 Rhoads, Greg Wells abstained from all. Motion carried.

Richard Rotz opened the meeting up to the public.

PUBLIC COMMENT:

John Kendall, 120 Washington Ave, sworn in.

Mr. Kendall, cautioned the board about unpermitted fences and structures.

A motion by Joe Buono to close public comment and seconded by Chris Jandoli. Motion carried.

With no further business tonight for the Haddon Township Planning/Zoning Board a motion by Gregory Wells to close the meeting and seconded by Joe Buono. Motion carried.

Next meeting – Special Meeting Date, Wednesday, June 4th, 2025.

Meeting Adjourned at 10:20 P.M.