

The Township of Haddon Planning/Zoning Board

Meeting Minutes

Thursday, September, 4th 2025

A regular meeting of the planning/zoning board of the Township of Haddon was held on Thursday, September 4th, 2025, in the municipal building court room (2nd floor), located at 135 Haddon Ave, Haddon Township, New Jersey was called to Order by Richard Rotz.

Flag Salute

Confirmation of Sunshine Law

Roll Call

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

Also

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

APPROVAL OF MINUTES:

A motion by Foley to approve the minutes from August 7th, 2025, and seconded by Downham. (Rotz abstained). Motion carried.

OLD BUSINESS: None.

NEW BUSINESS:

Application 25-18 – Block 8.10 Lot 26 & 27 – Zone C-1 – 931 White Horse Pike – UK Brothers 11, inc. –
Applicant Is seeking to build a Nifty Fifty restaurant. Needs a major site plan approval as well as a Bulk “C” variance. With any and all variance deemed necessary to approve this application.

The applicant, UK Brothers II, Inc., appeared before the Board seeking preliminary site plan approval with associated variances for the redevelopment of the former Newton Diner site at 931 White Horse Pike, located in the C-1 Downtown Zone. Attorney for the applicant, Robert Mintz, confirmed that notice had been properly served and taxes were current. Solicitor, Lou Garty, stated that after review of the notices

they are in compliance. Testimony was provided by Leo McGlynn of Nifty Fifty's, engineer and planner Andrew "Andy" Simpkins, P.E., P.P., and traffic engineer Dave Horner. All witnesses were duly sworn in.

Mr. Simpkins presented the site and design testimony. He explained that the proposed restaurant will be approximately 3,900 square feet in size, about 700 square feet smaller than the footprint of the former diner. The project reduces impervious coverage and provides additional green areas. The site is constrained by utilities, including a sanitary sewer line running through the center of the property and a water line along the rear. The building was shifted and angled to maintain at least ten feet of clearance from the sewer, except at one corner where the setback is reduced to approximately seven and a half feet. A closed-circuit inspection of the sewer line was conducted on August 18th 2025, confirming that the terracotta line had been lined and sleeved and was in good condition.

The site will retain three existing driveways on White Horse Pike, E. Holly Avenue, and E. Park Avenue. Thirty-eight parking spaces, including two ADA-compliant spaces, will be provided. This represents a slight reduction from forty-two spaces previously shown, as four spaces were removed along the Pike to increase green space. Additional improvements will include resurfacing, new LED lighting (three pole-mounted and twelve wall-mounted fixtures), enhanced landscaping, and streetscape elements consistent with Township guidelines. The restaurant will have a maximum seating capacity of ninety-four, with approximately ten employees per shift. Hours of operation will be 11:00 a.m. to 11:00 p.m. on weekdays and 11:00 a.m. to 12:00 a.m. on weekends. Deliveries and trash collection will occur two to three times per week between 8:00 and 10:00 a.m. Operations will rely primarily on paper and cardboard service ware, resulting in limited dishwashing and grease use.

The Board discussed zoning compliance and noted that bulk standards were substantially met. With respect to signage, the applicant presented a brand package featuring 1950s-style neon window signs and a building identification sign. The Board expressed concern about compliance with the Township's sign ordinance, including the number and size of proposed window signs. It was determined that the applicant would return at final site plan stage with a complete sign package and any required variance requests.

Exhibits Marked:

- A-1: Colored rendering / proposed site layout (revised building placement), Consulting Engineer Services, O. Andrew Simpkins, dated 3/26/25
- A-1A: Prior site plan (for comparison), Consulting Engineer Services, dated 3/26/25
- A-2: Aerial/photographs showing historic impervious coverage and fence/buffer, Consulting Engineer Services, dated 3/26/25
- A-8A to A-8C: Signage elevations/illustrations (brand motif and window/ID signs), Urban Sign Group, dated 3/18/25

Mr. Horner, the applicant's traffic engineer, testified that no NJDOT access permit was required and that the Department had issued a letter of no interest, since the project was not expected to generate a significant increase in traffic compared to the prior diner use. Circulation improvements include the

addition of green space at the Pike driveway and reconfiguration of certain parking areas to improve safety.

Mr. McGlynn, president of Nifty Fifty's, testified regarding operations. He described the company's 40-year history and current operations at nine other locations. He noted the brand's emphasis on fresh, made-in-house food, including grinding meats and making ice cream on site. The property will be leased for a 30-year term. He confirmed that the restaurant will primarily use paper and cardboard service ware, with limited dishwashing. Deliveries will occur after 8:00 a.m., typically between 9:00 a.m. and noon, using box trucks. He reiterated that neon signage is central to the Nifty Fifty's brand identity but acknowledged that detailed sign information would be submitted at a later date.

Richard Rotz opened the application to the public.

Public Comment:

Robert Dempsey of 5 East Holly Avenue raised concerns about traffic circulation and safety on Holly Avenue, including potential for wrong-way movements, and requested directional exit signage.

Denise San Filippo of 10 East Park Avenue opposed the application, arguing that the site should be reserved as parking or green space for the Arts Center and Ritz Theater. She cited concerns regarding traffic, placement of the trash enclosure, rodent issues, neon lighting, and applicant history.

Lauren Cybulski of 6 East Park Avenue also expressed concerns about traffic circulation, overflow parking during events, and signage aesthetics.

Maria Glinos of 7 East Park Avenue objected to the dumpster placement adjacent to her property, questioned the variance standards, and raised concerns about sight lines, grease impacts, and loss of buffer.

Andria Ayer of 100 East Ormond Avenue spoke in favor of the application, citing the positive impact of redeveloping a site that had been vacant for fifteen years and the potential for local jobs and community gathering space. She suggested that directional signage and circulation controls would help address neighborhood concerns.

Foley made a motion to close public comment and Downham seconded. Motion carried.

The Board engineer, Mr. Fusco, reviewed his report. He noted that the applicant would be required to obtain an easement for the existing sanitary sewer line and to resolve right-of-way issues relating to lighting and signage. He recommended enhanced directional signage to address circulation concerns and confirmed that the applicant had agreed to construct a masonry trash enclosure with soft-closing gates, set back twelve feet from the fence and screened with arborvitae.

The Board solicitor summarized the application, noting that preliminary site plan approval ONLY was requested. Variances sought included relief for driveway setback, parking setback along E. Holly Avenue, buffer width adjacent to residential properties, and existing fence height. Waivers requested included submission of an Environmental Impact Statement and a full traffic study, with a traffic assessment accepted instead. Conditions of approval included deferral of signage to final site plan, enclosure of the dumpster, delivery restrictions, submission of NJDOT's letter of no interest, securing of a sewer easement, and resolution of right-of-way issues.

Following discussion, a motion was made by Foley to approve the pre-liminary site plan application under conditions and seconded by Wells. Motion Accepted.

Application 25-23 - Block 24.03 Lot 8 – Zone R-2 – 101 Utica Ave – William & Rebecca Davis – Applicant is seeking to construct a 5 ft front yard fence. Seeking relief of 5ft fence in front yard where 3 ft is permitted. Also, need front yard setback relief of 11.08 ft and 12.30 ft respectively and accessory building relief of 2.20 ft and 3.28 ft respectively. 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, Rebecca Davis, was sworn in and appeared before the board seeking approval to replace and relocate portions of fencing on her property. The application involves removal of an existing chain-link fence and overgrown shrubs, and installation of a new five-foot fence as shown on the submitted survey (marked in blue).

Richard Rotz marked exhibits:

- A1: Survey, Walter H. Macnamara Assoc., dated 5/23/2025.
- A2: Sample photographs of proposed fencing styles
- A3: Photo Array, Lee Palo, taken on 7/7/25, showed current conditions and were not altered in any way.

Ms. Davis testified that while the original intention had been to reinstall the fence in its prior location, she became aware that the prior fence may not have complied with setback rules. She confirmed that any new fencing would be placed within the property line in accordance with Township requirements.

The applicant presented sample photographs of proposed fencing styles, noting they preferred a design with decorative elements at the top in neutral tones rather than a solid stockade style. Members of the Board indicated that designs with variation were generally more favorably received. Testimony also confirmed that the chain-link fencing along other property lines was in good condition and would remain, and that the new fencing would be limited to the perimeter outlined on the survey.

Discussion also addressed the applicant's shed, which is situated approximately 2.8 feet from the side property line and 1.72 feet from the rear, where five feet is required. The shed pre-existed their ownership and is used for storage of lawn tools, bicycles, and similar household items. Due to its size (14 by 26 feet) and electrical connections, the applicant testified that relocation would be impractical and create hardship. The Board acknowledged the circumstances as a pre-existing condition.

Richard Rotz opened the application to the public

Public Comment: None.

Foley made a motion to close the public portion and seconded by Downham. Motion carried.

After no further discussion, Lou Garty summarized the application and updated conditions which included fence placement within the property lines, granting relief to allow the shed to remain in its present location, and also explained about style, conditions, permits, inspections, taxes, assessments, next steps, etc.

Foley made a motion to approve this application as presented with additional conditions and Downham seconded. Motion accepted and the application was approved. A resolution will be signed at the next meeting in October and the homeowner will be responsible for publishing the decision in the local paper.

Application 25-27 – Block 19.04 Lot 4 – Zone R-1 – 507 Westmont Ave - Joseph D'Ottavi– Applicant is seeking to construct a one-story addition connected to the garage. Seeking relief of 2,500 sq ft for lot area, 25 ft for lot frontage, 25ft lot width, 1.15ft for side yard setback, 5.15 for total side yard setback and accessory building relief of 0.6 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, Joseph D'Ottavi, sworn in and summarized that he is seeking variances to construct an addition to his existing two-car garage. Mr. D'Ottavi testified that the project involves building a workshop space and raising the garage roof to permit installation of a hydraulic lift for storage of classic vehicles. The lot is undersized and contains several pre-existing nonconforming conditions with respect to setbacks and lot width.

Richard Rotz marked exhibits:

- A1: Survey, JTS Engineers and Land Surveyors, dated 6/27/25 exhibits pre-existing conditions.
- A2: Site Plans, LAMMEY + GIORGIO, dated 8/4/25 displayed demo plans, proposed plans and elevations.

Mr. D'Ottavi explained that the garage roofline would be modified from a truss to a rafter system, allowing a maximum interior clearance of approximately twenty feet. Although the zoning code generally limits accessory structures to eighteen feet, the Board solicitor and engineer determined that the request constituted de minimis relief. The addition would otherwise comply with height requirements for principal structures. Testimony confirmed that the garage would not be used for commercial purposes, auto repair, or living space, but solely for storage of personal vehicles.

The Board also discussed the presence of a shed on the property, which together with the garage constitutes two accessory structures. The applicant requested approval to allow the shed to remain, noting it was not visible from the street and backed up to public service green space. Materials for the addition would match the existing house and garage, ensuring aesthetic consistency. Lou Garty summarized the application and explained about style, conditions, permits, taxes, inspections, assessments, next steps, etc. Richard Rotz opened the application to the public.

Public Comment: None.

Downham made a motion to close the application to the public and Foley seconded, motion carried.

Foley made a motion to approve this application as presented with conditions included, and seconded by Downham. Motion Approved.

RESOLUTIONS:

Solicitor reviewed and explained the resolutions:

- 25-22 – 109 Utica Ave
- 25-24 – 14 Center Street

- 25-25 – 1105 Merrick Ave

Foley made a motion to adopt the above residential resolutions as presented and seconded by Downham. Motion Carried. (Rotz Abstained)

Richard Rotz opened the meeting to the public.

PUBLIC COMMENT: NONE.

A motion by Foley to close public comment and seconded by Downham. Motion carried.

ZONING OFFICE REPORT: Lee Palo advised that several residential applications are expected in October and discussed ongoing monitoring of a property on Route 130 where gas station tanks were being removed and a new retail use may be proposed.

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

Next meeting – Thursday, October 2nd, 2025.

Meeting adjourned at 10:11 pm.