

## **The Township of Haddon Planning/Zoning Board**

### **Meeting Minutes**

**Thursday, December, 4<sup>th</sup> 2025**

A regular meeting of the planning/zoning board of the Township of Haddon was held on Thursday, December 4<sup>th</sup>, 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	Present
James Stevenson	Excused
Commissioner Mulroy	Present
Gregory Wells	Present
Jose Calves	Excused
Meredith Kirschner	Excused
Maryrita D'Alessandro	Present
Chris Jandoli	Excused

Also

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

### **APPROVAL OF MINUTES:**

Foley made motion to approve the minutes of the November 6th, 2025 meeting and seconded by Downham. Motion carried. (Abstained: Bergmann, Mulroy, Wells, D'Allessandro)

**OLD BUSINESS:** None.

### **NEW BUSINESS:**

**Application 25-34 – Block 6.06 Lot 25 – Zone R-2 – 100 Lincoln Ave – Robert Dawalt** – Applicant is seeking to demolish an existing rear deck and pergola and construct a new rear yard wooden deck on an undersized corner lot. The property contains 3,025 sq. ft. where 6,000 sq. ft. is required. Existing nonconformities include lot area, lot frontage/width, front yard setbacks, side yard setback, and accessory structure setback. Applicant is seeking variance relief to permit the new deck and to recognize the existing conditions, 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 Jennifer Dawalt were sworn in.

Richard Rotz marked exhibits as follows:

- A1: Survey, Walter Macnamara, dated 8/27/2025
- A2: Deck elevations prepared by applicant's neighbor for proposed deck.
- A3: Photo array, taken by Homeowner of existing conditions taken by applicant.

Rotz and the solicitor reviewed the survey and zoning chart. Relief requested includes: 2,775 sq. ft. lot area relief; 20 ft. relief for lot frontage/width (50 ft. required, 30 ft. existing); relief for existing reduced front yard setbacks; 3 ft. relief for side yard setback (6 ft. required, 2.95 ft. existing); and reduced setback for an existing shed located approximately 0–3.78 ft. from the rear/side property line where 5 ft. is required. Existing 4 ft. corner fence height is to remain.

Applicant testified that the lot is pre-existing and undersized and that no land has been sold or subdivided. He purchased the property in 1999 with the existing house and fence in place. The proposed deck will be 19 ft. wide, will not extend past the existing side wall of the home, and will include stairs located approximately 8 ft. from the side property line. Photographs in A-3 show the existing deck and pergola to be removed. The new deck will be constructed in accordance with the elevations in A-2.

The Board and solicitor discussed the existing fence, which appears to lie within the public right-of-way near the sidewalk. The solicitor advised that the Board cannot authorize improvements on land not owned by the applicant or on Township right-of-way and that the applicant may be required to relocate the fence if requested by the Township. Applicant is not seeking to enlarge or extend the fence and understands it may have to be removed or relocated in the future.

The existing shed is a freestanding structure sitting on the driveway without a permanent foundation. Applicant testified that the shed could be moved, but due to its weight and driveway configuration, moving it would be difficult and create a hardship. Board professionals stated they had no fire safety concerns with the shed's current location.

Board members noted that, although the dwelling is large for an undersized lot, it does not appear out of character with neighboring properties and that the proposed deck would not negatively impact adjacent homes. Richard Rotz opened the application to the public.

**Public Comment:** None.

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

Under questioning by the solicitor, Mr. Dawalt agreed to construct the deck consistent with the submitted plans, to obtain all required permits, and to pass all inspections. He acknowledged that the improvements may increase the assessed value of his property and his property taxes. He testified that other homes in the neighborhood have similar nonconforming setbacks due to undersized lots and that the new deck will improve his enjoyment of the home and add to its value.

Foley made a motion to approve the application as presented, including variance relief for lot area, lot frontage/width, front and side yard setbacks, accessory structure setback, and existing fence height. Motion was seconded by Wells. Motion Carried.

Application 25-34 was approved. A memorializing resolution will be presented at the next meeting.

**Application 25-32 – Block 21.09 Lots 23, 31 & 31.01 – Zone C-1 – 105 & 107 Haddon Ave – OLMP, LLC –**

Applicant is seeking amended site plan approval with a use variance and bulk variances to permit a restaurant with a second-floor private dining area and a small boutique retail space within the existing building. The application also includes an enclosure of the previously approved rear outdoor dining patio. Any and all variances deemed necessary to approve this application are requested.

For the record, Mayor's Designee Frank Ryan and Commissioner Mulroy recused themselves from this application due to a conflict related to a new standards application and did not participate further. Six members remained eligible to hear and vote on the application. Solicitor Garty reported that the notice was properly published and served and adequately described the relief requested. The Board had jurisdiction.

Attorney Beth Marlin of Brown & Connery appeared on behalf of the applicant. The following witnesses were sworn: Clifton (Cliff) Quay, P.E., P.P., Stantec Consulting (engineer and planner); Jason Burrell, R.A., Ambit Architecture (licensed architect); Sam Kim, Ambit Architecture (project designer); Dominic Piperno, restaurant owner; and Lindsay Piperno, co-owner of the proposed retail space.

Exhibits:

- A1: Brand Name "Marlo"
- A2+A3: "Marlo" Store Front Visual
- A001 – A203: Architectural Renderings, Ambit Architecture
- Amended Preliminary/Final plans, Clifton Quay (Stantec)

Ms. Marlin explained that the Board previously granted preliminary and final site plan approval approximately two years ago for a 145-seat restaurant at this location on the former Fillmore Furniture/EMSL property. The overall site and parking layout remain as previously approved. The current application seeks to add a small retail boutique in previously unused space on the right side of the building, to create a second-floor private dining room at the rear, and to enclose the rear patio to allow year-round dining while improving sound and light control. Both restaurant and retail uses are permitted in the C-1 zone; however, the ordinance requires a use variance when more than one principal use occupies a single lot.

Quay testified that the previously approved restaurant has 145 seats and 18 employees at peak. The ordinance requires 1 parking space per 5 seats (29 spaces) and 1 space per 2 employees (9 spaces), for a total of 38 spaces. The Board previously granted a variance allowing 32 spaces, and that number is unchanged. The rear lot will continue to be operated as valet parking for the restaurant.

The proposed boutique retail space on the right side of the building is approximately 1,141 sq. ft., generating a requirement of 7 additional spaces at 5.5 spaces per 1,000 sq. ft. When combined, the restaurant and retail uses require 45 spaces, while 32 are provided, resulting in a parking deficit and the need for continued parking variance relief.

Quay further testified that the rear patio area is not increasing in size. It was previously approved as an open outdoor dining area. The applicant now proposes a fixed roof and more permanent enclosure system over the patio. With the addition of the roof, the patio area becomes part of the building footprint and must comply with building setback requirements. The rear yard setback requirement is 15 ft.; the enclosed patio will be approximately 8.83 ft. from the rear property line, requiring a bulk

variance. Quay noted the irregular shape of the lot and compared the proposed improvement to the prior rear building, which was approximately 2.5 ft. from the property line and has since been demolished.

Quay provided planning testimony in support of the use variance and bulk variances, citing the Township Master Plan and 2008 and 2019 re-examination reports, which identify the Haddon Avenue corridor as a key business district and specifically call out the former Fillmore Furniture site for redevelopment. He testified that the adaptive reuse of this troubled property for restaurant and small boutique retail use promotes the purposes of zoning, encourages a walkable main street environment, and is consistent with the Township's planning documents. In his opinion, the property is particularly suited for these combined uses, the positives substantially outweigh any negatives, and the proposal will not cause substantial detriment to the public good or impairment of the zone plan or zoning ordinance.

Lindsay Piperno testified regarding the retail use. The space will be operated as "Marlo," a curated women's and children's clothing and accessories boutique. Exhibit A-1 (logo/branding sheet) and Exhibit A-2 (concept storefront renderings) were marked. Retail hours requested for approval are 10:00 a.m.–7:00 p.m., Tuesday through Sunday, closed on Mondays, with the understanding that actual hours may be shorter. She anticipates 2–3 employees during peak hours. Deliveries will be made by standard UPS/FedEx-type trucks. Retail trash and recycling will be handled through the restaurant's existing arrangements. Retail customers and staff may park in the front on-site parking area; the rear lot will be reserved for restaurant valet use during restaurant hours. No separate sign variance is requested at this time; proposed signs will either comply with the ordinance or be submitted for separate Board review.

Restaurant owner Dominic Piperno testified regarding operations and the proposed second-floor private dining room. The total number of restaurant seats will remain 145 as previously approved. The outdoor tables formerly proposed along the side of the building are being eliminated; those seats are being shifted to a small private dining/bar area on the second floor at the rear of the building. The second-floor space will include approximately 20 seats and a small bar and will be used primarily for private events, work functions, and special occasions. It is not intended to operate as a separate full-service restaurant. It will be served by the existing kitchen below. Two means of egress will be provided: an exterior stair at the rear and an interior emergency stair through the back-of-house area.

Piperno testified that the rear patio will remain a dining area only and will not contain an outdoor bar. The patio will be roofed and enclosed with a more permanent glass track system instead of roll-down curtains, improving sound and light control while allowing seasonal use.

He requested the following hours of operation for the indoor restaurant and the enclosed patio: Monday–Thursday 4:00 p.m.–12:00 a.m.; Friday 4:00 p.m.–2:00 a.m.; Saturday 12:00 p.m.–2:00 a.m.; Sunday 12:00 p.m.–10:00 p.m. The hours for the outdoor patio when open (not enclosed) will remain as previously approved and unchanged: Monday–Thursday last seating around 9:00 p.m. with the patio closed by 11:00 p.m.; Friday–Sunday patio closed by approximately midnight.

Piperno explained that the requested 2:00 a.m. closing time is primarily to provide flexibility for occasional private events (such as weddings) so that if an event runs slightly later than expected, the restaurant does not violate its approval. He testified that he does not intend to operate as a late-night bar and expects typical nightly closing to be earlier, similar to other full-service restaurants in town. He reiterated his desire to be a good neighbor, noted prior commitments to an 8 ft. perimeter fence and landscaping, and stated he is willing to work with neighbors if issues arise.

The architects, Jason Burrell and Sam Kim, reviewed the architectural plans. They described the enclosed rear patio with approximately 40 seats, surrounded by planters and a green wall to screen views and headlights from the parking lot. The second-floor private dining room is located at the rear of the building, with storage space above the front portion along Haddon Avenue. There are no windows in the rear wall of the second-floor dining room, which limits views into adjoining residential properties. An 8 ft. perimeter fence, internal fencing in the 4–6 ft. range, and a 6 ft. wall/screen at the second-floor stair landing are proposed to increase privacy between the restaurant and neighbors. Exterior materials will be primarily brick with wood accents, designed to complement the applicant's existing restaurant and to provide architectural interest along Haddon Avenue. Rooftop mechanical units will be screened by parapet walls. Richard Rotz opened the application to the public.

**Public Comment:**

John Lavelle of 14 Cooper Street sworn in.

Mr. Lavelle spoke in opposition to the late closing hour of 2:00 a.m. for the indoor restaurant and enclosed patio and expressed concern about noise in a residential area. He requested clarification regarding the benefit of enclosing the patio and the proposed fence heights. Quay and Piperno responded that enclosing the patio with a roof and more solid enclosure will attenuate sound and shield light, and explained the 4–6 ft. interior fences and previously approved 8 ft. perimeter fencing. They confirmed that the outdoor patio hours do not extend to 2:00 a.m.

Joseph DeCriscio Of 5 East Walnut sworn in.

Mr. DeCriscio questioned the need for 2:00 a.m. hours and noted that his bedroom is approximately 30 ft. from the enclosure, making noise a concern. He asked for clarification of the location of the exterior stairs serving the second floor. The applicant identified the stair location on the plans and repeated that the restaurant is not intended to operate as a bar.

Kim Harley of 20 Cooper Street sworn in.

Ms. Harley questioned how valet parking would operate and whether the valet lot would be used during the day by the retail operation. Piperno testified that valet parking will be limited to restaurant hours. The rear lot will be secured for valet operations, while the front lot will remain open during the day for deliveries and retail customers, with valet staff setting up around 4:00 p.m.

After hearing all public comment, Foley made a motion and seconded by Downham to close the public portion. Motion carried.

Solicitor Garty summarized the relief requested and the supporting testimony, including the D (1) use variance to allow two principal uses on one lot, the rear yard setback variance for the enclosed patio (15 ft. required, 8.83 ft. proposed), and the continued parking variance (45 spaces required, 32 provided). She reviewed Quay's planning testimony on the positive and negative criteria, the consistency with the Master Plan and re-examination reports, the adaptive reuse of the former Fillmore Furniture/EMSL site, and the benefits of the project to the Haddon Avenue commercial corridor. She noted that prior conditions of approval from the earlier site plan approval will remain in full force and effect unless specifically modified and that the project is subject to the non-residential development fee of 2.5% of equalized assessed value for affordable housing. The applicant must obtain all required permits, pass all inspections, comply with the comments of the Board's professionals (including fire marshal and Camden County Planning Board, if applicable), and pay all professional escrow fees.

A Board member commented that the proposed boutique retail space is only slightly larger than the 1,000 sq. ft. threshold at which no parking is required for Haddon Avenue stores, and that the overlap between retail and restaurant peak hours should be manageable. Another member noted that, while the loss of the historic Fillmore building is regrettable, the Master Plan has long anticipated redevelopment of this site and that the proposed project exceeds expectations for quality and reinvestment.

Foley made a motion to approve Application 25-32 for amended site plan approval, D (1) use variance relief for two principal uses, a rear yard setback variance for the enclosed patio, and continued parking variance relief, subject to the conditions placed on the record and prior conditions of approval. The motion was seconded by Bergmann. Motion Carried.

Application 25-32 was approved. A memorializing resolution will be prepared for a future meeting.

**RESOLUTIONS:**

Resolution 25-31 – 506 Homestead Ave  
Resolution 25-18 – 931 White Horse Pike

Both resolutions were previously heard at the November 6th, 2025 meeting, and are being presented for adoption. Foley made a motion to approve the resolutions as presented and seconded by Downham. The motion carried on voice vote, with eligible members voting in the affirmative. (Abstained: Bergmann, Mulroy, Wells, D’Alessandro)

**2026 MEETING DATES:**

The Board discussed the January 2026 meeting date. Because of scheduling conflicts with the regular First-Thursday date and the New Year’s holiday, the Board agreed to hold the January meeting on Tuesday, January 6th, 2026, at 7:30 p.m. The Board Secretary will advertise the date change. Richard Rotz opened the meeting to the public.

**PUBLIC COMMENT:** None.

Seeing no one wishing to be heard, Foley made a motion and seconded by Downham to close the public portion. Motion carried.

**ZONING OFFICER REPORT:**

Zoning Officer Lee Palo provided a year-end report. He stated that zoning permits generated approximately \$15,800 in revenue for the Township during the year. There were 25 residential zoning applications and 10 commercial applications, for a total zoning-related revenue of approximately \$22,000. He commented that it was a strong year for permit activity and thanked the Board members for their service to the community. He wished the Board and their families a happy and safe holiday season and stated he looked forward to working with them in 2026.

**Next Meeting** - Tuesday, January 6<sup>th</sup>, 2025

With no further business tonight for the Haddon Township Planning/Zoning Board a Motion to close the meeting was made by Foley and seconded by Wells. Motion carried. Meeting adjourned at 9:05 pm.