



*You couldn't pick a better place.*

**ZONING BOARD OF ADJUSTMENT**  
**Thursday, August 4, 2016**  
**APPROVED MINUTES**

**OPENING:** The meeting was called to order by Chairman Jonathan Rardin at 7:35 pm.

**PLEDGE OF ALLEGIANCE:** Led by Chairman Rardin.

**OPMA STATEMENT:** Read by Chairman Rardin in compliance with the Sunshine Law.

**ROLL CALL**

- **Members in attendance:** Jonathan Rardin; Wyatt Sklar; Dan DiRenzo, Jr.; Ivy Rovner; Larry Terry, Sr.; Nacovin Norman; and Jeff Potter.
- **Professionals in attendance:** Paul Stridick, AIA, Director; Jacob Richman, PP, AICP, Planner; Rakesh Darji, PE, Zoning Board Engineer; and Allen Zeller, Esq., Zoning Board Solicitor.

**COMMENTS FROM THE PUBLIC:** None.

**ADMINISTRATIVE ITEMS**

**Oath for Nacovin Norman, Alternate #1 Member of the Zoning Board of Adjustment.** Solicitor Zeller administered the Oath to Nacovin Norman.

**Oath for Jeff Potter, Alternate #2 Member of the Zoning Board of Adjustment.** Solicitor Zeller administered the Oath to Jeff Potter.

**Approval of Meeting Minutes from July 21, 2016.** Mr. Sklar made a Motion to Approve the Minutes from July 21, 2016, which was seconded by Mr. Terry, with affirmative votes by DiRenzo, Rardin, Rovner, Terry and Sklar. Motion carried.

**AGENDA ITEMS**

**16-Z-0005**

Block(s) 529.14 Lot(s) 2  
Zone: Residential (R2)

**Jeffrey Pooner**

1813 Haddonfield-Berlin Road  
Cherry Hill, NJ 08034

*Relief Requested: Use (D)3 and bulk (C) variances to permit a home occupation (law office) to construct a four (4') foot tall, approximately 6.35 SF freestanding identification sign, and a 12' X 24' rear yard shed that requires a lot coverage variance.*

**Applicant's Representatives:** Jeffrey Baron, Esq. – Applicant's Attorney; and Jeffrey Pooner – Applicant.

**Exhibits Submitted:** A-1: Site Photos; A-2: Aerial of Sign Location; A-3: Site Photo; A-4: Sign Rendering; A-5: Shed Rendering; and PB-1: Community Development Site Visit Photos.

Mr. Baron described the subject property and noted that the existing lot characteristics have created constrained conditions. Mr. Baron went through the requested variances related to the proposed identification sign and for lot coverage (due to the proposed shed). Mr. Baron explained that a portion of the lot is a stoned surface and understands that this is considered impervious coverage even though it does permit water to permeate.

Mr. Pooner explained that he is a criminal defense lawyer and that he recently moved from Garwood Drive in Cherry Hill to the subject property location. Mr. Pooner stated that the property has been used as a law office in the past and that he currently utilizes a space in the residence as his law. The law office staff consists of Mr. Pooner and his secretary. Mr. Pooner noted that he originally installed signs on his property that identified his law office but did not know they weren't permitted. The signs were taken down following receiving a letter from Community Development asking that the signs be removed. Mr. Pooner stated that since moving into the property, he has not made any improvements to the site. Mr. Pooner went through how he is meeting all other conditions required to permit a home occupation other than the proposal for the identification sign.

Mr. Baron discussed the case law related to the criteria for permitting a Use d(3) variance and how it related to the request to permit a sign identifying a home occupation. Mr. Pooner explained that the reason he is asking for a sign is because his clients have to call his office because they cannot find where he is located. Exhibits A-1 and A-2 were submitted in order to provide context to the site and its surrounding environs. Mr. Pooner described the site characteristics including the parking areas and landscaping. Mr. Pooner explained that the sign would not be visible if it was moved back to a conforming location from the property line as it would be obstructed by landscaping. Exhibits A-3 and A-4 were submitted in order to show the exact location of the proposed sign and as well as its dimensions and its look. Mr. Pooner agreed to not install any additional signage without Zoning Board approval.

Mr. Pooner stated that he is also proposing a shed measuring 12' x 24' x 12' and submitted Exhibit A-5 in order to show what the shed will look like. Mr. Pooner stated that the purpose of the shed is to store lawn maintenance equipment only. Mr. Pooner provided justification on the requested variances and stated that the sign increases safety as it helps to safely identify the law office. Mr. Baron stated that there will be no detriment to the public good and agrees to all comments in the Department of Community Development review letter. Mr. Pooner stated that he has seen no issues in regard to stormwater on the property and that the property is graded so that water goes down both driveways towards the street. A discussion then ensued regarding inconsistencies with the rear yard conditions, specifically as they relate to the stone driveway, the railroad ties, and open space in the area where the proposed shed is to be located. Mr. Richman submitted Exhibit T-1 which showed that the conditions of the site have changed from February to July. Mr. Pooner stated that he believes those changes were made by a driveway resurfacing company and prior to him officially moving in.

**Public Comment:** None.

**Motion:** Following a review of the application and conditions of approval by Solicitor Zeller, a motion was made by Ms. Rovner and seconded by Mr. Sklar, with affirmative votes for approval by DiRenzo, Sklar, Rardin, Terry, Rovner, Norman, and Potter for the approval of the Use d(3) and Bulk (C) Variances. Motion carries 7-0.

**14-Z-0038**

Block(s) 429.02 Lot(s) 3  
Zone: Residential (R2) Zone

**Schaeffer Family Trust**

42 Haddonfield-Berlin Road  
Cherry Hill, NJ 08034

*Relief Requested: Bifurcated Preliminary and Final Major Site Plan with Bulk (C) variances application to demolish a vacant single family home and construct a model home with a faux detached 3-car garage that will be used as the Schaeffer Homes' showroom/office space.*

**Applicant's Representatives:** Peter Flannery, Esq. – Applicant's Attorney; Brian Peterman, PE – Applicant's Engineer; and Jason Schaeffer – Applicant.

**Exhibits Submitted:** A-1: Aerial Photo; A-2: Overlay Exhibit; A-3: Model Home Rendering; A-4: Site Plan; A-5: Signage Exhibit; and A-6: Site Photos.

Mr. Flannery gave an overview of the site and the property and reiterated that the applicant is requesting a bifurcated preliminary and final major site plan approval with bulk variances. Mr. Flannery explained that the applicant received a use variance approval to permit the model home in a residential zone. Mr. Flannery noted that the concept plan presented to the Zoning Board during the use variance hearing is similar to one presented to the Zoning Board tonight.

Mr. Peterman submitted Exhibit A-1 and described the site location, lot dimensions, and site characteristics. Mr. Peterman noted the previously granted use variance approval for the model home. Mr. Peterman submitted Exhibit A-2 to show what changes have been made from the conceptual site plan to the one being presented to the Zoning Board. Exhibit A-3 was submitted in order to show the visual appeal of the proposed model home. Exhibit A-4 was submitted in order to show a detailed look at the site plan. Mr. Peterman stated that the applicant is proposing thirteen (13) parking spaces with a two-way access drive, ADA improvements, landscaping and screening (including a board-on-board fence along a portion of the side property line). In regard to the proposed freestanding identification sign, it was stated that the applicant has an agreement with the property owner to the north in order to be able to access the neighboring property so that they can clear overgrown foliage. Mr. Peterman stated that the applicant is currently working with PSE&G on getting a more decorative light fixture for the parking lot with the hope that it will have a more residential character. The applicant agreed to work with Community Development on selecting an acceptable light fixture design.

Mr. Peterman stated that proposed improvements are below the requirements for best management practices, but explained that stormwater will be managed properly. Mr. Peterman discussed trash generation and that it will not be significant; however, the applicant is proposing a "ghosted" trash enclosure location at the rear of the parking lot should the need arise to install an enclosure. Mr. Peterman submitted Exhibit A-5 in order to show what the proposed identification sign will look like. Mr. Peterman compared the proposed sign to the Anja building sign to show that the

signs are similar. Mr. Peterman explained that the proposed sign emulates the Anja building sign in terms of size and design. Mr. Peterman added that the sign will properly and safely identify the property. Mr. Peterman went through the necessary variances related to the sign and discussed how the site constraints and change in elevation/grade make conforming to the Zoning Ordinance difficult. The sign will be landscaped around the base per the ordinance requirements. Mr. Peterman noted that measures are being taken to mitigate the potential impacts of a reduced parking and landscaped buffer area. Exhibit A-6 was submitted to show how the site fits in contextually with the area. Mr. Peterman went through the positive and negative criteria. It was clarified that the sign is not in a sight triangle. After going through the requested design waivers, Mr. Peterman stated that the applicant will work with Community Development to add additional landscaping where appropriate.

Mr. Schaeffer described the home-building business that the Schaeffer Family Trust is involved with and how the model home and showings will operate. Mr. Schaeffer added that the proposed model home will have a faux garage that will operate as the site's office and design center. Mr. Schaeffer stated that the traffic impact will be minimal. Mr. Schaeffer explained that the colors and materials of the model home will be consistent with proposed faux garage. Mr. Schaeffer detailed the proposed sign and how the location was chosen, which was primarily due to sight lines and changes in grade on the property.

Mr. Peterman went through the Community Development and ERI review letters and agreed to do a night light function test as a condition of approval. Mr. Schaeffer stated that he will comply with the Camden County Noise Ordinance. Mr. Darji went through ERI's review letter but noted no major concerns with the applicant's site plan. A discussion ensued regarding the proposed sign and Mr. Schaeffer stated that he would like to provide uplighting for the sign. Mr. Schaeffer agreed that if uplighting is to be installed that the lights will be pinned to the ground. Mr. Schaeffer agreed to work with Community Development in regard to lighting the sign.

**Public Comment:** None.

**Motion:** Following a review of the application and conditions of approval by Solicitor Zeller, a motion was made by Ms. Rovner and seconded by Mr. DiRenzo, with affirmative votes for approval by DiRenzo, Sklar, Rardin, Terry, Rovner, Norman, and Potter for the approval of the Bulk (C) Variances. Motion carries 7-0.

**RESOLUTIONS:**

**16-Z-0017**

Block(s) 292.02 Lot(s) 1

Zone: Residential (R2)

*Relief Requested: Bulk (C) variances to construct a new two-story single-family dwelling and various site improvements on a pre-existing undersized lot, which requires various setback variances.*

**Craig H. Taylor Holdings, LLC**

725 Cooper Landing Road

Cherry Hill, NJ 08034

**Motion to Ratify:** Following the review of the resolution, Ms. Rovner made a motion which was seconded by Mr. Sklar, to memorialize the resolution for Craig H. Taylor Holdings, LLC. Affirmative votes by DiRenzo, Rardin, Rovner, Terry and Sklar. The resolution is memorialized.

**Meeting Adjourned:** at 9:24 pm.

**ADOPTED:**



**JONATHAN RARDIN, CHAIRMAN**

**ATTEST:**



**JACOB RICHMAN, PP, AICP**  
**ZONING BOARD ALT. SECRETARY**

