

**A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT  
OF THE BOROUGH OF HADDONFIELD**

Permit Number:	722-026
Property Address:	520 Woodland Avenue
Name of Owner/Applicant:	John and Marion Chaplick
Date of Hearing:	October 18, 2022
Appearances:	John and Marion Chaplick Tavis Karrow, Board Secretary Jennifer Johnson, Esq., Board Solicitor Dustin Schopen, PE, Board Engineer
Board Members Present:	Kevin Burns, Chairperson Brian Mulholland Steve Sweet Brittany Bonetti William Shanahan Lindsey Watson-McCarthy Kas Ghodoussipour-Alternate Lou Randazzo- Alternate Matt Mazza, Alternate

**PROPERTY DESCRIPTION**

Zoning District:	R7
Structures on Lot:	Single family residence

**DEVELOPMENT PROPOSAL**

Replace driveway in-kind.



**RELIEF/VARIANCE REQUESTED**

Appeal from a zoning permit denial to replace their driveway in-kind. The zoning officer denied it because driveway is in violation of ordinance Sec 135-86(B)(6)(b) which requires driveways to be set back three feet from the side property line.

**SUBMISSIONS**

Pictures of property  
Letter from homeowners  
Zoning permit denial  
Land development site design standards

**SUMMARY OF TESTIMONY AND EVIDENCE**

Appellant testified that they are aware that their driveway is a preexisting nonconforming condition but to make it conform would be impossible because of where the house is situated on the property. Moving the driveway in three feet from the property line would render it unusable.

**FINDING OF FACT AND CONCLUSIONS**

The Board understood and agreed with the Appellant's conclusion but unanimously agreed the zoning officer applied the code correctly. This situation should be submitted to the Board as a bulk variance.

**RESOLUTION**

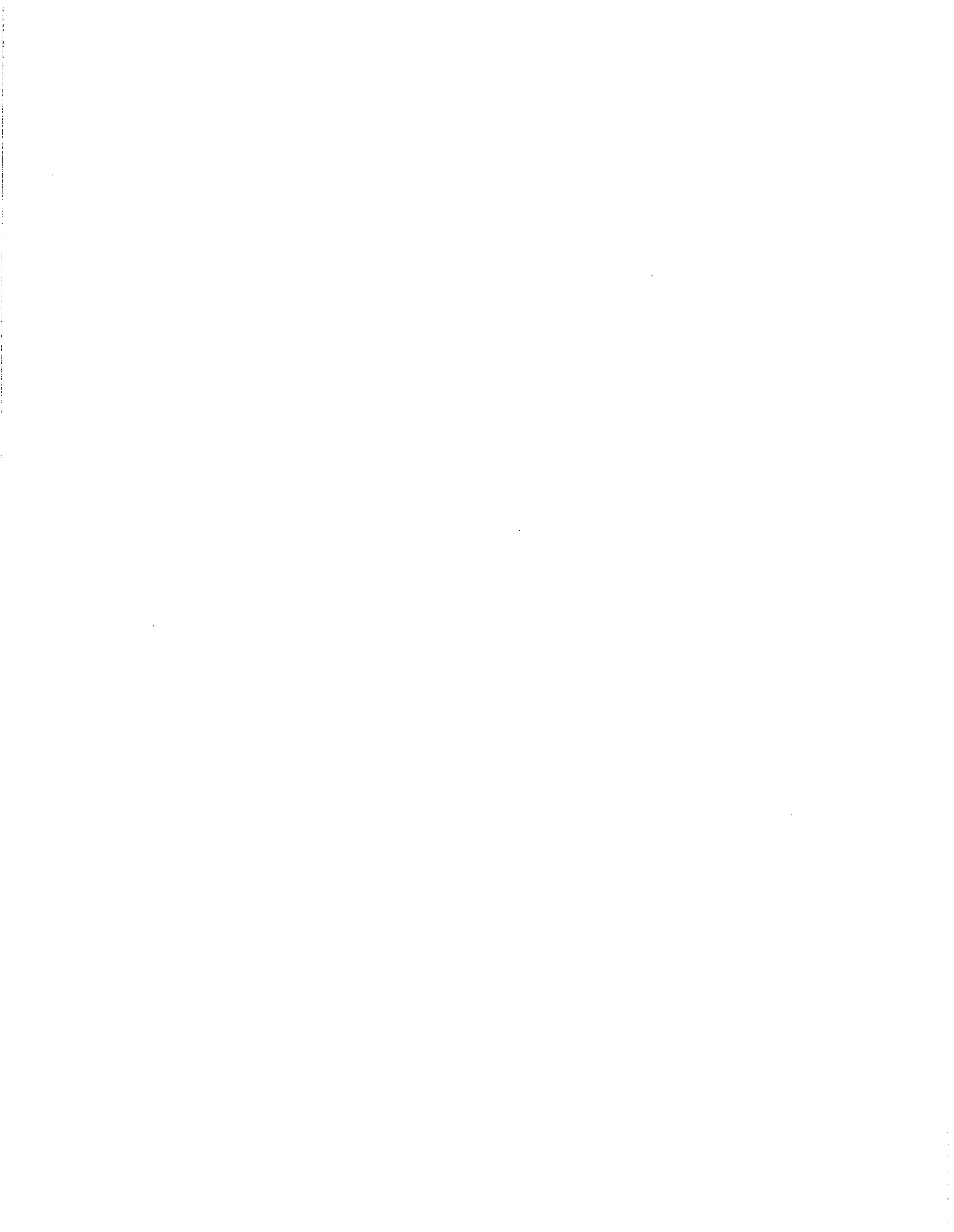
**NOW, THEREFORE, BE IT RESOLVED**, by the Zoning Board of Adjustment of the Borough of Haddonfield, that the application for an appeal of the zoning officer's decision be denied.

**CERTIFICATION**

I hereby certify that the foregoing is a true, accurate and complete copy of the resolution of memorialization adopted by the Zoning Board of Adjustment of the Borough of Haddonfield at its regular monthly meeting on November 15, 2022, memorializing action taken by the Zoning Board on October 18, 2022.

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
**TAVIS KARROW, Secretary**



**A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT  
OF THE BOROUGH OF HADDONFIELD**

Permit Number:	522-009
Property Address:	351 Kings Highway East
Name of Owner/Applicant:	Alice Previte, Executor for the Estate of M. Previte
Date of Hearing:	June 14, 2022
Appearances:	Tavis Karrow, Board Secretary Jennifer Johnson, Esq., Board Solicitor Dustin Schopen, PE, Board Engineer
Board Members Present:	Kevin Burns, Chairperson Wayne Partenheimer, Vice-Chairperson Brian Mulholland Steve Sweet Brittany Bonetti William Shanahan Lindsey Watson-McCarthy Kas Ghodoussipour-Alternate Lou Randazzo- Alternate Matt Mazza, Alternate

**PROPERTY DESCRIPTION**

Zoning District:	R-3
Structures on Lot:	Single family residence

**RELIEF/VARIANCE REQUESTED**

Appeal from a zoning permit denial to remove the house, remediate the soil and replace the house in the exact location. The denial was based on the facts that the house, as it currently sits, is in violation of the impervious coverage, single side yard and aggregate side yard setback requirements. Once the house is moved, the need to request variances for those bulk requirement violations is triggered.

**SUBMISSIONS**

House Move Support Cribbing Plan, prepared by Scope Engineering, Inc, dated 5/5/22  
Zoning permit denial  
Land development site design standards

**SUMMARY OF TESTIMONY AND EVIDENCE**

Appellant's attorney argued that since the house is currently non-conforming and will be put back in the exact location, variances aren't needed.

**FINDING OF FACT AND CONCLUSIONS**

The Board understood the Appellant's conclusion but unanimously agreed the zoning officer applied the code correctly. This situation should be submitted to the Board as an application for bulk variances.

**RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED**, by the Zoning Board of Adjustment of the Borough of Haddonfield, that the application for an appeal of the zoning officer's decision be denied.

**CERTIFICATION**

I hereby certify that the foregoing is a true, accurate and complete copy of the resolution of memorialization adopted by the Zoning Board of Adjustment of the Borough of Haddonfield at its regular monthly meeting on \_\_\_\_\_, 2022, memorializing action taken by the Zoning Board on July 19, 2022.

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
**TAVIS KARROW, Secretary**

**A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT  
OF THE BOROUGH OF HADDONFIELD**

Permit Number:	722-026
Property Address:	520 Woodland Avenue
Name of Owner/Applicant:	John and Marion Chaplick
Date of Hearing:	October 18, 2022
Appearances:	John and Marion Chaplick Tavis Karrow, Board Secretary Jennifer Johnson, Esq., Board Solicitor Dustin Schopen, PE, Board Engineer
Board Members Present:	Kevin Burns, Chairperson Brian Mulholland Steve Sweet Brittany Bonetti William Shanahan Lindsey Watson-McCarthy Kas Ghodoussipour-Alternate Lou Randazzo- Alternate Matt Mazza, Alternate

**PROPERTY DESCRIPTION**

Zoning District:	R7
Structures on Lot:	Single family residence

**DEVELOPMENT PROPOSAL**

Replace driveway in-kind.

**RELIEF/VARIANCE REQUESTED**

Appeal from a zoning permit denial to replace their driveway in-kind. The zoning officer denied it because driveway is in violation of ordinance Sec 135-86(B)(6)(b) which requires driveways to be set back three feet from the side property line.

**SUBMISSIONS**

Pictures of property  
Letter from homeowners  
Zoning permit denial  
Land development site design standards

**SUMMARY OF TESTIMONY AND EVIDENCE**

Appellant testified that they are aware that their driveway is a preexisting nonconforming condition but to make it conform would be impossible because of where the house is situated on the property. Moving the driveway in three feet from the property line would render it unusable.

**FINDING OF FACT AND CONCLUSIONS**

The Board understood and agreed with the Appellant's conclusion but unanimously agreed the zoning officer applied the code correctly. This situation should be submitted to the Board as a bulk variance.

**RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED**, by the Zoning Board of Adjustment of the Borough of Haddonfield, that the application for an appeal of the zoning officer's decision be denied.

**CERTIFICATION**

I hereby certify that the foregoing is a true, accurate and complete copy of the resolution of memorialization adopted by the Zoning Board of Adjustment of the Borough of Haddonfield at its regular monthly meeting on November 15, 2022, memorializing action taken by the Zoning Board on October 18, 2022.

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
**TAVIS KARROW, Secretary**



**A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT  
OF THE BOROUGH OF HADDONFIELD**

Application/Resolution Number:	ZBA #2022-31
Property Address:	640 Farragut Avenue
Name of Owner/Applicant:	Joseph Broudy
Date of Hearing:	October 18, 2022
Appearances:	Joseph Brody, Applicant Thomas Wagner, AIA, Applicant's Architect Tavis Karrow, Board Secretary Jennifer Johnson, Esq., Board Solicitor Dustin Schopen, PE, Board Engineer
Board Members Present:	Kevin Burns, Chairperson Brian Mulholland Steve Sweet Brittany Bonetti William Shanahan Lindsey Watson-McCarthy Kas Ghodoussipour-Alternate Lou Randazzo- Alternate Matt Mazza, Alternate

**PROPERTY DESCRIPTION**

Zoning District:	R-4
Structures on Lot:	Residential Single-Family Detached

**DEVELOPMENT PROPOSAL**

Applicant is looking to construct a new front porch to the property to the house.

### **RELIEF/VARIANCE REQUESTED**

Per Section 135-29.D(2)(b), a side yard setback of 15ft. is required, whereas 5.3 ft. exists and 5.3ft. is proposed.

Per Section 135-29.D(2)(c), a combined side yard's setback of 35ft. is required, whereas 15.1ft. exists and 15.1 ft. is proposed.

Per Section 135-29.D(4)(b), impervious coverage is limited to 30%, whereas 33.1% exists and 33% is proposed.

### **SUBMISSIONS**

Plan of survey, prepared and signed by Thomas N. Tolbert, P.L.S., Design Land Surveying P.A.,  
Plot plan, prepared and signed by Thomas N. Tolbert, P.L.S., Design Land Surveying P.A.,  
Architectural plans prepared by Thomas B. Wagner, R.A

### **SUMMARY OF TESTIMONY AND EVIDENCE**

The Applicant testified that he has made every effort to comply with every section of the Zoning Ordinances but has encountered an issue related to the current non-conformities. It is their belief that granting these variances is consistent with the intent and purpose of the applicable Zoning Ordinance with the benefits outweighing any detriment. The family intends to improve the use and appearance of their home that will be consistent with the character and feel of the neighborhood. Front porches are encouraged in Haddonfield and the addition of this porch provides for more neighborhood interaction. The new addition when complete will complement the house and add to the overall appearance. The property exceeds impervious coverage, but the construction of the porch actually reduces it by a small (.01%) percentage and will not increase any hard surfaces. Under Condition 2, it is the Applicant's belief that granting the variance would not only be consistent with and advance the purpose of the Ordinance, but that the benefit of the deviation would outweigh any purported detriment. Further, granting the variance would cause no substantial impairment of the intent and purpose of the Zone Plan and Ordinance.

NO MEMBERS OF THE PUBLIC SPOKE.

### **FINDING OF FACT AND CONCLUSIONS**

1. The Board has jurisdiction over the subject matter requiring a decision.
2. The Board Secretary had identified as complete all necessary items to apply to the Board for variance approval.
3. The variances can be granted under both NJSA 40:55D-70c(1) and c(2).
4. The Applicant has provided testimony as to the proposed use of this specific property.
5. Strict application of the zoning ordinance requirements would result in an undue hardship on the Applicant.
6. To obtain a c(1) variance, the Applicant has to show a hardship specific to the Property.

7. To obtain a c(2) variance, the Applicant has to show the variance is for a specific property, advances a purpose of zoning and that the benefits of granting the variance substantially outweigh any detriments of granting the variance.
8. The Board was compelled by the C1 argument given the lot size is 75' wide where it should be 80'.
9. Mr. Sweet commented that the placement of the house on the lot cannot be changed and building coverage is below what is allowed. Mr. Burns agreed.
10. The application advances the purposes of the MLUL in that it promotes a desirable visual environment and is in keeping with the character of the neighborhood.
11. The granting of the variances does not represent any detriment to the zone plan or ordinance as it will enhance the property and provide a visual benefit.
12. The relief requested can be granted without violating the spirit and intent of the zoning ordinance, the zone plan and the Master Plan.
13. Due notice has been given in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.) and the rules of the Haddonfield Board of Adjustment.

### **RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED**, by the Zoning Board of Adjustment of the Borough of Haddonfield, that the application for a variance be and is hereby granted, pursuant to N.J.S.A. 40:55D-70(c).

Motion By: Burns  
Seconded by: Shanahan

Board Members voting to grant the requested variances: Burns, Mulholland, Shanahan, Sweet, Bonetti, Watson-McCarthy, Ghodoussipour

Board Members voting to deny the requested variances: None

**AND, BE IT FURTHER RESOLVED** that a copy of this Resolution be maintained on file by the Construction Office of the Borough of Haddonfield available upon request and that a brief notice of this decision shall be published in the official newspaper of the Borough of Haddonfield by the Applicant.

**CERTIFICATION**

I hereby certify that the foregoing is a true, accurate and complete copy of the resolution of memorialization adopted by the Zoning Board of Adjustment of the Borough of Haddonfield at its regular monthly meeting on November 15, 2022, memorializing action taken by the Zoning Board on October 18, 2022.

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
**TAVIS KARROW, Secretary**

**A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT  
OF THE BOROUGH OF HADDONFIELD**

Application/Resolution Number:	ZBA #2022-33
Property Address:	43 Pennbrook Drive
Name of Owner/Applicant:	John and Rebecca MacFeeters
Date of Hearing:	October 18, 2022
Appearances:	John MacFeeters, Applicant Thomas Wagner, AIA, Applicant's Architect Tavis Karrow, Board Secretary Jennifer Johnson, Esq., Board Solicitor Dustin Schopen, PE, Board Engineer
Board Members Present:	Kevin Burns, Chairperson Brian Mulholland Steve Sweet Brittany Bonetti Kas Ghodoussipour-Alternate Lou Randazzo- Alternate Matt Mazza, Alternate

**PROPERTY DESCRIPTION**

Zoning District:	R-5
Structures on Lot:	Residential Single-Family Detached

**DEVELOPMENT PROPOSAL**

The Applicant is requesting relief to permit construction of an addition and elevated deck to the residential dwelling.

**RELIEF/VARIANCE REQUESTED**

The relief requested requires bulk variance approval pursuant to Ordinances 135-29D(2)(b) — single side yard setback, and 135-29D(2)(c) — aggregate side yard setback. Notably, both setbacks are pre-existing

nonconforming conditions. The proposal is to extend dwelling along the existing foundation 6.7 feet and to remove the existing elevated deck and construct a new 15' x 28.7' elevated deck.

### **SUBMISSIONS**

1. Borough of Haddonfield Land Use Application
2. Proposed Architectural Plans & Elevation, prepared by Thomas B. Wagner
3. Property Survey & Grading Plans, prepared by Walter S. Kurcharski,
4. Grading Plans, prepared by Richard E. Oberman, P.E.
5. Existing and Demolition Plans

### **SUMMARY OF TESTIMONY AND EVIDENCE**

The Applicant purchased the Property on June 3, 2021. The Property consists of a two-story single family dwelling, attached garage, and deck. The Property has ample parking in the driveway and additional parking in the garage. The Property is well landscaped and pertinent to this application, high shrubbery separating both adjoining neighbors.

The Property was listed for sale on the market for more than four (4) years (December 2016 to June 2021) prior to the Applicant's purchase. It is submitted that a significant reason that the Property remained on the open market for this extended period is the size and functionality of the kitchen and deck. The existing condition of the kitchen includes two angled corners creating an alcove, which constricts the flow and functionality of the kitchen and dining area. Similarly, the basement has a square inset that also constricts the flow and functionality. It is submitted that the proposed addition would alleviate the Property's issues, without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and ordinance.

Pursuant to the Municipal Land Use Law (MLUL), specifically N.J.S.A. 40:55D-70c(2), "in an application... relating to a specific piece of Property, the purposes of the [MLUL] would be advanced by a deviation from the Zoning Ordinance requirements and the benefits of the deviation from the zoning ordinance requirements would substantially outweigh any detriment." A C(2) Variance is also known as a Benefits vs. Detriments variance and also a flexible C variance. Significantly, under "this more flexible test," an applicant for a C(2) variance need not demonstrate hardship. Price v. Himeji, LLC, 214 N.J. 263, 297 (2013). Often, "the magnitude of the deviation from the... dimension requirements of the zoning ordinance and the impact of the zoning plan are a matter of degree" and, as such, "a board's consideration of a variance should recognize that fact." Ten Starry Dorn P 'ship v. Mauro, 216 N.J. 16, 29 (2013).

The Applicant must also satisfy justification of the "negative criteria" — that no variance or other relief may be granted... without a showing that such variance or other relief can be granted without substantial detriment to the public good and will not substantially impair the intent and

purpose of the zone plan and zoning ordinance.

It is submitted that the Applicant intends to extend a pre-existing nonconforming condition of a side yard setback and aggregate side yard setback along the eastern side of the property. Notably, this is not a self-created condition. The dwelling was initially constructed in or around 2001 within the current side-yard setback limitation, which is not compliant with the current ordinance. The proposed architectural plans alleviate the current constrictive layout at the Property. The proposed construction will be consistent with the character of the neighborhood and well-within compliance with the remaining zone ordinance requirements and impervious coverage limitations.

With respect to the negative criteria, the extension of the addition 6.7 feet and extension of deck will not cause substantial detriment to the neighborhood and will not substantially impair the intent and purpose of the zone plan and ordinance. The adjoining property most closely impacted is separated by large shrubbery (i.e. landscape) and the corner of the Property proposed to be extended is partially hidden by the landscape in place. The proposed addition is also not in view of the general public, the addition is to the rear corner of the dwelling, in an area well concealed by landscaping and trees. The rear yard is large and even with the addition, the impervious coverage is well-within the Borough's bulk standard requirements. Additionally, the dwelling has been in place, within the setback for over twenty (20) years and, to date, no issue has surfaced. The Applicant's proposal results in no identifiable detriment to the public good or neighborhood. In regard to the zone plan and zone ordinance, the Applicant submits that this variance is due to the pre-existing condition of the Property. Overall, in this proposal, it is submitted that the benefits of variance relief substantially outweigh any detriment.

NO MEMBERS OF THE PUBLIC SPOKE.

#### **FINDING OF FACT AND CONCLUSIONS**

1. The Board has jurisdiction over the subject matter requiring a decision.
2. The Board Secretary had identified as complete all necessary items to apply to the Board for variance approval.
3. The variances can be granted under NJSA 40:55D-70c(2).
4. The Applicant has provided testimony as to the proposed use of this specific property.
5. To obtain a c(2) variance, the Applicant has to show the variance is for a specific property, advances a purpose of zoning and that the benefits of granting the variance substantially outweigh any detriments of granting the variance.
6. The application advances the purposes of the MLUL in that it promotes a desirable visual environment and is in keeping with the character of the neighborhood.
7. Ms. Bonetti comments that she agreed with the Applicant in that the house was on the market for a very long time and it probably was because of the awkward layout.

8. The granting of the variances does not represent any detriment to the zone plan or ordinance as it will enhance the property and provide a visual benefit.
9. The relief requested can be granted without violating the spirit and intent of the zoning ordinance, the zone plan and the Master Plan.
10. Due notice has been given in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.) and the rules of the Haddonfield Board of Adjustment.

### RESOLUTION

**NOW, THEREFORE, BE IT RESOLVED**, by the Zoning Board of Adjustment of the Borough of Haddonfield, that the application for a variance be and is hereby granted, pursuant to N.J.S.A. 40:55D-70(c).

Motion By: Burns  
Seconded by: Bonetti

Board Members voting to grant the requested variances: Burns, Mulholland, Sweet, Bonetti, Mazza, Ghodoussipour, Randazzo

Board Members voting to deny the requested variances: None

**AND, BE IT FURTHER RESOLVED** that a copy of this Resolution be maintained on file by the Construction Office of the Borough of Haddonfield available upon request and that a brief notice of this decision shall be published in the official newspaper of the Borough of Haddonfield by the Applicant.

### CERTIFICATION

I hereby certify that the foregoing is a true, accurate and complete copy of the resolution of memorialization adopted by the Zoning Board of Adjustment of the Borough of Haddonfield at its regular monthly meeting on November 15, 2022, memorializing action taken by the Zoning Board on October 18, 2022.

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
**TAVIS KARROW, Secretary**



**A RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT  
OF THE BOROUGH OF HADDONFIELD**

Application/Resolution Number:	ZBA #2022-33
Property Address:	201 Birdwood Avenue
Name of Owner/Applicant:	Jeffrey and Janeen Shumaker
Date of Hearing:	October 18, 2022
Appearances:	Jeffrey and Janeen Shumaker, Applicant Damien O. Del Duca, Esq., Applicant's Attorney Scott Brown, Applicant's Engineer Joe Palimero, Applicant's Landscape Architect Tavis Karrow, Board Secretary Jennifer Johnson, Esq., Board Solicitor Dustin Schopen, PE, Board Engineer
Board Members Present:	Kevin Burns, Chairperson Brian Mulholland Steve Sweet Brittany Bonetti William Shanahan Lindsey Watson-McCarthy Kas Ghodoussipour-Alternate Lou Randazzo- Alternate Matt Mazza, Alternate

**PROPERTY DESCRIPTION**

Zoning District:	R-4
Structures on Lot:	Residential Single-Family Detached

**DEVELOPMENT PROPOSAL**

Jeffrey and Janeen Shumaker ("Applicants") are the owners of property located at 201 Birdwood Avenue and designated as block 2, lot 16 on the municipal tax map. The property is located in the R-5 zoning district. The Applicants propose to construct a 524 sf pool and spa, 625 sf patio, pergola, outdoor fireplace, new fencing and landscaping in the rear of the existing single family home.

### **RELIEF/VARIANCE REQUESTED**

1. Section 135-30(D)(4)(b) – Maximum impervious coverage – 32% permitted, 27.15% existing and 36.31% proposed;
2. Section 135-30(D)(4)(a) – Maximum building coverage – 20% permitted; 19.93% existing; 21.50% proposed;
3. Section 135-30(D)(2)(a) – Minimum front yard – 30 feet required; 23.8 feet existing and proposed (existing non-conformity);

### **SUBMISSIONS**

1. Variance application, including an application summary;
2. Grading Plan prepared by Ransom Consulting, LLC, dated June 22, 2022, last revised September 9, 2022 (1 sheet);
3. Landscape Design Plan prepared by Ledden Palimeno, dated June 21, 2022, last revised August 10, 2022, (1 sheet);
4. Stormwater Management Report, prepared by Ransom Consulting, LLC, dated September 9, 2022;
5. Color photographs of the property;

### **SUMMARY OF TESTIMONY AND EVIDENCE**

The Applicant's attorney Damien Del Duca began by explaining that the Applicant is looking to install a pool and some accompanying structures in the backyard of their yard. The property currently has 27.15% impervious coverage, where 32% impervious coverage is allowed in the R-5 zone. The Applicants propose a stormwater management system comprised of a recharge system, which will offset the additional impervious coverage proposed at the property. The stormwater management system is designed to capture and infiltrate all 1,251 sf of additional impervious coverage proposed for a 25-year storm event. Based on the function and design of the stormwater management system, the property will function as if it has 24.57% impervious coverage, which is below the ordinance limit of 32%.

The Applicant's attorney argued that the variances can be granted under N.J.S.A. 40:55D-70(c)(2) (where a deviation from the zoning ordinance advances a purpose of zoning and the benefits of the deviation substantially outweigh the detriments). The Applicants proposed stormwater management system will have the net effect of creating functional impervious coverage of approximately 24.57% on the property with the system installed. Additionally, the pool, spa and other backyard improvements will not have a detrimental impact on the Borough's zoning scheme as it will enhance the overall property, provide a visual benefit and it will hold stormwater. One of the goals of the Borough's zoning scheme and Master Plan is to promote the general welfare of the population and encourage outdoor gathering spaces,

which would be advanced by this project.

The Applicant's engineer testified that the proposed improvements are proportionate to the lot and are consistent with the other rear-yard improvements throughout the neighborhood. One purpose of the ordinance is to manage excess stormwater drainage. They submitted that the Applicants' proposal is consistent with this ordinance's purpose.

Janet Hallahan and Rick Montegna of 501 Hopkins opposed the application and were represented by counsel Rich Israel, Esq. They also had engineer Sam Ranuaro, P.E., P.P. of SR3 Engineers testify on their behalf. Mr. Ranuaro stated that the pool may exacerbate the ground water on the neighbor's property.

Sherry Gallagher of 520 Chews Landing Road spoke out about the importance of maintaining pervious coverage on properties in town. Craig Zappetti of 200 Birdwood Ave spoke in favor of the application. He stated that his neighbors do every improvement just right and with high quality materials. He is sure they will make this improvement with the same standards. He also mentioned that there are a lot of pools in the area.

#### FINDING OF FACT AND CONCLUSIONS

1. The Board has jurisdiction over the subject matter requiring a decision.
2. The Board Secretary had identified as complete all necessary items to apply to the Board for variance approval.
3. The variances cannot be granted under NJSA 40:55D-70c(2).
4. The Applicant has provided testimony as to the proposed use of this specific property.
5. To obtain a c(2) variance, the Applicant has to show the variance is for a specific property, advances a purpose of zoning and that the benefits of granting the variance substantially outweigh any detriments of granting the variance.
6. Mr. Sweet doesn't agree that the variance benefit anyone other than the applicant. He thinks it is oversized and is not in favor of giving them extra when they don't need it. Ms. Watson-McCarthy agreed.
7. Mr. Ghodoussipour stated that he is not in favor of approving an application with so many contingencies.
8. Mr. Mazza mentioned that the water flows toward the pond which will impair the neighbors.
9. The Board as a whole did not think the negative criteria had been met.
10. The application does not advance the purposes of the MLUL in that it cannot be proven that it will substantially reduce the water infiltration on the neighbor's property.

11. The granting of the variances does represent a detriment to the zone plan or ordinance as it increases the impervious coverage of the property beyond what is allowed.
12. Due notice has been given in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et. seq.) and the rules of the Haddonfield Board of Adjustment.
13. The following conditions were agreed to by the Applicant, should the Board approve the application:
  - a. The ground under the pergola must remain grass.
  - b. Add an extension pipe to the recharge system on the southern side of the entire pool and additional impervious coverage.
  - c. Record a maintenance plan.
  - d. The fence adjacent to the 501 Hopkins be changed so you can see through the slats and it is not solid.
  - e. Pool equipment will be moved to the back, left corner of the yard.
  - f. Gravel in the top left corner of the yard will be removed and made pervious.

### **RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED**, by the Zoning Board of Adjustment of the Borough of Haddonfield, that the application for a variance be and is hereby denied, pursuant to N.J.S.A. 40:55D-70(c):

Motion By: Burns  
Seconded by: Sweet

Board Members voting to grant the requested variances: Burns, Shanahan,

Board Members voting to deny the requested variances: Mulholland, Sweet, Bonetti, Watson-McCarthy, Ghodoussipour

**AND, BE IT FURTHER RESOLVED** that a copy of this Resolution be maintained on filed by the Construction Office of the Borough of Haddonfield available upon request and that a brief notice of this decision shall be published in the official newspaper of the Borough of Haddonfield by the Applicant.

**CERTIFICATION**

I hereby certify that the foregoing is a true, accurate and complete copy of the resolution of memorialization adopted by the Zoning Board of Adjustment of the Borough of Haddonfield at its regular monthly meeting on November 15, 2022, memorializing action taken by the Zoning Board on October 18, 2022.

Dated: \_\_\_\_\_, 2022

\_\_\_\_\_  
**TAVIS KARROW, Secretary**