

**BOROUGH OF GIBBSBORO  
PLANNING/ZONING BOARD MINUTES  
November 10, 2020  
7:00 P.M.**

**Meeting called to order**

**Opening Statement:** “All the notice requirements of the Open Public Meeting Act have been complied with in full”.

**ROLL CALL**

Present:

Chairwoman LuAnn Watson  
Vice Chairman Councilman Jack Flynn  
Mayor Edward G. Campbell  
Mr. Dennis Deichert  
Ms. Barbara Gellura  
Mr. Michael Kelly  
Mrs. Susan Croll  
Mr. Barry Rothberg  
Mr. John Ritz

Absent:

Professionals: Solicitor, Donald S. Ryan  
Engineer, Gregory Fusco  
Planner, Brian Slaugh

Chairwoman Watson asked for a moment of silence for the first reported death in Gibbsboro from COVID-19.

**RESOLUTIONS**

**PB2020-11-20            RESOLUTION GRANTING WAIVER OF SITE PLAN WITH  
CONDITIONS TO LARRY STELLER AND TAMMY PETERS FOR A  
PORTION OF THE PROPERTY AS A HEALTH AND WELLNESS  
CENTER FOR THE PREMISES 250 HADDONFIELD-BERLIN  
ROAD, GIBBSBORO, NEW JERSEY**

On October 20, 2020, the Borough of Gibbsboro Planning Board held a public hearing at which time the following members were present virtually:

LuAnn Watson, Chairperson  
Ed Campbell, Mayor  
Jack Flynn, Councilman  
Susan Croll  
Barbara Gellura  
Barry Rothberg  
John Ritz

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Michael Kelly  
Dennis Deichert

The following were also virtually present at the meeting:

Donald S. Ryan, Planning Board Attorney  
Amy C. Troxel, Planning Board Secretary  
Greg Fusco, Planning Board Engineer  
Brian Slaugh, Planning Board Planner

**SUBJECT**

The Board considered the application of Perfect Fitness, LLC, which is a proposed tenant at the property located at 250 Haddonfield-Berlin Road, Gibbsboro, NJ. The property is also known as Block 42, Lot 12.04 on the Gibbsboro Tax Map.

The property is owned by Tammy Peters.

The property is located in the Shopping Center Office District (SCO).

The applicant seeks a waiver of site plan on behalf of Perfect Fitness, LLC, which describes itself as family fitness studio.

The application is made in accordance with the Gibbsboro Site Plan Ordinance Section 324-6C.

The following witnesses appeared virtually, were sworn and testified in support of the application:

- John Cairo, Director of Personal Fitness, LLC
- Larry Stellar, owner's representative

Brian Slaugh, Planning Board Planner and Greg Fusco, Planning Board Engineer, appeared virtually, were sworn and testified in connection with this application.

The following exhibits were also included as part of the record:

- A-1 Application for Development dated 9/9/2020
- A-2 Letter dated 9/23/2020 from SFA to Planning Board

No one appeared during the public portion of the hearing to testify.

**FINDINGS OF FACT**

The Planning Board, having determined that the Application was in proper form and having examined the Exhibits and considered the testimony, finds as follows:

1. The Gibbsboro Planning Board has jurisdiction to issue a site plan waiver in accordance with the Gibbsboro Site Plan Ordinance Section 324-6C.
2. The applicant is Personal Fitness, LLC, which is a proposed tenant for a portion of the premises located at 250 Haddonfield-Berlin Road, Gibbsboro, NJ. The property is also known as Block 42, Lot 12.04 of the Gibbsboro Tax Map.
3. The owners of this property have consented to this application.
4. The property is located in the Shopping Center Office District (SCO) as defined in Section 400-20 of the Gibbsboro Zoning Ordinance.
5. The requested use is a permitted use as an indoor recreational facility.
6. Based upon the testimony provided by John Cairo, the applicant proposes to conduct a personal fitness center, which will include a health care center for working age individuals, child care,

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health and wellness seminars, fundraisers and charity events. The activities would include spinning, golf, yoga and other recreational and wellness activities. The hours of the facility would begin at approximately 5:30 am and would continue to 9:00 pm with a possible interruption of activity during midday. The facility would be open seven days per week.

7. As part of the record, the Planning Board finds prior Planning Board resolutions as set forth below:

- Resolution 06PB-2-08, Resolution 08PB-3-09, Resolution 17PB-6-11.

8. The property was originally a skating rink and was later converted to a professional office building for professional and medical offices. Thereafter, the property became vacant as a result of economic situations and a foreclosure and is presently vacant.

9. The proposed tenant would occupancy approximately 25% of the building (10,000 square feet).

10. The criteria of granting site plan waivers are contained in Section 324-6C of the Gibbsboro Site Plan Ordinance. The Planning Board may waive the requirement of site plan approval when it determines that the proposed development change of use or occupancy does not affect the existing conditions of the lot or the premises, including topography, open space, walkways, means of egress and ingress, landscaping structures, signs and parking considerations.

11. That Planning Board determined that the primary consideration in reviewing the site plan waiver request is the availability of parking spaces to the proposed use, as well as additional occupants of the subject property.

12. The applicant testified that it estimated its peak parking use to reach roughly 60 attendees. However, at any given time the parking needs may reach as many as 100 members in attendance. The attendees may include children where they arrive with their parents in one vehicle and some members are husbands and wives in one vehicle.

13. The Planning Board finds that it is significant that there is a recorded cross-parking easement covering this property with the neighboring property. In addition, there is parking available in the nearby Pole Hill parking lot, which is owned by the Borough of Gibbsboro. The Planning Board concludes that sufficient parking spaces are available for this property, including the proposed fitness center.

14. The Planning Board finds that the property is currently in a status of delinquent real estate taxes and the payment of taxes is a condition of approval.

15. The Planning Board further determines that no signage has been approved with respect to this application. The applicant has agreed to remove a temporary sign on the premises and the applicant or owner will make application for appropriate signage at a future date.

### **CONCLUSIONS**

16. The Planning Board concludes that the applicant is entitled to a Site Plan Waiver based upon the testimony above, particularly as to the availability of parking spaces at the subject lot and adjoining locations.

### **RESOLUTION**

On the motion of Mayor Campbell, seconded by Susan Croll, the Planning Board voted 9-0 to grant a Site Plan Waiver to Perfect Fitness, LLC for the uses described, subject to the condition that the Certificate of Occupancy for this applicant shall not be issued prior to the payment of real estate taxes outstanding on or before 12/31/20, whichever date is earlier.

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**ROLL CALL VOTE**

LuAnn Watson	Yes
Ed Campbell	Yes
Jack Flynn	Yes
Barbara Croll	Yes
Barry Rothberg	Yes
Michael Kelly	Yes
John Ritz	Yes
Barbara Gellura	Yes
Dennis Deichert	Yes

Motion to approve resolution Mayor Campbell, second Mr. Deichert

Poll: E.C. Aye S.C. Aye D.D. Aye J.F. Aye B.G. Aye M.K. Aye L.W. Aye

**PB2020-11-21 RESOLUTION GRANTING A CERTIFICATE OF APPROPRIATENESS TO CARYN AND EVAN POLIN FOR THE INSTALLATION OF A FENCE AT THE PREMISES LOCATED AT 21 YARMOUTH WAY, GIBBSBORO, NEW JERSEY**

On October 20, 2020, the Borough of Gibbsboro Planning Board held a public hearing at which time the following members were present:

- LuAnn Watson, Chairperson
- Ed Campbell, Mayor
- Jack Flynn, Councilman
- Susan Croll (recused)
- Barbara Gellura
- Barry Rothberg
- John Ritz
- Michael Kelly
- Dennis Deichert

The following were also present at the meeting:

- Donald S. Ryan, Planning Board Attorney
- Amy C. Troxel, Planning Board Secretary
- Greg Fusco, Planning Board Engineer
- Brian Slaugh, Planning Board Planner

**SUBJECT**

The Board considered the application of Caryn and Evan Polin, who are the owners of the premises 21 Yarmouth Way, Gibbsboro, NJ. The property is also known as Block 18.08, Lot 2 on the Gibbsboro Tax Map.

The property is located in the R-40 Residential Zone and the Historic District. The property requires a Certificate of Appropriateness in accordance with Section 222-7(a)(1) of the Gibbsboro Historic Preservation Ordinance and the New Jersey Municipal Land Use Law N.J.S.A 40:55D-110.

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The applicants did not appear.

Brian Slaugh, the Planning Board Planner reviewed the application, appeared virtually, was sworn and testified in connection with this application.

The following exhibits were also included as part of the record:

- A-1 Application of Certificate of Appropriateness dated 10/8/2020
- A-2 Specifications and photograph of the subject proposed fence
- A-3 Survey of the subject property prepared by James Clancy, dated 6/11/09 depicting the location of the proposed fence

PB-1 Review letter of Brian Slaugh dated 10/15/2020.

No one appeared during the public portion of the hearing to testify.

### **FINDINGS OF FACT**

The Planning Board, having determined that the Application was in proper form and having examined the Exhibits and considered the testimony, finds as follows:

1. The Gibbsboro Planning Board has jurisdiction to approve the application for Certification of Appropriateness in accordance with N.J.S.A 40:55D-110 and Section 222-7(a)(1) of the Gibbsboro Historic Preservation Ordinance.
2. Applicants seek to enclose half of their rear yard with a black picket fence. The fence would attach to the side of the house beyond the driveway to the left and at the rear right corner. The fence would be 54” in height.
3. Brian Slaugh, Planning Board Planner, determined that the application is sufficiently complete. He testified that the house in question was constructed in 1997 and as such it is too new for historic status. Consequently, the house would be considered a non-contributing structure to the historic fabric of the municipality.
4. Brian Slaugh, Planning Board Planner recommended that the Certificate of Appropriateness be granted.

### **CONCLUSIONS**

5. The Planning Board concludes that the applicants have satisfied the criteria for granting a Certificate of Appropriateness and complies with the review standards under Section 222-8 of the Borough Ordinance.

### **RESOLUTION**

On the motion of Mayor Campbell, seconded by Councilman Flynn, the Planning Board voted 8-0 to approve the Certificate of Appropriateness to Caryn and Evan Polin for the installation of the black picket fence in accordance with the plans submitted and the recommendation of the Planning Board Planner.

### **ROLL CALL VOTE**

LuAnn Watson	Yes
Ed Campbell	Yes
Jack Flynn	Yes
Barbara Gellura	Yes
Barry Rothberg	Yes

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Michael Kelly	Yes
John Ritz	Yes
Dennis Deichert	Yes

Motion to approve resolution Mayor Campbell, second Ms. Gellura

Poll: E.C. Aye S.C. Recused D.D. Aye J.F. Aye B.G. Aye M.K. Aye L.W. Aye

**PB2020-11-24 RESOLUTION GRANTING A CERTIFICATE OF APPROPRIATENESS TO MIKE AND DELIA MAHADAS FOR THE INSTALLATION OF A FENCE AT THE PREMISES LOCATED AT 31 EASTWICK DRIVE, GIBBSBORO, NEW JERSEY**

On October 20, 2020, the Borough of Gibbsboro Planning Board held a public hearing at which time the following members were present virtually:

- LuAnn Watson, Chairperson
- Ed Campbell, Mayor
- Jack Flynn, Councilman
- Susan Croll (recused)
- Barbara Gellura
- Barry Rothberg
- John Ritz
- Michael Kelly
- Dennis Deichert

The following were also virtually present at the meeting:

- Donald S. Ryan, Planning Board Attorney
- Amy C. Troxel, Planning Board Secretary
- Greg Fusco, Planning Board Engineer
- Brian Slaugh, Planning Board Planner

**SUBJECT**

The Board considered the application of Mike and Delia Mahadas, who are the owners of the premises 31 Eastwick Drive, Gibbsboro, NJ. The property is also known as Block 18.05, Lot 36 on the Gibbsboro Tax Map.

The property is located in the R-40 Residential Zone and the Historic District. The property requires a Certificate of Appropriateness in accordance with Section 222-7(a)(1) of the Gibbsboro Historic Preservation Ordinance and the New Jersey Municipal Land Use Law N.J.S.A 40:55D-110.

The applicant, Mike Mahadas appeared virtually was sworn and testified in support of the application.

Brian Slaugh, the Planning Board Planner, appeared virtually, was sworn and testified in connection with this application.

The following exhibits were also included as part of the record:

A-1 Application of Certificate of Appropriateness dated 10/15/2020

- A-2 Survey of the subject property depicting the location of the proposed fence
- A-3 Photograph of the proposed vinyl solid fence
- A-4 Letter from the Wynnewood Homeowners Association dated 9/29/2020

No one appeared during the public portion of the hearing to testify.

**FINDINGS OF FACT**

The Planning Board, having determined that the Application was in proper form and having examined the Exhibits and considered the testimony, finds as follows:

1. The Gibbsboro Planning Board has jurisdiction to approve the application for Certification of Appropriateness in accordance with N.J.S.A 40:55D-110 and Section 222-7(a)(1) of the Gibbsboro Historic Preservation Ordinance.
2. Applicants seek to install a solid vinyl fence 6’ in height in the rear and side yards of their property.
3. The subject property is located in a development now known as Wynnewood, which was built in the 1990’s and is not a contributing factor to the Historic District.
4. The proposed solid vinyl fence, which is consistent with the siding of the main structure, is not inconsistent with the time period in which the house was built.
5. Based upon the survey presented by the applicant (A-Z), the Planning Board finds that there is a fresh water buffer zone wetlands, which impacts the property and there is a municipal bikeway located in the back of the rear property line.
6. Based upon the testimony of Brian Slauch, Planning Board Planner, the Planning Board deems that appropriate conditions should be attached to the approval, namely that the fence can not be placed in the freshwater buffer zone and that no trees should be removed in order to install the fence.
7. The Planning Board deems it appropriate to amend the application to permit the fence to be extended on the easterly property line in order to enclose backyard area in question.

**CONCLUSIONS**

8. The Planning Board concludes that the applicants have satisfied the criteria for granting and complies with the review standards under Section 222-8 of the Borough Ordinance.
9. The Planning Board approves the issuance of a Certificate of Appropriateness subject to the conditions noted above,

**RESOLUTION**

On the motion of Mayor Campbell, seconded by Dennis Deichert, the Planning Board voted 8-0 to approve the Certificate of Appropriateness to Mike and Delia Mahadas for the installation of a solid vinyl fence with the conditions that no trees are removed and that the fence not be placed in the freshwater buffer zone.

**ROLL CALL VOTE**

LuAnn Watson	Yes
Ed Campbell	Yes
Jack Flynn	Yes
Barbara Gellura	Yes

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Barry Rothberg	Yes
Michael Kelly	Yes
John Ritz	Yes
Dennis Deichert	Yes

Motion to approve resolution Mr. Deichert, second Mayor Campbell

Poll: E.C. Aye S.C. Recused D.D. Aye J.F. Aye B.G. Aye M.K. Aye L.W. Aye

**PB2020-11-25 RESOLUTION GRANTING A CERTIFICATE OF APPROPRIATENESS TO MICHAEL MACFERREN FOR EMERGENCY REPAIRS OF THE FRONT STEPS AND SIDEWALK AT THE PREMISES LOCATED AT 3 HADDON AVENUE, GIBBSBORO, NEW JERSEY**

On October 20, 2020, the Borough of Gibbsboro Planning Board held a public hearing at which time the following members were present virtually:

- LuAnn Watson, Chairperson (recused)
- Ed Campbell, Mayor
- Jack Flynn, Councilman
- Susan Croll
- Barbara Gellura (recused)
- Barry Rothberg
- John Ritz
- Michael Kelly
- Dennis Deichert

The following were also virtually present at the meeting:

- Donald S. Ryan, Planning Board Attorney
- Amy C. Troxel, Planning Board Secretary
- Greg Fusco, Planning Board Engineer
- Brian Slaugh, Planning Board Planner

**SUBJECT**

The Board considered the application of Michael MacFerren for emergency relief for a Certificate of Appropriateness with respect to the home he owns at 3 Haddon Avenue, Gibbsboro, NJ. The property is also known as Block 3, Lot 3.02 on the Gibbsboro Tax Map.

The property is located in the R-40 Residential Zone and the Historic District. The property requires a Certificate of Appropriateness in accordance with Section 222-7D of the Gibbsboro Historic Preservation Ordinance and the New Jersey Municipal Land Use Law N.J.S.A 40:55D-110.

The applicant, Michael MacFerren appeared virtually was sworn and testified in support of the application.

Brian Slaugh, Planning Board Planner and Greg Fusco, Planning Board Engineer, appeared virtually, were sworn and testified in connection with this application.

The following exhibits were also included as part of the record:



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- A-1 Application of Certificate of Appropriateness dated 10/20/2020
- A-2 Estimate of Phil Mark Construction for the subject improvements dated 10/10/2020
- A-3 Photographs of the damaged property
- A-4 Photographs of a similar property depicting proposed improvements

No one appeared during the public portion of the hearing to testify.

**FINDINGS OF FACT**

The Planning Board, having determined that the Application was in proper form and having examined the Exhibits and considered the testimony, finds as follows:

1. The Gibbsboro Planning Board has jurisdiction to approve the application for Certification of Appropriateness in accordance with N.J.S.A 40:55D-110 and Section 222-7D of the Gibbsboro Historic Preservation Ordinance.

2. The applicant seeks approval on an emergent basis to repair the front steps and walkway, which were severely damaged due to an automobile accident at the property. The applicant testified and the pictures depict that the steps were red brick and the applicant proposes to replace them with concrete with a stone appearance as shown on the exhibit. The improvements will include LED lighting, walk pavers, landing pavers and a double side wall.

3. The testimony indicates that the original home was built in approximately 1898. However, the improvements at the front steps were constructed years after that.

4. Based upon the testimony of the applicant, the Planning Board finds that the situation is an emergency situation in accordance with Section 222-7 of the Gibbsboro Zoning Ordinance in that the continued status of the damaged property would result in further serious damage and risk the safety of the applicant and invitees.

5. Based upon the testimony of Brian Slauch, Planning Board Planner, the proposed improvements are not inconsistent with the criteria of the Gibbsboro Historic District Ordinance.

6. The Planning Board recommends approval of the Certificate of Appropriateness for the reasons noted above.

**CONCLUSIONS**

8. The Planning Board concludes that the applicants have satisfied the criteria for granting and complies with the review standards under Section 222-8 of the Borough Ordinance.

9. The Planning Board approves the issuance of a Certificate of Appropriateness subject to the conditions noted above,

**RESOLUTION**

On the motion of Mayor Campbell, seconded by Dennis Deichert, the Planning Board voted 7-0 to approve the Certificate of Appropriateness to Michael MacFerren for the improvements as referenced above.

**ROLL CALL VOTE**

Ed Campbell	Yes
Jack Flynn	Yes
Susan Croll	Yes

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Barry Rothberg	Yes
Michael Kelly	Yes
John Ritz	Yes
Dennis Deichert	Yes

Motion to approve resolution Mr. Deichert, second Mrs. Croll

Poll: E.C. Aye S.C. Aye D.D. Aye J.F. Aye B.G. Recused M.K. Aye L.W. Recused

**OLD BUSINESS** None

**NEW BUSINESS**

1. BRANDYWINE REALTY TRUST (PB2020-23) –November

Applicant:	Brandywine Operating Partnership, L.P. Silver Lake Townhomes
Project:	Amended Preliminary Major Site Plan & Final Major Subdivision
Address:	Block 7.04, Lots 16.01, 16.05, 16.06, 16.08, 19.01, 19.03 & 19.05; Block 8.01, Lots 3.01, 3.03, 4 & 5; Block 10, Lot 2
Taxes:	Current
Fee/Escrow:	\$200/\$1700

Fire Inspector and Fire Chief review letter, dated 11/9/20  
Planner review letter, dated 11/10/20

Mr. David Serlin, in an email to Mr. Ryan on November 10, 2020, requested a continuance to the December 8, 2020 Planning/Zoning Board meeting without further notice to the public. The continuance was granted, and members of the public present at the hearing were advised that no further notice would be given.

Mr. Ryan advised members of the Planning/Zoning Board that due to the requirements of the Open Public Meetings Act, it would be inappropriate for them to discuss matters intended for the public hearing prior to the hearing taking place. Mr. Ryan counselled members of the board to prepare for the hearing by familiarizing themselves with the review letters submitted by the Fire Department and the Borough Planner as well as the Developer’s Agreement (signed in October 2017) and the First Amendment to the Developer’s Agreement (signed in July 2020).

2. HISTORIC PRESERVATION (PB2020-26)

Applicant:	Sevenson Environmental Services Joe Werner
Project:	Exemption (garage replacement)
Address:	Block 58.01, Lot 9.02 (9.03) 68 West Clementon Road
Fee/Escrow:	NA

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Motion to grant a Certificate of Appropriateness Mrs. Croll, second Mr. Kelly

Poll: E.C. Aye S.C. Aye D.D. Aye J.F. Aye B.G. Aye M.K. Aye L.W. Aye

3. HISTORIC PRESERVATION (PB2020-27)

Applicant: Severson Environmental Services  
Dennis Deichert  
Project: Exemption (fence replacement)  
Address: Block 58.01, Lot 8.01  
54 West Clementon Road  
Fee/Escrow: NA

Motion to grant a Certificate of Appropriateness Mr. Kelly, second Vice Chairman Flynn

Poll: E.C. Aye S.C. Aye D.D. Recused J.F. Aye B.G. Aye M.K. Aye L.W. Aye

**MINUTES**

Motion to dispense reading and approve the minutes of 10/20/20 Mrs. Croll, second Mr. Deichert

Vote: E.C. Aye S.C. Aye D.D. Aye J.F. Aye B.G. Aye M.K. Aye L.W. Aye

**CORRESPONDENCE**

TO: Kevin and Megan Doherty, dated 11/5/20  
FROM: Donald S. Ryan, Planning Board Solicitor  
RE: Certificate of Appropriate not required  
ACTION: Informational

**PENDING APPLICATIONS**

PB2020-26 and PB 2020-27 were both moved to New Business.

**INFORMATIONAL**

1. Next regular Planning Board meeting is scheduled for Tuesday, December 8, 2020 at 7:00 P.M.

**PUBLIC COMMENTS**

Andrew Karsch, 1101 Old Egg Harbor Road. Inquired about resolution approving the Open Space and Recreation Plan. Expressed concern over increased access to his property and potential security issues due to the future extension of the bikeway.

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**ADJOURNMENT**

Motion to adjourn at 7:27 P.M. Mayor Campbell, second Mr. Deichert

Vote: E.C. Aye      S.C. Aye   D.D. Aye   J.F. Aye   B.G. Aye   M.K. Aye   L.W. Aye

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AMY C. TROXEL, Secretary

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