

**IN THE MATTER OF THE APPLICATION OF  
DANIELLE McGRATH HEADLEY  
FOR APPROVAL OF BULK VARIANCES  
FOR THE PROPERTY LOCATED AT**

**417 CEDARCROFT AVENUE  
BOROUGH OF AUDUBON, NJ  
BLOCK 106 – LOT 2**

**BOROUGH OF AUDUBON  
JOINT LAND USE BOARD  
RESOLUTION OF  
MEMORIALIZATION**

**RESOLUTION NUMBER 2026-03**

**WHEREAS**, Danielle McGrath Headley, whose address is 417 Cedarcroft Avenue, Audubon, New Jersey 08106, hereinafter referred to as the “Applicant”, is the owner of the property located at 417 Cedarcroft Avenue, Audubon, New Jersey, which is also designated on the Tax Map of the Borough of Audubon as Block 106, Lot 2, hereinafter referred to as the “Property”; and

**WHEREAS**, the Property is located in the (R) Residential Zoning District; and

**WHEREAS**, the Property consists of an interior lot with dimensions of fifty feet (50’) wide by one hundred and fifty feet (150’) deep and a total lot area of 7,500 square feet, upon which is situate a two and one-half story, single family residential dwelling; a concrete patio; a detached shed; an open front porch; a driveway; walkways; and associated site improvements; and

**WHEREAS**, the Property currently includes a preexisting, nonconforming conditions, *to wit*: (a) the lot coverage on the Property is 44.7% where, pursuant to Ordinance § 113-382(3)(c)(2), the maximum permitted lot coverage is forty percent (40%); and (b) the setback to

accessory structure is one foot (1') where, pursuant to Ordinance § 113-444, the minimum required setback to an accessory structure is five feet (5'); and

**WHEREAS**, the Applicant proposes the construction of an inground pool with dimensions of twenty three feet by twelve feet (23' x 12'), together with a surrounding concrete apron four feet (4') in width; and a concrete pad for the installation of pool equipment, which would occupy a total of four hundred and twenty-five (425) square feet and thereby increase the lot coverage at the Property from 44.7% to 49.2%; and

**WHEREAS**, pursuant to Ordinance § 113-382(3)(c)(2), the maximum permitted lot coverage in the R Zoning District is forty percent (40%); the existing lot coverage at the Property is 44.7% and the Applicant's proposal will result in lot coverage at the Property totaling 49.2% and the Applicant, therefore, requires bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) permitting an excess over the maximum permitted lot coverage in order to install the pool as proposed; and

**WHEREAS**, pursuant to Ordinance § 113-449, no pools shall be located within front or side yards or within rear setback lines, the pool proposed by the Applicant is located partially in a side yard area, encroaching 9.8 feet into the required 17.2 foot side yard setback at the Property and the Applicant, therefore, requires bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) permitting a pool to be partially located in a side yard area; and

**WHEREAS**, Steven M. Bach, PE, RA, PP, CME Engineer for the Joint Land Use Board of the Borough of Audubon, has submitted a report dated March 6, 2026 which report, and the requirements noted therein, are incorporated herein by reference, and

**WHEREAS**, the Application came before the Joint Land Use Board of the Borough of Audubon for Public Hearing on Wednesday, March 11, 2026 with the following members being present: Mayor Robert Jakubowski; Commissioner David Alemi; Chairman, David Thompson; Vice-Chairman, Mark Owens; Steve Connelly; Dan Gaspari; Paul Hartstein; James Rossell, Jr.; and Michael Sullivan; along with Steven Bach, P.E., C.M.E., R.A., C.M.E., Engineer for the Joint Land Use Board; Matthew P. Madden, Esquire, Solicitor for the Joint Land Use Board; and Stephanie Jennetta, Secretary for the Joint Land Use Board; and

**WHEREAS**, the Applicant submitted with this application the following upon which the Board relied, in part, in rendering its decision:

- a. Borough of Audubon Land Development Application dated February 18, 2026.
- b. Escrow Agreement.
- c. Audubon Borough Land Development Checklist.
- d. Property Survey prepared by Francis A. Draves, III, P.L.S., entitled “Plan of Survey, Borough of Audubon, Camden Co., New Jersey, Block 106, Lot 2” dated October 30, 2025.
- e. Plan entitled “Pool Grading Plan, Lot 2, Block 106” prepared by James E. Maccariella, Jr., P.E. dated November 5, 2025.
- f. Proofs of Service and Publication of Public Notice; and
- g. Notice of Hearing to Property Owners.

**WHEREAS**, the Board duly considered the application in detail; and

**WHEREAS**, appearing at the public meeting to testify on behalf of the application was Danielle McGrath Headley, co-owner of the Property and the Applicant herein, who was sworn

in and testified and responded to the questions from the members of the Joint Land Use Board and Board Professionals; and

**WHEREAS**, testimony was taken from the Applicant regarding the application, with such testimony being provided as follows:

1. The Applicant has been an Audubon resident since 2001.
2. The Applicant is a domestic violence counselor and life coach.
3. The Applicant is preparing to retire and she and her husband decided to improve the Audubon Property as opposed to purchasing a vacation home.
4. In order to install the pool, the Applicant requires variance relief permitting an excess over the maximum permitted lot coverage and for the pool to be partially located in a side yard area.
5. The pool will be constructed in accordance with the plans submitted with the application.
6. The Applicant has no objections to complying with the terms and conditions of the engineering review letter prepared by Steven M. Bach, PE, RA, PP, CME dated March 6, 2026.
7. The Applicant intends to install an infiltration system which will offset the coverage on the Property which is in excess of forty percent (40%).
8. The Applicant acknowledges that a plan for such infiltration must be submitted to and approved by the Board Engineer before construction permits will be issued for the project.

9. The Applicant believes the pool will be a great improvement to the home, will enhance the value of the Property and surrounding neighborhood and that a pool is a fairly common improvement in this zone and, therefore, should be be a substantial detriment to the neighborhood.

**WHEREAS**, the meeting was opened to the public and, there being no members of the public who appeared to question the Applicant or provide comments on the application, the public portion of the hearing was duly closed; and

**WHEREAS**, the application was reviewed and discussed at length at the meeting, and

**WHEREAS**, upon Motion duly made by Dan Gaspari and seconded by David Thompson with respect to the approvals sought and described herein, the Joint Land Use Board of the Borough of Audubon unanimously approved the application by a vote of nine (9) in favor and zero (0) opposed based upon the sworn testimony of the Applicant and the conditions as set forth above and hereafter.

The voting on the application was as follows:

Mayor Jakubowski:	Yes
Commissioner Alemi:	Yes
David Thompson:	Yes
Mark Owens:	Yes
Steve Connelly:	Yes
Dan Gaspari:	Yes
Paul Hartstein:	Yes
James Rosell, Jr.:	Yes
Michael Sullivan:	Yes

**NOW THEREFORE**, The Joint Land Use Board of the Borough of Audubon makes the following findings of fact and conclusion of law, to wit:

1. The application and public notices are in proper order as required by statute and ordinance.

2. The Applicant is the owner of the Property and, thus, has standing to pursue the relief described herein.

3. The Applicant seeks bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) permitting (a) lot coverage totaling 49.2% where, pursuant to Ordinance § 113-382(3)(c)(2), the maximum permitted lot coverage in the R Zoning District is forty percent (40%); and (b) permitting an inground pool to be partially located in a side yard area, being located eight feet (8') from the eastern lot line.

4. The Applicant has demonstrated the requisite proofs in accordance with the Municipal Land Use Law and the Borough of Audubon land development ordinance for the granting of the bulk variances described herein. Specifically, the applicant has demonstrated that the proposal benefits the general welfare in that it advances certain purposes of the Municipal Land Use Law and that the benefits in granting the requested relief substantially outweigh any detriments; and that the granting of such variance relief will not substantially impair the intent and purpose of the zone plan and zoning ordinance and that the granting of same will not operate as a substantial detriment to the public good.

5. The Applicants' testimony, as set forth above, is hereby incorporated in these findings of fact.

6. The Joint Land Use Board of the Borough of Audubon grants approvals for the bulk variances described herein; the installation of the pool described herein and as described in the Applicant's submissions.

**NOW THEREFORE BE IT RESOLVED** that the Application of Danielle McGrath Headley for bulk variance approvals permitting 49.2% lot coverage and for the pool, to be located partially in a side yard area as aforesaid are hereby approved as noted above.

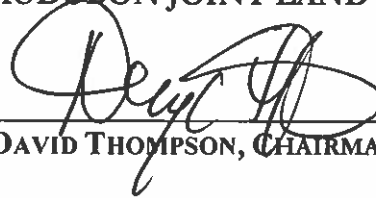
**BE IT FURTHER RESOLVED** that the approvals are expressly conditioned upon (a) the Applicant complying with all testimony, submissions and representations made at the time of the public hearing; and (b) the Applicant obtaining any and all necessary permits and outside agency approvals; (c) the Applicant complying with any and all comments and conditions identified within the report dated March 6, 2026 prepared by Steven M. Bach, P.E., P.P., C.M.E.; (d) the Applicant designing an infiltration system to offset the excess lot coverage, with the design and specifications for such system submitted to and subject to the review and approval of the Board Engineer in advance of permits being issued for the project; (e) the Applicant submitting a grading plan to the Board Engineer which shall be subject to the review and approval of the Board Engineer in advance of permits being issued for the project.

**BE IT FURTHER RESOLVED** that the Applicant comply with all the other terms and conditions of the Zoning Ordinance and Building Code of the Borough of Audubon, and the Statutes of the State of New Jersey.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Applicant following its adoption.

The foregoing is a true and memorializing resolution adopted by the Borough of Audubon Joint Land Use Board and is in accordance with its decision at its regular monthly meeting of March 11, 2026.

AUDUBON JOINT LAND USE BOARD



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DAVID THOMPSON, CHAIRMAN

Dated: April 8, 2026

**CERTIFICATION**

I hereby certify that the foregoing resolution is a true memorialization of the Joint Land Use Board hearing on this matter held on March 11, 2026, as memorialized by the Joint Land Use Board of the Borough of Audubon at the regular meeting of the Joint Land Use Board held on April 8, 2026.



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STEPHANIE JENNETTA, SECRETARY

Dated: April 8, 2026