

**TOWNSHIP OF EVESHAM
ZONING BOARD OF ADJUSTMENT
MINUTES**

15 December 2014

7:00 PM

Municipal Bldg.

Call to Order

Chairperson Williamson called the meeting to order at 7:06 PM.

Flag Salute

Statement of Conformance

Chairperson Williamson made the statement of conformance with the Open Public Meetings and the Municipal Land Use Legislation.

Roll Call

Present: Rodgers, **Hughes**, Laspe, Lowden, Alperin, Williamson

Also Present: Matthew Wieliczko Solicitor, Chris Rehmann Engineer, Rakesh Darji
Traffic and Environmental Engineer, Regina Kinney Secretary, Terri
Bracchi Recording Secretary, Loretta Horton Recording Secretary

Absent: Bernstein, Eckle, McGoey, Parikh, Fitzgerald,

Approval of Minutes

A motion was made by Rodgers and seconded by Laspe to approve the minutes of the 17 November 2014 meeting.

Ayes: Rodgers, Laspe, Hughes, Lowden, Alperin, Williamson

Continuation of Scheduled Matters

ZB 14-05 Marlton QRS Donuts, Inc. 1-26-15

ZB 13-19 Krysta Enterprises, LLC` 1-26-15

Unfinished/New Business

Si-Tam Associates LLC ZB 08-06EX

Extension of Final Site/ Plan Approval

880 Route 73, Block 35.30, Lot 20 (C-1 Zone District)

Applicant is seeking 3 extensions of one year each of the Major Site/ Plan Final; approval together with variances and waivers issued for the property.

Jeffrey Baron, Attorney for Applicant.

Jeffrey Baron – final site was granted for property on Dutch Rd. and Rt. 73 in 2009 for a 50,000 sq. ft. hotel and 6,000 sq. ft. restaurant. There was also a Dunkin Donuts and Child Learning Center which have been built and operating.

The permit extension act will lapse at the end of this year.

There will be no changes to the application; applicant only wishes to extend the application.

Public Portion – no comment

Rodgers made a motion to approve 3 one-year extensions, seconded Lowden.

Recorded Votes

Ayes: Lowden, Rodgers, Alperin, Laspe, Hughes, Williamson

Naes: None

Abst: None

Motion approved 6-0-0

Anthony & Joanne Valenzano ZB 13-16EX

Amendment to Prior Approval

931 Tuckerton Rd., Block 105, Lots 11 I& 13 (OP Zone District)

Applicant is seeking amendment to prior approval granted on 12/16/13.

Amendments include hours of operation 6 AM to 11 PM, 12 months a year.

George J. Botcheos, Attorney for Applicant.

Deborah Valenzano, Anthony Valenzano, Nancy Jamanow, Director of Community Development sworn in.

Nancy Jamanow reviewed her letter of December 9, 2014, Exhibit ZB1.

Applicant would like the ice cream store to be opened 6 AM TO 11 PM every day.

Business was restricted previously to seasonal operations, now would like to be open all year. There will be no other types of food sold.

Store opens every day at 6 to make the ice cream; it takes 24 hours to make. Have had people stop to buy coffee and will be offering ice cream cakes.

There will be no food cooked on site, no additional employees and no additional site improvements.

Public Portion – no comment.

Matt Wieliczko and Nancy Jamanow summarized the conditions – prior approval was for seasonal hours; business is very successful, Township encourages expanded hours of operation. Recommends approval.

Seating is permitted inside and outside. There is no negative impact.

Rodgers made a motion to approve the application; the applicant has met the criteria, seconded Alperin.

Recorded Votes

Ayes: Lowden, Rodgers, Alperin, Laspe, Hughes, Williamson
Naes: None
Abst: None
Motion approved 6-0-0

Burns Buick GMC, Inc Use Variance **ZB 14-16**

600 Marlton Pike West, Block 23, Lots 2.01 & 2.02 (C-2/EVOC Zone district)
Application is proposing a 3,960 sq. ft. car wash building on an existing inventory parking lot for the Burns Buick GMC dealership.
A Steven Fabietti, Attorney for the Applicant.

Steven Fabietti Attorney for applicant, Peter Lanzavecchia (President/Operations for Burns Buick GMC, Inc.) presented a summary of the requested variance to construct a car wash to detail cars.

At present the property in question is used for car storage. It is in the C2 district within the Evesham overlay.

Peter Lanzavecchia (President/Operations for Burns Buick GMC, Inc.) Peter Lanzavecchia (President/Operations for Burns Buick GMC, Inc.) described car preparation in detail.

Mr. Plante -Licensed Professional Planner and Civil Engineer was introduced by A. Steven Fabietti. Mr. Plante presented testimony.

Exhibit A1

Described existing conditions at the car storage lot.

Mr. Plante anticipates that if the variance is approved, the applicant will:

Develop under-utilized property.

Structure will sit 185' from closest resident.

The lot's proximity is convenient to dealership.

Reduce 400 roundtrips per month to take the cars to a local car wash.

The clientele expects this service when their cars are in for maintenance.

The car wash will be used for routine new vehicle preparation as well.

The 5.5 acre site could be used for an Office Building which would be possibly more undesirable than its present or proposed use.

Exhibit A2

Proposed footprint of the car wash structure.

Topography would be screened by fence and evergreens.

Wash bays are quieter than service bays.

All equipment is in an "enclosed door system"

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Noise: When one is 30' from closed building and wash is in use, the noise decibels should be registering at 68-76.

None of the bays at the car wash will be used for Mechanical service on any of the vehicles at the dealership.

Exhibit A3
Preliminary conceptual renderings
6 pages long
25' high at rooftop, one story building.

Leah:
No public or customers permitted in the structure.
Please note however, that the dealership is in the ECO section and as such it is the only commercially zoned business within this section. All others face route 70.

Nancy Jamanow: Future issues when/if site plan is submitted-
Low intensity lighting (Promenade site lighting may be recommended.)
Sidewalks
Roof color
Landscape plan

Rakesh Darji
Traffic and environment letter of 11/10/2014 addressed issues quite well.
Noise decibels for day and evening emanating from the site will have to be within State standards.

Chris Rehmann of ARH
Articulated his concerns which should be addressed further when site plan is reviewed:
7 a.m. start noise
Keep doors closed
Hours of delivery
Diesel Trucks –NO
Historic Building (Cropwell Friends) –Buffer and protect
Paving vs. Stone
Water Basin issues

Matthew B. Wieliczko, Solicitor

Summarized meeting:

No unloading of vehicles on Old Marlton Pike; all Burns employees will be made aware of rules pertaining to this new car wash facility; access to emergency services Knox key box; site plan to be submitted to Planning Board; there will be no valet car service, for hire to wash other cars; only employees will move vehicles, customers not allowed at the site; there will be lights on the street, the frontage and the site; noise levels to follow State guidelines; no damaged or junk cars on site; keep doors of facility closed during the time the blowers are engaged; there should be some type of relay button from manufacturer.

Public Comment

Mike McCullen was sworn in.

Resident of 268 Griscom Court

He has no objections to washing and detailing cars after hearing the testimony.

He wishes the fence would be 8 feet high rather than its present height of 5 feet.

He said the clanky car carriers with their motors running were a nuisance especially in the summer months.

Generally Burns Buick GMC, Inc. has been a good neighbor to Marlton Village.

Board Comment

Mr. Rogers questioned Rakesh Darji about sound attenuation (distance and barriers).

It was decided that the County Health Board can come in to measure noise.

A motion was made by Rodgers to approve the application with the conditions, seconded Alperin.

Recorded Votes

Ayes: Lowden, Rodgers, Alperin, Laspe, Hughes, Williamson

Naes: None

Abst: None

Motion approved 6-0-0

Resolution

ZB 14-20 Horner

Rodgers made a motion to approve, seconded Lowden

Ayes: Alperin, Lowden, Rodgers, Williamson

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Regina – there will be 2 meetings in the month of January; a special meeting on Thursday January 22 and regular meeting on January 26.
Special meeting on the 22 will be for Orlando, self storage facility. A complaint was filed in the County.

Adjournment 8:54 PM

Approved by Board

Regina Kinney, Secretary

Terri Bracchi, Recording Secretary

Lorton Horton, Assistant Recording Secretary