

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

**20 April 2015**

**7:00 P.M.**

**Municipal Building**

**Call to Order**

**Flag Salute**

**Statement of Conformance with Open Public Meetings Act**

Chairperson Williamson read the statement of conformance with the Open Public meetings and the Municipal Land Use Legislation.

**Roll Call**

Present: Chairperson Williamson, McGoey, Bernstein, Rodgers, Alperin, Hughes, Parikh, Laspe  
Also Present: Matthew Wieliczko, Solicitor, Leah Furey Bruder, Planner, Bach Associates, PC; Chris Rehmann, Engineer, Rakesh Darji, Traffic and Environmental Engineer, Regina Kinney, Secretary, Loretta Horton, Recording Secretary  
Absent: Lowden

**Minutes:** Motion to approve 16 March 2015 by Parikh, second by Hughes  
**AYES** Williamson, McGoey, Rodgers, Alperin, Parikh, Hughes

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**Continuation of Scheduled Matters**

**ZB 15-01      Joe Orlando      6-15-15**

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**A. UNFINISHED/NEW BUSINESS**

**1. Evesham Celebrations Foundation      ZB 15-09**

Main Street – Authorization pursuant to Chapter 160-11  
Public events being held on Main Street for 2015  
Dorothea Chrupcala, Founding member of Foundation

Main Street Events Summarized by Solicitor and witness.  
Taste of Evesham May 17, 2015  
4<sup>th</sup> of July  
Harvest Fest  
Winter Fest

All efforts coordinated, including notifying Evesham Police of **street closures**, Liquor licenses secured as necessary. No construction proposed, vendors will be throughout the district, for all events, there may be parades, and fireworks depending on the event.

No public comment.

Motion to approve by Bernstein second by Rodgers  
AYES: Williamson, McGoey, Bernstein, Rodgers, Alperin, Parikh, Laspe

**2. New Road Real Estate, LLC**

**ZB 14-17**

**Use Variance**

37 South Maple Ave., Block 4.07, Lot 8 & 9 (C-3 Commercial Zone District)

Applicant propose to change the first floor use of the principal building from a professional office to a two bedroom apartment.

Patrick McAndrew, Attorney

Edith Tamburro, 170 New Road

No longer need the rooms as a Law Office or a commercial use on site.

Parking should be sufficient or will be amended to satisfy the township requests:

Including a moderate affordable apartment, trash enclosure and modified parking plan.

Exhibit A1.

**Ms. Furey Bruder Planner addressed proposal:**

Historic zone

Variance needed to make it a 100% apartment occupied residential use.

Affordable Housing Trust Fund will pay property owner a one-time up-front payment to make two of the units affordable to low income household for a period of 30 years

The payment will be made from the Affordable Housing Trust Fund once the Township's Spending Plan is approved. The two bedroom unit that is the subject of the use variance will also be deed restricted for a period of 30 years, but there will not be a payment for this unit. This proposal is agreeable to Township and applicant.

Community Development will work with applicant to finalize the details.

Township Administrative Agent will income qualify proposed tenants.

Improve property, sidewalk on Munger, applicant will provide trash enclosures to shield trash containers

Horseshoe driveway and parking plan, get it to 9 spaces. Work out details, condition of approval, acceptable parking on site.

Consolidate Lots as noted in application. No exterior alterations.

Twship Professionals fees will be charged to applicant at a later date.

Solicitor summarized above points as a condition of approval.

The township will pay for certain units -which ones will be spelled out as a condition of approval.

Motion to approve by Rodgers, second by Bernstein

**AYES** Williamson, McGoey, Bernstein, Rodgers, Alperin, Parikh, Laspe

No Public Comment

**3. Krysta Enterprises, LLC**

**ZB 13-19**

**Major Subdivision – Preliminary**

170 Sharp Road, Block 14, Lot3 (IP Industrial Park Zone District)

Applicant proposes to construct a 63 unit residential development – 57 townhouses and 6 affordable condominiums. Use Variance to permit residential use in the IP Zoning District was granted by the Zoning Board on 2/24/14

Timothy Prime, Attorney for Applicant

Jay Kruse, Design Engineer

Andrew Feranda, Traffic Consultant Shropshire Associates

Affordable Housing will be on site as requested by township.

MDR zone requirements met however the length of the buildings need to be approved.

Open space may be sufficient.

Professional builder will build these-Finals will be submitted then as well as architectural plans.

Exhibit A1-Colored rendering of plan

A2 Traffic Plan

**Leah Furey Bruder, Planner**

Variance for 1 building-

50 ft buffer and additional landscaping, varied and textured

Open space , uplands wetlands- The H>O. Association will make use of space, passive recreation minimal variance proposed

Affordable Housing-Will add to inventory. Applicant agrees to put on site-It is on the plan.

H.O. will present at Final.

Access to site-there is a landlocked site agricultural in perpetuity Medford has input.

Common parking- spaces are out of right of way.

A2 Amendment- Easement will be required and deferred to HOA docs submission and final.

Ms. Williamson voiced concern about snow plowing and to include such in plans.

Be cognizant of residents and their convenience.

**Other issues to be addressed:**

Affordable HOA fees must be kept reasonable –payment from Trust fund may subsidize.

An application process may be set up to outline all issues up front.

Architectural elevations have to be consistent. Discuss at finals.

Architecture is not final- compliance with ordinances is ideal.

Traffic and expansion of road

Uniform Fence detail.

P.O.S. Disclosures to address even the truck traffic.

All stop signs and lights will be addressed.

The Solicitor summarized further-

The proposed community needs the 2 variances-length of buildings and the number of townhomes, variance for open space – wetlands, buffer and associated issues discussed. This preliminary presentation means that nothing gets built until the Final plans are presented and approved after review. The developer will sign and present it to township attorney, for review and resolution.

**Public Comment**

Stephen Fink  
7 Michener Place

Addressed landscaping, property values and car traffic and volume.

Motion to approve preliminary subdivision approval with variances as detailed by Parikh  
Second by Bernstein

**AYES** Williamson, McGoey, Bernstein, Rodgers, Alperin, Parikh, Laspe

**4. Christina & Tim Pasquale ZB 15-05**

33 Evesham Ave., Block 4.14, Lot 1.02 (MD Zone District)

Applicant proposes to construct an inground pool with rear set back of 6'5" where 15' is required for pool and pool equipment, side set back of 5' where 15' is required and impervious coverage of 49.3% where a maximum of 45% is permitted

Mrs. Pasquale

Charles Miller, The Pool Store, Owner

Mr. Chris Rehmann

Solicitor summary:

4 Bulk variances -rear yard setback pool concrete decking, northern rear area pool equipment.

Southern SW property line down to 5 feet.

Impervious coverage variance.

Grade, elevations, and drainage were of concern. Berms will be installed and all plans will be submitted for Planning Board Engineer approval.

Pictures were presented showing neighbors and applicant's property.

The Secretary of the Board outlined that all fences will go through zoning approval and UCC code approval and will be compliant if it is used as a pool compliant fence or otherwise.

Motion to approve with conditions noted by McGoey

Second by Parikh

**AYES** Williamson, McGoey, Bernstein, Rodgers, Alperin, Parikh, Laspe

**5. MOD Superfast Pizza, LLC ZB 12-03A  
Amend Prior Approval-Site Plan Waiver/Change of Use**

300 Route 73 South, Block 4.01, Lot 12.01 (C-1/EVCO Zone District)  
Applicant is proposing to open a 3,157 sq. ft. pizza restaurant in Marlton Square  
Richard J. Goldstein, Attorney for Applicant

Nicole Johnson, Director of Leasing Paramount Realty  
Brian Leardon, Dir of Real Estate-Mod Pizza  
Alan Lothian, Langan Engineering, Traffic Eng.  
Parties Sworn  
Pizza and salads, Buffet choose your items. Product goes in oven. Customer could be out in about 5-10 minutes.

Trash Enclosures-Masonry w/brick façade-no dumpsters- no trash or food stocking.  
Improvements to rear-recycle materials as required as well. Fix the pavement as necessary.  
Outdoor seating – will have to seek approval.  
No special parking spaces or restricted spaces for take out.  
Signage not addressed here.

**Public Comment**           None

**Board Comment**           No beer and wine permitted

Motion to approve with conditions by Parikh  
Second by Bernstein  
**AYES**   Williamson, McGoey, Bernstein, Rodgers, Parikh, Laspe, Hughes  
**Excused/Professional relationship with applicant's Council**   Alperin

**Resolutions**   **ZB15-03 Troth Associates**  
Motion to approve by Parikh  
Second by Hughes  
**AYES**   Williamson, McGoey, Rodgers, Alperin, Parikh, Hughes

**ZB15-04 Marlton Assembly of God**  
Motion to approve by Hughes  
Second by McGoey  
**AYES**   Williamson, McGoey, Rodgers, Alperin, Parikh, Hughes

**NEXT MEETING:**       **MAY 4, 2015**