

TOWNSHIP OF EVESHAM

Zoning Board

Minutes

21 November 2016

7:00 pm

Municipal Building

Call to Order

Chairman Parikh made the call to order at 7:06 pm.

Flag Salute

Statement of Conformance with Open Public Meetings Act

Chairman Parikh made the statement of conformance with the Open Public Meeting Act and the Municipal Land Use Legislation

Roll Call

Present: Parikh, Rodgers, Alperin, Hughes, Amato, Wessner (Arrived after first application)

Also Present: Wieliczko, Kinney, Bittner

Absent: Hoffman, Lowden, Lutner, Rehmann, Furey Bruder, Arcari, Dariji

Minutes: October 17th, 2016

Motion: Rodgers

Second: Hughes

Ayes: Parikh, Rodgers, Alperin, Hughes, Amato

Continuation of Scheduled Matters:

RH Properties. ZB 16-14. Mr. Wieliczko discusses application. Applicant is looking for preliminary/major final site plan approval. Applicant is seeking D4 Variance, and numerous bulk variances.

Application will be continued to the December 19th meeting. Notice was received earlier this afternoon that the applicant could not attend the meeting. No Further Notice is required.

Unfinished/New Business:

1. **Frank Daudier. ZB16-16**

16 Bettleground Rd., Block 27.11, Lot 28 (MD Zone District)

Applicant is proposing a front porch, 26.6' proposed front yard setback where 30' is required.

- Applicant, Frank Daudier is sworn in.
- Mr. Wieliczko notes that Mr. Daudier lives in Mt. Laurel, but owns the property in Evesham.
- Applicant is seeking to remodel home at 16 Bettleground Road, and wants to add a front porch.
- Applicant proposes a setback of 26.6 ft. where 30 ft. is required. Applicant states that the proposed plan will aesthetically appear more pleasing. Additionally, it is similar to other properties in the area.
- Proposed porch will be 16 ft. wide and 4 ft. deep. Roof of house will cover the front side of the porch.

- Cambridge exteriors will perform the work. The company is a licensed contractor in the state of New Jersey.
- Mr. Daudier asks board if he can place footings prior to resolution, since weather will change.
 - Mr. Wieliczko states that the resolution will be ready in December. He will relay Mr. Daudier's concerns to the Community Development Department/Building Inspectors. However, if neighbors appeal, Mr. Daudier will have to remove the footings. Mr. Daudier rescinds desire to plant footings prior to resolution being approved.
- Mr. Parikh asks why Mr. Daudier is seeking relief on this project. Mr. Daudier states that it will improve the aesthetics of the home, and the structure will help support the building.
- Mr. Wieliczko asks if applicant will provide Construction Department with a scaled survey. Applicant says that they will.

Board Comment:

- Mr. Rodgers asks if the neighbors have porches built already. Applicant responds yes. Mr. Rodgers asks if he has given notice to his neighbors. Applicant responds yes. Mr. Rodgers asks if there has been any objection by the neighbors. Applicant responds no.

Public Comment: None

Board Attorney Summary:

- Applicant is requesting to build a front porch.
- Applicant is seeking relief from a front yard setback of 26.6" where 30" is required.
- Applicant has stated reasons for relief are so the porch will be architecturally and aesthetically pleasing.
- Applicant has agreed to provide a scaled survey.

Motion to Approve ZB 16-16

Motion: Rodgers

Second: Alperin

Ayes: Alperin, Hughes, Rodgers, Amato, Parikh

2. Arber Murtaj. ZB 16-17

106 Dennison Ct., Block 16.11, Lot 10 (MD Zone District)

Applicant is seeking variances for existing conditions to the property for a pool, pool equipment, and patio.

- Arber Murtaj is sworn in as witness.
- Exhibit A1: Letter of Survey from MacNamera Associates regarding the fence on the Eastern side of the property.
- Mr. Murtaj is represented by attorney David Kline.

- Mr. Kline states that applicant purchased property in February 2016. Applicant had concerns regarding swimming pool in the backyard, and wanted to place a concrete pad instead. While attempting to gain approval for the concrete pad, applicant discovered that the pool was in violation of Township Ordinance, and had never received approval.
- Applicant wants to formalize all aspects of the property, including receiving approval to install a small concrete patio.
- Applicant discusses a letter received by Nancy Jamanow; Director of Community Development dated November 7th, 2016. The letter describes the pre-existing conditions of the property as follows:
 - Rear Yard Setback of 4.19 ft. where 15 ft. is required.
 - Side Yard Setback of 5.54 ft. where 15 ft. is required.
 - Pool Equipment on Western Edge of property is 6.14 ft. where 15 ft. is required.
- Proposed patio needs relief of 13.88 ft. from side yard when 15 ft. is required.
- Applicant discusses the fencing on the Eastern property line. Applicant received a letter from the surveyor, and it was determined the fence is on the neighboring property (Lot 9).
- Applicant has received no complaints from neighbors regarding removing the fence.
- Mr. Wieliczko discusses the Western Property Line and the 20ft utility easement. Applicant understands to allow the utility company access and will remediate area should it become necessary. Applicant agrees as a Condition of Approval that applicant is solely responsible should any work be done by the Township or the Utility Company.

Board Comment:

- Mr. Rodgers asks how long applicant has lived at the address. Applicant says since February 2016. Mr. Rodgers asks when pool was installed. Applicant responds 1997. Mr. Rodgers asks if there has been any drainage issues, or neighbor complaints. Applicant responds no.

Public Comment: None.

Board Attorney Summary:

- Applicant is requesting relief from previous conditions:
 - Rear Yard Setback of 4.19 ft. where 15 ft. is required.
 - Setback of 3.7 ft. where 15 ft. is required.
 - Side Yard Setback of 5.54 ft. where 15 ft. is required.
 - Western side setback (pool equipment) of 6.14 ft. where 15 ft. is required.
- Applicant is requesting relief from proposed projects:
 - 13.88 ft. side yard setback where 15 ft. is required.
- Applicant agrees to the following as a Condition of Approval:
 - Applicant will agree to remove any improvements at their own expense in the Utility Easement Area. The Township is not responsible for any expenses.
 - No issue with fencing, Exhibit A1 proves as evidence.

Motion to Approve ZB 16-17

Motion: Rodgers

Second: Alperin

Ayes: Alperin, Hughes, Rodgers, Amato, Wessner, Parikh

Public Comment: None

Board Comment: None

Communications/Organization:

Next Meeting: December 19th, 2016

Resolutions:

ZB 16-13

Motion: Rodgers

Second: Hughes

Ayes: Alperin, Hughes, Rodgers, Amato, Wessner, Parikh

ZB 16-05 SP

Motion: Hughes

Second: Rodgers

Ayes: Alperin, Hughes, Rodgers, Amato , Parikh

ZB 16-12

Motion: Hughes

Second: Amato

Ayes: Alperin, Hughes, Rodgers, Amato, Parikh

Meeting Adjourned at 7:34 pm.