

# **TOWNSHIP OF EVESHAM**

## **Zoning Board**

### **Minutes**

**17 July 2017**

**7:00 pm**

**Municipal Building**

## **Re-Organization Meeting**

### **Call to Order**

Regina Kinney made the call to order at 6:36 pm.

### **Flag Salute**

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

Regina Kinney made the statement of conformance with the Open Public Meeting Act and the Municipal Land Use Legislation

### **Roll Call**

**Present:** Parikh, Wessner, Alperin, Lutner, Meyers, Hoyle, Osno

**Also Present:** Wieliczko, Rehmann, Furey Bruder, Dariji, Kinney, Bittner

**Absent:** Rodgers

### **Meeting Minutes:**

July 19th, 2017

Motion: Meyers

Second: Lutner

Ayes: Parikh, Wessner, Alperin, Lutner, Meyers, Hoyle, Osno

## **A. APPOINTMENTS**

### **1. Chairperson- Jay Parikh**

Motion: Wessner

Second: Osno

Ayes: Alperin, Hoyle, Lutner, Osno, Parikh, Wessner

### **2. Vice-Chairperson- Kevin Rodgers**

Motion: Alperin

Second: Wessner

Ayes: Alperin, Hoyle, Lutner, Wessner, Osno, Parikh

### **3. Alternate Vice-Chairperson- Phil Wessner**

Motion: Parikh

Second: Osno

Ayes: Alperin, Hoyle, Lutner, Wessner, Osno, Parikh

### **4. Secretary- Regina Kinney**

Motion: Lutner

Second: Alperin

Ayes: Alperin, Hoyle, Lutner, Wessner, Osno, Parikh

**5. Assistant Secretary- Allison Bittner**

Motion: Parikh

Second: Wessner

Ayes: Alperin, Hoyle, Lutner, Wessner, Osno, Parikh

**6. Recording Secretary: Combined with nomination for Assistant Secretary**

**7. Assistant Recording Secretary :**

*Board agrees to have position filled on an as-needed basis.*

**B. PROFESSIONAL APPOINTMENTS**

**1. Attorney- Matthew Wieliczko, Zeller & Wieliczko**

Motion: Wessner

Second: Hoyle

Ayes: Alperin, Hoyle, Lutner, Wessner, Osno, Parikh

**2. Engineer- Chris Rehmann, Adams, Rehman & Hagan**

Motion: Lutner

Second: Hoyle

Ayes: Alperin, Hoyle, Lutner, Wessner, Osno, Parikh

**3. Traffic Engineer- Stacey Arcari, Environmental Resolutions INC**

Motion: Lutner

Second: Osno

Ayes: Alperin, Hoyle, Lutner, Wessner, Osno, Parikh

**4. Environmental Consultant- Rakesh Dariji, Environmental Resolutions INC**

Motion: Wessner

Second: Hoyle

Ayes: Alperin, Hoyle, Lutner, Wessner, Osno, Parikh

**5. Conflict Attorney- Stuart Platt, Platt and Riso**

Motion: Parikh

Second: Wessner

Ayes: Alperin, Hoyle, Lutner, Wessner, Osno, Parikh

**6. Conflict Engineer- Environmental Resolutions INC**

Motion: Wessner

Second: Hoyle

Ayes: Alperin, Hoyle, Lutner, Wessner, Osno, Parikh

**C. ADOPTION OF OFFICIAL TIME/PLACE FOR MEETING**

All members agree to meet at 7pm on the 3rd Monday of every month in the Municipal Court Room

*Meeting paused at 6:46pm to begin regular meeting. Meeting resumes at 7:05pm*

#### **D. ADOPTION OF OFFICIAL NEWSPAPER**

All members agree to adopt the Central Record, Burlington County Times, and Courier Post as the official newspapers.

#### **E. REGULAR SCHEDULED MEETING**

*Continuation of Scheduled Matters*

ZB 16-14: RH Properties- Developer's Agreement

1. *David A. Falcone Jr. ZB 17-12.*

*10 Sandwood Drive, Block 81.18, Lot 10 (RD-1 Zone District)*

*Applicant's rear property front on a street and is requesting a 6' fence where 4' is permitted.*

Witnesses:

David Falcone Jr, Homeowner

Exhibits: None

Testimony:

David Falcone

- Wants to install a 6' backyard fence on Sycamore Drive where 4' is required. Neighbor has 6' fence, so wants similar size for continuity and safety purposes.
- No sight line issues or driveways in view of the fence.
- Fence will be located 1 ft to 1 ½ ft. off of property line.
- Fencing will be similar to others in neighborhood: 6 ft. wooden fence.

Public Comment: None

Board Comment: None

Motion to Approve ZB 17-12

Motion: Wessner

Second: Hoyle

Ayes: Alperin, Hoyle, Lutner, Meyers, Wessner, Osno, Parikh

2. *Burns Kull, INC. ZB 17-09. Use Variance/Major Site Plan-Prel/Final*

*325 North Route 73, Block 5, Lots 3.01, 5, & 2.05 (C-1/EVCO Zone District)*

*Applicant is requesting approval for preliminary and final major site plan for the construction of 5,000 sq. ft. used car service building and an attached car wash on the existing Burns Honda car dealership site, and proposing 79 parking space inventory vehicle parking lot.*

*Steven Fabietti, Attorney for Applicant*

Witnesses:

James Gruccio Jr.

Louis Joyce, Planner  
Andrew Hogg, Engineer

Exhibits:

- A1: Site Plan; revised June 30, 2017
- A2: Aerial photograph of site
- A3: Building elevation plan
- A4: Floor Plan addition
- A5: Three colored photographs showing recent landscaping
- A6: Existing Lighting detail

**Fabietti Overview**

- Locates Board to site of application: location of Burns Honda
- Applicant is seeking to increase size of the used car building for service; add additional bays and space for car wash.
- Applicant is looking for approval for a site plan/conditional use variance to create parking for vehicles for sale.
- Portion of site “Lake Center Office Park” has been leased to applicant for use.

**James Gruccio Testimony:**

- CFO/House Counsel for Burns Kull (Applicant)
- Discusses proposed plan and what Burns seeks to do with additional space. Space will allow for a space for the selling of pre-owned cars and provide service for customers.
- Currently cars are washed and detailed off-site, applicant ran out of service bays, so they leased four across the street.
- Proposed plan will allow applicant to service all cars on site, and provide more space. Approximately 165 vehicles are serviced per day.
- Notes that the car wash facility will not be open to the general public.
- Attendant will be responsible for running cars through the car wash.
- Pre-owned vehicles will be displayed behind building.
- Orients board to where proposed site will be located.
- Gives general description to the board of the building’s elevation, and proposed additions in the floor plan. Notes that the storage located in the middle of the building will replace the current shed on the property.
- No changes to access on site for car carriers. They will continue to enter property off Rt. 73 and exit off of Rt. 73.
- Discusses property line that Burns has leased from Lake Center Office Park. Lease is North from property line. Minimum Lease of 20 years. Burns wanted to purchase property, however owners had issues with subdividing property. Applicant is willing as a Condition of Approval to consolidate 2 tax lots.
  - Ms. Furey Bruder asks for clarification regarding the lease. Applicant clarifies. Mr. Dariji expresses concern of what would happen if after 20 years the lease is not renewed. This would prevent anyone from accessing the site without going through Burns. Applicant will agree to address this in Final Documents, specifically the lease. Discussion ensues.

- Applicant will address issues in lease, and submit a copy of the lease as evidence. Mr. Wieliczko states they will need a COA that if the lease does not get renewed, appropriate steps must be taken to access the lot.

#### **Andrew Hogg Testimony:**

- Gives qualifications, accepted as expert in engineering.
- Provides general overview of site plan in application.
  - 79 additional car/parking spaces will be added.
  - 5,000 sq. ft. building that will hold 7 service bays, storage bay in the middle, and a car wash at the end. Drive aisles will be used for proper circulation.
- Discusses trash enclosures. Trash will be re-located to the end of the drive aisle, and will have similar look to building. The enclosure will not be placed under power lines, and will provide easier access for trash-pick ups. Mr. Wieliczko asks if this is part of the new site plan. Mr. Hogg replies no.
- Explains to the board the change in the site plan is a direct result of soil borings and concerns with pavement.
- No proposed change in access of the site from Rt. 73
- Discusses proposed signage.
  - 2 Freestanding signs proposed
    - 1 “Pre-Owned Car” sign, located near building
    - 2 owner identification (monument sign) to identify the owners of the existing space.
  - Lit in manner that complies with Township code.
- Applicant will work with Mr. Rehmann’s office to satisfy comments in review letter.
- Mr. Lutner asks where the run off created by the car wash will drain? Applicant states that it will be placed in the Municipal Sewer System as maintained by the MUA. Mr. Lutner asks about the entrance to the pre-owned lot. Applicant states that there is no new entrance proposed.
- Discusses landscaping and requirement for compensation trees. The trees will be planted within property, and applicant will maintain similar landscaping as is currently placed around main building.
  - Ms. Furey Bruder asks the applicant for a COA to provide a more specific landscaping plan, as there are no shade or street trees placed on the plan. She also asks for landscaping at the Lakeside Center. Applicant agrees to work on landscaping plan with Township Planner and assess the condition of the trees at the site.
- Discusses lighting of property. Applicant will utilize similar lighting as what is used now. Ms. Furey Bruder notes that it is really the color of the lighting, as it needs to be uniform. Lighting plan needs to be noted on the site plan.
- Applicant will comply with comments made by the Fire Marshal and provide circulation plans.
- Discusses traffic and parking.
  - Revised plans will conform to ADA standards.
  - Applicant discusses how parking is designated for customers. Mr. Gruccio explains parking, and that there will be signage to inform customers.

- Applicant will comply with comments regarding drive aisle width. Mr. Dariji says it is acceptable.
  - Applicant will work out parking spaces and give Mr. Wileiczko final numbers. Current numbers are between 713 to 721.
- Discusses NJDOT Comments: Mr. Hogg says the applicant will obtain the official documentation from DOT and prove no additional trips. Thus, no DOT approval needed. Applicant will also supply DOT access permit.

Mr. Gruccio clarifies use of the car wash. States that it can be used for any customer (either sales or service). However, only the attendant will be permitted to take the vehicle through the car wash.

**Louis Joyce Testimony:**

- Gives qualifications; accepted by board as an expert in planning.
- States that the plan is consistent with the purposes of the C1 Zone District and the Master Plan.
- Discusses variances, signs, explains why the applicant is requesting relief.
- States that the site continues to be appropriate for the uses as described.

*End Applicant Testimony*

**Leah Furey Bruder, Planner**

- Review letter dated July 13, 2017
- Comments in letter have been addressed. Asks applicant to provide detailed enclosure on site plan.
- Affirms that both she and the applicant will work together on landscaping plan.

**Chris Rehmann, Engineer**

- Most comments have been addressed in review letter.
- Asks about drainage from the inlet to the basin and if there is any change in the drainage pattern. Applicant confirms no change and states that calculations have shown drainage can be handled.
- Asks Mr. Wieliczko if the lease does not have to address drainage? Mr. Wieliczko says that any paved area needs drainage and some provision of the lease will have to address this. Applicant agrees to handle this internally, and place in the lease.

**Rakesh Dariji, Traffic/Environmental Engineer**

- Review letter dated June 30, 2017
- Applicant has provided sufficient testimony based on review letter
- No objection to waiver of traffic study or environmental impact survey.
- Mr. Parikh asks if there is a large enough turning radius for emergency vehicles? Mr. Dariji says applicant will provide a site circulation plan, but yes.

Public Comment: None

Board Comment: None

Board Attorney Summary:

- Applicant is seeking a conditional use variance for a 5,017 sq. ft. building that will include automobile service bays and a car wash building.
- Applicant will add between 713 and 721 parking spaces.
- Applicant has requested 5 Bulk Variances regarding setbacks (30 ft. proposed where 50 ft. is required), drive aisle width of 24 ft. where 25ft is required, and parking within the front yard setback.
- Applicant is also requesting sign variances to include 2 freestanding signs. Applicant has provided testimony that it will be appropriate size and comply with lighting. Signs will be placed 200 ft apart where 300 ft. is required.
- Applicant has agreed to the following as Conditions of Approval (COA)
  - All comments made in the Board professional letters.
  - Provide copy of the lease which will address drainage and expiration after 20 years.
  - Provide an updated site plan that includes trash enclosure details.
  - Provide updated/detailed landscaping plan.
  - Amend site plan to include lighting detail.

Motion to Approve ZB 17-09

Motion: Wessner

Second: Lutner

Ayes: Alperin, Hoyle, Lutner, Meyers, Wessner, Osno, Parikh

**Public Comment:** None

**Board Comment:** None

**Communications/Organization:**

Next Meeting: August 21, 2017

**Resolutions:**

ZB 17-01

Motion: Alperin

Second: Wessner

Ayes: Alperin, Wessner, Lutner, Meyers, Hoyle, Osno, Parikh

ZB 17-08

Motion: Parikh

Second: Wessner

Ayes: Alperin, Wessner, Lutner, Meyers, Hoyle, Osno, Parikh

ZB 98-07 EXT1

Motion: Hoyle

Second: Lutner

Ayes: Alperin, Wessner, Lutner, Meyers, Hoyle, Osno, Parikh

ZB 09-17 EXT1

Motion: Alperin

Second: Wessner

Ayes: Alperin, Wessner, Lutner, Meyers, Hoyle, Osno, Parikh

ZB 12-18A2

Motion: Parikh

Second: Wessner

Ayes: Alperin, Wessner, Lutner, Meyers, Hoyle, Osno, Parikh

**Meeting Adjourned at 8:30pm**