

## **TOWNSHIP OF EVESHAM**

### **Zoning Board**

#### **Minutes**

**7:00 pm**

**December 18 2017**

**Municipal Building**

#### **Call to Order**

Chairman Parikh made the call to order at 7:04 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, Wessner, Alperin, Meyers, Hoyle, Osno, Shah

**Also Present:** Corleone, Loughney, Kinney, Bittner

**Absent:** Rodgers, Lutner

#### **Meeting Minutes:**

November 20th, 2017

Motion: Osno

Second: Meyers

Ayes: Parikh, Wessner, Alperin, Meyers, Osno, Shah

#### **A. Unfinished/New Business**

##### **1. Susan Fisher. ZB 17-17.**

500 Justice Drive, Block 11.38, Lot 42 (MD Zone District)

Applicant is proposing a 14' x 34' in ground pool side and rear yard setback of 8' where 15' is required and an existing shed with a side and rear yard setback of 2' where 5' is required.

##### **Witnesses:**

- Susan Fisher, 500 Justice Drive
- Robert Long, Swim more pools

##### **Exhibits:**

A1: Pool Grading Plan. Revised 12-8-17.

A2: Photograph of ground level of home. Taken 12-18-17.

##### **Applicant Testimony:**

- Applicant is requesting variance for setbacks. Rear yard is shallow, but wide.
- Applicant previously built addition for mother-in-law which made yard even smaller.
- Applicant does not want to move, mother is going to move in.
- Applicant is requesting pool to make home more enjoyable for all. Allow mother for recreation and enjoyment.

- Variance from setbacks, due to the makeup of the yard.
- Applicant has spoken to neighbors on street: no objection from neighbors. Open space behind property.
- Talks about existing shed in corner of property that is over the setback. Shed company gave incorrect information regarding placement and necessity to notify Township. Applicant wants to put this on record to get approval.
  - Requests 2 ft. setback as opposed to 5 ft. to make shed conform.
- Mr. Parikh asks clarifying questions regarding application, and if applicant has considered to move pool to right side of house. Applicant responds that moving the pool to the right would be too close to steps of house. Mr. Parikh asks if pool is going to be installed with certified contractor. Applicant says yes.

Robert Lang Testimony:

- 16 years in pool industry.
- Mr. Parikh asks about moving pool to right side of yard. Mr. Lang responds that the steps would be in the way if the pool complied with ordinance.
- Mr. Parikh asks about moving the pool to the southern side of the property. Applicant states that they would still need variance, and it is a shady portion of the property due to trees.

*Applicant ends formal testimony.*

Bill Loughney, Board Engineer Representative

- Discusses on north side of property, drainage trench. Asks applicant to backfill with suitable soils to ensure proper drainage and prevent runoff to neighbors.
- Asks applicant about recharge minimum of 2% and why the applicant cannot meet that requirement. Applicant clarifies and will work with neighbor to ensure this recharge percentage is met.
- Discusses slope of the house with applicant. House is located low to the ground, issues with grading of the house, and increasing grading will hinge on foundation of house. Mr. Loughney is satisfied with answer.
- Asks as a Condition of Approval that the drainage will be properly done. Applicant complies.

**Public Comment:** None

**Board Comment:** None

Board Attorney Overview:

- Applicant is requesting 2 Bulk Variances to build a 14' by 34' in ground pool.
  - Rear side yard setback of 8' where 15' is required.
  - Shed rear setback of 2' where 5' is required.
- Applicant will comply with drainage set by the Township Engineer.
- Applicant agrees to all comments made by professionals.

**Motion to Approve ZB 17-17**

Motion: Wessner

Second: Alperin

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

Mr. Lang asks board to waive memorialization period. Ms. Kinney responds that the resolution will be completed by January meeting. Mr. Lang says okay they will wait until then.

**Communications/Organization:**

Next Meeting: January 22nd, 2018 (due to Holiday Schedule)

February 4th, 2018

**Resolutions:**

ZB 17-14

Motion: Alperin

Second: Wessner

Ayes: Alperin, Wessner, Meyers, Hoyle, Parikh

**Meeting adjourned at 7:25pm.**