

**TOWNSHIP OF EVESHAM**

**Zoning Board**

**Minutes**

**7:00 pm**

**1 May 2017**

**Municipal Building**

**Call to Order**

Vice Chairman Rodgers made the call to order at 7:07 pm.

**Flag Salute**

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

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

**Roll Call**

**Present:** Rodgers, Wessner, Alperin, Amato, Lutner, Meyers, Hoyle, Osno

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

**Absent:** Parikh, Arcari, Dariji

**Minutes: April 24<sup>th</sup>, 2017**

*Meeting minutes will be tabled to the June 19<sup>th</sup>, 2017 Meeting.*

**Continuation of Scheduled Matters:**

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

**ZB 17-01: Virtua West Jersey- Major Site Plan**

*Both applications have been postponed until June 19<sup>th</sup> meeting.*

**A. Unfinished/New Business**

Mr. Wieliczko states that Mr. Osno can stay on the dais, but will not be pulled for a formal vote.

**1. Gregory J. Cappello. ZB 17-06.**

*1 Kendall Court, Block 44.18, Lot 52 (MD Zone District)*

*Applicant proposing to widen driveway, 5' side yard setback required, proposing 2'.*

**Witness**

Gregory Cappello, Homeowner

**Exhibits**

None

**Mr. Cappello Testimony:**

- Seeking variance for 2 ft side yard setback where 5' is required. Asking a variance for a driveway that already exists.
- Mr. Rodgers asks about any non-conforming issues? Mr. Cappello says no. He was told by a contractor that he did not need a permit, and installed the driveway.

- Purpose of expanding the driveway was to accommodate vehicles for his family, which has grown in the past 3 years. Wanted to be considerate to the neighbors, as to avoid having many cars on the road.
- Mr. Wielcizko asks if the applicant will agree to move the shed to 5 ft. within boundary line of property, applicant agrees.
- Mr. Wielcizko asks if any other homes in the neighborhood have expanded driveways. Applicant says yes.
- Mr. Rodgers asks if applicant notified neighbors, applicant replies yes.
- Mr. Wielcizko asks if there are any drainage issues. Applicant replies no. Mr. Wielcizko asks if the home directly to the right (on Lakeside Drive) if there is any complaints from these neighbors regarding drainage, applicant replies no.

No Professional Testimony.

Public Comment: None

Board Comment: None

Motion to Approve ZB 17-06

Motion: Lutner

Second: Alperin

Ayes: Alperin, Amato, Wessner, Lutner, Meyers, Hoyle, Rodgers

## 2. **Daniel Burdette. ZB 17-07.**

*28 Euston Avenue, Block 33.04, Lot 14 (MD Zone District)*

*Applicant proposing to construct an inground pool with a rear yard set back of 6' and a side set back of 8' where 15' is required, 5' setback for pool equipment where 15' is required, existing 10'x20' shed 5' rear setback where 12.5' is required.*

### Witnesses Sworn In:

Daniel Burdette, Homeowner

Charles E. Miller IV, Owner of Round Bird Pools

### Exhibits:

A1: Pool Grading Plan dated 3-28-17

### Testimony:

- Mr. Burdette is seeking to place a pool in his backyard.
- Applicant is requesting 6' setback on rear property line and a 8' setback on side yard setback. Applicant is also requesting a 5' setback on the side and a 5' setback towards the rear of the property for pool equipment.
- Requesting approval for an existing shed on the rear yard setback where 5' exists and 12.5' is required.
- Applicant states that there is an existing deck in the yard, and want to place the pool as far back as possible to avoid children getting hurt.

- Nearby neighbors have pool towards the West property line (Sunnyside Court), no drainage issues to note.
- Applicant notes that complying with the 8' setback will place pool to close to the shed, and is more aesthetically pleasing.
- Discussed project with neighbors who had no problems.
- Mr. Rehmann notes that the Board should have received a colored aerial photograph of the property. Mr. Rehmann asks about property, applicant explains locations. Mr. Rehmann asks if there are any drainage issues, applicant replies no.
- Mr. Rehmann discusses pool grading plan and drainage systems with Mr. Miller.
- Mr. Rehmann asks if applicant would agree that if they were granted the variances, applicant cannot put more water in other properties. Applicant agrees as a Condition of Approval.
- Applicant discusses filtration system of the pool.
- Mr. Rehmann asks if any chemicals will clog any storm water, Mr. Miller replies no.
- Applicant also agrees as a Condition of Approval that the infiltration will be used as backwash only, and any other water will be pushed towards the street.
- Mr. Rodgers asks if Mr. Rehmann is satisfied with the application, per his review letter on April 26, 2017. Mr. Rehmann and applicant discuss other items. Applicant agrees to various Conditions of Approval (as outlined below).
- Applicant agrees to the following Conditions of Approval:
  - All excavation will be removed off-site.
  - Pool company will replace any curbs or sidewalks that are damaged from construction.
  - Fence will meet all requirements.
  - No shrubs will be placed on left side of the property.
- Applicant also agrees as a Condition of Approval to all conditions outlined in Mr. Rehmann's April 26<sup>th</sup>, 2017 letter.
- Applicant requests that the Zoning Board waive the resolution period. Applicant understands that this is at his own risk.
  - Mr. Wieliczko states that the Board does not need to take action to allow him to proceed with work. The Code Officials will determine if permits are to be issued. Applicant should understand that any work or issues are at his own expense.

Public Comment: None

Board Comment:

Mr. Lutner asks the material of the shed. Applicant replies that it is wood with Vinyl Siding. Mr. Lutner asks if the shed could be placed on the side. Applicant states that grading issues will prevent the shed from remaining flat on the ground if it was turned another way.

Motion to Approve ZB 17-07

Motion: Alperin

Second: Lutner

Ayes: Alperin, Amato, Wessner, Lutner, Meyers, Hoyle, Rodgers

**3. JV Properties, LP. ZB 17-05. “C” Variance for Signage.**

*19 North Maple, Block 4.05, Lot 17.03 (C-3 Zone District)*

*Applicant is seeking a variance approval to permit a 19.94 sq. ft. freestanding monument style sign.*

*Josh Henderson, Attorney for Applicant*

Witnesses for Applicant

Phil Clark, KC Sign Company

Exhibits:

A1: Colored rendering of signs

A2: View of building from Maple Avenue, view from North Maple Avenue: Google images rendering

Applicant Testimony:

- Applicant is seeking to install a freestanding sign at property located at 19 North Maple Avenue.
  - Property location is between Route 70 and Main Street. Property is located in the C-3 Zone and historic District.
- Property is 6,000 sq. ft. commercial building.
  - Cosmoproff (2800 sq ft)
  - Zed’s Micro-Brewery (under construction)
- Proposed sign is 19.94 sq. ft. with a 10 ft. setback on Maple Avenue. This complies with all historical requirements.
- Variance to allow multiple signs:
  - 2 wall signs, plus one freestanding signs.
- Township Planner helped revise sign to present better options.
- Variance only permits 2 signs, and applicant is requesting 3. Applicant is requesting extra signs due to traffic and safety concerns of the property.
- Additional sign will cause no impact to zoning or surrounding properties, applicant notes quite a few signs on N. Maple Avenue.
- No problem with letters from Township Planner, and agree to all of her comments.

Leah Furey Bruder, Planner Testimony

- Review letter dated March 29<sup>th</sup>, 2017
- Revised sign is to abide by historic criteria.
- C-3 Requirements exist due to location to the road, however property is located in a shopping center.
  - 21 N. Maple Avenue was granted a façade sign a few years ago.
- Asks applicant if they agree that they will not allow any temporary signage on property? Mr. Henderson says okay.

- No other issues, owner of brewery is working with County.

Public Comment: None

Board Comment:

Mr. Meyers asks about the trees near the Verizon sign and that it is still difficult to see. Asks if there is any way to talk to Verizon. Mr. Henderson states he can talk to the owner to see if Verizon would trim some trees.

Motion to Approve ZB 17-05

Introduce: Amato

Second: Hoyle

Ayes: Alperin, Amato, Wessner, Lutner, Meyers, Hoyle, Rodgers

**Public Comment: None**

**Board Comment: None**

**Communications/Organization:**

Next Meeting: June 19<sup>th</sup>, 2017

**Resolutions:**

ZB 17-02

Motion: Amato

Second: Alperin

Ayes: Alperin, Amato, Wessner, Meyers, Osno, Rodgers

ZB 17-03

Motion: Alperin

Second: Amato

Ayes: Alperin, Amato, Lutner, Meyers, Osno

**Meeting adjourned at 7:46pm.**