

TOWNSHIP OF EVESHAM

Zoning Board

Minutes

December 17, 2018

7:00 pm

Municipal Building

Call to Order

Chairman Parikh made the call to order at 7:01 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: Alperin, Lutner, Wessner, Osno, Shah, Wilson, Thomson, Parikh

Also Present: Wieliczko, Loughney, Arcari, Bruder, Kinney, Boulton

Absent: Davé, Rodgers, Student

Meeting Minutes:

November 19, 2018

Motion: Alperin

Second: Osno

Ayes: Alperin, Lutner, Osno, Wilson, Parikh

Continuation of Scheduled Matters

ZB 18-31 FT Equities LLC 1-28-2019

ZB 18-37 SOBOLESKI 1-28-2019

Unfinished/New Business

1. Bartholomew Viviano ZB 18-34 12-18-18

220 Poplar Ave., Block 81.13, Lot 9 (RD-1 Zone District)

Applicant is proposing a 372 sq. ft. Shed with a side yard setback of 6 ½ where 12 ½' is required in Section 160-57E(2)

Witnesses:

- Bart Viviano, Owner
- Thomas Viviano, Father

Board Solicitor:

- Applicants sworn in
- Seeking bulk variance
- Proposing a 372 sq ft storage shed 12x31
- 6 ½ ft from West side property line where 12 ½ ft is required
- Currently have 80 sq ft shed to be moved doesn't require variance
- 6 ½ ft due to current septic bed and large tree in way which provides shade
- Will not disturb any drainage or neighbor's property
- Currently paying for storage sheds and would prefer to have on property instead
- Ordinances have been changed and now require the relief

Board Comment:

- No comments

Public Comment:

- No comments

Zoning Board Solicitor Summary:

- Applicant is seeking a bulk variance to permit the installation of a 372 sq ft shed with proposed dimensions of 12x31ft to be 6 ½ ft from Westside property line where 12 ½ is required
- Will not disturb drainage or neighboring property
- Explained that tree and septic system are the main reasons

Motion to Approve ZB 18-34

Motion: Alperin

Second: Lutner

Ayes: Alperin, Lutner, Wessner, Osno, Shah, Wilson, Parikh

2. ***Mark McKenna*** ***ZB 18-38*** ***2-12-19***
6 Cheryl Ct., Block 35.09, Lot 36 (MD Zone District)
Applicant is proposing to install 700 sq. ft. inground pool and equipment with side yard setback of 6' where 15' is required in Section 62-62

Witnesses:

- Mark McKenna, Owner
- Steven Horner, Executive Pools

Board Solicitor Overview:

- Both witnesses sworn in
- Applicant requesting a variance to install a 700 sq ft pool 37ftX19ft with deck and filter equipment
- Proposed North side property line setback of 6ft where 15ft is required
- North side property line setback of 6ft where 15ft is required for equipment
- Location of wetlands buffer restrains the location of the pool; necessitates a 6ft setback
- Property owner on North side has no objection to application
- Back of property is Open Space owned by Burlington County Board of Freeholders
- Applicant agrees as Condition of Approval to provide a fence in height and style with Ordinances
- Method of backwash is a cartridge filter system
- Mr. McKenna agrees that all debris will be disposed of properly off-site
- Applicant also agrees that existing sidewalk and curbs broken or cracked will be repaired or replaced at the owners expense

Steven Horner, Executive Pools:

- Described filter system

Board Solicitor:

- Swore in all witnesses
- Township Engineer was excused from the meeting

Applicant Attorney Overview:

- Applicant owns Monokian Cosmetic Dentistry and the building at 151 Greentree Road
- Requesting a sign variance
- Zoned residential even though in a commercial district
- Need an additional sign on the building
- Have a freestanding sign at the end of their driveways, but no signage on the building
- The sign in the driveway is physically closer to another building that is also a dentist building
- Very confusing for patients and confusing for the clientele
- Patients going to the wrong building constantly
- Applicant would like a 2nd sign to identify the building properly for clients, emergency personnel and better directionality on Greentree Road

Kristy Monokian, Owner:

- In addition to dentistry, there is a Pilate studio, a chiropractor, an insurance agency and an eye doctor in the building
- Have a fair amount of elderly patients that come to the building; especially from Brightview Senior Living Facility across the street
- Patients go all the way across the parking lot to the wrong building; end up late for their appointments and get very upset
- Pilate studio has early morning classes that start at 6am
- Sign proposing; plans and pictures provided
- Façade sign will face Greentree Road and will be lit
- Side of the building raised higher so patients can see it
- Will not face any residents; no impact from the lit sign
- Across the street is a commercial property and businesses
- Agree to Condition of Approval that sign will be turned off between 10:00pm and 5:30am; changed from requested 6:00am due to opening of Pilate Studio
- Agree to Channel letters and proposed lettering consistent with the Ordinance; will comply
- Sign dimensions are 36in X 172.1 in as seen on Exhibit A1
- Dimensions of sign for the address “151”, the address numbers of the property are 20.5 in tall

Jim Miller, Professional Planner:

- Accepted as an expert witness
- Reason for the 151 on the side of the building; it faces the parking lot
- Allows anyone in the parking lot to see the address
- Orientation of the numbers; for artistic reasons
- Side of the drawing has the dimensions

- Use to immediate North is an office park
- South is single family homes; west is another dentist
- MD residential zone
- Seeking C variance for the zone
- Relief would advance the purposes of the land use law
- Better zoning alternative
- Sign will provide adequate recognition from Greentree Road
- Building sign is closer to 149 building than it is to 151 which is the building it relates to
- This will offset any problems of recognition
- No detriment from the sign
- Good for the public welfare
- Brightview are patients of the facility so it will help them across the street
- Supports the existing building
- Dental practice here for decades
- Most of the buildings are commercial in nature

Leah Fury Bruder, Township Planner Testimony:

- Review letter dated 12/12/18
- 2 variances required, for 3 signs proposed where only one is permitted
- Square footage of 43 sq ft where only 8 ft are permitted
- Due to being a residential zone; Greentree is really a commercial road
- Residential properties are on sides of Greentree; not front
- Sign is justified and modest in size; character we are looking for
- Agreed to Conditions of Approval for sign times of going on at 5:30am

Public Comment:

- No comments

Board Comment:

- No comments

Board Solicitor Summary:

- Applicant has requested 2 variances to permit the installation of one 43 ft sign on the Westside of the building to identify Monokian Family and Cosmetic Dentistry where 8ft is permitted in a residential zone
- A number sign identifying the building as 151 on the Northside of the building with each number being 20.5 inches
- 1st variance for the façade sign
- 2nd variance to permit the 3 signs; the one façade, the existing freestanding sign and the address sign where only one is permitted
- Applicant agrees to requested Conditions of Approval; sign illumination will be turned off after 10pm and not on again until 5:30am
- Will comply with channel letters
- Passes the burdens of the C2 Variance
- Township Planner has no objections to signs as justified in size and is consistent

Motion to Approve ZB 18-35

Motion: Wessner

Second: Osno

Ayes: Alperin, Lutner, Wessner, Osno, Shah, Wilson, Parikh

Resolutions

ZB 18-36

Motion: Osno

Second: Lutner

Ayes: Alperin, Lutner, Osno, Wilson, Parikh

Communications/Organization

Next Meeting: January 28, 2019

Board Secretary requested the January 28th meeting begin at 6:30pm due to the time required for case to be heard. Board agreed to begin at 6:30pm. Chairman Parikh requested that the meeting will not go beyond 11:00pm and was approved. Board Solicitor asked that the Applicant's Attorney be advised as well as the Professional Staff. It will also be noted in record papers if a special meeting is required due to reorganization.

Mr. Osno advised that he will be out January 6th – 20th

Mr. Alperin advised that he will be out January 23rd – 30th

Mr. Wilson advised that he will be out January 22nd – 29th

Meeting adjourned at 7:45 pm