

**TOWNSHIP OF EVESHAM**  
**Zoning Board of Adjustment**  
**Minutes**

**February 24, 2020**

**7:00 P.M.**

**Municipal Building**

**Call to Order**

Meeting brought to order by Chairman Parikh at 7:05 P.M.

**Flag Salute**

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

Chairman Parikh made the statement of Conformance with the Open Public Meetings Act and the Municipal Land Use Legislation

**Roll Call**

**Present:** Albright, Carragher Fox, Lutner ,Osno, Student, Thompson, Parikh

**Absent:** Alperin, Shah, Wessner

**Staff:** Wieliczko, Arcari, Darji, Furey-Bruder, Muscella, Kinney

**Continuation of Scheduled Matters**

ZB 12-22A Marlton Assembly of God – 3-16-2020

**Unfinished/New Business**

**1. Soboleski MIPRO HOMES (Fox Hollow) ZB 18-37SUBD**

465 N. Elmwood Road, Block 11.52, Lot 3 (LD Zoning District)

- Applicant was represented by Attorney Jeffrey Baron
- Applicant is proposing to construct forty-two (42) single-family residential units, including three (2) open space lots, one of which will contain a stormwater basin
- Applicant is seeking 2 variances (1) minimum yard setback of 10' where 20' is required (2) open space requirement of .0299% where 0.40% is required and Preliminary and Final subdivision
- Applicant obtained a density variance to permit a density of 1.3 units per acre Resolution ZB 18-37 date 2-25-2019 memorialized 3-29-2019
- Witnesses for the applicant sworn:
  - Michael Procacci, Jr. – MiPro Homes , LLC
  - Joseph A. Mancini, Engineer, Tri-State Engineering & Surveying PC
  - Andrew Feranda, Traffic Engineer, Shropshire Assoc.
  - Kristine Heimburger, LSRP, ITT Environmental Inc.
  - J. Creigh Rahenkamp, NJPP, Creigh Rahenkamp & Assoc., LLC

Board Professionals sworn:

Rakesh Darji, Board Engineer & Environmental Consultant

Leah Furey Bruder, Board Planner  
Stacey Arcari, Board Traffic Engineer

Michael Procacci, Developer, MiPro Homes, LLC

- Experience in Evesham – currently Hayerhill Development with a good product
- Approximately 10-15 homes built in a year
- Proposed homes will be similar
- 3,000 sq. ft. – 4,000 sq. ft. homes ranging from \$537,000.00 up to \$700,00.00 plus options

Joseph Manicini, Engineer – Tri-State Engineering & Surveying PC

- Prepare site survey & subdivision plan – Exhibit (A-1) dated 2-24-2020
- Property is located in the LD zone with one existing building, farm land, wooded and wetlands
- Proposing building lots – 14,000-17,000 sq. ft. Some lots will have side entrance garage with 36' side yard and 10' side yard – 10' side yard variance requested with 20' is required
- Drainage basin in rear
- Rain gardens and rain barrels will be optional
- Boulevard entrance will be in conjunction with RSIS standards
- Parking on both sides of street
- Applicant has worked with staff to increase percentage of open space that was presented at the time of the Use Variance approval (21.5% to 29.9%)
- Proposed improvements on North Elmwood Rd.

Andrew Feranda – Traffic Engineer

- Mr. Feranda discussed traffic assessment provided
- Counts during the AM & PM peak hours for the intersection of N. Elmwood Rd. & Geranium Dr. were given
- Applicant is working with Ms. Arcari for the proposed intersection of N. Elmwood Rd. & Charlotte Court – if no resolution is met – applicant will return to the board
- Solar Powered Radar Speed Sign in both directions on N. Elmwood Rd. will be installed by the applicant
- Chairman Parikh asked where the school bus stop would be located Mr. Feranda stated that they will work with the Board of Education who makes that determination

- Board Member Student stated his concerns on a location of a school bus stop on N. Elmwood Rd.
- Mr. Baron stated that the applicant would work with the BOE and if a bus stop is required the applicant will provide

Kristen Heimburger, LSRP, ITT Environmental Inc.

- Concerns described in the ERI letter dated 2-21-2020 discussed
- Discharge, gasoline aboveground storage tank, former 550-gallon heating oil UST, former UST excavation fill, pesticide use, potential hog farm solid wastes – applicant has provided additional information on all issues to ERI – ERI agrees with the recommendations given by ITT and will monitor and work with applicant on all issues

Creigh Rahenkamp, Planner, NJPP – Creigh Rahenkamp & Assoc., LLC

- D(5) variance was received in February, 2019 to permit up to 42 single family residential lots
- Applicant requests a variance from section 16-63 to permit side yard setback of 10' where 20' is required – applicant requests the side yard setback reduction so that the houses may be sited toward one side of the lot leaving enough room on the second side for a side entry garage
- Applicant requests a variance to allow 29.9% of the property to be open space where 40% is required – applicant has worked with the board professional staff and created a subdivision layout, shifting space for presentation of trees, landscaping, no impact on wetlands or buffer area to deliver their product
- Mr. Rehenkamp stated that lots sizes proposed are the least dense in the area
- Chairman Parikh asked is Mr. Rehenhamp has documentation for this
- Mr. Rehenkamp did not
- Mr. Furey-Bruder stated that an average of 10,000 – 12,000 sq. ft. lot is average
- Board member Fox asked if no more that 42 lots be built?
- Mr. Baron confirmed

Mr. Baron stated that the applicant has worked closely with the Board professional staff over the prior months and found that the proposed plan worked the best

Applicant agrees to recommendations and conditions in the board's professional letter's - (ERI & LFB)

Leah Furey Bruder, letter dated 2-4-2020

- Addressed side yard variance request
- Size of lots – average of 17,000 sq. ft.
- Mandatory Development Fee – no affordable units on site – required is 1.5% of the assessed cost for 32 units – 6% of the assessed cost for 10 units
- Continuance open space – passive open space and has met the intent of the zone
- Green infrastructure - rain barrels & rain gardens will be offered
- Sidewalks along N. Elmwood Rd are recommended and applicant has agreed to work with Township
- Applicant has agreed to landscape comments
- Architectural elevations are requested

Board Member Fox asked how many lots must be eliminated to meet the required open space percentage? 8 lots

Rakesh Darji, letter dated 2-21-2020

- Engineering and Environmental concerns have been addressed
- Groundwater recharge was discussed  
Mr. Mancini stated that calculations of the recharge required based upon guidance from the NJDEP was done and that there is no recharge deficit – Mr. Darji agreed

Board Member Lutner asked is fence would installed around the basin – yes 4' split rain fence will be provided

Stacey Arcari, letter dated 2-21-2020

- Traffic comments addressed
- Working on intersection striping
- Ms. Acari & applicant's traffic engineering are working very closely together on this project

Board Member Student travels road daily and asked if extra school buses were would affect the travel times, traffic and location of school bus stop

and if parents/cars are parked on N. Elmwood Rd. waiting for school bus how would that be addressed

Ms. Arcari stated that until we know what the BOA will require it is hard to comment and it could be an enforcement issue

Mr. Baron stated that the applicant will comply with recommendations and comments from the board's professional letters and sidewalks along N. Elmwood Rd., solar powered radar speed signs on N. Elmwood Rd., Mandatory Development Fees, submission of Homeowner Association documents. Placement of school bus shelter to be discussed if needed when BOE approval is Received

Chairman Parikh opened the application to the public:

Sworn – John O'Donnell – 115 Fox Hill Drive

Mr. O'Donnell questioned if the Open Space proposed include the wetlands

Would like the basins moved towards the open space

Rain barrels proposed while a good option – may not be

Mr. Wieliczko said rain barrels are optional and the applicant proposed for part of green infrastructure

Questioned pumps in basin – concern about flooding near his property

Sworn – Steve Sobocinski – 3 Chateau Circle

Longtime resident – member of the Evesham Township Environmental Commission

Explain the location of the existing greenway that runs along this property and hopefully would soon include the Beagle Club - has spoken with Councilman DiEnna about this subject

Encourages the applicant and board to keep the open space and the required 40% open space

Chairman Parikh closed the Public Portion

Mr. Baron stated that the applicant and their professionals have worked very hard with the Board's professional staff in presenting this current plan

Mr. Wieliczko summarized:

Applicant is seeking Preliminary and Final Subdivision approval with variances (1) side yard (10' where 20' is required) (2) Open Space (29.9% where 40% is required)

42 single family lots – 2 open space lots

Applicant has agreed to comply the recommendations and comments in all the board's Professional letters

Chairman Parikh thanked the applicant, applicant's professionals and the board's professionals for their hard work in presenting this application

Chairman Parikh brought it back to the board for a motion

Motion to approve ZB 18-37SUBD

Motion – Lutner

Ayes: Lutner, Osno, Student, Parikh

Nay: Albright, Carragher, Fox

**Minutes – 1-27-2020 - Tabled**

**Resolution – None**

**Communication/Organization - None**

**Public Portion** – Sworn – Mr. Robert DiEnna, 8 Eustace Terrace

As a matter of clarification, any conversation with Mr. Sobocinski was of a personal basis

Next Meeting: March 16, 2020

Motion to Adjourn

Ayes: All in favor

**Meeting adjourned at 9:20 p.m.**