

**TOWNSHIP OF EVESHAM**  
**Zoning Board of Adjustment**  
**Minutes**  
**7:00 P.M.**  
**Via Video Conferencing**

**September 21, 2020**

**Municipal Building**

**Call to Order**

Meeting brought to order by Chairperson Student at 7:00 P.M.

**Flag Salute**

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

Vice-Chairman Thompson made the Statement of Conformance with the Open Public Meetings Act and the Municipal Land Use Legislation and in accordance with the April 2, 2020 recommendations of the New Jersey Department of Community Affairs in hosting the Zoning Board meeting via video teleconferencing

**Roll Call**

**Present:** Lutner, Thomas, Thompson, Osno, Grantner, Paetzold, Student

**Absent:** Carragher, Fox, Wessner

**Staff:** Wieliczko, Darji, Fegley, Turan, Snee, Freedman, Rijs, Kinney

An introduction was made of the New Director of Community Development, Kevin Rijs

**Continuation of Scheduled Matters:**

ZB 20-09 Lemberskie – 10-19-2020

**New Business**

**1. Oakleigh Development Group, LLC**

880 Route 73, Block 35.30, Lot 20 (C-1/LD Zoned Districts)

Jeffrey I. Baron, Attorney for Applicant

Applicant Professionals sworn:

Jay Sims, Engineer – Consulting Engineering Services

James Miller – Planner – J. Miller Planning Consultant

Don Rosemann – Architect – Rosemann Architects

Dan Theis – Principal Partner – Theis Group Inc.

Board Professionals sworn

Behram Turan – Environmental Consultant

Rakesh Darji – Engineer

Barbara Fegley – Planner

Deputy Chief Scott Freedman – Fire Marshal/Fire Subcode Official

Mr. Baron gave the following information:

USE Variance approved – January 27, 2020

Height Variance 45' where 40 required

Front Yard setback 90' where 100' required

Applicant seeking Preliminary and Final Site Plan approval

3 story, 9+ acres, 101 bed senior care facility

10 percent of the units to be affordable housing

Split Zoning - Western side of property C-1, eastern side (rear) LD

(property received prior approval for a Hotel and Restaurant)

Previous condition of approval in Resolution ZB 08-06 was for the applicant to dedicate roughly 0.136 acres of land in an 8.5' wide strip along Dutch Road, this work has been done

Applicant agrees to resolve all conditions set forth in previous approvals

James Miller, Planner – J. Miller Planning Consultant

gave testimony:

Beneficial use for property

Front yard setback of 83.5' where 100' is required

(different from use variance approval)

Buffer of 45' where 50' required – landscaping element will be fully adequate

Dan Theis – Principal Partner – Theis Group Inc.

gave testimony:

Experience with other facilities

101 Beds

Number of Employees – 3 Shifts

35 employees – 7 a.m. – 3 p.m.

30 employees – 3 p.m. – 10 p.m.

5-10 employees – 10 p.m. – 7 a.m.

No formal visiting hours

Facility secured 8 p.m. – 7 a.m.

Average number of visitors daily – 10 -15

No increase on weekends

Trash pickup – 2x per week

Solid and medical pickup – once a week

Deliveries - 1 to 2 per day

Deliveries will be made in loading area

At this time due to COVID 19 regulations deliveries by tractor trailers will be made at entrance facing route 73

Linens are washed in house  
Drop off and Administration through front door  
Patients recreation in outdoor common area  
Facility includes, library, movie, sitting area, dining room  
Patients have a full day of activities  
Resident average age is 85  
Memory Care section has key pad entrance  
Outside medical appointment with medical transportation  
Operation schedule to be provided to the Board and be included in Resolution of Approval before memorialization of said Resolution

Jay Sims – Engineer – Consulting Engineering Services  
Referenced - Exhibit A-1 Color Site Rendering  
Site located at Rt. 73 & Dutch Rd. – opposite Dunkin Donuts/Learning Center  
Part of the improvements included in prior approval – widening & improvements Dutch Rd. in anticipation of the development of this property  
Outside approvals  
LOI from DEP  
NJDOT Highway access – same as the access that was approved for previous approval of hotel  
DEP – TWA and DEP – Wetlands Buffer Transition  
Referenced – Exhibit A-1 Color Site Rendering (larger scale)  
Whole site will be walkable  
Showing Canopy  
Location of entrances from Route 73 and Dutch Road  
Handicap parking  
Courtyard for Memory Care – secured by fence  
Assisted Living Courtyard  
Landscaping  
Stormwater – 2 underground basins, 1 above ground  
Applicant addressed comments from ERI letter dated 9/15/2020, Page 14  
92, a. (1) & a.(2)  
Rain garden to be considered – will work with ERI  
Applicant agrees to work with ERI to comply with all recommendations and conditions set forth in the 9/15/2020 review letter – if not will come back to the board

Michael Brown – Traffic – Consulting Engineering Services  
All improvements were made to Dutch Road at the time of the construction of the Dunkin Donuts and Day Care  
D level of service – is acceptable

Applicant agrees to comply with terms and conditions for Environmental concerns set forth in both the CME letter dated 9/18/2020 and the ERI letter dated 9/15/2020

Applicant has been in contact with Deputy Chief Scott Freedman and has agreed to Comply with conditions set forth in his memos dated 8/11/2020 and 9/17/2020

Don Rosemann – Architect – Rosemann Associates

Referenced Exhibit A-3 - A-200 Elevations – South & West dated 5/7/2020

Modified for landscape buffer

Exhibit A-4 - A-201 Elevations – North & West dated 5/7/2020

Portico – 14' height 25' minimum width, and would satisfy emergency vehicle

Exhibit A-5 – Entry Perspective dated 5/7/2020

Rt. 73 & Dutch Rd. – Main Entrance

Outside patio closest to Rt. 73

Will work with ERI about comments #31 and #33 in their letter dated 9/15/2020

Will do additional landscaping

Discuss using wheel stops instead of bollards

If an agreement cannot be met will return to the Board

Unit consist of:

23 Memory Care Units (20 Studios, 3 one bedroom units)

69 Units (20 Studio, 41 one bedroom units, 8 two bedroom units)

10% affordable and will be designated prior to construction

Applicant agrees to apply for Title 39

Applicant agrees to provide deed of consolidation

Applicant agrees to provide ladder style in existing crosswalk across Dutch Road

Applicant will provide pedestrian crossing signs

Applicant has agreed to work with Barbara Fegley, ERI, and address comments the Environmental Commission memo date 9-14-2020 concerning plantings

Rakesh Darji – ERI letter dated 9-15-2020

Applicant did a thorough job with all reviews for engineering

Has spoken with Mr. Sims and will work together to address any issues

Traffic – in general low generated and most issues were addressed at the Use Variance hearing

Barbara Fegley – ERI letter dated 9-15-2020

Ask Mr. Rosemann about lighting in the pathways – 36 high lights

Information on the Affordable units will be provided before any construction permits

Rakesh Darji – ERI letter dated 9-15-2020 and CME letter 9-18-2020  
Mr. Turan agreed that both comments can be incorporated  
No further comments

**Board Comment:**

Ms. Thomas asked:

If memory care residents will be using outside space by Route 73?

Mr. Rosemann – No

If access area in front of building by for large truck deliveries will be use on through the COVID 19 time

Propose unloading of food trucks will be the open area of the western wing and will not be at peak hours

Mr. Sims – yes – also full access for fire vehicles

Deputy Chief Scott Friedman confirmed this is a temporary situation

Chairperson Student asked that this information concerning the COVID 19 restrictions be included in the operation schedule

Mr. Lutner asked if the loading dock area is where waste is removed

Mr. Sims stated that trash trucks will has access and dumpsters to be used

Mr. Lutner asked about shift changes and what effect will it have on Route 73

Mr. Thies said there should be no issues

Mr. Baron said that shift times are staggered

Mr. Lutner concerned about speed exiting on to Route 73

Also lighting in parking lot – 36” lighting bollards will be used

Mr. Lutner asked about fire department issues

Deputy Chief Friedman and Mr. Rosemann have work together to address comments and concerns in memos dated 8-11-2020 and 9-17-2020

Mr. Grantner asked about the maintenance of the stormwater basins

Maintenance schedule would be done at field inspections

Asked is loading zone can handle tractor trailers – yes

Chairperson Students asked Mr. Baron if there would be any issues with ingress and egress at the site and the existing Dunkin Donuts entrance

Mr. Baron – no issues with line of sight

**Public Comment - None**

Mr. Baron appreciates the Board and their Professional work on this application and has agreed to comments in all the professional's reports

Mr. Wieliczko summarized:

Applicant is seeking Preliminary and Final Site Plan approval  
with bulk variances: front yard setback of 83.5' where 100' is required  
Buffer of 45' setback where 75 is required

Applicant agrees to all conditions set forth from the prior Use Variance approval and those set forth in professional's letter for preliminary and final site plan

40' tracker trailers will only be use through the COVID 19 requirements

Rain garden to be considered and will work with ERI

List of COAH unit details to be provided

Motion to approve ZB 19-16SP – Paretzold

Second – Thompson

Ayes: Student, Lutner, Thompson, Thomas, Osno, Grantner, Paretzold

#### **Minutes – August 17, 2020**

Motion to approve - Lutner

Second – Paetzold

Ayes: Lutner, Osno, Thomas, Thompson, Grantner, Paetzold

#### **Resolutions:**

ZB 20-10 – Ruben Hernandez

Motion to approve – Lutner

Second – Thomas

Ayes: Lutner, Thompson, Thomas, Osno

ZB 20-11 – Simeon Martello

Motion to approve – Osno

Second – Thompson

Ayes: Lutner, Thompson, Thomas, Osno

ZB 19-01EXT – United Growth Holdings, LLC

Motion to approve – Osno

Second – Lutner

Ayes: Lutner, Thompson, Thomas, Osno

#### **Public Comment – None**

**Next Meeting** – October 19, 2020

Meeting adjourned: 9:40 p.m.

Next Meeting – September 21, 2020

Meeting Adjourn: 8:40 p.m.