

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

**August 17, 2020**

**Municipal Building**

**Call to Order**

Meeting brought to order by Vice-Chairman Thompson 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:** Carragher, Fox, Lutner, Thomas, Thompson, Wessner, Osno, Grantner, Paetzold,  
**Absent:** Student

**Staff:** Muscella, Kinney Wieliczko, Darji

**Continuation of Scheduled Matters:** None

**New Business**

**1. Ruben Hernandez ZB 20-10**

23 Columbia Drive, Block 13.64, Lot 12 (MD Zone District)

Mr. Ruben Hernandez and Rakesh Darji – sworn

Applicant is seeking bulk variance relief for front and rear yard setbacks for an inground pool

Property is a corner property at the intersection of Annapolis Drive and Columbia Drive

Exhibits	A-1	Survey – Donovan Surveyors 5-20-2020, revised 6-3-2020
	A-2	Pool Grading Plan – James E. Maccariella, Jr. 6-12-2020
	A-3	Home Sweet Home – existing conditions of property
	A-4	Front Yard/Side Yard – showing drainage towards Annapolis Dr. Also shows existing sheds
	A-5	Side Yard – Additional landscaping to be installed
	A-6	Picture of Children
	A-7	Back Yard View

Applicant is seeking a rear yard setback of 7' where 15' is required  
Applicant is seeking a front yard setback of 12' where 30' is required – the side yard fronts Annapolis Drive and is zoned as a front yard  
Location of pool equipment in front yard due to slope of the rear property  
Applicant stated that the sheds (1) off property (1) partially on/off property, where existing when home was purchased  
Applicant agrees to move sheds on property and meet required setbacks  
Applicant agrees to supply Community Development with landscape plan showing additional landscaping to be installed  
Applicant agrees with all comments in the ERI letter dated 8-11-2020  
Mr. Darji is in agreement

Mr. Wieliczko summarized  
Applicant is seeking bulk variances  
Rear yard setback of 7' where 15' is required  
Front yard setback of 12' where 30 is required for pool  
Front yard setback to permit a 6' fence where 4' is permitted  
Supply Community Development with landscape plan  
Applicant to move existing shed onto property and meet required setbacks  
Applicant agrees to comply with conditions set forth in ERI letter 8-11-2020

Public Comment – None

Motion to approve ZB 20-10 made by Fox

Second – Lutner

Ayes: Carragher, Fox, Lutner, Osno, Thomas, Thompson, Wessner

**2. Simeon & Shannon Martello                      ZB 20-11**

20 Buckley Lane, Block 35.11, Lot 34 (MD Zone District)

Mr. Simeon Martell and James Macariella, Jr., P.E. - sworn

Applicant is seeking bulk variance relief for side and rear yard setbacks for an inground pool and side yard setback for pool equipment

Property is a corner property at the intersection of Rolling Pin Court and Buckley Lane

Exhibits    A-1    Survey – Guzzi Engineering 6-1-2001

              A-2    Pool Grading Plan – James Marcariella, Jr., 5-29-2020  
(North arrow on both plans need to be modified – Pool grading Plan correct)

Applicant is seeking a rear yard setback of 8' where 15' is required

Applicant is seeking a side yard setback of 8' where 15' is required

Applicant is seeking a side yard setback of 3' where 15' is required for pool equipment

Applicant stated that this is the best location of pool due to shape of property

Recharge trench will be installed at rear of property  
Applicant agrees that no adverse conditions to property or neighbor's property and  
Will be designed and installed in agreement with conditions set forth by Mr. Darji  
Mr. Maccariella gave information on recharge trench and catch basin shown on  
Exhibit A-2 Pool Grading Plan  
Applicant is in agreement with all comments and concerns set forth in the ERI letter  
Dated 8-11-2020  
Mr. Darji has requested additional details for trench and infiltration trench and  
and requests an addition inlet closer to Buckley Lane  
Applicant and Mr. Maccariella are in agreement

#### Public Comment

Mrs. Tran – 18 Buckley Lane – sworn  
Mrs. Tran is the adjoining neighbor – pool location will be on the side of her house near  
kitchen and bedroom and think it is too close to property line and will affect her privacy  
Mrs. Tran has seen survey  
Mr. Martello is willing to move pool equipment to west property line off of Rolling Pin  
Court, rear yard near existing shed 5' off of property line  
Mr. Martello stated that this is the best design and location for the pool  
Mr. Martello will consider landscaping along rear property line to address some of Mrs.  
Tran's concerns  
Mrs. Tran stated that the construction of this pool will not meet NJ State codes  
Mr. Martello agrees to comply will all NJ State codes

#### Public Comment – Closed

Board Comment – Board Member Carragher asked if someone would please explain the  
process to Mrs. Tran – Board Secretary Muscella will reach out to her

Mr. Wieliczko summarized  
Applicant is seeking bulk variances  
Rear and side yard setback of 8' where 15' is required for pool  
Supply landscape plan  
Supply recharge trench information acceptable by ERI  
Pool Equipment to be moved to western side of property with a setback of 5' where  
15' is required  
Supply revised pool grading plan  
Applicant is in agreement with all comments and concerns set forth in the ERI letter  
Dated 8-11-2020

Motion to approve ZB 20-11 made by Lutner

Second – Fox

Ayes: Carragher, Fox, Lutner, Osno, Thomas, Thompson, Wessner

**3. United Growth Holdings, LLC ZB 19-01EXT**

751 Route 73, Block 36, Lot 4.06 (C-1 Zone District) – (Target Parcel)

Lawrence Calli, Attorney

Applicant is requesting a one-year extension to their prior approval ZB 19-01

Resolution memorialized July 15, 2019

Approval for Conditional Use “D(3)”, Bulk “C” variances, minor subdivision, and preliminary and final major site plan to subdivide lot to create two new lots on the north side of the signalized main access drive for the construction of two “quick serve” restaurants

Mr. Calli stated that the applicant has been diligently working towards satisfying the conditions to set forth in the approval. In addition, the Applicant was delayed as a result of the COVID-19 impact on the State. Under the circumstances, and because the requested for extension is not a detriment to the public good, Mr. Calli asked for the board’s approval of the extension.

Mr. Wieliczko stated that the applicant has definitely tried to move forward with the project

Public Comment – None

Motion to approve ZB 19-01EXT made by Carragher

Second – Lutner

Ayes: Carragher, Fox, Lutner, Osno, Thomas, Thompson, Wessner

**Minutes – 7-20-2020**

Motion to approve Carragher

Second – Lutner

Ayes: Carragher, Fox, Lutner, Osno, Thomas, Thompson, Wessner

Next Meeting – September 21, 2020

Meeting Adjourn: 8:40 p.m.