

TOWNSHIP OF EVESHAM
Zoning Board of Adjustment
Minutes

March 21, 2022

7:00 P.M.

Municipal Building

Call to Order

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

Flag Salute

Statement of Conformance with Open Public Meetings Act

Chairperson Carragher made the Statement of Conformance with the Open Public Meetings Act and the Municipal Land Use Legislation

Roll Call

Present: Carragher, Thompson, Grantner, Masson, Repsher

Absent: Fox, Thomas, Willmott, Paetzold

Staff: Wieliczko, Darji, Newton, Kinney

Continuation of Scheduled Matters: None

New Business

1. 10 Clements Court

Z22-01

Application carried from the 2-28-2022 ZB Meeting

Block 15.09, Lot 5 (LD Zone)

Alexander Bush – sworn

Randall Holberg – Architect

Rakesh Darji – ERI

Exhibit A-1 – 14 photos and 3 PDF's (surveys) taken by Mr. Bush

Applicant is proposing addition on the northern side of the property with a side yard setback of 22.01' where 25' is required

Applicant is in agreement with conditions set forth in the ERI letter dated 3-18-2022

Wetlands buffer pin locations were there when Mr. Bush bought property

Applicant stated that no negative impact to drainage to adjacent properties

Fence and driveway will be brought into compliance and will help with drainage

Shed on plans will either be removed or moved to be in compliance

Playground equipment will be removed

Some landscaping will be removed where the addition is being constructed and lower bushes will be put around foundation

Applicant agrees to submit revised grading plan
Rakesh Darji – ERI letter dated 3-18-2022
Applicant has addressed comments and concerns
Exhibit A-2 – Randall Holberg LLC Architect letter dated 3-7-2022
Wetlands buffer pins should be properly located
Applicant will coordinate with his neighbor for grading and restoration work to be done and will submit that agreement to the Board Secretary

Chairperson Carragher thanked the Professional Staff, the applicant and Mr. Holberg for working together

Mr. Wieliczko summarized
Applicant is seeking a side yard setback (north) of 22.01' where 25' is required
Applicant has satisfied recommendations and concerns in the ERI letter dated 3-18-2022
Exhibit A-1 – photos and surveys
Exhibit A-2 – Randall Holberg LLC Architect letter dated 3-7-2022
Applicant agrees to remove shed and fence if determined to be in wetlands buffer
Applicant agrees placing pins in correct location for wetlands
Applicant will coordinate with neighbor and a letter will be submitted to the Board Secretary
Applicant agrees to grade and restore neighbor's property is needed

Board Comment – None

Public Comment – None

Motion to approve Z22-01 – Bush – Thompson
Second – Grantner
Ayes: Grantner, Masson, Repsher, Thompson, Carragher

2. 27 Pelham Road

Z22-02

Block 35.02, Lot 14 (MD Zone)
Donald & Debra Jones – sworn
Rakesh Darji- ERI – sworn
Richard T. Wells, Attorney for Applicant
Applicant is seeking bulk variances to locate a 6' fence, a shed and an above ground pool in the front yard setback
Exhibit A-1 - Survey of Premises dated 11-20-2017
Exhibit A-2 – 4 Aerial pictures of property dated 12/2021, 4/2010, 10/2011, 5/2016

Mr. Wells stated that these conditions were in place when applicant purchased property in 2017

This is a corner property

The fence will be replaced with a 6' white vinyl privacy fence in the front yard setback – fence has been on property at least since 2001

Above ground pool setback 10' from southern side of property (front yard setback)
6' from western side of property (rear yard setback)

Applicant has copy of permits for pool – approximately 2011

Taken in to consideration the shape of the yard this is the best location for the pool and equipment

Shed will be replaced with white vinyl shed

There are no drainage issues

Rakesh Darji – ERI letter dated 2-8-2022

Applicant has addressed all issues

Board Comment

Vice Chair Thompson asked the reason for a 6' fence and not a 4' fence

Mr. Jones – would like to replace as is and does give extra privacy and safety for pool

Mr. Wieliczko – will fence match the fence in back?

Mr. Darji – fence adjacent to Lot 13 is the neighbor's fence and is wood

Public Comment – None

Mr. Wieliczko summarized

Applicant is seeking bulk variances for existing non-conforming conditions on property when purchased

Pool – front yard setback and side yard setback

Shed – front yard setback

Fence – front yard setback

Applicant agrees to conditions set forth in ERI letter dated 2-8-2022

Motion to approve Z22-02 – Jones – Thompson

Second – Masson

Ayes: Grantner, Masson, Repsher, Thompson, Carragher

3. 33 Birchwood Drive

Z22-03

Block 11.06, Lot 10 (MD Zone)

Jamie Coia Tagland & Engel Tagland – sworn

Rakesh Darji – ERI - sworn

Applicant is seeking bulk variance to locate 6' fence and 140 sq. ft. shed in front yard along Birchwood Drive

Exhibit A-1 - Survey showing location of fence and shed

Exhibit A-2 – Updated survey addressing ERI letter dated 3-14-2022

Exhibit A-3 – Fence information

Exhibit A-4 – Grading Plan

Ms. Jamie Coia-Tagland measured the yard to get correct information on Exhibit A-2

Applicant agrees with recommendation in ERI letter dated 3-14-2022

Applicant feels there will be no site line problem

Ms. Coia-Tagland gave an overall view of the application

6' fence and shed in front yard

Existing fence will be removed and new 6' fence will be professionally installed

Applicant stated that fences on corner lots are common in the neighborhood

Rakesh Darji – ERI – letter dated 3-14-2022

What is the reason for a 4' fence

Applicant – privacy and safety for dog – existing fence is 6'

Mr. Darji is concerned about the measurements shown on survey and if those measurements are correct

Applicant agrees that the fence placement and measurements are acceptable to Board Engineer

After some discussion the applicant would like to work with the Board Engineer and asked that this application be carried to the next meeting

A public announcement was made – no additional notice is required

This application Z22-03 – 33 Birchwood Drive will be carried to the next Zoning Board meeting – April 25, 2022

4. 4 Annapolis Drive

Block 13.65, Lot 18 (MD Zone)

Mark Wallace – sworn

Larry Stoelker, Budd's Pools – sworn

Rakesh Darji – ERI - sworn

Applicant is seeking bulk variances to construct an in-ground pool and pool equipment

Exhibit – A-1 – Avila Engineering letter dated 3-21-2022 in response to ERI letter dated 3-18-2022

Exhibit – A-2 – 5 Photos – (4) showing existing conditions (1) color rendering of proposed pool

Setbacks proposed for pool – side yard setback (north) 13.93' where 15' is required

Side yard setback (south) 6.77' where 15' is required

Rear yard setback 7.30' where 15' is required
Side yard setback (south) for pool equipment – 10' where 15' is required
Applicant – property is an irregular shaped lot
No adverse drainage to property or neighbors
5 different drain inlets are proposed
Applicant referred to photos – part of patio pavers will be removed, minimal decking around pool is proposed
Pool equipment will be located on left side of house and is a cartage filter system
Proposed construction path will be on right (north) side yard
Applicants agrees to conditions set forth in ERI letter dated 3-18-2022

Rakesh Darji – ERI – letter 3-18-2022
Applicant has addressed all comments
Mr. Darji asked if applicant agrees for outlets marked 3 & 3A – agrees to extend pipe down property line to road. Any questions Mr. Darji can coordinate with Mr. Avila

Board Comment – None

Public Comment
Sharon Brophy – sworn
28 Olympia Drive
Ms. Brophy asked why variances are in place
Mr. Wieliczko gave an explanation on the relief requested and the process
Ms. Brophy lives behind the Wallace property and is concerned about security and privacy
Would like the applicant to stay within the 15' setback

Gerard Cravello – sworn
Cherry Hill, previous owner of 49 Lexington Circle
Mr. Cravello opposes this application would want applicant to stay within the 15' setback to help to address privacy and noise

Catherin Franco – sworn
59 Lexington Circle
Ms. Franco mostly concern about the noise level

Public Comment – Closed

Applicant agrees to the ERI letter concerning the 3 & 3A inlets and that the piping and drainage will be acceptable to the Board Engineer

Chairperson Carragher asked if anything can be done to help lessen the rear yard setback

Page 6
March 21, 2022

Mr. Darji asked applicant about the decking around the pool and if landscaping along rear property line would be considered

Applicant agrees to amend the rear yard setback from 7.30' to 11.30' and moving the pool as close to house as possible, landscaping along rear property, moving pool forward to the north side yard setback to be closer to compliance

Applicant will submit revised pool plan with new design

Motion to approve Z22-05 Wallace with changes – Thompson

Second – Grantner

Ayes: Grantner, Masson, Repsher, Thompson, Carragher

Minutes – 2-28-2022

Motion to approve - Thompson

Second – Grantner

Ayes: Carragher, Thompson, Grantner, Masson, Repsher

Public Comment – None

Board Comment

Chairperson Carragher – tries to address Public as best as possible

Communication/Organization

Mr. Wieliczko addressed the Board concerning the lawsuit brought against the Zoning Board of Adjustment and Kevin Rijs, Township Zoning Officer by FHG, NJ, Inc. The claim against both the Zoning Board of Adjustment and Kevin Rijs has been dismissed with prejudice. Any new information received will be brought to the Board's attention

Next Meeting - 4-25-2022

Meeting Adjourn: 9:30 p.m.