

**TOWNSHIP OF EVESHAM
ZONING BOARD OF ADJUSTMENT**

Minutes

September 19, 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 and in accordance with the April 2, 2020 recommendations of the New Jersey Department of Community Affairs in hosting the Planning Board meeting

Roll Call

Present: Borstad, Willmott, Ganju, Repsher, Thomas, Carragher

Absent: Grantner, Masson, Thompson, Graterol

Staff: Darji, Dochney, Hunt, Wieliczko, Newton, Kinney

Organization of the Board

- a. Appointment of Conflict Planner

Motion to appoint Environmental Resolutions Inc. - Carragher

Second – Borstad

Ayes: Borstad, Willmott, Ganju, Repsher, Thomas, Carragher

Continuation of Scheduled Matters – None

Minutes – August 15, 2022

Motion to approve – Willmott

Second – Thomas

Ayes: Willmott, Ganju, Repsher, Thomas, Carragher

Resolutions

Motion to approve 2022-ZB-17 – Z22-07 – Raising Canes – Thomas

Second – Repsher

Ayes: Willmott, Ganju, Repsher, Thomas, Carragher

New Business

- 1. 941 Tuckerton Road**

Block 105, Lots 11 & 13
Anthony & Joanne Valenzano (Cups & Cones)
Mr. Wieliczko announced the application has been withdrawn

2. 40 Lake Center (401 Route 73 N.)

Z22-13

Marlton 40 Lake Center LLC
Lake Center Executive Park
Block 5, Lot 2.01 (C-1 Zone)
Freedom Mortgage
Laura M. D'Allesandro, Attorney for Applicant
Norman Zeller – Freedom Mortgage – Senior Vice-President of Corporate Real Estate
- sworn
Richard Hunt, Alaimo Group – sworn
Applicant is proposing a 144.20 sq. ft. façade sign where 80 sq. ft. is permitted
Exhibit A-1 – Aerial photo of site
Exhibit A-2 – 4 photos of site – Lake Center Drive
Freedom Mortgage occupies 68,000 sq. ft. of the 88,000 sq. ft. building
Administrative offices, training facilities, Executive meetings and investor's meeting
take place
Sign proposed is for better identification
No other façade sign is on the building
Lighting will on timer – LED – dusk to dawn and will conform to all zoning codes

Richard Hunt – Alaimo Group – letter dated 9-13-2022
As stated by applicant proposed sign will promote business and help with
identification
Has no other comments

Board Comment

Chairperson Carragher – are you connected to 20 Lake Center
Applicant – no

Board Member Thomas – this is just expanding the size of sign
Applicant – yes

Public Comment – None

Mr. Wieliczko – summary

Applicant is seeking a bulk variance to replace façade sign of 78.5 sq. ft. with a façade sign of
144.20 sq. ft.

Motion to approve Z22-13 – 40 Lake Center (401 route 73 N.) – Freedom Mortgage Sign – Borstad

Second – Thomas

Ayes: Borstad, Willmott, Ganju, Repsher, Thomas, Carragher

3. 90 Brick Road

Z22-14

Virtua Marlton Hospital

Block 26, Lot 5.01 (C-1/EVCO Zone)

William F. Hyland, Attorney for Applicant

Julie Herb – Virtua – Vice-President of Facility Development – sworn

Dennis O'Hara, Senior Vice-President- Compass Sign Company – sworn

Richard Hunt – Alaimo Group – sworn

Exhibit A-1 – photo of existing façade with damage

Applicant is proposing to replace existing façade sign with a 183.33 façade sign with white background, color border at the bottom edge of sign where 80 sq. ft. is permitted

Proposed sign design arises from an identification rebranding for Virtua

White backing proposed as architectural element due to damage to façade from old sign – this is not a box sign

No other façade sign on building

All other signs on site have been installed with permits

Dennis O'Hara – sign is being changed for better identification

Proposed sign – white back ground and color bar at bottom of sign

Internally lite sign – existing electric to be used

Richard Hunt – Alaimo Group – letter dated 9-12-2022

Agrees that this does meet the box sign definition - variance not required

Agrees that color bar at bottom of sign can stay

Chairperson Carragher addressed Board Attorney with disclosure – his wife is a nurse with Virtua and this will not affect his discission

Board Member Ganju also addressed Board Attorney with disclosure – her husband is a doctor with Virtua and this will not affect her discission

Mr. Wieliczko thanked both members for this information

Mr. Hyland, Attorney for Applicant has no objection

Board Comment

Board Member Repsher - Does color band change the size of the sign

Mr. O'Hara – No

Board Member Thomas - What is the purpose of the white background?

Mr. O'Hara – to cover the damage due to the several replacements of signs. Area has been repaired and the white background is considered cosmetic

Public Comment – None

Mr. Wieliczko – summary

Applicant is seeking bulk variance to permit a 183.33 sq. ft. façade sign

Mr. Hunt, Board Planner has no objection to the color bar at bottom of sign

Motion to approve – Z22-14 – 90 Brick Road – Virtua sign – with white pan/color bar – Repsher
Second – Borstad

Ayes: Borstad, Willmott, Ganju, Repsher, Thomas, Carragher

4. 625 East Main Street

Z22-16

Marlton Assembly of God

Block 19, Lot 1.01 (INS Zone)

Patrick McAndrew – Attorney for Applicant

Rev. Jonathan Wegner – Senior Pastor – sworn

Chris Dochney, CME Associates – sworn

Applicant is proposing two signs – 59 sq. ft. illuminated 'M' façade sign where 20 sq. ft. non-illuminated sign is allowed, replace existing monument sign with a 51 sq. ft. monument sign which includes 25 sq. ft changeable copy LED panel where 16 sq. ft of changeable copy is allowed

'M' sign will blend with 'M' sign existing on Field House – no other façade signs proposed

New monument sign will replace existing monument sign – will be smaller with better optics

Chris Dochney - CME – letter dated 9-2-2022

Sign is slightly different from prior approval

Ask that change of information on sign be no more than 8 seconds apart

Applicant – agrees

Mr. Wieliczko asked the purpose of change in messages

Rev. Wegner – general church activities

Board comment

Chairperson Carragher – do we know what the current changes in sign is now?

Mr. McAndrew – changeable copy is in compliance with prior approval

Public Comment – None

Mr. Wieliczko – summary

Applicant is seeking bulk variances for 2 signs

Façade sign 'M' located above the main entrance to the church and will be internally illuminated, backlit logo for the church 59 sq. ft.

Monument sign will be 6.5 ft. in height, 7.7 ft. in width, sign area of 51 sq. ft. with LED panel of 25 sq. ft.

Motion to approve Z22-16 – 625 East Main Street – Marlton Assembly of God Signage – Repsher

Second – Thomas

Ayes: Borstad, Willmott, Ganju, Repsher, Thomas, Carragher

5. 8 Coventry Circle

Z22-17

Block 51.03, Lot 7 (RG-2KG Zone)

Robert & Lauren Kercher – sworn

Rakesh Darji -ERI – sworn

Applicant proposes an in-ground pool and equipment

Rear (East) and side (North) yard setback of 5.5 ft. where 15' is required for pool

Side (North) yard setback of 8' where 15' is required for pool equipment

Exhibit A-1 – Plan of Survey dated 7-7-2021

Exhibit A-2 -Pool Grading Plan dated 7-22-2022

Exhibit A-3 -2 photos – proposed location for the pool. Deck & brick walkway to be removed and replaced with concrete

Pool will be installed by Jersey Pool & Spa

Landscaping will be replaced as needed

Applicant will provide fence information

Drainage pattern will be diverted naturally and will not cause any problem to property or neighbor's property

Property backs up to King's Grant Open space and walkway

Has Home Owner Association approval – letter dated 8-16-2022 – will provide copy to Board Attorney

Rakesh Darji – ERI – letter dated 9-13-2022

Applicant has provided testimony as needed

Mr. Darji – lot is flat, should have some sort of drainage indicated on plan

Landscaping details and drainage plan should be submitted for review

Applicant agrees

Board Comment

Board Member Repsher – what type of pool filter will be used

Mr. Kercher – cartridge filter

Public Comment – None

Mr. Wieliczko – summary

Applicant is seeking bulk variances to install inground pool and equipment

Side yard (North) setback 5.5 ft., rear yard (East) setback 5.5ft for pool, side yard (North) setback 8' for pool equipment

Applicant agrees to conditions set forth in ERI letter dated 9-13-2022

Applicant agrees to provide updated plot plan with drainage acceptable to Mr. Darji and Community Development and landscaping details

Home Owner Association approval

Drainage will not adversely effect property or neighbor's property

Cartridge filter

Motion to approve Z22-17 – 8 Coventry Circle – Robert & Lauren Kercher – Repsher

Second – Borstad

Ayes: Borstad, Willmott, Ganju, Repsher, Thomas, Carragher

6. 67 Lexington Circle

Z22-18

Block 13.67, Lot 2 (MD Zone)

Matthew Walker – sworn

Craig Sharkey – SwimMor Pools – sworn

Rakesh Darji – ERI – sworn

Applicant proposes an in-ground pool and equipment

Side (East & West) yard setback of 7 ft. where 15 ft. is required for pool

Rear yard setback of 7.5 ft. where 15 ft. is required for pool

Side (East) yard setback of 10 ft. where 15 ft. is required for pool equipment

Exhibit A-1 – Pool Grading Plan – dated revised 8-1-2022

Exhibit A-2 – 6 photos of 67 Lexington Circle

Exhibit A-3 – 3 photos of fence line of 21 & 19 Olympia

Exhibit A-4 Alenco Fence & Lumber Corp. Cost Estimate for Fence

Mr. Walker stated that back yard is oddly shaped

Has installed drainage along both side of property

Landscaping – trees will remain the same

Applicant will provide fence information

Pool equipment will have fence and landscaping

Mr. Sharkey – construction equipment will be able to get to the back yard without going on neighbor's property

Rakesh Darji – ERI – letter dated 9-13-2022

Applicant did provide information requested

- Has a concern about drainage
- Recommends that drainage information be incorporated in the plan
- Recommends a revised plan be provided with drainage information
- Recommends additional landscaping
- Recommends at time of construction a construction fence be installed
- Applicant agrees to all

Board Comment

Chairperson Carragher – referred to Exhibit A-2, page 3 – how wide is the back landscaping bed?

Mr. Walker – about 5’

Chairperson Carragher – only a 2’ area would remain

Public Comment

Earl Rubin, 19 Olympia – sworn

Property is on the right side of Mr. Walker’s property

Ordinance says 15’ why not have setbacks met

Drainage issue exists

Wants protection for his property

Mr. Wieliczko – applicant has the opportunity to meet the burdens of proof and if Board approves applicant must meet those conditions

Mike Fallon, 69 Lexington – sworn

Concerned about drainage

Has been flooded out twice

Pool equipment location is close to side of his house where bedroom is located

Does not want pool equipment on his property

David Paul, 9 Austin Rd. – sworn

Concerned about drainage

Spoke with Mr. Walker – there is no drainage in back of property

Babulal Dhulesia, 21 Olympia Dr. – sworn

Concerned about drainage

Not enough setback and doubt landscaping will be of any help

Not enough room to do any screening

Ellen Rubin, 19 Olympia – sworn

Concerned about drainage

Even though some drainage has been installed still have problem

Asks if a small pool be considered

If there is damage to fence or property, where do we go
Mr. Wieliczko – applicant understands that any damage will need to be fixed
Mr. Darji – plans will be revised as requested

Mr. Walker – has put drains on sides of property
Landscaping includes set of cypress trees
Has no drainage problem
Back yard is oddly shaped
Does not exceed impervious coverage

Board Member Thomas – confused about fence
Mr. Walker – property line is surrounded by 6' fence – will install fence to code on his property

Mr. Darji discussed the impact on the trees as far as construction – root system should be okay
Mr. Walker – just moved trees

Chairperson Carragher open the meeting to the public again
Ellen Rubin – does not look like there is enough room to install fence

Mike Fallon – feels his trees will be affected

Mr. Wieliczko – summary
Applicant is seeking bulk variances to install an in-ground pool and equipment
Side yard (East) setback 7ft., side yard (West) setback 7 ft., rear yard setback 7.5 ft. for pool and side yard (East) setback 10' for pool equipment
Agrees to conditions set forth in ERI letter dated 9-13-2022
Cartridge filter
Submit revised pool grading plan with drainage system acceptable to Board Engineer
Install construction fence to protect neighbor's property
Will be responsible for any damages
Will submit landscaping information

Motion to approve Z22-18 – Matthew Walker – Borstad
Second – Repsher
Ayes: Borstad, Willmott, Ganju, Repsher, Thomas
Nay: Carragher

7. Zoning Board of Adjustment Annual Report for 2021-2022

Board Secretary Newton gave an overall view of the report
This report is to provide information to the Planning Board and Governing Body regarding the applications that have been received by the Zoning Board

Reports gives a breakdown of residential and commercial applications
This is an opportunity to review the zoning ordinances
Ms. Newton asked the Board to review and give any comments

Mr. Wieliczko – full context of happened; encouraged Board provide comments to Board Secretary throughout the year as things come up to help build the report

Chairperson Carragher – thanked Ms. Newton for putting together this report
Maybe signage should be reviewed

Board Member Repsher – signage could use some tweaking particularly in percentages of size of signage

Board Member Thomas – does the Township track the times allotted to applications

Public Comment - None

Board Comment

Chairperson Carragher asked Board Members to notify Board Secretary Newton if they are coming to the meeting. This is to confirm a quorum

Communication/Organization - None

Meeting Adjourned – 9:40 p.m.

