

**TOWNSHIP OF EVESHAM
ZONING BOARD OF ADJUSTMENT**

Minutes

October 17, 2022

7:00 P.M.

Municipal Building

Call to Order

Meeting brought to order by Chairperson Carragher at 7:05 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 Zoning Board of Adjustment meeting

Roll Call

Present: Grantner, Masson, Thompson, Ganju, Repsher, Thomas, Carragher

Absent: Borstad, Willmott, Graterol

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

Continuation of Scheduled Matters – 106 Wescott Road – Z22-19

Notice incorrect – need to re-notice

Continued to November 21, 2022

New Business

1. 427 Elmwood Road North

Z22-15

Block 11.47, Lot 3 (C-2 Zone)

Sara Werner, Attorney for Applicant

Applicant is seeking a use variance to permit a residential use with in C-2 zone and rear and side yard setback variances for an accessory building-pole-barn and number of cars permitted

Dominic D’Auria, Owner – sworn

Robert Stout, Stout & Caldwell Engineers – sworn

James Miller – Planner – sworn

Rakesh Darji – ERI – sworn

Richard Hunt – Alaimo Group – sworn

Eric Snee – CME – sworn

Exhibit A-1 – Site Plan dated October, 2022

Exhibit A-2 – Aerial view of property dated October, 2022

Exhibit A-3 - 7 Photos showing off-site buffering and views from house dated October 2022

Dominic D'Auria, owner, purchased house out of foreclosure
Proposed used of pole barn for storage only
No work, utilities other than electric
No business, sales, repair equipment, lifts
Residential use is pre-existing, non-conforming

Robert Stout – Stout & Caldwell Engineers, LLC
Referred to Exhibit A-1 – shows proposed addition, patio and pole barn
Pole barn setbacks- side yard setback of 15' where 20' is required, rear yard setback of 20' where 25' is required
No stormwater management required
Updated septic system will require Burlington County approval
Applicant will comply with comments and recommendations in ERI letter dated 10-11-2022
Will work with professionals for all technical issues

James Miller – Planner
Referenced Exhibit A-2 describing the area
Referenced Exhibit A-3 showing how property is buffered
D-1 Variance relief is requested – residential use in the C-2 Zone
Property is off of the section of Elmwood Road that is a cul-de-sac and is appropriate for residential use
Variances for rear and side yard setback and number of cars store in garage are not a detriment to the zone and will not impact the surrounding properties
Proposed driveway extension will be lined up with existing driveway
Use will have no negative impact to the surrounding area

Richard Hunt – Alaimo Group – letter dated 10-12-2022
Applicant's Planner gave substantial information and feels that variances are justified
All comments have been addressed
Garage will be used for 6 cars where 3 cars are permitted
Bulk variances for rear and side yard setbacks for garage are requested

Rakesh Darji – ERI – letter dated 10-11-2022
Applicant has addressed all comments

Property is under 5,000 sq. ft. – addressing stormwater is not required
Applicant agrees to submit plan showing grading and location of public water
Rear door on garage will be used for ventilation purposes

Eric Snee – CME – letter dated 10-13-2022
Applicant will comply with comments and recommendations
Applicant testified that the proposed extension of driveway is asphalt, existing driveway has been milled and will be paved also
Driveway calculations were included in impervious coverage count
Applicant will provide Mr. Snee with information for septic tank received from Burlington County
Applicant's engineer will check with ETMUA for information on water and sewer

Board Comment – None

Public Comment – None

Mr. Wieliczko – summarized
Applicant is seeking – Residential use in the C-2 Zone
Pre-existing non-conforming conditions
Side yard (north) setback of 15' where 20' is permitted
Rear yard (west) setback of 20' where 25' is permitted
6 car garage capacity where 3 car capacity is permitted
Applicant agrees to comply with ERI, CME and Alaimo letters
No business will be conducted out of garage, no sales, lifts or related uses
Applicant agrees to work with Professional staff in reference to septic system
Applicant agrees to provide grading and drainage plan

Motion to approve Z22-15 – 427 Elmwood Road North – Thompson
Second – Masson

Ayes: Grantner, Masson, Thompson, Ganju, Repsher, Thomas, Carragher

2. 108 Meadowview Circle

Z22-21

Block 11.02, Lot 1 (MD Zone)
Applicant is seeking bulk variances for an 11' x 17' in-ground pool and equipment
Side yard (south) setback – pool – 7' where 15' is required
Rear yard (east) setback – pool – 7' where 15' is required
Side yard (south) setback – pool equipment – 4.9' where 15' is required
Michael Gavio – sworn
Rakesh Darji – sworn

Exhibit A-1 – Plan of survey dated 7-24-2012
Exhibit A-2 – Pool Grading Plan dated 7-27-2022
Exhibit A-3 – 5 photos showing existing property
Exhibit A-4 – Landscape sketch
Mr. Gavio gave testimony on proposed work
Not a large back yard
Cartridge filter system proposed
No adverse impact to property or neighbor's property
Swim-Mor Pools will be the contractor
Existing landscaping to remain - additional landscaping as shown on Exhibit A-4 will be installed for privacy
Does not feel any additional drainage is necessary

Rakesh Darji – ERI – letter dated 10-11-2022
Applicant has provided sketch for landscaping
Drainage goes front and side of property towards Meadowview Circle and away from neighbor's property
Mr. Darji asked that as a condition of approval that drainage along property line be installed and Township Engineer review will be done if the need arises – applicant agreed

Board Comment – None

Public Comment – None

Mr. Wieliczko – summarized
Applicant is seeking bulk variances for an in-ground pool and pool equipment
Side yard (south) setback of 7' - pool
Rear yard (east) setback of 7' – pool
Side yard (south) setback of 4.9' – pool equipment
Cartridge filter system
No adverse drainage
Agrees to drainage if need along property
Install landscaping presented
Repairs to any damages from construction if needed

Motion to approve Z22-21 – 108 Meadowview Circle – Thompson
Second – Masson

Ayes: Grantner, Masson, Thompson, Ganju, Repsher, Thomas, Carragher

3. 215 Chestnut Ave

Z22-20

Block 65, Lot 14 (RD2 Zone)

Applicant is proposing to construct a 40'x60'x16' addition to an existing 30'x40' pole barn

Zoning Permit denied because an accessory structure needs to be smaller than the primary structure

Variances requested – (1) to permit accessory structure to be larger than primary (1) to permit 9 spaces for cars

Joaquin & Rebecca Rivera-Page - sworn

Rakesh Darji – ERI – sworn

Chris Dochney – CME – sworn

Exhibit A-1 – Survey

Exhibit A-2 – Survey showing garage

Exhibit A-3 – 6 photos showing garage elevations and existing conditions of property

Exhibit A-4 – Building & Lot Coverage Worksheet

Mr. Rivera-Pagan – selling, lifts or mechanical work connected with a business will not be conducted

Current garage will be used to store miscellaneous equipment

Applicant agrees to provide an engineering plan

Proposing 1800 sq. ft. driveway

Proposed utilities will include electric, water (sink), injection pump

Proposed pole barn will not be used as a residence

Proposed pole barn will house 9 cars – will protect from weather, to ensure investment and will help to clean up property

Proposed pole barn will help with noise and will be 200' from property line

Chris Dochney – CME – letter dated 9-23-2022

Applicant has agreed to comments and recommendations

Applicant has addressed issues

Does not see any detriment to the zone

Proposed structure will match existing garage

Rakesh Darji – ERI – letter dated 10-11-2022

Applicant has agreed to comments and recommendations

Applicant has addressed issues

Applicant has agreed to submit and engineering grading plan

Board Comment

Board Member Thompson referred to Exhibit A-2 and asked if the SA that is labeled the litch field

Mr. Rivera-Pagan – yes

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Board Member Repsher asked the purpose of the sink in the pole barn
Mr. Rivera-Pagan – for washing hands not parts

Board Member Masson asked are any trees being removed
Will there be drainage in floor
Will new building be like an addition
Mr. Rivera-Pagan – there will be no disturbance, no drainage in floor.
New addition will be 2 separate units in one

Board Member Grantner - will this be tied into septic
Mr. Rivera-Pagan – yes

Public Comment – None

Mr. Wieliczko – summarized
Applicant proposes addition to existing garage (pole barn) for personal use for 9 cars where 3 cars are permitted
Accessory structure is larger than primary
Applicant agrees to provide Board Engineer with plan showing grading and proposed driveway
Applicant agrees the no business will be conducted – no lifts, selling, body shop, mechanical shop, not to be used as residential, no washing of parts, no drain in garage floor
Any utilities will be installed under Township Code
Any requirements from Health Department if required will be obtained

Motion to approve Z22-20 Rivera-Pagan – Masson
Second – Thompson
Ayes: Grantner, Masson, Thompson, Ganju, Repsher, Thomas, Carragher

Minutes – September 19, 2022

Motion to approve – Repsher
Second – Thomas
Ayes: Ganju, Repsher, Thomas, Carragher

Resolutions

Motion to approve 2022-ZB-18 – Zoning Board of Adjustment Annual Report, July 19, 2021 to June 30, 2022 with addition of recommending to the Governing Body and Planning Board considering review and revision of the current sign ordinance - Repsher
Second – Thomas
Ayes: Ganju, Repsher, Thomas, Carragher

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Motion to approve 2022-ZB-19 - Amended Appointment of Professionals 2022-2023 –
Environmental Resolution, Inc. as Conflict Planner - Repsher

Second – Thomas

Ayes: Ganju, Repsher, Thomas, Carragher

Motion to approve 2022-ZB-20 - Freedom Mortgage -Repsher

Second – Thomas

Ayes: Ganju, Repsher, Thomas, Carragher

Motion to approve 2022-ZB-21 – Virtua Hospital – Thomas

Second – Repsher

Ayes: Ganju, Repsher, Thomas, Carragher

Motion to approve 2022-ZB-22 – Marlton Assembly of God – Thomas

Second – Repsher

Ayes: Ganju, Repsher, Thomas, Carragher

Motion to approve 2022-ZB-23 – Robert & Michelle Kercher – Repsher

Second – Thomas

Ayes: Ganju, Repsher, Thomas, Carragher

Motion to approve 2022-ZB-24 – Matthew Walker – Thomas

Second – Ganju

Ayes: Ganju, Repsher, Thomas

Public Comment - None

Board Comment - None

Communication/Organization – None

Next Meeting – 11/21/2022

Meeting Adjourned – 9:05 p.m.