

**TOWNSHIP OF EVESHAM
ZONING BOARD OF ADJUSTMENT**

Minutes

February 27, 2023

7:00 P.M.

Municipal Building

Call to Order

Meeting brought to order by Vice-Chair Thomas at 7:10 p.m.

Flag Salute

Statement of Conformance with Open Public Meetings Act

Vice-Chair Thomas 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: Grantner, Masson, Thompson, Ganju, Graterol, Repsher, Lynn, Thomas, Carragher (arrived 7:20)

Absent: Borstad, Willmott

Staff: Darji, Dochney, Wieliczko, Newton, Kinney

Continuation of Scheduled Matters

- 1. 301 Roue 70 West** **Z22-29 (see ZB21-02)**
Marlton UE, LLC, Block 21, Lot 1.01
Application to be carried to the March 20, 2023 Zoning Board meeting at the request of the applicant. No further notice needed

It was announced that the residential applications under New Business would be heard first with the agreement from applicant – Cups and Cones – Z22-11A

New Business

- 1. 6 Olympia Drive** **Z23-01**
Block 13.61, Lot 7 (MD Zone)
David & Rachel Green, Applicant – sworn
Jeffrey King – Architect - sworn
Rakesh Darji – sworn
Exhibit A-1 – Site Plan and Floor Plan
Exhibit A-2 – 3 photos showing front, side rear of house

Applicant is seeking a variance for the construction of a 400 sq. ft. Addition to the existing dwelling with a rear yard setback of 13.75 ft. where 25 ft. is required
Property backs up to open space
Applicant stated that the proposed addition will be a visual improvement to the rear of the home and will enhance the privacy of the outdoor living area of the property
Some in kind landscaping will be added
There will be no change in drainage and will have no adverse effect on property or neighbor's property
Mr. King, application's architect, stated the addition will not affect the neighborhood and is consistent with the area
Addition will create privacy for applicant as well as neighbors
There is no detriment impact to property

Rakesh Darji, ERI – letter dated 1-20-2023
Applicant and Mr. King have addressed all comments and recommendations

Board Comment – None

Public Comment – None

Mr. Wieliczko summarized
Applicant is seeking a C Variance
Applicant proposed to construct a 400 sq. ft. addition with a rear setback of 13.75 ft. where 25 ft is required
Applicant agrees to comply with comments and recommendation set forth in the ERI letter dated 1-20-2023
Addition material will be in kind to existing home
Any landscaping will be in kind
No adverse conditions to drainage

Motion to approve Z23-01 – Green – 6 Olympia Drive -Thompson
Second – Masson
Ayes: Grantner, Masson, Thompson, Ganju, Graterol, Repsher, Lynn, Thomas

Chairperson Carragher resumed as Chair

2. 507 Justice Drive **Z23-02**
Block 11.40, Lot 19 (MD Zone)
George & Marie Verikakis, Applicant – sworn
Rakesh Darji – sworn
Exhibit A-1 – Survey of property

Exhibit A-2 – Pool Grading Plan

Applicant is seeking a variance for the construction of an inground pool with a rear yard setback of 7 ft. and a side yard (north) setback of 8.8 ft. where 15 ft. is required, and a rear yard setback of 3.7 ft. for an existing shed where 5 ft. is required

Pool will be constructed/installed by Swim-Mor Pools

No variance is needed for pool equipment

Drainage goes towards street

Shed was there when the applicant purchased the house and was not aware it did not meet the required setbacks

No landscaping will be removed – some arborvitae to be added along fence

There are no drainage issues

Will comply with comments and recommendations in ERI letter dated 2-22-2023

Will not adverse drainage conditions - if there are will remediated at their own expense

Rakesh Darji – ERI – letter dated 2-22—2023

Applicant has addressed all comments and recommendations

Recommends additional arborvitae along rear and side property line

Should agree to put in additional drainage if needed

Board Comment – None

Public Comment – None

Mr. Wieliczko – summarized

Applicant is seeking a C Variance

Applicant proposed to construct an inground pool with side yard setback of 8.8 ft. and rear yard setback of 7 ft. where 15 ft. is required

Applicant is seeking rear yard setback of 3.7 ft. for an existing shed where 5 ft. is required

There will be no adverse impact of drainage on property – at the time of construction if drainage remediation is needed applicant agrees to comply

Landscaping will be added to rear and side of property

Motion to approve Z23-02 – Verikakis – 507 Justice Drive – Thompson

Second – Masson

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

Continuation of Scheduled Matters – Continued

2. 931 Tuckerton Road
Block 105, Lots 11 & 13 (OP Zone)

Z22-11A

Cups & Cones Ice Cream

George J. Botcheos, Attorney for Applicant

Debra Valenzano, Applicant – sworn

James Miller, Planner – sworn

Rakesh Darji – sworn

Chris Dochney – sworn

Stacey Arcari – sworn

Applicant is seeking amendment to prior use variance approval ZB13-26EX for additional cooking items – breakfast and lunch items and construction of a 144

sq. ft expansion to storage area at rear of the building under current roof line

Debra Valenzano testified that she would like to offer breakfast and lunch (bagel sandwiches) per requested by public

Cooking to be done on premises is for muffins, brownies, cakes, pastries during morning hours, cookies for the ice cream business

Small oven with stove top will be purchased

Question on existing sign – added – All Star Bagel – not another business – inclusive to existing business

Hours of operation – currently – 7:00 a.m. to 10:00 p.m.

If approval tonight – 6:00 a.m. to 11: p.m.

Left over products – has partnered with organization that help those in need which included the Gibson House working with Monica Vandenberg

Was previously approved for 5 employees – no need to have more

There is no drive-thru, no additional inside or outside tables proposed

Most traffic is July – November

7:00 a.m. – 12:00 p.m. – averages 25 people

Weekend more busy

Mr. James Miller – Planner

Amended prior approval – gave an overall explanation of the application, on-site cooking and expansion of menu

Food preparation proposed is due to supplies that are no longer available to the applicant

No site improvements

Seating to stay the same

This does not impact the zone

Chris Dochney – CME -letter 1-9-2023

Has no issues with what is proposed

Proposed is for 6 months to year-round activity

Stacey Arcari – ERI – letter 2-20-2023

Applicant submitted a trip Generation Evaluation prepared by McManon a Bowman Company as per ITT dated 1-20-2023
Ms. Valenzano feels that there is not as much traffic
Ms. Valenzano stated that orders can be made through Grub-Hub, Door-Dash and Uber-Eats
Ms. Arcari asked if applicant is looking to expand business – Ms. Valenzano – will respond to public
Ms. Arcari asked what advertising is utilized – Ms. Valenzano – Facebook and mailers

Rakesh Darji – ERI – letter dated 2-20-2023
Not having a drive thru is very helpful to the applicant
Asked that the applicant contact the MUA

Board Comment

Board Member Masson

Asked Ms. Arcari if she saw any impact on Sunday business

Ms. Arcari – week days have the most impact – peak on weekends is usually Saturday

Board Member Grantner

Will Fire Marshal be contacted

Ms. Valenzano – proper permits will be obtained

Public Comment

Ron Barber, Pastor Pine Grove Baptist Church, 1000 Old Marlton Pike – sworn

Rev. Barber would like to thank Cups and Cones for their donations

Public Comment – Closed

Mr. Wieliczko – summarized

Applicant is seeking Amended Prior Approval to expand operation (menu and hours) including breakfast and lunch

Expand storage space

Will comply with MUA and Fire Marshal

Will meet all conditions set forth in prior resolutions and includes testimony from Mr. James Miller and Ms. Valenzano

Motion to approve included modifications to prior approval of Z22-11A – Cups & Cones – Masson

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

Minutes – January 23, 2023

Motion to approve – Masson

Second – Thompson

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

Resolutions - None

Public Comment - None

Board Comment

Board Member Masson recognized the passing of Former Councilwomen Debbie Hackman and her contribution to the Township

Communication/Organization

Next Meeting – March 20, 2023

Meeting Adjourned – 8:20 p.m.