

**TOWNSHIP OF EVESHAM
ZONING BOARD OF ADJUSTMENT**

Minutes

March 20, 2023

7:00 P.M.

Municipal Building

Call to Order

Meeting brought to order by Chairman Carragher at 7:07 p.m.

Flag Salute

Statement of Conformance with Open Public Meetings Act

Chairman 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: Grantner, Masson, Thompson, Ganju, Repsher, Lynn, Thomas, Carragher

Absent: Graterol, Willmott

Staff: Darji, Dochney, Deputy Chief Freedman, Wieliczko, Newton, Kinney

Mr. Wieliczko asked that Board business, minutes and resolutions be addressed at this time

Minutes – February 27, 2023

Motion to approve – Thompson

Second – Grantner

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

Resolutions

Motion to approve as corrected 2023-ZB-01 – Valenzano – Z22-30 – Thompson

Second – Masson

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

Motion to approve 2023-ZB-02 -Green – Z23-01 – Thompson

Second – Masson

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

Motion to approve 2023-ZB-03 – Verikakis – Z23-02 – Thompson

Second – Grantner

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

Matters to be carried to April 17, 2023 Zoning Board Meeting

- 1. 220 Route 73** **Z22-28**
Block 20, Lot 1.02
Chick-Fil-A
Applicant requested to be carried to the 4-17-2023 Zoning Board Meeting. No further notice needed

- 2. 206 Willington Drive** **Z23-04**
Block 13.58, Lot 10
Jaime & Wayne Davies
Application will be carried to the 4-17-2023 Zoning Board Meeting. Newspaper notice send out, property owners was not

New Business

Mr. Wieliczko announce that as a courtesy, the residential application 27 Columbia Drive would be heard first

New Business

- 1. 27 Columbia Drive** **Z23-03**
Block 13.61, Lot 23 (MD Zone)
Ronald & Jennifer Matthews – sworn
Rakesh Darji – sworn
Exhibit A-1 – Survey dated 11-17-2022 – Existing Conditions
Exhibit A-2 – Survey dated 11-17-2022 – Proposed Conditions
Exhibit A-3 – 3 Photos showing property
Exhibit A-4 – Letter dated 2-13-2023 – Variance Request
Applicant is requesting a bulk variance to construct an inground pool with rear yard setback of 1.5’ where 15’ is required. Existing 112 sq. ft. shed with a rear set back of 1’ where 5’ is required (Shed currently located partially on Township property)
Property is in the Riding Run development
Backs up to Township open space
Asking location of pool for more privacy
Agrees to relocate existing shed off of Township property
Agrees to provide grading plan
Agrees to get permission from Township for easement relief during construction of pool
No adverse drainage to property or neighbor’s properties, currently no drainage issues
No additional landscaping proposed

Existing deck will remain as is
Applicant will supply grading plan prepared by engineer

Rakesh Darji – ERI – letters dated 3-9-2023 & 3-16-2023
Applicant provided information needed
Applicant will provide information required to access the Township’s property
Would like to see drainage patterns
Fence around pool must be on applicant’s property
Mr. Matthews – fence will be located only around the pool

Board Comment
Vice-Chair Thomas – looking at the survey, question on the wetlands stream encroachment line
Mr. Darji – this was for regulatory purposes only

Board Member Masson – looking at the photos (Exhibit A-3) who maintains the area where the two trees are located
Mr. Matthews does
Board Member Masson – Is the shed movable
Mr. Matthew – yes

Public Comment – None

Mr. Wieliczko summarized
Applicant is requesting bulk variance for an inground pool
Rear yard setback of 1.5’ where 15’ is required
Relocate existing 112 sq. ft. shed with a rear yard setback of 1’ where 5’ is required
Applicant agrees to comments and recommendation is ERI letters
Applicant will provide Grading Plan
Applicant agrees to obtain permission from Evesham Township to trespass on Open Space property during time of construction
Applicant agrees there are no adverse drainage conditions

Motion to approve 27 Columbia Drive-Matthews – Z23-03 -Thompson
Second – Masson

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

Continuation of Scheduled Matters

- | | |
|------------------------------------|-----------------------------|
| 1. 301 Route 70 West | Z22-29 (see ZB21-02) |
| Block 21, Lot 1.01 (C-1/EVCO Zone) | |
| Marlton UE, LLC | |

Robert Baranowski, Attorney for Applicant
Continuation of hearing from 1-27-2023
Applicant took comments and recommendations from that meeting
At this time only seeking approval of the Pad "B" site
Addressed site circulation, signage, keeping left turn heading westbound, proposing facilitating the right turn, removing some parking spaces
Hopes to eliminate concerns about traffic going towards Shop Rite
Referring to Exhibit A-3 -Site Plan Layout
New proposed right in – westbound – entrance by Wine Works
Will need NJDOT approval
Proposing freestanding sign to replace Friendly's sign
Agrees to address comments and recommendations in the ERI letter date 3-17-2023 and Fire Marshal memo dated 3-14-2023
Amhad Tamous – Engineer – sworn
Rakesh Darji – ERI – sworn
Deputy Chief Scott Freedman – sworn

Amhad Tamous
Modified existing parking spaces – 10' x 18' spaces will be located by Shop Rite
There will be 1041 parking spaces
10 spaces in rear of Shop Rite will be striped as no parking
3 monument signs permitted – seeking variance for area of 160 sq. ft. on sign along Route 70 where 120 sq. ft. is permitted – will comply with height
Will work with professional to address concerns with the Phase I
Applicant has an LSRP to address items and will supply information as needed
Referring to Fire Marshal memo dated 3-14-2023 – agree to comply and will submit truck template
Will modify plans to show the loss of on parking space west side of site
Applicant submitted sign calculations as requested

John Harter – Atlantic Traffic Design – sworn
Referred to right turn access by Wine Works
Qualifies to NJDOT code to have 3 drive-ways – will justify and design to qualifications
Applicant will work with Fire Marshal
Per NJDOT there will be no access off of Route 73 ramp
Applicant has permits for sidewalks along Route 70 frontage
Per concerns of Board members, applicant is working with NJDOT to increase timing for left in and out off of Route 70 for a better progression of traffic

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Applicant is working with Fire Marshal for rear access
Applicant agrees to comments and recommendations
Will submit circulation plan
Agrees to modify cartways
Agrees to signage requested

Rakesh Darji – ERI – letter dated 3-17-2023

Applicant agrees to comments and recommendations
Applicant has followed up on review and with tonight's testimony and that of the January meeting has addressed concerns
Agree that keeping the size of spaces around Kohl's and Shop Rite 10' x 18' and the spaces by Pet Smart and Wine Works will work
At last meeting talked about the Bank's request for lighting changes – those changes should be incorporated into the plan to be consistent with overall lighting plan
Mr. Wieliczko – as per owner – at this time they have not finalized what the Bank is proposing

Applicant agrees to work with Environmental Professional
Applicant agrees to have LSRP provide information requested in writing

Board Comment

Board Member Masson
Concerned about left turn once on site
Asked about parking spaces by Wine Works
Asked the mixture of parking spaces sizes
Asked if the curb is raised at main entrance
Asked is there the ability to expand the main entrance

Mr. Harter- as for the main entrance, there would be aligning issues

Vice-Chair Thomas

Are the 10 parking spaces in the rear of Shop Rite going to be marked
Questioned total number of signs for First Watch
Mr. Tamous – will be striped as No Parking
Deputy Chief Freedman – striping would be beneficial
Applicant agrees
Mr. Gokberk – there are two separate elevations for First Watch and total of 6 signs, CAVA has 3 signs – both are end units

Board Member Repsher

Concerned about parking in rear and additional lighting in rear

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Mr. Tamous – will supply signage and will be up to tenants to instruct employees for this parking – will work with Board Professionals concerning additional lighting

Mr. Baranowski – will request that this be known to tenants for safety

Chairperson Carragher

Asked Mr. Darji to address how standard it is to change the size of parking spaces and about parking spaces per density

Mr. Darji – this is not uncommon and goes by use. The Ordinance calls for 4.5 spaces per 1000 sq. ft., applicant is proposing 4.3 spaces per 1000 sq. ft.

Board Member Masson

Asked about the proposed sign that is now the Friendly's sign and what is proposed

Applicant referred to C-905 – Option 1 new pylon sign 22' in height

Public Comment

Sandy Student, 6403 Baltimore Drive – sworn

Very confusing application

Asked if the queuing for the left turn off of Route 70, have you asked NJDOT to increase the lane? Mr. Darji – applicant did say that a timing request is be considered

Are Employees being encouraged to park in rear of property – Mr. Baranowski – will have a safe ingress and egress for the employees

Mr. Student questioned the signage on First Watch

Mr. Student does not feel this project meets the 2020 Vision Plan

Feels this is too much in this location

Mr. Wieliczko summarized

Applicant is seeking Amended Preliminary and Final Site Plan

Final for Pad B – 10,800 sq. ft. – 4 tenants

Variances as requested

Pylon Sign – 22' in height – 160 sq. ft. – Option #1

Proposed 1030 parking spaces

Agrees to recommendations and comments in ERI letter and Fire Marshal memo

Agrees to LSRP documentation

Agrees to lighting on Pad B same as current at Shake Shack & Honey Grow

Striping in rear of property

Landlord will place any tenant on notice – employee parking in rear – with safety measures

Motion to approve 301 Route 70 West-Marlton UE, LLC- Thomas

Second –

Motion to deny 301 Route 70 West-Marlton UE, LLC – Masson

Second – Repsher

Ayes: (to deny) Masson, Thompson, Repsher, Lynn

Nays: (to deny) Ganju, Thomas, Carragher

Mr. Wieliczko asked those who voted to deny to put on record their reasoning
Board Member Masson – fails to meet the burden of proof, traffic flow and not having approval for access at far end of property

Board Member Thompson – agrees with Mr. Masson, traffic flow in this center is not good now west bound entrance is still not approved

Board Member Repsher – shares the same concerns of Mr. Masson, mainly parking at rear

Board Member Lynn – shares the same concerns, no approval at the far west end

Break 9:40 p.m.

Meeting resumed 9:45 p.m.

Mr. Wieliczko announced Rule of Order that no new business would be heard after 10:00. It being 9:46 the applicant agrees to begin testimony with the understanding that when we get to 10:30 and no vote is taken the applicant will continue to the April 15, 2023 Zoning Board meeting

New Business (continued)

2. 571 Elmwood Road

Z22-31

Block 11.31, Lots 10 & 11 (LD Zone)

571 Elmwood Road, LLC (c/o) Tomeko Foster

Charles D. Petrone, Attorney for Applicant

Applicant is seeking a request for a bifurcate “D” variance for density to construct a 16-unit townhome community

Property is 13.79 acres with approximately 7 acres in Evesham Township the remaining acreage within Mt. Laurel Township

Joseph A. Mancini, Engineer – sworn

Tiffany A. Morressey, Planner – sworn

Rakesh Darji, ERI – sworn

Chris Dochney, CME – sworn

Exhibit A-1 – Aerial with Variance Plan

Exhibit A-2 – Density Plan

Exhibit A-3 – Variance Plan

Joseph Mancicni

Applicant is proposing the construction of 16 townhouse units in the Low Density Zone district

Property is located along Elmwood Rd. and is split with the front portion of the lot in Evesham Township and the rear of the site in Mt. Laurel

Proposing 4 buildings – 4 units each

Neighboring project along N. Elmwood Rd. consists of a mix of single family and multi-family units

Proposed units – 2,400 sq. ft. – 3 & 4 bedrooms

Proposed to meet the MDR Zone requirements

Meet RSIS for parking

Additional parking will be available along cul-de-sac

Some improvements to N. Elmwood Rd. – will be addressed at Site Plan

Low trip generation along N. Elmwood Rd.

Full traffic study will be submitted with site plan

Tiffany CuvIELLO

All of this plan encompasses the entire site

Development will be set back off of N. Elmwood Rd. due to wetlands

Proposed does not impact the street scape along N. Elmwood Rd.

Site is comparable with the variety and density along N. Elmwood Rd.

Proposed does not cause a substantial detriment to the Zone Plan

Public water and sewer will be available

Chris Dochney – CME – letter dated 1-11-2023

In agreement with applicant in using the MDR zone requirements

Agrees that traffic will not be an issue

Asked about how affordable housing would be addressed

Concerned about how driveways look

Ms. CuvIELLO – applicant will conform to affordable housing fee in lieu of units. The fee would be useful to the Township housing fund

Mr. Mancicni – if use variance approved – applicant will would look to spread out the proposed properties and will work to perfect the plan

10:35 – Mr. Wieliczko – would like to continue to May meeting. – Public in attendance could be heard

Public Comment

Eva Walker, 564 N. Elmwood Road – sworn

N. Elmwood Road narrows at this site

Nervous about having more traffic

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Is an accelerated lane proposed
Her driveway is currently being used as a turn-around in that area
Concerned about parking – how will additional parking be addressed
Concerned about drainage – when it rains if affects her property

Cory Platt, 562 N. Elmwood Road – sworn
Concerned about traffic
Concerned about drainage

At this time Chair Carragher asked for a motion to carry this application to be carried to the
May 15, 2023 Zoning Board meeting
Motion – Masson
Second – Repsher
All in Favor

Public Comment - None

Board Comment

Board Member Thompson commented that at the Township Council Meetings the public only
gives their name – not address
Mr. Wieliczko – this board will continue to aske name and address

Communication/Organization

Board Secretary Newton announced that their will be a Community Impact meeting for the
Open Space Recreation Plan. The draft plan is on the Township web site

Board Member Repsher is the Township Master Plan available for review
Ms. Newton – it is on the Township web site

Next Meeting – April 17, 2023

Meeting Adjourned – 10:45 p.m.