

**TOWNSHIP OF EVESHAM
ZONING BOARD OF ADJUSTMENT**

Minutes

May 13, 2024

7:00 P.M.

Municipal Building

Call to Order

Meeting brought to order by Chair Thomas at 7:02

Flag Salute

Statement of Conformance with Open Public Meetings Act

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, Smith, Thompson, Ganju, Humphrey, Carragher (arrived 7:10),
Thomas

Absent: Willmott, Graterol, Lynn

Staff: Wieliczko, Darji, Dochney, Newton, Kinney

Continuation of Scheduled Matters:

Announcement of the following:

- 1. 870 Route 70 East** **Z23-15**
Block 16, Lot 3 & 3.03
CareOne at Evesham
Carry to 6-17-2024 – no additional notice needed

- 2. 150 Route 70 East** **Z23-19**
Block 13.60, Lot 1
Wal-Mart Real Estate Business Trust
Carry to 6-17-2024 – no additional notice needed

- 3. 293 Tomlinson Mill Road** **Z24-04**
Block 42, Lot 11.03, 11.04, 12 & 13
Nick & Danielle Fiorentini
Request of applicant carry to 6-17-2024 – no additional notice needed

Minutes 4-15-2024

Motion to approve – Thompson

Second – Masson

Ayes: Masson, Smith, Thompson, Ganju, Thomas

Resolutions:

Motion to approve 2024-ZB-03 – MGA Petroleum, 936 Route 70 Z23-20 – Thompson

Second – Smith

Ayes: Masson, Smith, Thompson, Ganju, Thomas

Mr. Wieliczko announced change in agenda – residential applications to be heard first

New Business

1. 4 Pickwick Drive

Z24-06

Block 5, Lot 2.08 (MD Zone)

Robert Oden – sworn

Robert Oden, Sr. – sworn

Rakesh Darji – sworn

Exhibit A-1 – Plot Plan

Exhibit A-2 – Overhead view of Property

Exhibit A-3 – Overhead zoom view of Property

Applicant is seeking a bulk variance for a replacement and extension of an existing wood deck with a rear setback of 19.94 feet where 25 feet is required

This is an under size lot of 8,025 sq. ft.

Southern property backs up to Greenland Farms fields

Replacing side yard section and adding new decking

Impervious coverage, including all improvements – 35.8%

Applicant agrees to provide a plan showing landscaping, zoning chart and grading

Rakesh Darji – ERI – letter dated 4-30-2024 and letter dated 5-6-2024 with updates requested

Applicant agrees to comments and recommendations

Property backs up to open space

No negative impact

Board Comment

Board Member Humphrey – what is the size of the deck proposed?

Mr. Oden – approximately 20 x 12

Even with addition of deck does not exceed impervious coverage percentage

Public Comment– None

Mr. Wieliczko summarized

Applicant is seeking a bulk variance for a rear yard setback of 19.94 ft. where 25 feet is required

Applicant agrees to recommendation in ERI letters dated 4-30-2024 & 5-6-2024

Applicant agrees to provide grading plan

Applicant provided testimony on impervious coverage and drainage

Motion to approve Z24-06 – 4 Pickwick Drive – Thompson

Second – Smith

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

2. 47 Lexington Circle

Z24-07

Block 13.72, Lot 1 (MD Zone)

Kevin Lambrese – sworn

Bob Hall, Deval Pools – sworn

Rakesh Darji – sworn

Exhibit A-1 – Survey of Premises

Exhibit A-2 – Pool Grading Plan – dated 5-3-2024

Applicant is seeking bulk variance to construct a pool within the front yard along Phoenix Road

Pool proposed to be 26' from the property line and the concrete pad is 21' from the property line where 30' is required

Pool equipment in front yard 21.7' where 30' is required

6' fence approximately 14.5' within the front yard

Pool will not be located in drainage easement

Retaining wall to be constructed

Mr. Darji recommends that retaining wall details be shown on Pool Grading Plan prepared by Mr. Maccariella, Jr.

Board Chair Thomas – what is a drainage/conservation easement?

Mr. Darji – explained the process as to why drainage/conservation easement exist – the serve the whole development

Mr. Wieliczko asked the type of material for the retaining wall

Mr. Lambrese – paver wall

Mr. Wieliczko – information should be provided to the Township

Head wall should be shown on Mr. Maccariella's plan

Fence to be removed from conservation area, existing stay as is

Cartridge filter to be used

No landscaping to be removed or added

Rakesh Darji – ERI letter dated 5-1-2023 revised 5-6-2024

Applicant addressed all comments

Applicant agrees to comments and recommendations

Construction should be of Phoenix Road
Any damage due to construction will be replaced at owner's expense

Board Comment
Board Member Grantner – how high is the wall
Mr. Lambrese – 3'
Mr. Darji – will fence go on the wall?
Mr. Lambrese – yes

Applicant agrees any changes/revisions to plans will be provided, including design to wall and any changes to pool location

Public Comment – None

Mr. Wieliczko summarized
Applicant is seeking bulk variance to construct a pool and pool equipment with a front yard setback of 31', pool equipment 21.7' and 6' fence 14.5' where 30' is required
Applicant agrees to comments and recommendations in ERI letter dated 5-1-2024 revised 5-6-2024
Applicant agrees to provide modified plans

Motion to approve Z24-07 - 47 Lexington Circle – Grantner
Second – Smith
Ayes: Grantner, Masson, Smith, Ganju, Carragher
Nays: Thompson, Thomas

3. 3 Normandy Road

Z24-08

Block 11.31, Lot 7 (LD Zone)
Karen & Nick Juengert – sworn
Rakesh Darji – sworn
Exhibit A-1 – Pool Grading Plan (revised 3-2-2024)
Applicant proposing construction of an in-ground pool with a rear yard setback of 5.4' where 15' is required
Existing lot size is 11,510' - 12,000' is required with a narrow rear yard
No landscaping to be removed or added
Property drains to rear of property
As per ERI letter dated 5-6-2024 – applicant agrees there will be no adverse impact from drainage, if so will be remediated at owner's expense
As per ERI letter – applicant will reduce the pool deck size

Rakesh Darji – ERI – letter dated 5-6-2024

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Ask applicant to consider reducing the patio around the pool on the eastern property line closes to Lot 9
Jersey Pools is the contractor
Applicant agrees to modify and work with Mr. Darji – design modification of rear yard setback would be 7'
Applicant agrees comments and recommendations

Board Comments – None

Public Comment – None

Mr. Wieliczko summarized

Applicant is seeking bulk variance for an in-ground pool with a rear yard setback of 7' where 15' is required

Applicant will submit modify pool plan

No adverse drainage to property

Motion to approve Z24-08 -3 Normandy Road – Thompson

Second – Masson

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

8:07 p.m. – Chair Thomas called for a brief recess

8:22 p.m. – Meeting resumed

4. 730 Route 73 South, Suite 748

Z24-03

Block 35.07, Lot 7 (C-1 Zone)

Five Below

Augusta M. O'Neill, Attorney for Applicant

Lindsay Lupino, Cima Network – sworn

David Sarney, Five Below – sworn

Rakesh Darji – sworn

Exhibit A-1 – 8 pages – sign details

Exhibit A-2 – Overhead Google map

Exhibit A-3 – Google Street view map

Mr. Wieliczko – thanked applicant. Applicant has been working with staff

Mr. O'Neill gave an overall explanation of the application

Applicant is moving from one tenant space to another in the Willow Ridge Shopping Center

Proposing 124 sq. ft. façade sign – entire blue square

2 blade signs proposed – 4 ½ sq. ft. each
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Temporary signs proposed for GRAND OPENING AND NOW OPEN
Temporary sign COMING SOON
Lindsay Lupino, Senior Project Manager for Five Below
This is typical signage for Five Below, meant for pedestrian traffic
Ms. Lupino – Coming Soon sign – 30 days prior to opening
Grand Opening and Now Open signs will be used for 30 days
David Sarney, Manager of Architect for Five Below
This is the same as all other Five Blow Stores
This is business is existing now in the Willow Ridge Shopping Center

Rakesh Darji – ERI – letter dated 5-6-3024
Applicant agrees to comments and recommendations
Overall area of the façade sign is 224 sq. ft. – this is a large shopping center – actual size
proposed is best to attract public

Board Comment

Vice-Chair Carragher –what is the size of the sign at the current store
Board Member Humphrey –are the other sings in shopping center greater than 80 sq. ft.
Mr. Darji – yes

Board Member Thompson – time line for temporary sign on Route 73
30 days – Coming soon, 30 days – Grand Opening, 30 days?
Ms. Lupino – yes

Mr. Wieliczko – applicant will provide narrative of the sequence of signs and how they will be
installed
Applicant agrees

Public Comment – None

Mr. Wieliczko summarized
Applicant is seeking bulk variances for signage
Proposing a 224 sq. ft. sign – (102.4 sq. ft. lettering – Five Below only)
2 – 4 ½ sq. ft. blade signs
Temporary signs – 3 – 12 sq. ft. each
Applicant agree to comments and recommendations in ERI letter dated 5-6-2024
Applicant will provide narrative for temporary signs to include sequence and timing

Motion to approve Z23-04 – 730 Route 73 South, Suite 748 – smith
Second – Masson

5. 735 Route 70 West

Z23-14A

Block 5, Lot 2.08 (C-1/EVCO Zone)

Bertino, FHG, Inc.

Dennis E. Block, Attorney for Applicant

Robert Bertino, Owner – sworn

Chris Dochney – sworn

Applicant is requesting a Use Variance to operate an adult retail/bookstore within an existing tenant space in the shopping center

Applicant previously moved from a tenant space of 2,000 sq. ft. to present space of 1,800 sq. ft.

List of goods available given

Hours of operation – Monday to Saturday 10 a.m. to 7 p.m., Sunday 10 a.m. to 6 p.m.

Have been in this shopping center for 30 years, valued member of the community

No increase or expansion proposed

Applicant agrees on change in size and no change in signage

Applicant agrees to satisfy Violation from Construction Official

Chris Dochney – CME – letter dated 5-3-204

Applicant address concerns

Asked if there are any other adult store in the area

Mr. Block – yes, Mt. Laurel, Cherry Hill, Voorhees

Tenant moved to current location to accommodate the Landlord

No temporary signs proposed

Board Comment – None

Public Comment – None

Mr. Wieliczko summarized

Applicant is seeking a Use Variance for an Adult Retail Store

Moving from one unit to another in the same Shopping Center

Square footage will be maintained as is

No new signage

Construction Official will be notified for proper paper work as needed

Motion to approve Z34-14A -735 Route 70 West – Use Variance – Masson
Second – Thomas

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

Public Comment – None

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Board Comment

Board Member Masson commented on the applicant this evening on all the associated signs proposed, especially the temporary signs and their transparence related to the application

Communications/Organization - Board Secretary Newton announced that the next meeting would be June 11, 2024. This is a special meeting due to pending applications. All applications on this agenda will be residential

Meeting Adjourned – 9:20 p.m.