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September 6, 2025  
22197 02

Indian Cultural Center of South Jersey  
**Solar Panels**  
810-820 Route 73  
Marlton, NJ 08053  
Block 35.30, Lot 18.04  
Application # P25-13

Ms. Jennifer Newton, Board Secretary  
Township of Evesham Zoning Board  
984 Tuckerton Road  
Marlton, NJ 08053

Dear Ms. Newton:

Our office has reviewed an application for a Site Plan Waiver for the installation of solar panels within the parking lot of the Indian Cultural Center. The proposal is to construct 2 carport canopies that would be located in the southern parking area, affecting 40 parking spaces. No other site improvements are proposed at this time. The property has no direct road frontage. The existing building and parking areas are set back approximately 760 feet from NJSH Route 73, within the LD-Low Density Residential zone. The building is accessed via a 50' wide private access drive and utility easement that passes through Lots 18.03 at NJSH Route 73 continues through Lot 18.05, both of which are located in the C-1 district.

The undeveloped portions of the subject tract are heavily wooded.

The subject tract is serviced by public water and sewer. Wetlands encumber portions of Lot 18.04, and the floodplain impacts a portion of Lot 18.04. The proposed improvements are not located within these critical areas.

### **Submitted Application Materials**

We have received the following documents submitted in support of the application:

1. Township of Evesham Land Development Application.
2. The Patel Tract, prepared by Taylor Wiseman and Taylor, dated May 9, 2008, revised to September 14, 2011. (Note, sheet 4 is provided with the area of proposed improvements highlighted.)
3. Proposed Photo-Voltaic Array, prepared by ARC Design, dated June 11, 2025, revised August 6, 2025, consisting of the following:
  - a. Cover Sheet, A-1.
  - b. Zoning Plan, A-2.
  - c. Module Layout, A-3.
  - d. Details, A-4.
  - e. Electrical Diagram, E-1.
  - f. Data Sheets, E-3.
  - g. General Notes, E-4.

**General Information**

Owner/ Applicant: Indian Cultural Center (ICC)  
820 Route 73 South

Installer: Kaitanna Solar, EPC  
[rdubeau@kaitannasolar.com](mailto:rdubeau@kaitannasolar.com)

**VariANCES**

1. Per §62-53F, the solar panel height shall not be subject to the maximum height regulations of the zoning district, but their height shall not exceed 20% of the maximum height permitted. The permitted structure height in the zoning district is 35 FT; thus, the solar panel permitted height is 7 FT. The proposed height of the solar panel arrays is 13.75 FT to 18.67 FT. A variance will be required.
2. Our office defers to the Board Planner for further comment and relief that may be required.

The Applicant has the burden of proof to justify the variance, by testimony or other means, by using either the c(1) or c(2) proofs.

For c(1) variances the Applicant must demonstrate that strict application of the zoning requirement would have “peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the Applicant arising out of:

- a. The exceptional narrowness, shallowness, or shape of a specific piece of property, or
- b. By reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or
- c. By reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.”

For c(2) variances the Applicant must demonstrate that:

- a. The purposes of the Municipal Land Use Law (MLUL) would be advanced by a deviation from strict application of the zoning requirement;
- b. The variance can be granted without substantial detriment to the public good;
- c. The benefits of the deviation would substantially outweigh the detriment; and
- d. The variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

**General Comments**

1. The applicant is requesting a site plan waiver. Per §127-2, the reviewing board may waive site plan approval requirements if the construction or alteration or change of occupancy or use does not affect circulation, parking demands, drainage, relationships of buildings to each other, landscaping, buffering, lighting and other considerations of site plan review.
  - a. The applicant should provide testimony regarding site circulation. It is noted that 3 existing drive aisles are reduced in size due to the installation of solar panels. The existing drive aisles are 25 FT; the proposed drive aisle (not covered by the proposed solar panels) is 14.83 FT.
  - b. It is unclear what the vertical clearances are at each drive aisle based upon the layout provided. The module layout should be further clarified to indicate which side of the arrays is the low side (13.75 FT) and which is the high side (18.67 FT height).
  - c. Provide further clarification on the outer drive aisle widths, and if there will be overhang of these aisles.
  - d. The module layout should include the curb islands to show the impact of the solar array on the islands.
  - e. The applicant should review and address the Fire Marshal’s memorandum dated August 13, 2025, with regard to the location of the solar canopy and its protrusion into the drive aisle.

2. The applicant should provide testimony regarding proposed canopy lighting and confirm compliance with Evesham Township Ordinance §62-55. If canopy lighting is proposed, the following should be discussed:
  - a. The Applicant should confirm is any existing light poles are to be removed as a result of the proposed construction.
  - b. Canopy light location should be depicted.
  - c. The applicant should also confirm that the construction of the proposed solar panel canopies will not affect the illumination of adjacent parking stalls that will not be shielded by the proposed solar canopies.
  - d. The Applicant should discuss the timing of the lighting and if the solar panel lighting will be on the same off/reduction schedule as the existing parking lot lights.
3. The proposed solar panel canopies should include signage denoting the minimum clearance of the structures. Details should be provided and location of the signs provided. The Fire Marshal may have further comments on the wording and the size and location of the proposed warning signs.
4. The Applicant should provide testimony regarding the proposed solar panels and canopies and their ability to withstand environmental loads such as wind, rain, snow, ice, etc.
5. The Applicant should discuss existing landscaping within the parking lot islands which will now be located beneath the proposed solar canopies. What was once in open space will now be covered with the solar panel array. Discuss any effects the reduced amount of sun and rain will have on supporting the existing landscaping. Our office defers further landscape comments to the Board Planner.
6. No equipment pads are proposed. The applicant should discuss any proposed electrical equipment and include details.
7. The applicant should discuss the procedure for decommissioning the solar panels. Notes regarding this should be provided on the plans.
8. A detail for the proposed trenching should be provided. In addition, details for restoration of the parking lot should be provided.
9. The solar panel support poles should be depicted. These should be shown on a plan that shows parking space layout in relation to the proposed supports. The diameter of the supports may impact on the space available for parking. It is recommended that all support be placed along the center line of the head-to-head spaces, at the corner where 4 spaces meet.
10. The application notes that the project will be completed in 2 phases. Testimony should be provided discussing the scope and timing of each phase.

### **Administrative**

11. All future resubmissions of the plans shall clearly indicate a revision date and be accompanied by a response letter addressing all comments from the Township staff in a point-by-point fashion.
12. We reserve the opportunity to make further comments, should additional information become available to address this initial review.

Should you or the applicant have any questions, please do not hesitate to contact the undersigned.

Sincerely yours,



Rakesh R. Darji, PE, PP, CME  
Planning Board Engineer

RRD/mbs

cc: Kevin Rjis, Director of Community Development, ([rjis@evesham-nj.gov](mailto:rjis@evesham-nj.gov))  
Scott Taylor, LLA, AICP, PP, LLA, Board Planner, ([staylor@tdgplanning.com](mailto:staylor@tdgplanning.com))  
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