

**TOWNSHIP OF EVESHAM**  
**Zoning Board of Adjustment**  
**Minutes**  
**7:00 P.M.**  
**Via Video Conferencing**

**January 25, 2021**

**Municipal Building**

**Call to Order**

Meeting brought to order by Chairperson Student at 7:03 P.M.

**Flag Salute**

**Statement of Conformance with Open Public Meetings Act**

Chairman Student 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 meeting via video conferencing

**Roll Call**

**Present:** Carragher, Fox, Lutner, Paetzold, Thomas, Thompson, Osno, Grantner, Student

**Absent:** Wessner

**Staff:** Wieliczko, Arcari, Darji, Fegley, Snee, Rijs, Boulton, Kinney

**Continuation of Scheduled Matters – None**

Chairperson Student announced that Item #4 – ZB 20-26 Kevin & Cheryl Schwartz would be moved to #1 on this Agenda

Mr. Wieliczko announced that Item #1 – ZB 20-23 – Application for 398 Evesham (F) Land Holding, LLC has been Withdrawn without prejudice and confirmed by applicant's Attorney – Joseph D. Rocco

**New Business**

- 1. Kevin & Cheryl Schwartz** **ZB 20-26**  
21 Lady Diana Circle, Block 52.05, Lot 54 (RD-1 Zone)  
Kevin & Cheryl Schwartz – sworn  
Rosemary Franco – Swim-Mor Pools – sworn  
Rakesh Darji – ERI – sworn  
Applicant is proposing an inground pool

Side yard setback 11' where 15' is required  
Rear yard setback 8' where 15' is required  
Side yard setback of 3' for pool equipment where 15' is required  
Impervious coverage of 46.9% (existing conditions 31.1%) where 20% is required  
Exhibit A-1 – Survey  
Exhibit A-2 – Pool Grading Plan  
Exhibit A-3 – Kings Grant Homeowners Association approval letter dated 11/19/2020  
Applicant stated that the narrowness of the property prevents pool from meeting required setbacks  
Applicant stated that the proposed pool will not adversely affect their property or that of their neighbors including drainage  
In reference to ERI letter dated 1/21/2021 applicant has agreed to comments and conditions  
Some landscaping will include some shrubs and trees  
Drainage flow is to rear of the property  
Ms. Franco will provide pool deck drainage information to Mr. Darji  
Ms. Franco stated that silt fencing would be used during construction  
Mr. Darji stated that applicant has addressed all his concerns

#### Board Comment

Chairperson Student asked if property backed up to the Golf Course?  
Mr. Schwartz stated that there was open space between his property and the Golf Course

Public Comment – None

Motion to approve ZB 20-26 – Osno  
Second – Lutner  
Ayes: Thomas, Thompson, Carragher, Fox, Lutner, Osno, Student

Mr. Wielizcko asked the Board Chair to memorialize Resolutions at this time

#### **Resolutions**

ZB 20-16 – Flamini  
Motion – Osno  
Second – Lutner  
Ayes: Student, Carragher, Lutner, Thomas, Osno, Grantner

ZB 20-19- Spillane  
Motion – Student  
Second – Osno  
Ayes: Student, Carragher, Lutner, Thomas, Osno, Grantner

ZB 20-20 – Krause  
Motion – Osno  
Second – Lutner  
Ayes: Student Carragher, Lutner, Thomas, Osno, Grantner

ZB 20-21 – Snider  
Motion – Osno  
Second – Lutner  
Ayes: Student, Carragher, Lutner, Thomas, Osno, Grantner

ZB 20-22 – Chis-Luca  
Motion – Osno  
Second – Lutner  
Ayes: Student, Carragher, Lutner, Thomas, Osno, Grantner

Chairperson Student thanked the Board Professionals for their work in helping to prepare for the following applications

2. **120 Evesham (L) Land Holdings, LLC** **ZB 20-24**  
**Preliminary and Final Major Site Plan with 'D' and 'C' Variances**  
120 Route 73 North, Block 25.01, Lots 4, 6, 7 & 8 (C-1/EVCO Zone)  
Joseph Rocco, Attorney for Applicant  
Applicant Witnesses – sworn  
Thaddeus Bartkowski – Catalyst Experiential  
Michael D. Sousa, PE – Engineer – Senior Design Engineer  
Christine A. Nazzaro-Cofone – Planner – Cofone Consulting Group LLC  
David R. Shropshire – Traffic – Shropshire Associates  
Board Professionals – sworn  
Rakesh Darji – Engineer  
Stacey Arcari – Traffic  
Barbara Fegley – Planner  
Eric Snee – Environmental

Mr. Bartkowski – Catalyst Experiential  
Gave presentation on company's experiences and projects  
Exhibit A-1 Evesham Township 1-25-2021 Zoning Board Presentation  
Portfolio's include landmarks, clocktowers and monuments  
Digital Display Technology used  
Manufacturer is compliant with National Lighting Requirements  
Multidirectional lighting sensor

Local and regional advertisers  
Municipal Communications  
Proposed location – 4 acre property  
Exhibit A-2 - Aerial Exhibit  
Current use – Caliber Collision  
EVCO Zone district  
Exhibit A-3 – proposed monument design – consisting of 4 scenes  
Overall height 49.72”  
Exhibit A-4 – Building materials – red brick, light textured trim, bronze material for Township lettering  
Exhibit A-5 – Route 73 motion tracking showing sign location of monument

Mr. Rocco asked Mr. Bartkowski who usually makes use of this kind of sign  
Mr. Bartkowski – 82% local & regional businesses

Michael Sousa – Engineer – Hammer Land Engineering  
Exhibit A-6 – Aerial Exhibit #2 – site location  
Surrounded by commercial and some residential  
Exhibit A-7 – Site Plan  
Mr. Sousa reviewed variances requested – response letter Hammer Land Engineering – dated 1/19/2021  
Applicant has agreed to and will comply with all noted comments and recommendations in the ERI letter dated 12/18/2020 and CME letter dated 12/20/2020

David Shropshire – Traffic Engineer – Shropshire Associates, LLC  
Report dated 1/21/21  
Good location for the sign  
Meets all functional criteria  
Safe location  
Compliments the demands for what is proposed in the Vision Study  
Sign would help to increase local stores activity on Main St.

Christine Nazzaro-Cofone - Planner – Cofone Consulting Group, LLC  
Has reviewed Evesham Township Master Plan & Land Use Ordinance  
Reviewed the 2 ‘D’ variances and 6 bulk variances requested  
Proposed location of the sign is best suited  
Unique identifier for Township  
Advances general welfare  
Sufficient space – best location on property

Desirable visual environmental  
Advances the 2020 Vision Plan  
No substantial detriment to the Zone Plan

Mr. Rocco called on Mr. Barthowski to address Mr. Shropshire's testimony on the sign  
Could increase the demand of parking in the downtown area  
Condition of approval with regard to parking – construction of an off-street parking  
area with approval by the Township has been discussed

Rakesh Darji – ERI – letter dated 12/18/2020  
Mr. Darji had a very extensive review meeting with applicant  
Response letter – Hammer Land Engineering – dated 1/19/2021 and testimony  
provided and has addressed issues  
One question to be addressed – if sign is decommissioned, applicant agrees to remove  
sign from location within six months of the date of decommission

Barbara Fegley – ERI – letter dated 12/18/2020  
Applicant's Planner addressed comments  
Referenced Exhibit A-5 and asked information on colors of sign and structure  
Mr. Bartkowski – sign is changeable, structure – red brick, stone, bronze lettering

Stacey Arcari – ERI – letter dated 12/18/2020  
Met with applicant  
Has no more to add

Eric Snee – CME – letter 12/20/2020  
Applicant has agreed to all comments

#### Board Comment

##### Board Member Thomas

Tight space for construction of this sign on this property  
Mr. Bartkowski – at time of construction a maximum of four construction vehicles will be on  
site. As per property owner there is an abundance of parking spots available and should have  
no impact  
Ms. Thomas asked if the smaller local businesses in town would be able to advertise at a  
reduced rate

##### Board Member Osno

Looking at the advertising portion of your sign, what is the difference between this sign and a  
billboard?

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Mr. Bartkowski – advertising will be informational, will be extinguished at midnight, back on at 6:00 a.m., no flashing

Mr. Osno – functions as a billboard with local information

Mr. Bartkowski – has been designed with the Municipality – noted differences

Board Member Fox

As far as functionality would it be safe to say it is as safe as the sign approved about a year ago at Route 70 and Old Marlton Pike

Mr. Bartkowski – yes

Board Member Carragher

How many hours have been put into making this design

Mr. Bartkowski – extensive time and a thorough evaluation of location and design

When you came to board last year did you go through a similar procedure with the Township

Mr. Bartkowski – yes

Board member Osno

Full motion video was fantastic

Board Member Lutner

Mr. Lutner – access to applicant's response letter and witness list on 1/21/2021 by drop box  
Director of Community Development Kevin Rijs put all applicant's submittals on web site and sent to board members

Board Member Paetzold

What is the percentage for local and regional advertising on billboard

Mr. Bartkowski – 60% local/40% regional

Board Member Thompson

Will the same information be on this sign as on the sign at Rt. 70 & Old Marlton Pike

Mr. Bartkowski – no

How many signs have you done – Mr. Bartkowski – over 100

Are any of these signs within a 2-mile radius – Mr. Bartkowski – no

Board Member Fox

Signs within a couple of miles of each other, were they on different road ways

Mr. Bartkowski – some the same/some different

Chairperson Student

About Mr. Shropshire's testimony – is this a billboard or a messaging sign

Mr. Shropshire – NJDOT – off premise illuminated sign – multiple message sign

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Ms. Nazzaro-Cofone  
Referenced the Vision Plan – talked about the architecture  
Mr. Bartkowski – this is not a distraction for drivers  
Mr. Shropshire – there has been no increase in traffic incidents

Break - 9:57 p.m.  
Resume meeting – 10:05 p.m.

Mr. Bartkowski – Exhibit A-8 – Watchfire Lighting Study  
Will be amended – Broadcast of Light at Distance and Angles

### **Public Comment**

Alicia Marrone – sworn  
7 Normandy Rd.  
Chairperson of the Planning Board  
Evesham Township Downtown Vision Plan was unanimously adopted by Planning Board on  
January 27, 2021  
The proposed electrical sign/billboard is not what is intended in the Vision Plan or Master Plan  
or downtown area  
Sign design is a gimmick

Evan Scott – sworn  
106 Williamsburg Ct.  
Asked if the advertising portion of the sign will include political advertising  
Mr. Bartkowski – not on the list of advertisers  
Asked how inappropriate displays would be handled  
Mr. Bartkowski – Terms within the Operations and Maintenance Agreement would address

Mark McKenna – sworn  
6 Cheryl Ct.  
Seems like we are giving up a lot for a parking lot – how many spaces proposed?  
Mr. Wieliczko – not details at this time  
Is this the same size as the project approved at Marlon Pike & Rt. 70?  
This project is very large and this is not a good idea

Andrew Wilson – sworn  
162 Thornwood Drive  
Familiar with the Zoning Board and would like to consider a few points – EVCO district,  
crossroads – Route 70 & 73, 2020 Vision Plan promoted development  
Most travelers on Route 73 are not even residents

Not a good fit for our town

Nancy Jamanow – sworn  
192 Country Farm Rd.

Would like to re-iterate Ms. Marrone’s comments that the Vision Plan does not allow billboards  
Ms. Marrone is especially familiar with the Vision Plan and the intent and purpose of the  
Master Plan

This is not a signature architectural structure - it is a Las Vegas type sign proposed to make  
money for the applicant

Video was helpful to see how huge the sign is

Numerous bulk variances which are self-imposed due to the lease area

Billboard are specifically prohibited

Advertising for an off-site service is not permitted

No special reasons for variances have been provided

How does this advance the Master Plan and Zoning Ordinance when it is specifically prohibited

Granting a variance for a 58’ high 47’ wide sign is detrimental to the public good

Only beneficial to the sign company

Granting these variances does impair the intent and purpose of the Master Plan and Zoning  
Ordinance

Frank Piarulli – sworn  
5421 Homestead Ave.  
Pennsauken, NJ

Is there a connection between this application and the next application on the agenda

Mr. Wieliczko – no

Is there a reflection pond - no reflection pond or water feature

Advertising on sign is paid for but Township can utilize sign

Mr. Bartkowski asked why is board listening to someone that is not a resident

Public Portion

Mr. Piarulli owns business in Marlton

Is sign illuminated? – yes – will be off from 12:00 midnight to 6:00 a.m.

Kristen Powell – sworn  
37 Caldwell Ave.

Applicant spoke to the identity of the town – which a billboard is not

There is a current identity sign located at Rt. 70/Rt. 73

Adding an illuminated sign is not needed to identify the town

Local businesses will only benefit if advertising on this sign

Disagree with study that a billboard is not distracting – especially on the ramp from Rt. 70 to Rt.  
73 – a driver has to look to their left to merge onto Rt. 73 and the sign is to the right which  
could distract the cars on the ramp

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This does not agree with the vision study  
Would set a bad precedent for future signage within the town  
Reiterate with Ms. Jamanow that this is prohibited in the Ordinance and mirrors Mr. Wilson's point that if something needs this many variances than it shouldn't be approved

Jackie Iannotta – sworn  
38 Albany Rd.  
Concerned about the information that would be on sign promoting the township youth clubs and privacy issues  
Hopes board rejects the proposals

Irv Schor – sworn  
125 Westminster Ave.  
Lighting will go into residential area  
Going onto Baker Blvd. will be distracted

Leighanne Ratcliffe - sworn  
4 Greenhill Ct.  
Pleasing to the eye

Scott Evan  
Would be against communication piece – for political advertising

Robert DiEnna – sworn  
8 Eustace Terrace  
Merging on Route 73 is a challenge  
Various variances  
Comments on architecture – brick in bland, no historic features  
Hope he did not hear a parking lot quid pro quo  
Would not approve

Jason Inglissis – sworn  
401 Sedgewick Lane  
Something that needs 8 variances should not be considered  
Hoping board does not approve

Public Comment in Chat  
Dianne – has the applicant just installed a monument on Route 73

Mr. Wieliczko gave clarity on height of sign  
Grade of roadway elevation 8.28'

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58' from base  
49.72' above the centerline

Board Member Carragher – questions on sign height – current ordinance 22' – this requirement was prior to the construction of the over pass

Board Member Thomas – asked for clarification of light study  
Mr. Bartkowski – sign is programmed for conditions

Mr. Rocco thanked the board and professionals for the time given to this application, proofs are on the record and site is suited for the use. Positive and negative criteria have been met

Mr. Wieliczko summarized the application  
2 – 'D' variances  
6 – 'C' variances  
Submission waivers  
Preliminary & Final Major Site Plan

Applicant will bifurcate the application – First – Use Variance  
Motion to approve ZB 20-24 – 2 Use Variances – Signs prohibited - Carragher  
Second – Fox  
Student – deny – finds does not in keeping with Vision Plan, Master Plan and not in the public good  
Thomas – Aye – find applicant credible – met burden of proof  
Thompson – deny – does not represent Master Plan – does not agree with 2 signs within 2 miles of each other, not right location and does not fit in Marlton  
Carragher – Aye – applicant presented a coherent and extensive presentation, worked well with our professionals and Township, look forward to them coming to the town  
Fox – Aye – met burden of proof – work well with our professionals  
Lutner – deny – agrees with Mr. Student and Mr. Thompson  
Osno – deny – same reasons as Mr. Student and Mr. Lutner

Vote – Use Variance – 4 to 3 – DENIED  
Applicant will not move on

Announcement – ZB 20-25 Maple Avenue Evesham (F) Land Holdings, LLC will be carried to the February 22, 2021 Zoning Board meeting – no further notice required'

**Public Comment – None**

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**Board Comment - None**

Chairman Student thanked the Board and Staff for all their work and especially through this challenging year and hoping 2021 is better for all

**Next Meeting – February 22, 2021**

Meeting adjourned: 11:35 p.m.