

**TOWNSHIP OF EVESHAM
ZONING BOARD OF ADJUSTMENT**

Minutes

December 19, 2022

7:00 P.M.

Municipal Building

Call to Order

Meeting brought to order by Chairperson Carragher at 7:00 p.m.

Flag Salute

Statement of Conformance with Open Public Meetings Act

Chairperson 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 Zoning Board of Adjustment meeting

Roll Call

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

Absent: Borstad, Willmott, Graterol

Staff: McCarthy, Wieliczko, Newton, Kinney

Continuation of Scheduled Matters

1. 11 Old Republic Lane

Z22-22

Block 38.01, Lot 53 (RG-1 Zone)

Christopher Lipenta – sworn

Ryan McCarthy – sworn

Exhibit A-1 – Map of Property dated 10/9/19

Exhibit A-2 – Pool Grading Plan dated 8/8/22

Applicant is proposing to construct an in-ground pool – rear setback of 7’ where 15’ is required and pool equipment – rear and side setback of 3’ where 5’ is required

Pool will be constructed by Swim-Mor Pools

Mr. Lipenta stated that no landscaping would be removed

Mr. Lipenta addressed ERI letter’s note concerning tree in the rear corner of the property – this tree has been removed

Retaining wall in rear of property will be installed

No adverse drainage impact to property or neighbor’s property

Ryan McCarthy – ERI – letter dated 11-14-2022

Has no comment

Board Comment

Board Vice-Chair Thomas – asking why the pool equipment can not be 5’
Mr. Lipenta – would like it to be far from the pool as possible and property backs up to woods

Public Comment – None

Mr. Wieliczko summarized
Applicant is seeking rear yard setback of 7’ where 15’ is required for an in-ground pool, rear and side yard setback of 3’ where 5’ is required for pool equipment – property backs up to open space
Applicant has addressed comments and recommendations in ERI letter dated 11-14-2022
There will be no adverse effect on drainage – if necessary - will address
Applicant will submit specifications of fence

Motion to approve Z22-22 – 11 Old Republic Lane – Lipenta – Thompson

Second – Masson

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

2. 418 Sedgwick Lane

Z22-26

Block 13.53, Lot 10 (MD Zone)

Andrew Toland – sworn

Ryan McCarthy – sworn

Exhibit A-1 – Survey of Property dated 6-18-19

Exhibit A-2 – Hand sketch of addition

Exhibit A-3 – photo – rear of house with outline of proposed addition

Applicant is proposing to construct a 217 sq. ft. addition on rear of house – proposed addition will increase the impervious coverage to 48% where 45% is permitted
Existing 97 sq. ft. shed with a side yard setback of 3.6 ft. and rear yard setback of 3’ where 5’ is required

Addition will not cause any adverse drainage to property or neighbor’s property

No impact on drainage – there are no drainage issues

Mr. Toland stated that 2 shrubs will be removed and re-located along back of fence

Will provide plans showing downspouts and gutters

Mr. Toland – addition will provide outdoor living space and shaded area for pool

Ryan McCarthy – ERI – letter dated 12-15-2022

Asked applicant to provide drainage flow information

Board Comment

Board Member Repsher asked if the roof line of the addition will extend past the house

Mr. Toland – will align with house

Board Member Masson asked about the setback of shed
Mr. McCarthy – shed is non-conforming existing condition

Public Comment – None

Mr. Wieliczko summarized
Applicant is seeking impervious coverage of 48% where 45% is permitted
Existing shed rear yard setback of 3' and side yard setback of 3.6' where 5' is required
Applicant agrees to comments and recommendation in ERI letter dated 12-15-2022
Applicant will provide plan showing spot grading for water flow
Applicant agrees there will be no adverse drainage impact to property or neighbor's property
Applicant will provide copy of construction plans showing gutters and down spouts

Motion to approve Z22-26 – 418 Sedgwick Lane – Toland – Grantner

Second – Thomas

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

New Business

1. 10 Topeka Court

Z22-27

Block 13.64, Lot 42 (MD Zone)

Tom & Gina Dispenza – sworn

Ryan McCarthy – sworn

Larry Stoelker – Bud's Pools – sworn

Exhibit A-1 – Survey dated 9-28-2022, revised 12-12-2022

Exhibit A-2 – 4 pages of 7 photos of property

Applicant is proposing to construct an in-ground pool – rear yard setback of 7.05', side yard setback (north side) 7.07' where 15' is required, front yard setback (street side) 16.68' where 30' is required

Corner property (Topeka Court & Atlanta Drive)

Existing shed located 3' from side property line where 5' is required

Location of pool due to size and corner property and best for safety and security

No adverse drainage to property or neighbor's property

Applicant addressed ERI's concerns – submitted revised plan dated 12-12-2022

Landscaping will remain

Construction vehicles will enter by driveway

Ryan McCarthy -ERI – letters dated 12-16-2022

Asked applicant if exiting non-conforming shed will remain in same location

Mr. Dispenza – will remain

Mr. McCarthy asked about the conditions of the two existing yard drains

Mr. Dispenza – they work properly and will be maintained

Board Comment

Board Member Masson asked if the 4' and 6' fences will remain the same

Mr. Dispenza – yes

Board Vice-Chair Thomas – is the need for the 4' fence in the front yard for visibility and why trees are higher

Mr. Wieliczko – the Township Ordinance calls for 4' fence in front yard – Ordinance does not address landscaping

Public Comment – None

Mr. Wieliczko – summarized

Mr. Wieliczko thanked Mr. and Mrs. Dispenza for working with staff and ERI

This is a corner property – 2 front yards

Applicant is seeking rear yard setback of 7.05', side yard setback of 7.07' where 15' is required and front yard setback of 16.68' where 30' is required or an in-ground pool

Existing shed with a 3' side yard setback where 5' is required

Will comply with the comments and recommendations in the ERI letter dated 12-16-2022

There will be no adverse effect on drainage – if any will address

Will submit drainage operation information

Motion to approve Z22-27 – 10 Topeka Court – Dispenza – Repsher

Second – Masson

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

2. 114 Quarterhorse Court

Z22-30

Block 11.42, Lot 8 (LD Zone)

Jeremy Judernatz – sworn

Ryan McCarthy – sworn

Exhibit A-1 – Survey of property dated 9-6-2022

Exhibit A-2 – 3 photos which include existing and proposed conditions

Exhibit A-3 – Survey showing proposed pool

Exhibit A-4 – Pool grading plan

Exhibit A-5 – 3 pages of Architectural plans

Exhibit A-6 – Colts Runs Homeowners Association letter

Applicant is proposing to construct a 753 sq. ft pool and surround with a rear yard setback of 3' where 15' is required and a 288 sq. ft. addition that will increase the existing impervious coverage 55.9% where 45% is permitted

Previous approval granted for side and rear yard setbacks for patio and pavilion through Resolution #ZB 18-17
Property has limited space and backs up to open space
Applicant requests relief to give more room for family
No adverse drainage on property or neighbor's property
Some landscaping will be added
Applicant agrees to comply with comments and recommendations in ERI letter dated 12-9-2022
Applicant agrees to provide plan showing spot grading acceptable to Board Engineer
Infiltration trench will be installed
Construction schedule will have pool and patio constructed first then addition

Ryan McCarthy – ERI – letter dated 12-9-2022
Mr. McCarthy has requested more information on drainage on side of property and downspouts for addition
Applicant will comply

Board Comment

Chairman Carragher – asked about the material surrounding the pool
Mr. Judernatz – same as stone patio
Chairman Carragher asked Mr. McCarthy if he agreed with Mr. Judernatz that drainage will be improved
Mr. McCarthy – yes

Public Comment – None

Mr. Wieliczko – summarized
Applicant is seeking rear yard setback for a 753 sq. ft. pool of 3' where 15' is required
Applicant is seeking impervious coverage of 55.9% where 45% is permitted
Applicant agrees to comments and recommendations in ERI letter dated 12-9-2022
No adverse drainage to property or neighbor's property
Applicant will provide plan showing spots grades and information on down spouts and show fence gates
Agrees to comply with all prior approvals

Motion to approve Z22-30 – 1114 Quarterhorse Court – Judernatz -Masson
Second – Thomas
Ayes: Grantner, Masson, Thompson, Ganju, Repsher, Thomas, Carragher

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Motion to approve – Thompson

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Second – Repsher

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

Resolutions

Motion to approve 2022-ZB-28 - Gambino – Z22-19 - Repsher

Second – Thomas

Ayes: Masson, Ganju, Repsher, Thomas, Carragher

Motion to approve 2022-ZB-29 – Newbridge, LLC – Z22-23 -Thompson

Second – Repsher

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

Motion to approve 2022-ZB-30 – Anthony – Z22-25 – Thompson

Second – Repsher

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

Public Comment - None

Board Comment

Board Member Masson asked if applicants could submit application digitally when possible

Board Secretary Newton – it is up to the applicant

Board Member Thompson – when appointed to the Board it was advised to visit the sites of applications is possible

Board Chairman Carragher wished everyone a Happy Holiday and a Happy New Year

Communication/Organization

Board Secretary Newton reminded the Board that the next Zoning Board meeting is January 23, 2023. This is an irregular date (fourth Monday of January)

Next Meeting – January 23, 2023

Meeting Adjourned – 8:30 p.m.