

**TOWNSHIP OF EVESHAM
Zoning Board of Adjustment**

Minutes

July 17, 2023

7:00 P.M.

Municipal Building

Reorganization

Call to Order

Meeting brought to order by Board Secretary Newton at 7:00 p.m.

Flag Salute

Statement of Conformance with Open Public Meetings Act

Board Secretary Newton made the statement that this meeting is being conducted in accordance with the New Jersey Open Public Meetings Act and all other applicable laws of the State of New Jersey. Notice of the conduct of this meeting has been posted in the Evesham Township Municipal Building and published in a newspaper of general circulation within the time required by law. All proceedings will be in accordance with the Open Public Meetings Act, the Municipal Land Use Law, and any other applicable laws of the State of New Jersey.

Present: Carragher, Grantner, Masson, Smith, Thomas, Thompson, Willmott, Ganju, Humphrey, Lynn

Absent: Graterol

Staff: Newton, Kinney, Wielizcko, Arcari, Darji, Deputy Chief Freedman

Organization of the Board:

a. Nomination of Chairman

Motion to appoint Masson - Thompson

Second – Grantner

Ayes: Grantner, Masson, Thompson

Nays: Carragher, Smith, Thomas, Willmott

Nomination of Chairman

Motion to appoint Thomas - Carragher

Second – Smith

Ayes: Carragher, Smith, Thomas, Willmott

Nays: Grantner, Masson, Thompson

Votes in favor Thomas 4-3

Chairperson Thomas continued meeting

- b. Nomination of Vice-Chair
Motion to appoint Masson - Thompson
Second – Grantner
Ayes: Granter, Masson, Thompson
Nays: Carragher, Smith, Thomas, Willmott

Nomination of Vic-Chair
Motion to appoint Carragher - Willmott
Second – Thomas
Ayes: Carragher, Smith, Thomas, Willmott
Nays: Grantner, Masson, Thompson

Vote in favor of Carragher 4-3
- c. Nomination of Planning Board Attorney
Motion to appoint Zeller & Wieliczko, LLP - Thompson
Second – Grantner
Ayes: Carragher, Grantner, Masson, Smith, Thomas, Thompson, Willmott
- d. Nomination of Planning Board Engineer
Motion to appoint Environmental Resolutions, Inc. - Carragher
Second – Masson
Ayes: Carragher, Grantner, Masson, Smith, Thomas, Thompson, Willmott
- e. Nomination of Planning Board Planner
Motion to appoint Alaimo Group - Carragher
Second – Grantner
Ayes: Carragher, Grantner, Masson, Smith, Thomas, Thompson, Willmott
- f. Nomination of Planning Board Traffic Engineer
Motion to appoint Environmental Resolutions, Inc. - Grantner
Second – Thompson
Ayes: Carragher, Grantner, Masson, Smith, Thomas, Thompson, Willmott
- g. Nomination of Planning Board Environmental Scientist
Motion to appoint CME Associates - Carragher
Second – Smith
Ayes: Carragher, Grantner, Masson, Smith, Thomas, Thompson, Willmott

- h. Nomination of Conflict Engineer
Motion to appoint CME Associates - Carragher
Second – Thompson
Ayes: Carragher, Grantner, Masson, Smith, Thomas, Thompson, Willmott

- i. Nomination of Conflict Planner
Motion to appoint Environmental Resolutions, Inc. - Thompson
Second – Masson
Ayes: Carragher, Grantner, Masson, Smith, Thomas, Thompson, Willmott

- j. Nomination of Recording Secretary
Motion to appoint Regina Kinney - Masson
Second – Smith
Ayes: Carragher, Grantner, Masson, Smith, Thomas, Thompson, Willmott

- k. Adoption of Official Time/Place for Meeting (Annual Calendar) 2023-2024
Resolution 2023-ZB-18 – Board Secretary noted dates with *
Motion to approve – Thompson
Second – Smith
Ayes: All in Favor

- l. Adoption of Official Newspaper (The Burlington County Times, Courier Post,
and The Central Record) Resolutions 2023-ZB-19
Motion to approve – Thompson
Second: Carragher
Ayes: All in Favor

- m. Adoption Rules of Procedure – Resolution 2023-ZB-20
Motion to approve - Thompson
Second – Carragher
Ayes: All in Favor

Minutes of previous meetings:

June 19, 2023

Motion to approve – Thompson

Second – Masson

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

Resolutions:

Motion to approve 2023-ZB-15 – Volpe – Z23-08 - Thompson

Second – Smith

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

Motion to approve 2023-ZB-16 – Conniceli – Z23-10 - Thompson

Second – Masson

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

Motion to approve 2023-ZB-17 – Congregation Beth Tikvah – Z23-11 - Thompson

Second – Smith

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

Continuation of Scheduled Matters – None

New Business

1. 49 Knightswood Drive

Z23-12

Block 29.11, Lot 9 (MD Zone)

Andrew & Amanda Caden – sworn

Rakesh Darji – sworn

Applicant is proposing a front porch addition, front yard setback of 27.3' where 30' is required

Exhibit A-1 – 2 photos of home

Exhibit A-2 – 2-page document – Proposed Renovations & Addition

Corner property – Knightswood Drive & Kirkdale Drive

Proposed porch – wrap around front of house – will not impact walkways

Mr. Caden – some landscaping will be removed – will relocate trees if possible

Applicant agrees to update plan to reflect the location of fence and provide a dimension from the property line

Mr. Caden – drainage of property goes away from the house – no plans to change – no adverse condition to property or neighbor's property

Rakesh Darji – ERI – letter dated – 7-10-2023

Applicant has addressed and agrees to all comments and recommendations

Mr. Dari felt wrap around porch feature is artistically beneficial

Board Comment – None

Public Comment – None

Motion to approve Z23-12 – Caden – Thompson
Second – Smith

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

2. 301 Route 70 West

Z22-29 (see ZB21-02)

Block 21, Lot 1.01 (C-1/EVCO Zone)

Marlton UE, LLC

William Hyland, Attorney for Applicant

Mr. Wieliczko gave an update on this application – this application was denied on 3-30-2023 by Resolution 2023-ZB-04. Subsequent to the denial, the Applicant filed an appeal with the Superior Court – Docket No. BUR-L-792-23 – which resulted in a Consent Order of Remand and Dismissal Without Prejudice providing for a Concept Settlement Plan to be reviewed by the Zoning Board at a public meeting.

Proper notice within 10 days has been made

Applicant has made substantial modifications to the plan

Applicant is seeking Amended Preliminary & Final Site Plan

Amended plan has eliminated Pad A as well as reconfiguration of the parking lots located north and west of Pad B which has been retained

Pad B would comprise 10,800 sq. ft. accommodated up to 4 tenants

Matthew Kunsman, Bohler Engineering – sworn

Paul Going, Atlantic Traffic – sworn

Colin Stirrat, Vice President of Development, Marlton UE – sworn

Rakesh Darji – sworn

Stacey Arcari – sworn

Deputy Chief Scott Freedman – sworn

Exhibit A-1 – dated 7-17-2023 – Aerial Photo

Exhibit A-2 – dated 7-13-2023 – Overall Site Layout Plan

Exhibit A-3 – 13 pages – Sign package document

Colin Stirrat, Vice President of Development, Marlton, UE

Mr. Stirrat gave overall information on what is proposed

Removal of Pad A

No parking modifications in the Shop Rite – Kohl's area

Area of Pad B – 10,800 sq. ft. site for 4 tenants – (1) CAVA, (2) First Watch, (3 & 4) to be determined

Timing of signal for Route 70 entrance is proposed

Matthew Kunsman, Bohler Engineering

Property in the C-1/EVCO District

Frontage on both Route 73 & Route 70

Friendly's structure to be removed

3 accesses to property, right in and right out at southeast portion of property, signalized access off of Route 70 to have 4 lanes, right turn into the western access point

Applicant seeks parking variance – total 1,010 spaces (1,002 spaces, 4 EV, 4 EV credit)

Proposed tenants, CAVA and First Watch, both end units with outdoor seating

Sidewalks will be provided along Route 70

Will comply with stormwater regulations

Will comply with lighting

Landscaping will be improved – agrees to recommendations in ERI letter

Paul Goings – Atlantic Traffic letter dated 6-19-2023

Addressed trip generation – expecting a maximum of only 26 additional trips during the Saturday midday peak hour

Previous Letter of No Interest from NJDOT was issued 8-3-2020 (for larger building expansion)

Sidewalk proposed along Route 70

Applicant has submitted an Access Permit Application to NJDOT requesting right-turn ingress movements to the westernmost Route 70 site driveway

Applicant proposes to modify the signalized driveway to provide 2 northbound lanes and 2 southbound lanes in first on-site intersection and ShopRite

Reallocation of 5 seconds and 2 seconds of the Route 70 green time to the site egress and eastbound Route 70 left-turn has been preliminarily accepted by NJDOT Engineering

Pedestrian connection will be provided from the existing restaurant (Shake Shack) and Pad B

Mr. Stirrat presented Sign Package

Façade elevation- West – Front

CAVA – 45 sq. ft., Tenant #2 – 34.5 sq. ft., Tenant #3 – 34.5 sq. ft., First Watch – 47 sq. ft. – Breakfast Brunch Lunch – 24 sq. ft.

Façade elevation – North – Side

CAVA – 45 sq. ft.

Façade elevation – East – Rear

First Watch – 23 sq. ft., Tenant #2 – 25 sq. ft., Tenant #3 – 25 sq. ft., CAVA – 23 sq. ft.

Façade elevation – South – Side

First Watch – 47 sq. ft., Breakfast Brunch Lunch – 24 sq. ft., Order Ahead Pickup – 2.5 sq. ft.

East side elevation along Route 73 visible for traffic going south and north

First Watch – Order Ahead Pickup will have designated parking spaces
Proposed Route 70 Pylon Sign (formally Friendly's) replaced with 229 sq. ft. sign
(160 sq. ft. – copy area – 69 sq. ft. – base)

Applicant has agreed to ERI comments and recommendation concerning
environmental issues – Applicant will provide Phase I and documentation as
needed

Rakesh Darji – ERI – letter dated 7-14-2023
Applicant has done a very thorough job of addressing all recommendations and
comments
New pylon sign is beneficial – motor safety considered – signs are proportional to
building

Stacey Arcari – ERI – letter dated 7-14-2023
Applicant has agreed to recommendations and comments
Removal of some parking spaces is better for pedestrian circulation and will work
with applicant

Deputy Chief Scott Freedman – Memo dated 6-20-2023
Applicant has agreed to recommendations and comments
Proposed western access point will be beneficial to Fire Department
Pleased that applicant is working with NJDOT
Fire Lane signage is acceptable
Request Applicant seek Title 39 – for Police Enforcement
Mr. Hyland thinks this has been adopted in the past
Ms. Arcari – best to have amended
Applicant agrees

Board Comment

Board Member Masson referred to Exhibit A-3 – rear of building and access/safety for tenants
Concerned about sufficient parking around Pad B
Mr. Stirrat – tenant has access to building at this time through Man-Door
Parking for Pad B – meet the number required – also hours of operation for proposed uses will
not overlap – First Watch – 7:00 a.m. – 2:30 p.m. - CAVA – 2:45 p.m. – 10:30 p.m.

Chairperson Thomas questioned trip generation increase based on the size of the shopping
center and First Watch hours on Saturday and Sunday morning. Asked about the 'grease trap'
on the detail sheet

Mr. Going – trip generation numbers are calculated on variation and average peak hours
Mr. Darji – grease traps are required by MUA

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Mr. Stirrat – each tenant has its own grease trap is responsible for maintaining

Chairperson Thomas asked about pedestrian walkway along Route 70 and size of parking spaces in front of ShopRite/Kohl's

Mr. Stirrat – yes there will be additional walkway along Route 70 and all parking spaces in front of ShopRite/Kohl's will remain as is

Board Member Humphrey – additional walking areas is a good idea

Public Comment – None

Mr. Hyland thanked the Board

Mr. Wieliczko – summarized

Applicant is seeking Amended Preliminary and Final Site Plan for a 10,800 sq. ft., 4 tenant building

Applicant agrees to comply with ERI letter dated 7-14-2023 and Fire Marshall memo dated 6-20-2023

Applicant has made application to NJDOT for access permits

Variances listed in the ERI letter – sign, parking

Motion to approve Z22-29 Marlton UE -Carragher

Second – Thomas

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

Public Comment -None

Board Comment –

Board Member Masson congratulated Chair Thomas and Vice-Chair Carragher, thanked new members.

Board Member Masson encouraged the public to attend meetings, not to rely or comment on Social Media

Communication/Organization

Board Secretary Newton congratulated Chair and Vice-Chair and welcomed new member.

Asked that all members return USB's to her. Reminded Members to contact her if they are not available for the meeting.

Next Meeting – 8-21-2023

Meeting Adjourn – 9:40 p.m.