

**TOWNSHIP OF EVESHAM**

**Planning Board**

**Minutes**

**7:00 P.M.**

**May 20, 2021**

**Municipal Building**

**Via Video Conferencing**

**Call to Order**

Meeting brought to order by Vice-Chair Parikh at 7:02 P.M.

**Flag Salute**

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

Board Secretary Boulton 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 via video teleconferencing

**Roll Call**

**Present:** Friedman, Hansen, Levenson, Mehigan, Natale, Mayor Veasy, Parikh

**Absent:** Higginbotham, Cortland, Marrone

**Staff:** Platt, Arcari, Snee, Taylor, Rijs, Boulton, Kinney

**Continuation of Scheduled Matters – PB 21-01 – Main Street Property Management, LLC**

80 East Main Street, Block 4.18, Lot 2

Proposed Use: Absolute Home Mortgage Corporation

Continued to **June 3, 2021**

Mr. Platt – additional notice possible

**New Business:**

- 1. LaScala – Route 70 Management, LLC PB 14-25SPFa**  
**Amended Site Plan Approval**  
Amended approval to Resolution PB 14-25SPFa memorialized 12/3/2020  
LaScala Restaurant, 131 Route 70 East, Block 27.02, Lot 2 (C-1/EVCO Zone)  
Renaissance Square  
Robert Baranowski, Attorney for Applicant  
Witnesses sworn  
Robert LaScala – Principle  
William Campbell – DAS Architects, Inc. – Project Manager  
Morris Clark – DAS Architects, Inc. – Project Architect  
Mr. Baranowski – applicant seeks a site plan waiver to modify the prior approval of a restaurant to eliminate the building and construct an expanded outdoor

dining area. Temporary use of this area for outdoor was received in 2020  
Mr. Platt – A Condition of Approval should include a period of time for this use to be set  
Mr. Robert LaScala – chose not to do second restaurant previously approved at this time  
Outside dining has become more desirable  
Would like outdoor area to include sit down dining, activities would be flexible to include corn hole games, limited music for a fun environment  
Has Owners consent  
At this time would like for this to be permanent – if it does not succeed would return to the Board  
Mr. Platt – what would be a reasonable time period?  
Mr. LaScala – 3 years  
Mr. Rijs – prior approval must be monitored and records are to be up-to-date  
Mr. William Campbell – Project Manager  
Referenced Exhibit A-1 – Proposed Floor Plan  
Open area to include, stucco wall w/sign, tables picnic tables, lounge furniture, benches, fire pits  
Stormwater will connect to owner's stormwater system  
Prior approval outdoor area square footage was 5,160, proposing 5,058  
Occupancy load is reduced  
Proposed seats 210 and 2 additional bathrooms

Public Comment – None

Mr. Scott Taylor – Taylor Design Group – letter dated 5/20/2021  
Applicant has agreed to comply with conditions set forth in item #8 a– f  
As for outdoor occasional amplified music – some perimeters should be put in place to protect residents in area  
Mr. LaScala agrees – music to end at 10:00 p.m. on weekdays, 11:00 p.m. on weekends or co-exist with restaurant hours – this is not a wedding venue and will comply with Township noise ordinance

Ms. Stacy Arcari – ERI  
Parking has been satisfied  
Along with Mr. Rakesh Darji, ERI, would like some additional information for drainage – Applicant agrees

Mr. Platt – condition – three years for outdoor area – applicant agrees

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#### Board Comment

Board Member Friedman - what is the distance from the back of restaurant to residents and Route 70

Mr. Taylor – 50' to 70' to nearest resident, approximately 240' to Route 70

Board Member Friedman questioned lighting

Mr. Taylor – full cut fixtures to minimize impact – applicant has agreed to comply with comments in Mr. Taylor's letter dated 5/20/2021

Mayor Veasy asked as for music to be concurrent with restaurant hours

Public Comment – None

Mr. Platt

Applicant is seeking Amended Site Plan approval

Outdoor seating area

Proposed application will be for 3 years with prior approvals

Revised plans will be provided as per Mr. Taylor's letter dated 5/20/2021 to include lighting and stormwater

Permitted to have music – cannot extend past food service hours

All prior approvals are in affect

Motion to approve LaScala's Outdoor Dining Area PB 14-25SPFa – Levenson

Second – Mehigan

Ayes: Mayor Veasy, Levenson, Hansen, Mehigan, Friedman, Natale, Parikh

## **2. Ordinance No. 22-5-2021**

Ordinance of the Township of Evesham Amending Chapter 160-64.1.C Accessory Uses in the MD-1 Zone, Chapter 62-62 Swimming Pools and Hot Tubs, and Chapter 62-53 Energy Conservation

Mr. Kevin Rijs, Director of Community Development gave an overview of the additions to each section –

Ordinance 160-64.1.C – Accessory uses is supplemented by adding new subsection - (7) Private residential swimming pools

Ordinance 62-62 – Section II – Swimming pools and Hot tubs subsections A-E  
Is repeal and replace as follows:

A – (except pool equipment including but not limited to pump, filter, and heater shall be not closer than 3' to any lot line) – Mr. Rijs has spoken/reviewed

with Construction Code Official, Zoning Officer and Mr. Rakesh Darji  
B – Pool Barrier – The pool barrier must be maintained to code standards adopted by the State of New Jersey as long as pool is installed  
C – Spas and hot tubs – adopted by the State of New Jersey  
E (3) – Pool barrier – as adopted by the State of New Jersey

Ordinance 62-53 – Section III – Energy Conservation Subsection F is amended  
However, as accessory solar canopy (car port) structure that is proposed to be located in permitted side and rear yard areas within a non-residential parking lot shall comply with the minimum clearance requirements of the International Fire Code but not exceed 20' in total height. These structures are not permitted within any front yard area

Board Comment - None

Public Comment – None

Mr. Rijs – changes/revisions proposed are consistent with the Master Plan

Motion to Recommend Adoption of Ordinance 22-5-2021 – Friedman  
Second – Levenson

Ayes: Mayor Veasy, Levenson, Hansen, Mehigan, Friedman, Natale, Parikh

Board Member was surprise there was not public comment on the LaScala application. How were the apartments noticed?

Mr. Rijs – this application requested no variances and is a mixed use area, all meetings are noticed on the Township web site

Mayor Veasy – all notices are public and it is personal responsibility

#### **Minutes – April 15, 2021**

Motion to approve – Levenson

Second – Mehigan

Ayes: Mayor Veasy, Levenson, Hansen, Friedman, Mehigan, Natale

**Resolutions - None**

**Public Comment - None**

**Board Comment – None**

**Communication/Organization**

Ms. Sharon Boulton announced that she would be leaving the position as of 6/11/2021. She thanked the Board and Staff.

Chairperson Parikh thanked her and he and the Board appreciated her service

**Next Meeting – 6/3/2021**

**Meeting Adjourned – 8:10 p.m.**