

**TOWNSHIP OF EVESHAM
ZONING BOARD OF ADJUSTMENT**

Minutes

August 15, 2022

7:00 P.M.

Municipal Building

Call to Order

Meeting brought to order by Chairperson Carragher at 7:45 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 meeting .

Roll Call

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

Absent: Borstad, Thompson, Graterol, Martin

Staff: Darji, Hunt, Wieliczko, Newton, Kinney

Organization of the Board

- a. Appointment of Conflict Attorney
Motion to appoint Eric M. Bernstein & Associates, LLC – Carragher
Second – Masson
Ayes: Grantner, Masson, Willmott, Ganju, Repsher, Thomas, Carragher

Continuation of Scheduled Matters

16 North Maple Ave., Block 4.03, Lot 2 & 8

Mr. Wieliczko made the announcement he has been in communication with the applicant. Applicant will amend or withdraw the application. No future action date at this time. Notice and publication will be required

New Business

Chairperson Carragher thanked the Attorney and his team for the following application for their patience

Mr. DelDuca thanked the Board and appreciates having a 7-member board

1. 800 Route 70 West

Z22-07

Block 4, Lot 4.02 (C-1/EVCO Zone)

Raising Cane's Restaurant – fast food restaurant with drive-thru

Preliminary and Final Site Plan with Conditional Use and Bulk Variances

Damien DelDuca, Attorney for Applicant

Applicant proposes to construct a 3,878 sq. ft. fast-food restaurant with drive-thru containing 2 drive-thru lanes

Site is located between Route 70 West and Marlton Pike West – 2 frontages

Raising Cain's Restaurant was established in 1996

Limited menu – consisting of chicken fingers

Conditional Uses not met

- Proposing a standalone fast-food restaurant – not part of a shopping center

- Site is 1.19 acres – site not less than 2.5 acres

- Proposes 2 menu boards – one permitted

- Proposing a freestanding fast-food restaurant – should be an expansion of an existing freestanding structure

Applicant's professionals have worked with the Board's Professionals and Board Secretary Newton to address concerns

Applicant has met with NJDOT

Applicant agrees to all recommendations and comments in the ERI letter dated 8-4-2022, Alaimo Group letter dated 8-2-2022, CME letter dated 7-11-2022

Applicant agrees with the Environmental Commission memo dated 8-1-2022 with the exception of 3. a. & b.

Exhibit A-1 – Aerial Exhibit dated 8-15-2022

Exhibit A-2 – Colored Site Keynote Plan dated 8-15-2022

Exhibit A-3 – Standard Elevations dated 1-11-2022

Exhibit A-4 – Planning Exhibits

Adam Caracci, Senior Manager Property Development, Raising Cain's – sworn

Benjamin Crowder, Engineer – Bohler – sworn

David Fahim, Traffic – Atlantic Traffic & Design – sworn

Jon McDonough, Planner – John McDonough Assoc. – sworn

Rakesh Darji – ERI – sworn

Richard Hunt – Alaimo Group – sworn

Adam Caracci, Senior Manager Property Development, Raising Cain's presented the board with information on the project

Company has been in business since 1996

At this time there are 647 restaurants within the US

Famous for their Chicken finger meal – chicken is fresh, not frozen

Will has approximately 125 full & part-time employees

Maximum crew of 12

Assessing hours of operation to be

- Sunday -Thursday 9:00 a.m. – 1:30 a.m.

- Friday - Saturday 9:00 a.m. – 3:30 a.m.

Inside seating and drive-thru with 2 drive-thru lanes
Business consists of 70% drive-thru, 30% in store
Deliveries are made shortly after closing – one truck
Trash pick-up usually early in the morning

Benjamin Crowder, Engineer, Bohler
Proposing a single-story building
Referred to Exhibit A-1 -Aerial Exhibit, existing site
Site is 1.9 acres located between Route 70, a NJDOT Road and Old Marlton Pike, a Burlington County Road
Numerous existing non-conforming variances requested
Limited stormwater improvement needed – underground infiltration basin proposed
Sidewalks to be implemented on Rt. 70 & Old Marlton Pike
Referred to Exhibit A-2 – Color Site Keynote Plan – shows landscape improvements
Proposing 49 parking spaces plus 2 Electric Vehicle spaces
Has coordinated with Fire Marshal – fire apparatus design templet accepted
Bicycle racks to be installed
Drive-thru stacking is sufficient
No loading zone proposed – deliveries will be made with one truck
Proposing promenade lights on site
Proposing singular mason trash enclosure – will compliment building
Mr. Crowder addressed the Environmental Commission's memo dated 8-1-2022
Impervious coverage will increase by 7% and complies with Stormwater Management regulations – sub-service drainage proposed

David Fahim, Traffic – Atlantic Traffic Design
Traffic Study dated 3-15-2022 – studies intersection of Rt. 70 & Conestoga and Rt. 70
7 Cropwell
This is an existing site
Consistent with NJDOT standards
In his opinion there will not be a sufficient impact in the area
Stacking is adequate and agrees with the addition of the dual drive-thru lanes
This project will have no adverse impact on the area

John McDonough, Planner – John McDonough Assoc.
Referred to Exhibit A-4 – Planning Exhibit, 9 pages
Repurposing the site – will advance the zone
Commercial use in a commercial area
Good separation from residential
Went over the variances requested – D3 and C variances
Landscaping purposed will enhance the site

Signage was discussed – 8 signs proposed

Rakesh Darji, ERI letter dated 8-4-2022

Mr. DelDuca has covered comments and recommendations

Mr. Darji addressed EC memo – impervious coverage, expansion of parking use
porous pavers

Applicant has worked with ERI

Has provided additional information on queuing and will be accommodating

Since Mr. Snee – CME letter dated 7-11-2022, is not at meeting. Mr. Darji reported that the applicant has agreed to comments and recommendations and will provide information requested

Richard Hunt, Alaimo Group letter dated 8-2-2022

Mr. Hunt has met with applicant

The presentation was very good and sufficient testimony has been given

Applicant has addressed comments and recommendations

Applicant is required by Code to contribute to the Evesham Township Housing Trust Fund – Applicant agrees

Board Comment

Board Member Repsher asked if the flags shown on Exhibit A-3 are part of the sign package and questioned the entrance on Old Marlton Pike

Mr. Caracci – No they are fabric and they are removable

Mr. Darji speaking for Ms. Arcari, stated that this is the best design for the entrance

Vice-Chair Thomas asked if there was enough space from the Old Marlton Pike entrance and the circulation, indicators to drivers about the flow

Mr. Crowder – Old Marlton Pike entrance does work and he does not anticipate problems with the flow

Vice-Chair Thomas asked if the ONE LOVE sign on Exhibit A-3 included in the sign package

Mr. Crowder – was not included

Board Secretary Newton – Zoning Official will include the ONE LOVE and the # 1 symbol

Mr. Caracci – #1 symbol part of the building's architect, ONE LOVE is 17.3 sq. ft. and internally illuminated

Vice-Chair Thomas is chicken brined on site

Mr. Caracci – yes in salt water and brine is disposed of properly

Board Member Masson – with construction on Route 70 will you be timing this with NJDOT

Mr. Caracci – yes and Mr. Fahim has been working with NJDOT

Board Member Masson – referred to signage package detail sheet C-902 – would like information on the digital board located under the 60.62 sq. ft. Raising Cane's sign

Mr. Caracci -states a message – not moving – changes once a day

Board Member Masson – can these be modified

Mr. Caracci – these are our standard signs

Board Member Masson – second drive-thru always open

Mr. Caracci – yes

Mr. Masson – 'dog sign' depicted on Exhibit A-3 – will this stay the same

Mr. Caracci – yes, does not changed out

Mr. Masson – is the banner sign on the drive-thru elevation be painted on the wall

Mr. Caracci - yes will be painted on unless Township required other wise

Mr. Masson – is Raising Cane's leasing the property and what is the time period

Mr. Caracci – there is a 10 year lease

Board Member Grantner – who will maintain stormwater

M. Caracci – Raising Cane's will maintain property

Mr. Crowder – a stormwater maintenance report will be prepared and submitted to Mr. Darji

Chairperson Carragher – with the work that is being done on Route 70 are you working with NJDOT

Mr. Crowder – yes

Public Comment – None

Mr. Wieliczko – Applicant is seeking Preliminary & Final Major Site Plan

Conditional Use and numerous Bulk Variances

Cultural Resource - Waiver

Applicant agrees to comments and recommendations stated in the ERI, Alaimo Group, CME letters and Environmental Commission's memo (with exceptions stated) and Fire Marshal's memo

Hours of operation are dictated by ordinance

Agrees to the additional porous parking

Stormwater improvements

Sign package to include 8 signs – totaling 303.8 sq. ft. – no flags

- (4) Raising Cane's - 30.75 sq. ft. each

- (1) One love "banner" painted mural or sign 67.5 sq. ft.

- (1) Dog sign 32 sq. ft

- (1) ONE LOVE channel letter sign 17.3 sq. ft

- (1) "1" metal panel sign 64 sq. ft.

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Mr. DelDuca request the vote be bi-furcated

Conditional Use Variance

Motion to approve Z22-07 Raising Cane's Restaurants, LLC-Conditional Use Variance - Thomas
Second – Masson

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

Preliminary & Final Site Plan w/Bulk Variances, Waivers

Motion to approve Z22-07 Raising Cane's Restaurants, LLC-Preliminary & Final Site Plan w/Bulk
Variances, Waivers – Grantner

Second – Thomas

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

Minutes – July 18, 2022

Motion to approve - Masson

Second – Willmott

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

Resolutions

Motion to approve – 2022-ZB-16 Appointment of Professionals Staff – Amended to include
Conflict Attorney – Masson

Second – Thomas

Ayes: Grantner, Masson, Thomas, Willmott, Repsher, Carragher

Public Comment - None

Board Comment

Board Member Masson thanked Board Member Repsher

Communication/Organization

Board Secretary Newton asked the Board to review the Zoning Board of Adjustment Annual Report which includes the work that has been done by this Board and will be voted on at the next meeting. Any thoughts can be brought to her attention. Information will go to the Governing Body and Planning Board.

Next Meeting – 9/19/2022

Meeting Adjourned – 10:20 p.m.