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March 26, 2021
File No. 20125

Township of Elk
Planning/Zoning Board
680 Whig Lane
Monroeville, NJ 08343

RECEIVED

MAR 26 2021

**TOWNSHIP OF ELK
PLANNING BOARD**

**Re: Copart of Connecticut, Inc.
Block 66, Lot 1.01 Jacob Harris Lane
Application for Major Site Plan #SP-20-12
Review No. 1**

Dear Chairwoman White & Members of the Board:

We received the following items in support of the referenced application for a Site Plan to expand the existing vehicle storage operation in lot 1.01 into lots 1.02 and 1.03:

<u>Title</u>	<u>Date</u>
Elk Township Land Development Application	12/28/20
Deed Book Pages: AC Electric Easement	10/05/64
Escrow Agreement	12/16/20
Affidavit of Applicant/Ownership	12/15/20
Disclosure Statement	n/a
ET Tax Collector's Certification	12/14/20
Resolution No. 2020-10: Copart Use Variance	08/19/20
General Warranty Deed	12/07/20
Exhibit A to Deed Legal Description	n/a
Exhibit B to Deed Permitted Exceptions	n/a
State of New Jersey Seller's Residency Certificaiton/Exemption	12/07/20
Gloucester County Site Plan Application	12/14/20
Gloucester County Affidavit of Ownership	n/a
Elk Township Land Development Checklist	12/14/20
Site Photographs	n/a
List of Requested Checklist Waivers	12/14/20
Boundary/Location Survey, Lot 1.01, by First Order, LLC	08/04/20
Land Title Survey, Lots 1.02 & 1.03, by Crest Engineering Associates Inc.	05/04/20
Stormwater Management Narrative	12/14/20
Pre-Development Watershed Plan	12/10/20
Post-Development Watershed Plan	12/10/20
EEl - Testing Location Plan	12/02/20
Preliminary/Final Minor Site Plan Set	12/14/20
Environmental Impact Study by Stantec	12/09/20

Location:

The subject property is located in the Light Manufacturing M-1 zoning district on the north east side of Jacob Harris Lane, adjacent to the end of the paved portion of the roadway. The lots are wooded and undeveloped; aside from the electric distribution easement and tower that crosses a portion of the lots.

Adjacent lots are undeveloped to the north and south of the existing and proposed Copart development.

There are no existing water or sanitary sewer utilities within or adjacent to the tract. The site is not within the Elk Township Sewer Service Area (SSA) served by G.C.U.A. Multiple requests to the County and NJDEP have been made since 2015 to restore this area to the SSA. The most recent request in 2020 has not been formally approved or denied yet.

Prior Approvals:

Resolution #2020-10 granted a use variance for lots 1.02 and 1.03 for the purpose of expanding the existing auto salvage yard. Conditions of that approval are listed below as conditions for Site Plan Completeness:

Completeness Review

Required by Use Variance:

Consolidation of lots 1.01, 1.02 and 1.03. Required by Use Variance. Must be done before site plan application. A proposed deed of consolidation and legal description of it must be submitted for review.

Blanket drainage easement to the Township of Elk for runoff from Jakob Harris Lane.

Documentation of approval for the existing sanitary sewage disposal system to handle the the proposed increase in employees and visitors.

Documentation of request for guidance and/or an application to NJDEP to address the appropriateness of using solid fencing in the environmentally sensitive area.

Landscaping especially along the frontage.

Gate location shall be at least 20 feet from the Right of Way line with Knox box and light.

Updated easement agreement with A.C. Electric for use and improvements within their existing easement.

Site Plan Requirements:

The applicant has requested waivers for or has not submitted the following checklist items:

8. Copies of outside applications & approvals.
(Waiver Requested. A copy of an application to GC planning board has been provided. Copies of application(s) to NDJEP are required for completeness. A copy of the

application and approval for the expansion of use of the sanitary sewage system is also required.)

10. The map/plan shall include the signature of the applicant and land owner.
29. Environmental Impact Statement, i.a.w. 96-44 submitted. The report is incomplete in that it does not address the potential for spills, contamination, uses of fluids, vehicle washing, vehicle maintenance, does not include a copy of a wetlands L.O.I. , does not indicate the type of wetlands, types of endangered species, and does not include any information on the types of trees or the quantity and sizes of trees to be removed or planted.
30. A Phase 1 Environmental Assessment report conforming to current ASTM standards.
(Waiver Requested)
31. Traffic Impact Study prepared, signed and sealed by a licensed NJ professional engineer.
(Waiver Requested) (I have no objection to waiving this.)
37. Drafts of proposed protective covenants, deed restrictions or easements for review.
(Need deed of blanket drainage easement i.a.w. resolution 2020-10. Need any stormwater mgmt BMPs deed restricted also.)
39. All proposed lot lines, lot lines to be eliminated, area of proposed and existing lots in square feet and setback lines. (Must consolidate the lot. Then show site plan info for the consolidated lot only. Show all yards and correct setback distances to consolidated lot lines.)
41. Location of existing wells and septic systems and distances between them.
44. The location, dimensions and arrangement of proposed streets, vehicular access ways...
(needs dimensions on AC Electric Access gate, parking lanes called out)

Show truck movement & turning paths into and through the site for ACE. Provide 3 ft minimum clearance on each side and documentation that clear path is satisfactory to A.C.E.

Show protection for A.C.E. tower. Add detail to detail sheet. Provide documentation that A.C.E. AND Township Engineer approve of the method of protection.
47. Landscape plan and buffering plan.
48. Distance along rights-of-way lines of existing streets to the nearest intersection street.
(I recommend waiving for completeness only.)
49. The location of all existing trees or tree masses, general sizes and species.
(Tree boundary line shown but no information on tree size or type provided)
50. Tree Protection Plan, limits of clearing in accordance with Township Ordinances.
(Limits are shown on sheet 3.)

53. Structures of historic significance on or within 200 feet of the tract.
55. Contours at 20 foot intervals for the entire tract within 100 feet.
(Not shown to within 100 feet)
59. Location of soil borings to determine soil suitability.
(on "Testing Location Plan" included in Stormwater Management Narrative. This must be shown on the Site Grading Plan and on a Post Development Stormwater Management Plan.)
63. Cross sections and center-line profiles of all existing or proposed streets/water courses.
(Waiver Requested)
66. Written commitment from Elk Township MUA to provide sewer and water service.
(“N/A”)
67. If on-site sewerage disposal is required, results of percolation and boring tests.
(Must provide certification/approval from GC Health Dept, or NJDEP that the existing sanitary sewage disposal system is adequate for the proposed increase in staff and visitors. Pre-requisite to site plan completeness as a requirement of the Use Variance.)
68. Floor plan and front elevation of all proposed principal and accessory buildings.
(“N/A”)
69. Gross floor area per building, floor area ratio and square footage allocated to uses.
70. Lighting plan showing the location, height, light distribution, design and distances.
71. Location, size and materials of containers and enclosures for solid waste and recycling
73. NJDEP Letter of Interpretation for wetlands identification. Required prior to completeness.
75. Preliminary plans and profiles of proposed utility connections with design calculations.
(“N/A”)
77. Size, type, copy and location of all proposed signs.
81. Traffic control and directional signage plan
84. Letter or list and estimate of all items to be completed for performance guarantee.
(I recommend waiving for completeness only.)

I have no objection to waiving items 47 and 84 for completeness only.

Mr. Quay submitted a list with justification for items 8, 30, 31, and 63, dated 12/14/20. I have no objection to granting a waiver for items 31 and 63. The area has been identified as environmentally sensitive by NJDEP. Therefore, the remaining items 8, 30, and should be submitted as a part of this application.

Prior Approvals:

The applicant received approval for use variance, with conditions, on September 16, 2020 permitting an auto salvage yard, regarding the property located at 735 and 749 Jacob Harris Lane, Block 65 Lots 1.02 and 1.03.

The M-1 zone Bulk Requirements are as follows:

96-78 Manufacturing-Light (M-1) District – Bulk Requirements - Replace table with required and consolidated lot values only.

Bulk Requirement	Required	Proposed Lot 1.01	V/C/E
Minimum Lot Area	2 acres	38.63 acres	C
Minimum Lot Frontage	200 ft	2491.63 ft	C
Minimum Lot Depth	200 ft	511.65 ft	C
Maximum Building Coverage	20%	0.003% (3700sf±)	C
Front Yard	100 ft	227.13 ft 225.7 ft on survey	C
Side Yard, each	50 ft	1155.44 ft (Not shown on survey)	C
Rear Yard, each	75 ft	559.61 ft	C
Front Yard of Corner Lot	75 ft	N/A	C
Maximum Building Height: Principal	40 ft	< 40 ft	C
Maximum Building Height: Accessory	25 ft	< 25 ft	C

V=Variance required or Design Waiver required.

C=Complies

E=Existing condition

Technical Review

The plans depict new expanded parking areas with aisles extending throughout most of the existing lots 1.02 and 1.03. A stormwater basin is proposed in the rear of the lot and accommodations are made for Atlantic City Electric to gain access to their existing electric tower. I offer the following comments in the hopes that they may assist you in considering the application:

1. Bulk requirements: The cover sheet includes a table of bulk requirements for the M-1 district. The current M-1 zone data is shown.
 - A. The table should be revised to reflect only the consolidated lot and values for it.
2. Plan Requirements: The proposed use is an expansion of parking storage for vehicles.
 - A. Signature lines for the applicant and land owner shall be added to the cover sheet of the Site Plan set.
 - B. The survey bearings between Site Plan sheet 2 and the Land Title Survey dated May 4, 2020, differ on all 4 sides surrounding lots 1.02 and 1.03. The bearings shall be corrected on the Site Plan to match the deed for the properties. Plan shall refer to the deed of consolidation, and any plans prepared for same. Values on the plan must match the deed.
 - C. Survey data should be added to at least 200 feet beyond all lot lines or at minimum to the high point within which runoff flows to and through the site.
 - D. Plan must show the location of existing well and septic.
 - E. Atlantic City Electric Easement. Call out date of revised /update easement agreement.
 - 1) The gate location shall be moved to comply with the Use Variance and with A.C.E. requirements. Grading, pavement, lighting and Knox box shall be shown and detailed.
3. Driveways.
 - A. The access gate shall be revised to show a Knox Box, shielded lighting, and be set back at least 20 feet from the right of way line.
 - B. Detail shall be provided in regards to temporary and permanent protection of the existing electric tower.
 - C. Provide truck turning/path diagram and clearances along the path together with details regarding how the path is to be marked and signed to prevent obstructions.
4. Fencing. An 8 foot tall security fence is proposed directly around the proposed parking

aisles for storage. It is offset 15 feet from the right of way line and 28 feet from the side lot line adjacent to lot 1.04. The fence is proposed to be 26 gauge, white painted, corrugated interlocking metal panels. The fence surrounds the parking area. The fencing may be acceptable upon receipt of documentation that NJDEP has no objections to solid fencing in the area.

- A. The purpose and maintenance of the narrow strip between the new and existing fences near the driveway, and extending deep into the site should be identified.
5. Grading. The site as it currently exists, drains off of Jacob Harris Lane directly Northeast towards the existing wetlands. The proposed grading will funnel the drainage from the majority of the improved site towards the proposed drainage basin. Proposed grading is generally acceptable.
 - A. Existing contours should be shown beyond the boundary of the lot to show the contributing drainage area.
 - B. Grading for the ACE driveway access shall be shown.
 6. Landscaping. The applicant has indicated an intention to remove all vegetation within the boundaries of the proposed fencing and basin. They intended to leave about 15 feet of vegetation on the border of the right of way and about 28 feet along the border of lot 1.04. The plans shall be revised to show the limits of clearing and tree protection more clearly.
 - A. A Landscaping Plan is required and should include evergreen trees along the frontage.
 7. Legal Descriptions.
 - A. The recorded deed of consolidation shall be submitted.
 - B. Legal descriptions and easement documents shall be submitted for the stormwater BMPs granting the Township Inspection and maintenance rights, and restricting the areas from further development without an approved site plan and amended stormwater management plans.
 8. Lighting. No lighting is proposed. Lighting should be considered for the areas of the easement access gates dedicated to Atlantic City Electric. All lighting should be L.E.D. type and shall be shielded so that no lenses are visible from any adjacent property or any public right of way.
 9. Parking. The plans show adequate parking quantity in compliance with our ordinance.
 - A. The applicant is proposing a gravel parking area. The parking area shall be adequately paved and drained in accordance with Township specifications per Elk Township code §96-54.D.(2).
 - B. Testimony regarding prevention of spills, leaks and debris, should be provided. Appropriate signs and a copy of applicable operating procedures and any permit conditions shall be provided.

10. Handicap Parking. No new handicap parking is proposed. The plans must show existing or new handicap parking and the accessible entrance route.
11. Pedestrian Access. No new pedestrian access is proposed.
12. Stormwater Management.
 - A. The survey datums provided are N.G.V.D. 1929 where NAD 83 is required.
 - B. Predeveloped topography does not show information 200 feet beyond property limits.
 - C. The design should be revised to provide ground water recharge equal to the calculated post development deficit of 291,808 cubic feet.
 - D. On the NJ Groundwater Recharge Spreadsheet, the land areas for soil types seem to change between pre-developed and post-developed conditions. Specifically, Berryland Variant Soil covers 2.89 acres pre-developed, and 1.8 acres post-developed. For the Downer soil group the change was 9.56 to 10.7 acres pre to post-development. The Engineer should revise these areas so there is no change or provide explanation as to why the areas changed.
 - E. The stormwater design shows that the required reductions to 50% and 75% for the 2 and 10 year storms are not met. The 2 year storm runoff increase by 519% and the 10 year storm increase by 208% are not acceptable. The 100 year storm runoff has decrease to 62% of pre-construction rate is acceptable. The applicant has requested a waiver for the increase in 2 and 10 year runoff rates. The Township does not have the authority to grant such a waiver. The Engineer should revise the stormwater design to achieve the required reductions.
 - F. The applicant has indicated that the water quality design storm is 1.25 in/ 1 hr whereas the water quality design storm is defined by NJDEP as 1.25 inches per 2 hours. This should be revised in water quality calculations.
 - G. The applicant has stated in the Environmental Impact Statement that construction may cause the displacement of mammalian and avian species. They claim the surrounding area contains suitable habitat for these species and no adverse impacts to any threatened or endangered species or their habitat are expected to occur. The applicant has not identified or provided information on endangered or threatened species on site or that use the site for foraging or other essential habitat. This information should be provided along with copies of acknowledgement and approval from the NJDEP.
 - H. Only 4 of the 9 nonstructural strategies have been implemented in the stormwater design. Specifically the applicant has not demonstrated minimization of impervious surfaces, minimize any decrease in time of concentration, provide low maintenance landscaping, providing vegetated open-channel conveyance, and providing preventative source controls.
 - 1) The applicant has provided reasoning in that the site is to be developed as a parking/storage area for vehicles with the statement: "Because of the amount of

clearing and new impervious surface required they cannot implement all the necessary nonstructural strategies.” This should be revised. The rules do not require reducing the proposed essential elements of a project below what is necessary. They require that the essential elements, in this case the clearing for and the impervious surfaces for parking areas and drive aisles, be minimized. Thus the Engineer should provide documentation and testimony that the drive aisles are no longer or wider than that which is essential. Documentation and testimony should also demonstrate that the parking areas are no larger, wider, or spread out, than necessary.

- 2) Grading changes to include grass swales, terraces, or other features that could increase the time of concentration should be considered and incorporated if feasible.
 - 3) Source controls include measures for containing trash. The plans should be revised for the outlet structure to include trash racks and overflow grates. Provide details compliant with NJDEP requirements.
 - I. A conservation easement shall be drafted for the infiltration basin and other BMPs.
 - J. Details for the emergency spillways shall be submitted with provisions for downslope stability.
 - K. Notes shall be added to include low pressure / lightweight equipment and 2 ft delayed bottom excavation for the basin.
 - L. A plan regarding inspection and maintenance with responsibility agreements should be included. This shall include comprehensive stormwater management plans, frequency of inspection, maintenance tasks and schedule for each BMP, cost estimate, responsible parties, reporting requirements, conservation easements, and a copy of Elk Township Code 86-6.F.
13. Sequence. Construction sequence provided on plan sheet 7 is acceptable.
14. Sewage disposal. The Applicant shall provide documentation that the existing or proposed sanitary sewage disposal system is approved for the proposed staff increase of 4 to 5 employees.
15. Trash Disposal. Either a trash enclosure should be provided and detailed, or Testimony shall be provided that documents how trash and debris from the site are to be disposed of and how fluids, greases, solvents, and other materials that are potentially harmful to the environment or groundwater, will be prevented from spilling and how it will be properly handled and disposed of.
16. Utilities. No new buildings or utilities are proposed.

Recommendation

The application should not be scheduled for a public hearing until the missing completeness items are submitted.

The plans should be revised to address the underlined comments.

If you have any questions, please contact this office at your convenience.

Very truly yours,
FEDERICI & AKIN, P.A.

Stan M. Bitgood

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Planning/Zoning Board Engineer

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