

LAND DEVELOPMENT APPLICATION
ELK TOWNSHIP, GLOUCESTER COUNTY, NEW JERSEY

Please complete all sections of the application form and submit all items required by the Land Development Checklist for your application. If you are requesting a waiver for any item, the request must be in writing and include written documentation in support of your waiver request(s). Any application that does not have all items submitted, or a waiver requested, will be deemed incomplete.

DO NOT PUBLISH PUBLIC NOTICE OR MAIL NOTICE TO THE OWNERS OF PROPERTY WITHIN 200 FEET UNTIL YOU HAVE RECEIVED THE DATE ASSIGNED FOR THE PUBLIC HEARING FROM THE BOARD SECRETARY.

To be completed by Township staff:
Date Filed: 12-16-20
Date Deemed Incomplete: *12-28-20 p4m rec'd
Date Deemed Complete:
Application Number: SP-20-12
Application/Escrow Fees: 12-16-20 \$400 & \$7950
Date of Public Hearing:
Resolution Number:

- Check all applicable:
New
Minor Subdivision
Minor Site Plan
Preliminary Approval
Residential
Re-submission
Major Subdivision
Major Site Plan
Final Approval
Commercial
Concept
Variance(s)
Amended
Industrial
Other

1. Subject Property
Block(s): 65/58 Lot(s): 1.02+1.03 Zone Designation: M-1 Tax Map page:
Property Location: 735 + 749 Jacob Harris Lane

Dimensions: Frontage 876.15 Depth 1112.69 Total Area 974883.34'

2. Applicant's Name: Copart of Connecticut, Inc
Company Name: Copart of Connecticut, Inc
Address: 138 Christian Lane
New Britain, CT 06051-4123
Phone Number: 860-666-1183 Email: hilary.negron@copart.com

Applicant is a: Corporation
Nature of Applicant's equitable/possessory interest in the land: fee simple

3. Property Owner's Name: Same as applicant

Company Name: Same as applicant

Address: _____

Phone Number: _____ email: _____

***All titled owners of the property must sign the application evidencing their consent to the application. Attach a separate sheet for signatures, if necessary, and provide a copy of the current deed of ownership.**

4. Attorney's Name: Jennifer Johnson

Firm: Siciliano & Associates, LLC.

Address: 16 S. Haddon Ave, Haddonfield, NJ 08033

Phone Number: 856-795-0500 Fax #: 856-795-5515 Email: jj@sicilianolaw.com

5. Engineer's Name: Clifton Quay

Firm: Stantec

Address: 1000 Midlantic Drive, Suite 300 w, Mt. Laurel, NJ 08054

Phone Number: 856-242-6037 Fax #: _____ Email: clifton.quay@stantec.com

For Site Plans:

Commercial Industrial Other _____

Land to be developed 12.45 acres

Building size: n/a # of parking spaces _____

Proposed use: expansion of adjacent salvage yard

For Residential:

Area of entire tract N/A acres

Portion to be subdivided _____

of lots created _____ # of units planned _____

Proposed use: _____

Does the application require any variances? Yes No
Does the application require any conditional uses? Yes No

Please attach a separate sheet with a complete description of the variances requested and the reasons for relief. Please attach a statement as to the ways in which your project satisfies the requirements of the conditional uses. Your statements should cite the applicable Ordinance(s). Include the appropriate fees in your application and escrow fees.

Does the site front on a county road? Yes No Route # _____
Does the site front on a state road? Yes No Route # _____
Is the Site within 200 feet of another municipality? Yes No Name: _____

List all outside agencies to which application has been made regarding the proposed development:

Gloucester County

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

Yes (attach copies) No Proposed _____

***Note: Copies of All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review.**

Present use of the premises: vacant

Proposed use: expansion of adjacent salvage yard

8. Applicant's Planning Consultant: Clifton Quay

Address: 10000 Midlantic Drive, Suite 300 W, Mt. Laurel, NJ 08054

Phone Number: 856-242-6037 Fax #: _____ Email: clifton.quay@stantec.com

9. Applicant's Traffic Engineer: none

Address: _____

Phone Number: _____ Fax #: _____ Email: _____

10. List any other Expert who will submit a report or who will testify for the Applicant. (attach additional sheets if necessary)

Name: _____

Field of expertise: _____

Address: _____

Phone Number: _____ Fax Number: _____

11. List all other witnesses who will testify at the public hearing on behalf of the Applicant. (attach additional sheets if necessary)

Name: Charlie Eichman- Copart of Connecticut, Inc., 138 Christian Lane, New Britian, CT

Nature of testimony: Discuss specifics of the site plan.

Name: _____

Nature of testimony: _____

12. **Subdivision:** Number of lots created (include remainder): _____

Number of proposed dwellings: _____

Site Plan: Area to be disturbed (square feet) _____

Total number of proposed dwelling units: _____

Commercial square footage: _____

Site Plan Waiver: Reason for request: _____

Variance: Request is hereby made for permission to erect, alter, convert, use, a parcel contrary to the requirements of the Township Ordinances or for other relief as follows:
(specify which ordinance sections are violated):

N/A

13. Said property has dimensions of 876' x 1112' and area of 974,883' and is improved with the following structures: vacant

(If known, so indicate; or indicate whether dwelling or building; stating use thereof)

14. If less than the entire lot is to be utilized for the purpose hereinafter set forth, the area and dimensions of the portion of the lot to be utilized are: N/A

15. Size of proposed building:

Square footage of Building footprint: N/A Total Square footage: _____
Feet wide: _____ Height: _____
Stories: _____

16. Setbacks of building (corner properties have 2 fronts):

Front: _____ Rear: _____
Side: _____ Side: _____
% Building Coverage: _____
% Impervious Coverage: _____

17. Date property acquired: 12/11/2020
Prevailing zoning at time of acquisition: M-1
Current Zoning: M-1

18. Has there been any previous appeal, request, or application to this or any other Township Boards or the Construction Official involving these premises? Yes No

If YES, state the nature, date and the disposition of said matter and attach copies of all prior resolutions of this or any other Land Development Board.
use variance approval granted on August 19, 2020. See attached resolution.

19. For a variance - What are the EXCEPTIONAL conditions of property preventing the applicant from complying with the Zoning Ordinance(s) (i.e. the positive and negative criteria)?

N/A

20. For variances - Submit a statement of facts showing why relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

N/A

21. All applicants must submit a copy of the Land Development Checklist and provide all of the information required in accordance with checklist. If waivers are sought, the applicant should submit a list of requested waivers with an explanation of the request.

22. Waivers requested of Development Standards and/or Submission Requirements (attach additional pages as needed):

see attached

23. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of premises (attach additional pages as needed):

Applicant is applying for site plan approval to use the property to expand the adjacent salvage yard, parking cars until they are moved for auction.

24. Is a public water line available? Y N

25. Is public sanitary sewer available? Y N

26. Does the application propose a well and septic system? Y N

27. Depict the location of the proposed well and septic on the plan submitted and the locations of any existing wells and septic systems on properties within 500 feet of the location of the proposed wells and septic systems.

28. Type of construction (frame, stone, brick, cement, etc.) _____

29. Present use of existing building(s) and premises: _____

30. Total proposed dwelling units: _____

31. Total proposed professional offices: _____

32. Total proposed floor area: _____

33. Total proposed parking spaces: _____

34. Are there any off-tract improvements required or proposed? No

35. What form of security does the applicant propose to provide as performance and maintenance guarantees?

36. Other approvals which may be required and date plans submitted:

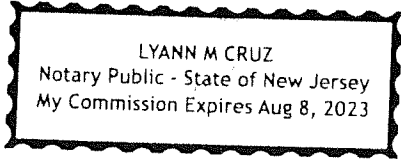
	Yes	No	Date Application Submitted
County Planning Board Approval	<input checked="" type="checkbox"/>	<input type="checkbox"/>	12/16/2020
County Health Department	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
County Soil Conservation District	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12/16/2020
Elk Municipal Utilities Authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
NJ Department of Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
NJ Department of Environmental Protection	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Stream Encroachment Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Waterfront Development Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Wetlands Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
LOI (letter of Interpretation)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	_____
Other _____	<input type="checkbox"/>	<input type="checkbox"/>	_____

I hereby consent to the filing of this application and consent to allowing Township representatives to perform on site visits. (Both signatures are required.)

Applicant's Signature: [Signature] Date: 12/14/2020
Jen Johnson, Attorney for Applicant, Copart of Connecticut, Inc.

Owner's Signature: [Signature] Date: 12/14/2020
Jen Johnson, Attorney for Applicant, Copart of Connecticut, Inc.

Sworn to and Subscribed before me this 15 day of December 2020



[Signature]
Notary Public

THIS GRANT, made this 5th day of October 1964,
between State of New Jersey, and Elijah Harris and Geraldine Harris, his wife,
and Solomon Harris and Willibe Harris, his wife,

of the City of Philadelphia, County of Philadelphia, in
the State of Pennsylvania, GRANTOR, and Atlantic City Electric
Company, a corporation organized and existing under the laws of the State
of New Jersey, GRANTEE,

WITNESSETH THAT:

The GRANTOR hereby acknowledges the receipt of the sum of
Six hundred seventy-five ----- Dollars
(\$ 675.00) for which consideration GRANTOR does grant to the GRANTEE,
its successors and assigns forever, a right of way and easement 120 feet
wide across lands of the GRANTOR situate in Township of
Elk, Gloucester County, New Jersey, for the
purpose of constructing, reconstructing, relocating, maintaining, operating,
adding to and inspecting an electric transmission line or lines, with all
the necessary structures, conductors, guys and necessary appurtenances,

The centerline of said right of way is described as follows:

BEGINNING at a point in the division line between lands of now or
formerly Cermantha W. Cook and Grantor, said division line being the center-
line of a certain 20 foot wide right of way, and said point being located
South 15 degrees, 41 minutes, 17 seconds East, in and along said 20 foot
wide right of way, a distance of 951.23 feet from a corner common to lands
of now or formerly Robert Mathews and Grantor and extending thence
South 74 degrees, 17 minutes, 12 seconds East through the lands of the
Grantor, a distance of 997.76 feet to a point in the division line between
lands of now or formerly Randolph Tucker, said point being located
North 43 degrees, 24 minutes, 40 seconds West, in and along said division
line, a distance of 166.01 feet from a corner in the line of lands of
the Grantor, common to lands of said Randolph Tucker and lands of now or
formerly Louis Teagle.

The aforesaid right of way affects a part of the lands of the Grantor
as described in a deed recorded in the Gloucester County Clerk's Office in
Deed Book 531, Page 567.

All bearings used in the above description refer to the New Jersey
Plane Coordinate System.

TOGETHER with the right to trim, cut and remove, by any means,
all trees, overhanging branches or other obstructions, within 60 feet on
either side of the above described centerline, also the privilege of trimming
any trees outside of the above specified right of way, if such trees are of
a height that may endanger the safety or interfere with the operation of
said electric transmission line or lines and together with the right of
ingress and egress to and over said above described premises, and the
adjoining lands of the GRANTOR at any and all times for all the purposes
aforesaid.

GRANTOR reserves the right to use the aforesaid right of way for any purpose not inconsistent with the use thereof by the GRANTEE of its rights hereunder, provided that GRANTOR shall not erect within said right of way any structure or building that would endanger the safety or interfere with the operation of said electric transmission line or lines. The GRANTEE shall be the sole judge of whether any use by the GRANTOR might endanger the safety of or interfere with the operation of said lines.

IN WITNESS WHEREOF, the GRANTOR has hereunto set their hands and seals the day and year first above written.

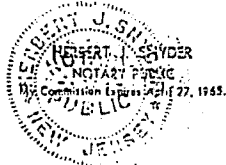
Signed and acknowledged in the presence of:

Herbert J. Snyder
no to see

Jacob Harris (SEAL)
Jacob Harris
Elijah Harris (SEAL)
Elijah Harris
Geraldine Harris (SEAL)
Geraldine Harris
Solomon Harris (SEAL)
Solomon Harris
Willie Harris (SEAL)
Willie Harris
_____ (SEAL)

STATE OF New Jersey)
) ss
COUNTY OF Gloucester)

BE IT REMEMBERED, that on this 5th day of October A.D. 1964, before me, a Notary Public of New Jersey personally appeared Jacob Harris, Widower and _____, subscribe, who I am satisfied is or are the GRANTOR mentioned in the above deed or conveyance, and I having first made known to him, her, or them, the contents thereof, he, she, or they acknowledged that he, she, or they signed, sealed and delivered the same as his, her, or their voluntary act and deed. All of which is hereby certified.



Herbert J. Snyder

STATE OF Pennsylvania)
COUNTY OF Philadelphia ss

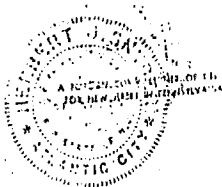
BE IT REMEMBERED, that on this 5th day of October
A.D. 1964, before me, a Foreign Commissioner of Deeds
personally appeared Solomon Harris
and Willibe Harris, his wife, who I am satisfied is or are the
GRANTOR mentioned in the above deed or conveyance, and I having first made
known to him, her, or them, the contents thereof, he, she, or they
acknowledged that he, she, or they signed, sealed and delivered the same as
his, her, or their voluntary act and deed. All of which is hereby
certified.



Richard J. Snyder

STATE OF Pennsylvania)
COUNTY OF Philadelphia ss

BE IT REMEMBERED, that on this 2nd day of October
A.D. 1964, before me, a Foreign Commissioner of Deeds
personally appeared Elijah Harris
and Geraldine Harris, his wife, who I am satisfied is or are the
GRANTOR mentioned in the above deed or conveyance, and I having first made
known to him, her, or them, the contents thereof, he, she, or they
acknowledged that he, she, or they signed, sealed and delivered the same as
his, her, or their voluntary act and deed. All of which is hereby
certified.



Richard J. Snyder

1994/40
OCT. 2 9 1964
450
P294-1

PAGE 1163-A

Jacob Harris, et al

NO 138/2522

Received Oct. 29 A.D. 19 64
at 8:30 o'clock A.M.
and recorded in the Clerk's Office
of Gloucester County, at Woodbury
in book 1090 of Deeds
page 1161 & *Jacob Harris*
Clerk

*Atlantic City, N.J.
1600 Pacific Ave
Atlantic City, N.J.*

BOOK 1090 PAGE 1163-A

THIS PAGE IS
NOT FOR
RECORDING

JOS. J. HOFFMAN
COUNTY CLERK

BOOK 1090 PAGE 1163-B

Heretofore of ATLANTIC CITY ELECTRIC COMPANY, a Corporation of the State of New Jersey,

One Dollar (\$1.00), in consideration of which

Ethel Brown Ferrer and
James A. Ferrer, her husband

heretofore grant(s) and convey(s) unto said ATLANTIC CITY ELECTRIC COMPANY, its successors and assigns forever, the right and easement to erect, construct and maintain a line or lines for the transmission of electric energy thereover for any and all purposes for which electric energy is now, or may hereafter be used, and a telegraph and telephone line or lines, with all necessary poles, wires, cables, fixtures and appliances, including guy wires, stubs, anchors and brace poles, through, over, upon (my, our) land and along the public highway or streets on which (my, our) land adjoins or abuts.

Situate in the Township of Elk

County of Gloucester, and State of New Jersey, and bounded:

On the North by the lands of: UNKNOWN

On the East by the lands of: GEORGE BRADY + HORACE THOMAS

On the South by the lands of: PENNSYLVANIA, PENNSYLVANIA, SEASACK LINES

On the West by the lands of: NEW JERSEY AND

TOGETHER with the right to fell or trim any trees along said line or lines, wherever the same may be necessary in order to erect, construct, operate or maintain said line or lines free and clear from obstructions, or which may endanger the safety or interfere with the use of said poles, wires, cables or fixtures. With the privilege to add to, or take from, line or lines, poles, wires, cables or fixtures, from time to time. Together with the right of ingress and egress to and over the said lands of the Grantor at any and all times for the purposes aforesaid.

In Witness Whereof (I, we) have hereunto set our hand(s) and affixed our seal(s), this 12TH

day of October, A.D., 1976

Signed and acknowledged
in the presence of:

Frank J. Hoff
"As To Both"

Ethel Brown [L.S.]
Ethel Brown Ferrer [L.S.]
James A. Ferrer [L.S.]
[L.S.]

NOTE: Form for Notary on other side.

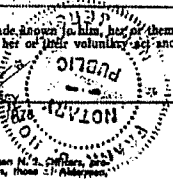
STATE OF NEW JERSEY
Gloucester COUNTY }

We 3 Remembered, that on this 12th day of October

A. D. 1976, before me, a Notary Public of NEW JERSEY
personally appeared Ethel Brown Eccard, and
James A. Eccard, Her Husband

who I am satisfied is or are the Grantor or Grantors mentioned in the above deed or conveyance, and I having first made known to him, her, or them, the contents thereof, he, she or they acknowledged that he, she or they signed, sealed and delivered the same as his, her or their voluntary act and deed. All of which is hereby certified.

Frank J. Hoff
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires March 8, 1978



NOTE Notary or Clerk's Certificate not necessary when acknowledgments are taken by other than U.S. Officers, provided the seal of the Notary is affixed to the acknowledgment. Magistrate's acknowledgments, those of Justices of the Peace, etc., not acceptable in New Jersey.

6315
8-259
compliance with the statute I have prepared an abstract of the within to the assessor of the taxing district therein mentioned.

JOSEPH J. HOFFMAN
COUNTY CLERK
Ethel Brown Eccard, et al

Name: Ethel Brown Eccard, et al
Address: Township of Elk
County: Gloucester
Division: Inland-G
CA 38601 WO 138/60011

REMARKS: RECEIVED BY CLERK'S OFFICE
JOSEPH J. HOFFMAN, COUNTY CLERK

NOV 19 1976
RECORDING DATA
AN 789101120013

Received Nov. 19th AD. 19 76
At 8:30 o'clock a.m.
and recorded in the Clerk's Office
of Gloucester County, at Woodbury,
in book 1315 of DEEDS
page 1082ac

NOTE: Return to Atlantic City Electric Company
East Grove Department
1600 Pacific Avenue
Atlantic City, N. J. 08404

BOOK 1315 PAGE 1083

Deed of Easement A.C.E. 10-69

6228 DB1713-P172

Received of ATLANTIC CITY ELECTRIC COMPANY, a Corporation of the State of New Jersey, One Dollar (\$1.00), in consideration of which

EMEL BROWN FERREN, SINGLEWOMAN

76239

hereby grant(s) and convey(s) unto said ATLANTIC CITY ELECTRIC COMPANY, its successors and assigns forever, the right and easement to erect, construct and maintain a line or lines for the transmission of electric energy thereover for any and all purposes for which electric energy is now, or may hereafter be used, and a telegraph and telephone line or lines, and cable television service, with all necessary poles, wires, cables, fixtures and appliances, including guy wires, stubs, anchors and brace poles, through, over, upon (my,our) land and along public highway or streets on which (my,our) land adjoins or abuts.

Situate in the TOWNSHIP OF ELK, County of GLOUCESTER and State of New Jersey, being also known as Block 44, Lot 3, as shown on the Municipal Tax Map and bounded:

On the North by the lands of: DORO OF GLASSBORO
On the East by the lands of: GEORGE BRAUN
On the South by the lands of: P.R.S.L.
On the West by the lands of: NEW JERSEY AVENUE

TOGETHER with the right to fell or trim any trees along said line or lines, wherever the same may be necessary in order to erect, construct, operate or maintain said line or lines free and clear from obstructions, or which may endanger the safety or interfere with the use of said poles, wires, cables or fixtures. With the privilege to add to, or take from, line or lines, poles, wires, cables or fixtures, from time to time. Together with the right of ingress and egress to and over the said lands of the Grantor at any and all times for the purposes aforesaid.

In Witness Whereof (I,we) have hereunto set our hand(s) and affixed our seal(s), this 18TH day of NOVEMBER, 19 87

Signed and acknowledged
in the presence of:
Nancy J. Sullivan
AS WITNER

Emel Brown Ferren (L.S.)

(L.S.)

NOTE: Form for Notary on other side

PREPARED BY RICHARD J. LONG
Richard J. Long

ESCROW AGREEMENT

This Agreement is made this 16 day of December, 2020.

BETWEEN: Applicant/Developer and Owner of Land

AND: The Combined Planning & Zoning Board of the Township of Elk on behalf of the Township of Elk

This is an agreement establishing the responsibility for the payment of escrow obligations to the Township of Elk.

NAME AND ADDRESS OF APPLICANT/DEVELOPER:

Copart of Connecticut, Inc.

138 Christian Lane, New Britain, CT, 06051-4123

Telephone Number: 860-666-1183 email: hilary.negron@copart.com
Fax number: _____

NAME AND ADDRESS OF PROPERTY OWNER:

Copart of Connecticut, Inc.

138 Christian Lane, New Britain, CT, 06051-4123

Telephone Number: _____ email: _____

Block 65, Lot 1.02 + 1.03

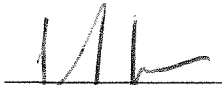
1. Whenever a review fee shall be required the applicant/developer together with the Planning Board or Zoning Board of Adjustment, shall execute an agreement, in writing, with copies for each party providing the following as to escrow agreements:

- (a) The agreement shall be signed by the developer/applicant and the appropriate Board at the time of the application.
- (b) The subject matter of the application shall be specifically identified by lot and block designation as found on the Tax Map of Elk Township.
- (c) The full name of the applicant/developer with applicant's address, telephone number and fax number shall be included.
- (d) The purpose for the escrow shall be defined in accordance with the application.

- (e) The agreement shall provide the applicant/developer's responsibility to maintain an adequate reserve of funds for the payment in accordance with the provisions of this subsection.
- (f) In the event the escrow shall be deficient at any time the Board having jurisdiction shall declare the application incomplete.
- (g) Any excess funds remaining in the escrow fund after 45 days after final approval shall be returned to the applicant.
- (h) If an applicant, or any person who has greater than a 10 percent interest in any legal entity which is an applicant, shall at any time have a deficient escrow account on any parcel within Elk Township, such escrow account shall be brought current prior to the Planning Board or Zoning Board considering any new application for development of any parcel or parcels within Elk Township involving the person with the deficient escrow.
- (i) In addition to the other remedies provided to the Boards set forth herein, the applicant shall indemnify and reimburse Elk Township for the attorney's fees and costs relating to the collection of all delinquent or deficient escrow balances. All escrow balances shall be considered deficient if they are not paid in full within twenty (20) days of notification from the CFO.

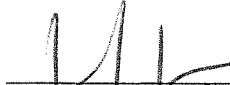
2. If at any time the escrow fund is found to be insufficient to cover all reasonable fees for the required professional services, the applicant shall be notified, in writing, and the applicant shall within 10 days increase the fund as shall be determined by the CFO. In the event the applicant shall fail to deposit the required fees, the reviewing Board shall be entitled to declare the application incomplete. Any excess funds in the escrow fund remaining 45 days after final action has been taken by the reviewing Board shall be returned to the applicant.

APPLICANT/ DEVELOPER:



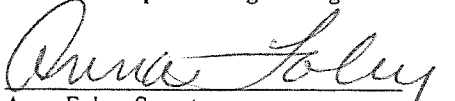
 (Signature of Applicant/ Developer)
 Jennifer Johnson
 Attorney for Applicant

PROPERTY OWNER:




 (Signature of Property owner)
 Jennifer Johnson
 Attorney for Property Owner

Elk Township Planning/Zoning Board:




 Anna Foley, Secretary

SWORN AND SUBSCRIBED BEFORE ME THIS
 15 DAY OF December 20 20.



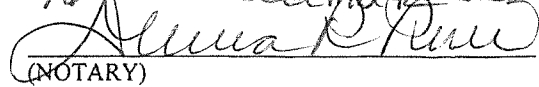
 (NOTARY)
 LYANN M CRUZ
 Notary Public - State of New Jersey
 My Commission Expires Aug 8, 2023

SWORN AND SUBSCRIBED BEFORE ME THIS
 15 DAY OF December 20 20.



 (NOTARY)
 LYANN M CRUZ
 Notary Public - State of New Jersey
 My Commission Expires Aug 8, 2023

SWORN AND SUBSCRIBED BEFORE ME THIS
 16 DAY OF December 20 20.



 (NOTARY)
 DEBORA R. PINE
 Commission #2252413
 NOTARY PUBLIC of NEWJERSEY
 Gloucester County
 Comm. Expires May 19, 2025

Notary Required

AFFIDAVIT OF APPLICANT

STATE OF New Jersey }
COUNTY OF Camden } ss.

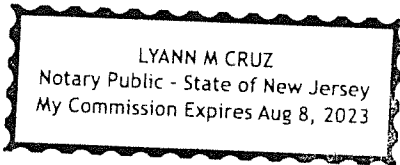
Jennifer Johnson, of full age being duly sworn according to law on oath deposed and says that all of the above statements and the statements contained in the papers submitted in connection with this application are true.

[Signature]
(Signature of Applicant)

Sworn and subscribed before me this 15 day
of December, 2020.

Jennifer Johnson
(Print name of Applicant)
Attorney for Applicant

[Signature]
(Notary)



AFFIDAVIT OF OWNERSHIP

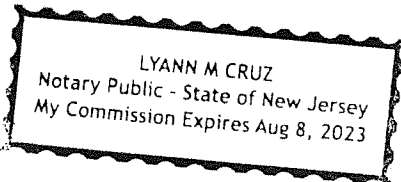
STATE OF New Jersey }
COUNTY OF Camden } ss.

Jennifer Johnson, of full age, being duly sworn according t law, on oath deposes and says, that deponent resides at _____ in the County of _____ and State of _____; and that I am the owner of all that certain lot, piece of parcel of land known as Block (s) _____ Lot(s) _____ on the Tax Map of Elk Township, which property is the subject of the above application , and that said application is hereby authorized by me.

[Signature]
(Signature of Property Owner)

Sworn and subscribed before me this 15 day
of December, 2020.

Jennifer Johnson
(Printed Name of Owner)
Attorney for Owner
[Signature]
(Notary)



DISCLOSURE STATEMENT
PURSUANT TO L. 1977, C-336

A. Is this application to subdivide a parcel or parcels of land into six or more lots?

YES _____
NO ✓

B. Is this application for a variance to construct a multiple dwelling of 25 or more family units?

YES _____
NO ✓

C. Is this application for approval of a site or sites to be used for commercial purposes?

YES ✓
NO _____

IF ANY OF THE ABOVE ANSWERS WERE YES PROCEED TO "D".

D. Is the applicant a corporation or partnership?

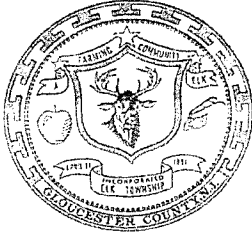
YES ✓
NO _____

If yes:

1. List the names and addresses of all stockholders or individual partners owning at least 10% of its stock of any class or at least 10% of the interest in the partnership, as the case may be. (Use extra sheets if necessary.)

The Vanguard Group, Inc. owns 10.13%
Vanguard
400 Devon Park Drive
Wayne, PA 19087

Tax Certification



ELK TOWNSHIP
Tax Collector's Office

680 Whig Lane
Mcroeville, NJ 08343
Phone: 856-881-6525, ext. 112
Fax 856-881-5750

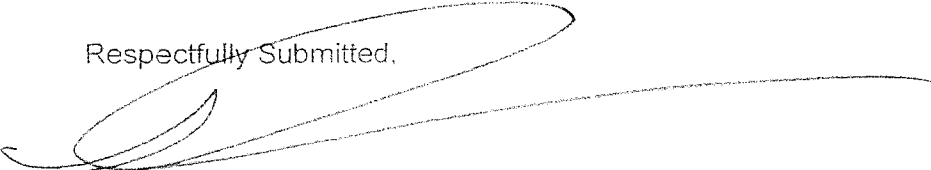
Date: 12/14/2020

To Whom It May Concern:

This is to confirm that the Real Estate Taxes on Block(s) 65 660, Lot(s) 1.03 + 1.02
in the Township of Elk, County of Gloucester, assessed to Copart of Connecticut, Inc.
located on 735 and 749 Jacob Harris Lane, are current as of the above date.

Next quarter due: February 2021

Respectfully Submitted,


Susan E. DeFrancesco, CTC

Resolution No.: 2020-10

**RESOLUTION OF THE COMBINED PLANNING/ZONING BOARD OF
ADJUSTMENT OF THE TOWNSHIP OF ELK, COUNTY OF GLOUCESTER,
STATE OF NEW JERSEY, GRANTING A USE VARIANCE TO COPART OF
CONNECTICUT, INC., REGARDING PROPERTY LOCATED AT 735 & 749
JACOB HARRIS LANE AND BEING FURTHER SHOWN AS BLOCK 66, LOTS
1.02 & 1.03 ON THE TAX MAPS OF THE TOWNSHIP OF ELK,
APPLICATION NO.: ZB-20-02**

WHEREAS, Application No.: ZB-20-02 (the "Application") was submitted to the Combined Planning/Zoning Board Adjustment of the Township of Elk, County of Gloucester, State of New Jersey (the "Board") by Copart of Connecticut, Inc., 138 Christian Lane, New Britain, CT 06051-4123 (the "Applicant") for Use Variance approval to permit an auto salvage yard, regarding property located at 735 & 749 Jacob Harris Lane, (the "Subject Property") and being further shown as Block 65, Lots 1.02 & 1.03 on the Tax Maps of the Township of Elk (the "Township"); and

WHEREAS, the Applicant did appear at a meeting and public hearing held by the Board on the Application on August 19, 2020, said meeting being held virtually due to the Covid-19 Pandemic, at 7:00 P.M., time prevailing, at which time were the following present on behalf of the Applicant: Jennifer Johnson, Esquire, Siciliano & Associates, LLC, 16 S. Haddon Avenue, Haddonfield, N.J. 08033 (the Applicant's Attorney); Charlie Eichman, Copart Regional Manager, 138 Christian Lane, New Britain, CT 06051; and Clifton Quay, Professional Planner, Stantec, 10000 Midlantic Drive, Suite 300W, Mt. Laurel, N.J. 08054 (the Applicant's Professional Planner); and

WHEREAS, Mr. Quay entered into the record his licensing, experience and professional background, after which it was stipulated on the record, without objection, that Mr. Quay was entitled to testify on behalf of the Applicant as an expert in the field of planning; and

WHEREAS, Messrs. Eichman and Quay were sworn as to any testimony that they would give on behalf of the Applicant;

NOW, THEREFORE, BE IT RESOLVED by the Combined Planning / Zoning Board of Adjustment of the Township of Elk, County of Gloucester, State of New Jersey, as follows:

FINDINGS OF FACT

1. The Application was deemed to be complete, subject to the Board acting on certain requests for waivers from submission requirements. As such, the Board had

jurisdiction to act on the Application. Because the Application involved a “use” (d.1) variance, the Class I Board member (Mr. Poisker) and the Class III member (Ms. Nicholson) recused themselves from the hearing. Thereafter, the Board was constituted as a 7-member Zoning Board of Adjustment.

2. The Board’s professional planner, Candace Kanaplue, P.P., A.I.C.P, Bach Associates, PC, 304 White Horse Pike, Haddon Heights, NJ 08035 and the Board’s professional engineer, Stan Bitgood, P.E., C.M.E., Federici and Akin, P.A., 307 Greentree Road, Sewell, NJ 08080, the Board’s Professional Engineer, were both sworn as to any testimony that they would give on behalf of the Board for the purposes of the Application.

3. The Applicant submitted and the Board entered into the record the following:

A. Application, Application Fee, Escrow Agreement, Escrow Deposit, Notice of Hearing, Affidavit of Service, Affidavit of Publication, Certification of Taxes Paid on the Subject Property, and Certified List of Property Owners within 200 ft. of the Subject Property, Affidavit of Ownership, Authorization for Contract Purchaser, and Disclosure Statement.

B. Submission checklist.

C. Site Concept Plan for Glassboro West Expansion, prepared by Westwood , dated 3/19/20;

D. Survey showing existing conditions for Block 735 and 749 Jacob harris Lane (New Jersey Avenue), prepared by Gary P. Yuro, P.L.S., dated May 4, 2020;

E. Zoning Plan for Copart Elk Township Block 66, Lots 1.01, 1.02 and 1.04, prr4pared by Clifton W. Quay, P.E., P.P., Santec, dated July 1, 2020;

F. Wetlands Statement prepared by Clifton Quay, P,E., P.P., dated July 1, 2020;

G. List of waivers dated July 1, 2020;

H. Deed Documents;

I. Tax Map Sheet 32;

J. Ten 10” x 12 “ photographs of the Subject Property.

4. The Board entered into the record the following:

A. Letter dated July 2, 2020 from Candace Kanaplue, P.P., A.I.C.P., Bach Associates, PC, the Board's professional planner, to the Board, regarding Ms. Kanaplue's review of the Application.

B. Letters dated July 2, 2020 and August 19, 2020 from Stan M. Bitgood, P.E., C.M.E., Federici & Akin, P.A., the Board's professional Engineer, to the Board, regarding his review of the Application.

5. The Subject Property consists of two parcels, totaling 12.45 acres, and is located adjacent to the north of an existing salvage yard, a pre-existing, nonconforming use, owned by the Applicant on the east side of Jacob Harris Lane (Lot 1.01, 781 Jacob Harris Lane) within the M1 Light Manufacturing zoning district. Lot 1.03 is approximately 5 acres, wooded and currently contains the remains of a small foundation, a small amount of wetlands and floodplain in the rear, and a drainage easement line. Lot 1.02 is approximately 7.45 acres and is wooded, with a high tension utility tower and power lines traversing the site, along with wetlands at the rear of the parcel. The Subject Property is surrounded to the north, south, west and east by other properties also in the M1 zoning district. The adjacent uses are predominantly comprised of light industrial uses and vacant woodland.

6. There are no existing water or 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 approved or denied yet.

Zoning and Use

7. Zoning. In accordance with section 96-78 the M-1 Light Manufacturing Zone District permits production, processing, cleaning, testing, repair, storage and distribution of materials, goods, foodstuffs and products not involving retail activity on the lot; contractors' establishments not engaging in any retail on site; laboratories; public utility installations; agricultural uses; and golf courses. Several uses including retail businesses, residential dwellings, and the manufacture of heavy chemicals, cement and other similar products. The processing, sale, storage or reclamation of junk, including automobile wrecking and storing; are specifically prohibited. The Application indicates that the proposal is to park/store salvaged cars on the Subject Property, which is a specifically prohibited use. The Applicant has not provided a plan or requested site plan approval at this time. The proposed use is not permitted in the M-1 Zone District. A d.(1) use variance is required to permit a use or principal structure in a district restricted against such use or structure.

8. Use. The Applicant indicates that the site will be used to expand the adjacent salvage yard, parking cars until they are moved for auction. The Applicant also indicates that the proposed hours are 8 AM to 5 PM, with an increase from 15 "assignments" to 35 per day and an increase to approximately 11 total employees. Eighteen to twenty

incoming trucks per day are anticipated with this expansion, according to the Application. The Application included a concept site plan.

Bulk Standards:

<u>Section</u>	<u>Required</u>	<u>Existing Lot 1.01</u>	<u>Existing Lot 1.02</u>	<u>Existing Lot 1.03</u>	<u>Proposed Lot 1.01</u>	<u>Compliance</u>
96-78F(1)(a) Min. Lot Size	2 acres	26.18 acres	7.45 acres	5.0 acres	38.6 acres	Complies
96-78F(1)(b) Min Lot Frontage	200 feet	1,615.48 feet	484.67 feet	391.48 feet	2,491.63 feet	Complies
96-78F(1)(c) Minimum Lot Depth	200 feet	773.18 feet	601.04 feet	511.65 feet	511.65 feet	Complies
96-78F(1)(d) Max. Bldg. Coverage	20 %	0.3%	0	0	0.2%	Complies
96-78F(1)(e) Front Yard	100 feet	211.93 feet	N/A	N/A	211.93 feet	Complies
96-78F(1)(f) Side Yard	50 ft. each	262.24 ft.	N/A	N/A	262.24 feet	Complies
96-78F(1)(g) Rear Yard	75 feet	638.99 feet	N/A	N/A	638.99 feet	Complies
96-78F(1)(i) Max. Bldg. Height	40 feet	<40 feet	N/A	N/A	<40 feet	Complies

9. The Applicant requested waivers from certain submission requirements, as follows:

#8 requires copies of applications to and certification of approvals from all outside agencies with jurisdiction. The Applicant is bifurcating the use variance from the site plan application. A waiver is recommended for the use variance review, but the Applicant may need to make applications to the Gloucester County Planning Board and potentially for the Gloucester County Health Department for the well and septic system. The Applicant acknowledged the same.

#41 location of existing wells and septic systems and distances between them, and on adjacent properties where required by the Board. *A waiver is recommended by the Board's Planner.*

#53 location of historic features within 200 feet. *A waiver is recommended by the Board's Planner.*

#55 requires the Applicant to provide contours at 20 foot intervals on the tract and within 100 feet of the tract in accordance with the grading plan requirements. *A waiver is recommended by the Board's Planner for completeness only.*

#67 requires that if on-site sewerage disposal is required, the results and location of all percolation tests and test borings must be provided. *A waiver is recommended by the Board's Planner for completeness only.*

#77 requires the size and location of proposed signs. *A waiver is recommended by the Board's Planner for completeness only.*

WHEREUPON a motion was made by Board member Schmidt, which was seconded by Board member White, to grant the above waivers from submission requirements, on a conditional basis, based on the agreements and acknowledgements made by the Applicant, with the following Board Members voting in the affirmative: Shoultz, Hughes, Afflerbach, Schmidt, White, McKeever, and Richardson (Alternate # 1). There were no votes in the negative, and no abstentions. Board Members Poisker and Nicholson had recused themselves as the hearing involved a use variance and the Board had reconstituted itself as a Zoning Board of Adjustment. Board members Clark and Swanson (Alternate # 2) were absent.

10. Ms. Johnson provided a brief overview of the Application, consistent with the above information.

11. Mr. Eichman provided background information regarding Copart. Mr. Eichman testified that Copart did not serve as an typical automobile auction, rather, it obtained cars from insurance companies, private vehicle sellers, car dealers, etc., and arranged for sales of same by way of an on-line auction. The Subject Property would be merged with their existing property so that additional vehicles could be stored for processing and sale. Two fences would secure the Subject Property. There would be no trash or recyclables on the Subject Property. The present property has been operating for over approximately 19 years, and there are approximately 1,400 cars presently on the adjacent property. Hours of operation are Monday through Friday, 8 AM – 5 PM.

12. Mr. Quay testified as to both the “positive” and “negative” criteria as to why the Applicant’s Use Variance should be granted, as follows:

The “positive” criteria.

Mr. Quay testified that, in his professional opinion, the proposed use met the purposes of zoning. In particular, the proposed use would be adjacent to the same use which has existed for over 19 years, thereby making the Subject Property particularly suited for the use (N.J.S.A. 40:55D-2.g). Furthermore, the Subject Property was near Ellis Mill Road, with direct access to Route 55. The proposed use would also provide

adequate light, air and open space (N.J.S.A. 40:55D-2.c); and it would not conflict with the development of neighboring municipalities, the county or the state as a whole (N.J.S.A. 40:55D-2.d). As to the “negative criteria”, Mr. Quay testified that the proposed use is less intensive than many of the permitted uses in the M1 Zone District. Therefore, the proposed use would not have a substantial detriment on the zone plan, the master plan, or the surrounding area. The vehicles to be parked would undergo an inspection prior to being transported to the Subject Property, and would be monitored for any leaks or other problems on the Subject Property, with the Applicant following a clean-up protocol in the event of any leakages or other problems associated with the vehicles parked thereon. Mr. Quay testified as to the almost 19 years of the same use on the adjacent property, with no significant problems occurring.

13. The Board’s Professional Planner, Candace Kanaplue, P.P., A.I.C.P., reviewed with the Board and the Applicant her letter of July 2, 2020 regarding the Application.

A. The Applicant should describe the proposed business and operation. Mr. Eichman had responded accordingly.

B. The Applicant should describe the type of cars that are being stored and how any chemical leaks will be minimized. Mr. Eichman testified that vehicles were inspected prior to being sent to the Subject Property for leaks and other damage. In addition, vehicles parked on the Subject Property would be monitored for leaks, and a leakage protocol would be followed in the event of a problem.

C. The Applicant should describe the anticipated circulation and timing of trucks into and out of the site. Mr. Eichman had testified as to the same.

D. The Applicant should describe the number of cars that will be anticipated to be parked on the site. Mr. Eichman had testified as to the same.

E. The Applicant should indicate on a plan where the cars will be stored. Mr. Eichman had testified as to the same. The Applicant testified that, if use variance approval was granted, it would submit a formal Major Site Plan application for approval, which will contain more detailed information.

F. The Applicant should indicate whether any structures are being proposed. The Applicant testified that no new structures were planned at this time.

G. Trash and Recyclables. The Applicant should indicate what type of trash is anticipated for this use, especially how tires, motor oil and other fluids will be disposed of. The Applicant testified that no trash or recyclables would be disposed of at the site.

H. Easement. The survey indicates a drainage easement on both Lots 1.02 and 1.03. In addition, a 120 foot wide Atlantic Electric easement for transmission lines traverses the Subject Property. The Applicant should indicate how this easement impacts

use and development of the Subject Property. For example, is the Applicant permitted to park cars within the easement and is the Applicant permitted to make improvements within the easement? A copy of the easements should be provided. The Applicant testified that this matter is currently being addressed with Atlantic City Electric, and further information will be provided at the time a formal Major Site Plan application is submitted to the Board.

I. Signage. The Applicant should be prepared to discuss any site identification signage that may be proposed. All signage must conform to the Elk Township sign regulations (Section 96-60). The Applicant testified that no new signage is proposed at this time, and any signage requested would be addressed at the time of a Major Site Plan submission.

J. Site Plan. Typically in a situation such as this, the Application may be “bifurcated”, meaning that the use variance may be considered first, and if approved, the applicant would return to the Board for a site plan prior to occupying the Subject Property. Additional information is needed in order to inform the Board’s decision on the use, but many details such as parking, access, lighting, landscaping, signage, etc could be deferred to site plan review. The Applicant acknowledged the same.

14. The Board’s Professional Engineer, Stan M. Bitgood, P.E., C.M.E., Federici & Akin, P.A., reviewed with the Applicant and the Board, his letter of August 19, 2020, as follows:

Technical Review

A. The revised plans, which was received 7/2/20, depict new expanded parking areas with aisles extending throughout most of the two lots. The notes, call outs and table of bulk requirements are satisfactory. The Board’s Engineer offered the following comments in considering the Application:

1. Bulk requirements: The plans include a table of bulk requirements that is satisfactory. The current M-1 zone data is shown. No bulk variances are proposed.

2. Plan Requirements: As the proposed use is an expansion of an existing non-conforming use in Lot 1.01, the survey should be revised to show all existing features and utilities with Lot 1.01. The Applicant has committed to providing an updated survey of lot 1.01. The Applicant acknowledged the same.

3. As the lots 1.02 and 1.03 will have no principal business building on them, and will be operated from the existing offices in lot 1.01, the plans should be revised to consolidate the three lots, or an additional use variance should be requested to permit operation of primary business from off site. In addition, if the lots are not consolidated, drainage and access easements will be required between the three lots. The Applicant agreed to consolidate the lots, when its Use Variance approval has been fully consummated; (see next paragraph).

4. Driveways. Access appears to be no new access to either lot. Therefore lot consolidation or access easements will be required. Testimony should confirm that the Applicant will prepare and submit a deed of consolidation if the Use Variance is granted, prior to Memorialization of the approval. The Applicant requested to address this at the time that a site plan is submitted, as it does not now have ownership of the Subject Property, and it can't take ownership until a memorialization of the use variance approval has taken place, a Notice of Adoption of the Resolution has been published, and the statutory 45-day appeal period has run its course.

i. If new access driveways are desired, the Applicant shall submit a street opening permit or site plan application immediately. The Township has a grant with which resurfacing of the road will be done this fall. The proposed location and drainage of the driveway area must be coordinated with the roadway design. The Applicant agreed to comply.

ii. If a gate is to be provided for the utility access, it shall be shown on a site-plan with Knox box, and lighting and set back at least 20 feet from the right of way line. The Applicant agreed to comply.

5. Fencing. A fence appears to be proposed around the perimeter. A fence, and particularly a solid fence, may not be appropriate for the environmentally sensitive area. If approved, NJDEP should be consulted for guidance in this regard before submission of a Site Plan Application. Copies of correspondence with NJDEP shall be submitted. The Applicant agreed to comply.

6. Landscaping. As a non-conforming use, landscaping should be considered, especially along the frontage to shield the view from the street. A commitment to provide an effective vegetated buffer should be required now as a condition of any Use Variance. The details can then be developed into the required site plans. The Applicant agreed to comply, and will incorporate any landscaping into the site plan application.

7. Lighting. No lighting is proposed. Lighting can be considered at Site Plan review. The Applicant acknowledged the same.

8. Parking. The plans show adequate parking quantity in compliance with Township ordinances. Subsequent Site Plans should include a table to show the actual number of spaces proposed versus the required. The Applicant agreed to comply.

9. Handicap Parking. To be addressed at Site Plan review.

10. Pedestrian Access. To be addressed at Site Plan review.

11. Grading. To be addressed at Site Plan review. If approved, the subsequent site plan shall include grading and drainage improvements along the frontage as the Board or Municipal Engineer may request. The Applicant agreed to comply.

12. Stormwater Management. To be addressed at Site Plan Review. A blanket drainage easement shall be provided to the Township to receive and maintain runoff and stormwater conveyances from Jacob Harris Lane. The Applicant agreed to comply.

13. Sequence. To be addressed at Site Plan Review.

14. Sewage disposal. If approved, 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, with the required Site Plan application. The Applicant agreed to comply.

15. Utilities. No new buildings or utilities are proposed.

Recommendations

The plans should be revised to address the underlined comments.

If approved, clear and appropriately scaled plans and deeds of consolidation shall be submitted and approved by the Board's Planner, Attorney and Engineer. The Applicant shall agree to a specific time period in which to provide said plans and for the memorialization. The Applicant requested that the scaled plans and deeds of consolidation be submitted for review after the appeal period has run its course for the use variance approval, but prior to, or commensurate with, the Major Site Plan application submission (whichever comes first).

14. The hearing on the Application was opened to the public, at which time the following member of the public was sworn and testified on the Application: Mr. Scott Campanile, of the Scott Realty Group, read a letter into the record from Heidi Creta, owner of the Subject Property and a Contract Seller with the Applicant, in which Ms. Creta supported a granting of the use variance. There being no other members of the public giving testimony, the public portion was closed.

CONCLUSIONS

The Board concluded that the requested use variances shall be granted on the basis of the plans submitted, the testimony given by the Applicant and the Applicant's experts, and the testimony rendered in support of the "positive" criteria (the purposes of zoning are met), and the "negative" criteria (i.e., that there will not be a substantial detriment to the zone plan or the master plan if the use variance is approved). In particular, the Board finds that the Subject Property is particularly suited for the proposed use; that the proposed use will provide adequate light, air and open space; the proposed use will not conflict with the development and general welfare of the neighboring municipalities, the county and the state; and that the requested use provides sufficient space in an appropriate location. The Board further recognizes that the adjacent property, owned by

the Applicant, has been used by the Applicant for the same purpose for up to 19 years or more, and there has never been a substantial detriment resulting from the use thereon.

CONDITIONS

1. The Board presumes that the Applicant's Application, all maps, Exhibits, and other documents submitted and relied on by the Applicant, are true and accurate representations of the facts relating to the Applicant's request for relief. In the event that it appears to the Board, on reasonable grounds, that the Application, exhibits, maps, and other documents submitted are not accurate, are materially misleading, or are the result of mistake, and the same had been relied on by the Board as they bear on facts that were essential in the granting of the relief requested by the Applicant, the Board may rescind its approval and rehear the Application, either upon the request or application of an interested party, or on its own motion, when unusual circumstances so require, or where a rehearing is necessary and appropriate in the interests of justice.
2. At any time after the adoption of this resolution of memorialization, should a party on interest appeal to the Board for an order vacating or modifying any term or conditions as set forth herein, upon the proper showing of a materially misleading submission, material misstatement, materially inaccurate information, or a material mistake made by the Applicant, the Board reserves the right to conduct a hearing with the Applicant present, for the purpose of fact-finding regarding the same. Should the fact(s) at said hearing confirm that there had been a material fault in the Application, the Board shall take whatever action it deems to be appropriate at that time, including but not limited to a rescission of its prior approval, a rehearing, a modification of its prior approval, or such other action, as appropriate.
3. The Applicant shall indemnify and hold the Township harmless from any claims whatsoever which may be made as a result of any deficiency in the Application, or as to any representations made by the Applicant, including but not limited to proper service and notice upon interested parties made in reliance upon the certified list of property owners and other parties entitled to notice, said list having been provided to the Applicant by the Township pursuant to N.J.S.A. 40:55D-12.c., and publication of the notice of public hearing in this matter in accordance with law.
4. The relief as granted herein is subject to the discovery of any and all deed restrictions upon the Subject Property which had not been known or had not been disclosed to the Board, but which would have had a materially negative impact upon the Board's decision in this matter had they been so known, or so disclosed.
5. The Applicant must obtain all approvals from any and all other governmental and/or public agencies as required, whether federal, state, county or local, over which the Board has no control but which are necessary in order to finalize and/or implement the relief being granted herein, as well as any construction that may be a part of said relief. The Applicant is solely responsible for determining which governmental and/or public agencies, if any, such approvals are required of. The Applicant is further required to

submit a copy to the Board's Secretary of all approvals and/or denials received from such outside agencies, with a copy thereof to the Board's Attorney, Engineer and Planner.

6. The Applicant must maintain an escrow account with the Township and pay the costs of all professional review and other fees required to act on this Application, pursuant to the applicable sections of the Township's land development ordinances, zone codes and any other applicable municipal codes, and the N.J. Municipal Land Use Law. The Applicant's escrow account must be current prior to any permits being issued, or constructions or other activity commencing on the approved project, or any certificate of occupancy being issued.

7. The relief granted herein is conditioned upon a formal Major Site Plan being submitted to the Board within ninety (90) days of the memorialization of this approval, or any extension of time applied for by the Applicant and approved by the Board

WHEREAS, a motion was made by Board member Schmidt, and was seconded by Board member Shoultz, to grant Use Variance Approval to the Applicant, based on the representations, acknowledgments and agreements made by the Applicant as are more fully set forth above under Findings of Fact, at a meeting following a public hearing held on the Application on August 19, 2020 at 7:00 PM, time prevailing, with the following Board members voting in favor of the motion to grant the approval: Shoultz, Schmidt, Afflerbach, McKeever, and Richardson (Alternate # 1). Board member Hughes voted "No". Board member White abstained. Board members Poisker and Nicholson had recused themselves. Board Members Clark and Swanson (Alternate # 2) were absent.

THIS RESOLUTION WAS ADOPTED at a regularly scheduled meeting of the Combined Planning/Zoning Board of Adjustment of the Township of Elk, County of Gloucester, State of New Jersey, on September 16, 2020, as a memorialization of the approval granted in the above referenced matter by the Board at its regular meeting held on August 19, 2020 on the above referenced Application.

**COMBINED PLANNING/ZONING
BOARD OF ADJUSTMENT OF THE
TOWNSHIP OF ELK**

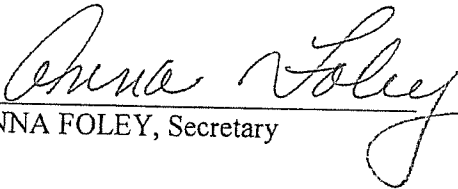
By: *Jeanne White*
JEANNE WHITE, Chairperson

ATTEST:

By: *Anna Foley*
ANNA FOLEY, Secretary

CERTIFICATION

I hereby certify that the foregoing resolution is a true copy of a resolution adopted at a regularly scheduled meeting of the Elk Township Combined Planning/Zoning Board of Adjustment, County of Gloucester, State of New Jersey held on the 16th day of September 2020 at the Township Municipal Building, 680 Whig Lane, Monroeville, N.J. 08343 at 7:00 PM, time prevailing, as a memorialization of the action taken by the Board at the Board's meeting and public hearing held on August 19, 2020 on the above cited Application.


ANNA FOLEY, Secretary

hereto
First American Title Insurance Company
National Commercial Services
506 Carnegie Center, Suite 103
Princeton, NJ 08540
NCS 1005226

Prepared by:
Brian J. Duffield, Esquire
Law Office of Brian J. Duffield
95 North Main Street
Mullica Hill, NJ 08062

GENERAL WARRANTY DEED

STATE OF NEW JERSEY §
 § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF GLOUCESTER §

HEIDI CRETA, whose address is 801 Clems Run, Glassboro, New Jersey 08028 ("**Grantor**"), for and in consideration of the sum of Six Hundred Eighty-Five Thousand Dollars (\$685,000.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED, SOLD, and CONVEYED and by these presents does GRANT, BARGAIN, SELL, AND CONVEY unto **COPART OF CONNECTICUT, INC.**, a Connecticut corporation, whose address is 14185 Dallas Parkway, Suite 300, Dallas, Texas 75254 ("**Grantee**"), all that certain real property situated in Gloucester County, New Jersey, more particularly described in **Exhibit A** hereto and all improvements located thereon, together with all of Grantor's right, title and interest in and to (i) any and all rights, titles, powers, privileges, easements, licenses, rights-of-way and interests appurtenant to the real property and the improvements on the real property, if any, and (ii) all rights, titles, powers, privileges, licenses, easements, rights-of-way and interests, if any, of Grantor, either at law or in equity, in possession or in expectancy, in and to any real estate lying in the streets, highways, roads, alleys, rights-of-way or sidewalks, open or proposed, in front of, above, over, under, through or adjoining the real property and in and to any strips or gores of real estate adjoining the real property (collectively, the "**Property**").

This General Warranty Deed (this "**Deed**") and the conveyance hereinabove set forth is executed by Grantor and accepted by Grantee subject to those matters listed on **Exhibit B** attached hereto and incorporated herein by reference, to the extent the same are validly existing and applicable to the Property (collectively, the "**Permitted Exceptions**"). The inclusion in this Deed of the Permitted Exceptions, is for informational purposes only and shall not serve to, or be deemed to (i) acknowledge, revive or re-inscribe such Permitted Exceptions that may have prescribed under applicable law or terminated or expired according to the terms thereof or any separate document; (ii) interrupt or suspend the running of prescription as to the Permitted Exceptions; (iii) renounce the benefits of prescription that may have accrued under applicable law with respect to the Permitted Exceptions; or (iv) make Permitted Exceptions applicable to the Property that are not otherwise validly existing and applicable to the Property without the recording of this Deed. The inclusion in this Deed of the phrase "subject to" shall not be deemed to make Permitted Exceptions applicable to the Property that are not otherwise validly existing and applicable to the Property without the recording of this Deed.

Tax Map Reference. (N.J.S.A. 46:26A-3(a)(5)(b)) Municipality of Elk Township, Block No. 66, Lot Nos. 1.02 and 1.03.

Property. The property consists of the land and all buildings and structures on the land in the Township of Elk, County of Gloucester and State of New Jersey. The legal description is:

See Exhibit A attached hereto and made part hereof.

AS TO LOT NO. 1.02:

BEING the same lands and premises which became vested in Tony J. Creta, Sr. and Heidi Creta, by Deed from MaryCat Properties, inc., a New Jersey corporation, dated February 14, 2007, recorded February 15, 2007, in the Gloucester County Clerk's Office in Deed Book 4346, Page 120.

The said Tony J. Creta, Sr. died on April 9, 2013, leaving title vested in Heidi Creta surviving tenant by the entirety.

ALSO BEING the same lands and premises which became vested in Heidi Creta, surviving spouse, by Deed from Heidi Creta, dated November 21, 2019, recorded November 25, 2019, in the Gloucester County Clerk's Office in Deed Book 6198, Page 216.

AS TO LOT NO. 1.03:

BEING the same lands and premises which became vested in Tony J. Creta, Sr. and Heidi Creta, husband and wife, by Deed from MaryCat Properties, inc., a New Jersey corporation, dated October 5, 2007, recorded October 9, 2007, in the Gloucester County Clerk's Office in Deed Book 4449, Page 120.

The said Tony J. Creta, Sr. died on April 9, 2013, leaving title vested in Heidi Creta surviving tenant by the entirety.

ALSO BEING the same lands and premises which became vested in Heidi Creta, surviving spouse, by Deed from Heidi Creta, dated November 21, 2019, recorded November 25, 2019, in the Gloucester County Clerk's Office in Deed Book 6198, Page 315.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereunto in anywise belonging, unto Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to WARRANT AND FOREVER DEFEND all and singular the title to the Property unto the said Grantee, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, subject to the Permitted Exceptions.

Grantee, by its acceptance hereof, hereby assumes payment of all standby charges, ad valorem taxes and assessments with respect to the 2021 calendar year and subsequent calendar years not yet due and payable, each to the extent attributable to the Property.

EXECUTED as of the 7th day of December, 2020.

GRANTOR:

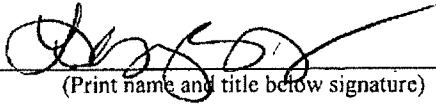


HEIDI CRETA

STATE OF NEW JERSEY)
) S.S.:
COUNTY OF GLOUCESTER)

I CERTIFY that on December 7th, 2020, **Heidi Creta** personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed this Deed;
- (b) signed, sealed and delivered this Deed as his or her act and deed; and
- (c) made this Deed for \$685,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in *N.J.S.A. 46:15-5*)



(Print name and title below signature)

Exhibit A - Legal Description
Exhibit B - Permitted Encumbrances

LESLEY J. GRAY
A Notary Public of New Jersey
My Commission Expires August 1, 2021

EXHIBIT A TO DEED
LEGAL DESCRIPTION

The Land referred to herein below is situated in the Township of Elk County of Gloucester, State of New Jersey, and is described as follows:

BEGINNING at a concrete monument found in the northeasterly line of Jacob Harris Lane (formerly New Jersey Avenue) (50' wide row), said point being in the division line of Lots 1.03 and 1.04 Block 66 on the Official Tax Map of the Township of Elk; thence

1. Along division line of Lots 1.03 and 1.04, North 80 degrees 35 minutes 00 seconds East a distance of 511.65 feet to a point; thence
2. Along the division line of Lot 3 and Lots 1.02 & 1.03, South 22 degrees 16 minutes 46 seconds East a distance of 686.54 feet to a point; thence
3. Continuing along said division line of Lot 3 and Lot 1.02, South 37 degrees 08 minutes 23 seconds East a distance of 233.67 feet to a point; thence
4. Along the division line of Lot 1.01 & Lot 1.02, South 80 degrees 35 minutes 00 seconds West a distance of 773.18 feet to a point in the northeasterly line of Jacob Harris Lane; thence
5. Along said Jacob Harris Lane, North 09 degrees 25 minutes 00 seconds West a distance of 876.15 feet to the point and place of beginning.

BEING known as Lots No. 1.02 & 1.03 in Block 66, as shown on a certain map entitled "Subdivision Plan of MaryCat Properties" filed in the Gloucester County Clerk's office as Map No. 2357 on 09/19/1991, a/k/a Lot 1.02 and Lot 1.02, Block 66 as shown on the Township of Elk tax map.

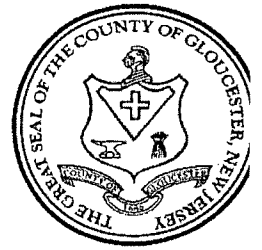
EXHIBIT B TO DEED
PERMITTED EXCEPTIONS

1. Plan recorded as Map No. 2357 in the Official Recorder's Office of Gloucester County, New Jersey.
2. Easements recorded in Deed Book 1090, Page 1161, Deed Book 1315, Page 1082 and Deed Book 1713, Page 172 in the Official Recorder's Office of Gloucester County, New Jersey.
3. License Agreement recorded in Deed Book 4594, Page 253 in the Official Recorder's Office of Gloucester County, New Jersey.

E-recorded

DOCKET#:54693 Type:ERX-Deed
PAGES:7

HONORABLE JAMES N. HOGAN
GLOUCESTER COUNTY CLERK
RECEIPT#: 931170 10:55:36 AM



12/14/2020
DB 6387 52

Fee:\$ 90.00

CONSIDERATION:\$ 685,000.00 Tax/Code:STANDARD OVER 350K

COUNTY :	685.00	STATE :	1,712.50
NJAHTF :	802.50	EAA :	1,175.50
PHPFA :	342.50	GEN PURP :	1,368.00
1% OVER:	0.00		

REALTY TOTAL: \$ 6,086.00

GRANTEE ADDRESS: 14185 DALLAS PARKWAY, SUITE 300

DALLAS
TX -75254

DOCUMENT DATE: 12/07/2020

MUNICIPALITY: ELK BLOCK: 66 LOT: 1.02

PARTIES:

FIRST PARTY-HEIDI CRETA
SECOND PARTY-COPART OF CONNECTICUT INC

RECORD & RETURN TO:
SIMPLIFILE

PLEASE DO NOT DETACH THIS PAGE FROM THE ORIGINAL
DOCUMENT AS IT CONTAINS IMPORTANT INFORMATION AND
IS PART OF THE PERMANENT RECORD.

GLOUCESTER COUNTY RECORDING DATA PAGE
HONORABLE JAMES N. HOGAN, COUNTY CLERK

SITE PLAN APPLICATION
Gloucester County Planning Board
1200 N. Delsea Drive
Clayton, NJ 08312

(856) 307-6650 Fax (856) 307-6656

All information on this application and the submission checklist **must be completed** and the proper fees enclosed in order to start county review. Failure to comply with submission requirements will classify this application as "incomplete".

Municipality: Elk Township Code No. _____ (County Use Only)

New Application _____ Revised Application _____ Signatures _____

Sketch _____ Preliminary _____ Final _____

1. **Applicant's Name:** Copart of Connecticut, Inc.
Applicant's Mailing Address: 138 Christian Lane, New Britain, CT 06051-4123
Phone # 860-666-1183
Contact Person: Hilary Negron Phone# 860-666-1183

2. **Owners Name:** same
Address: _____ Phone# _____

3. **Attorney's Name:** Jennifer Johnson, Esquire- Siciliano & Associates, LLC.
Address: 16 S. Haddon Ave, Haddonfield, NJ 08033
Phone# 856-795-0500

4. **Location of Site:**
Street 735 and 749 Jacob Harris Lane
Tax Map Plate _____ Block 65 Lot 1.02 + 1.03

5. **Commercial** **Industrial** _____ **Other** _____
Bldg. Size: n/a sq. ft. Land to be Developed 12.45 acres No. of Parking Spaces: _____
Residential: Square Footage: _____ No. of Units: _____ No. of Parking Spaces: _____

6. **Proposed Construction:** Alteration _____ New _____
Description: _____

7. **Does the site front on a County road?** Yes No Co. Rt.# _____

8. **Fee Schedule: (Please check appropriate category)**
_____ Fee Waived (**Governmental Units/Non-Profit Organizations**)
_____ Sketch Review \$25
 SITES NOT FRONTING A COUNTY ROAD \$200 Preliminary/Final
_____ **SITES FRONTING A COUNTY ROAD \$350 Preliminary/Final** _____ Plus \$5 per parking space

Amount Enclosed \$ _____ Please make your check payable to: "Gloucester County"
I hereby consent to the filing of this application.

Applicant's Signature _____ Date 12/14/2020
Owner's Signature _____ Date 12/14/2020

Jennifer Johnson,
Attorney

Board of
Chosen Freeholders

County Of Gloucester
State of New Jersey

FREEHOLDER DIRECTOR
Robert M. Damminger

FREEHOLDER LIAISON
Heather Simmons



AFFIDAVIT OF OWNERSHIP

MUST BE COMPLETED AND RETURNED



Department of Public Works
Planning Division

Public Works Director
Vincent M. Voltaggio, P.E.

Office of Government
Services
1200 N. Delsea Drive
Clayton, NJ 08312

Phone: 856.307.6650
(Development Review
856-307-6650)
Fax: 856.307.6656

Web:
www.co.gloucester.nj.us

New Jersey Relay Service -711
Gloucester County Relay Service
(TTY/TTD) - 856- 848-6616

The County of Gloucester complies with all state and federal rules and regulations and does not discriminate in the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, national origin or sex in admission to, access to, or operations of its programs, services, activities or in its employment practices. In addition, Gloucester County encourages the participation of people with disabilities in its programs and activities and offers special services to all County residents 18 years of age and older. Inquiries regarding compliance may be directed to the EEO office at (856)384-6903 or through the County's ADA Coordinator at (856) 384-6842/New Jersey Relay Service 711

1. Name of Company/Organization: Copart of Connecticut, Inc.
2. Is Company a Corporation? yes
3. Name of State Which Incorporated: Delaware
4. Is Company a Partnership? no

PLEASE LIST ANY AND ALL INDIVIDUALS WHO ARE OWNERS (FULL OR PART) OF THE COMPANY/ORGANIZATION, AND IF A NON-PROFIT ORGANIZATION, PLEASE LIST ALL BOARD MEMBERS.

<u>Name</u>	<u>Address</u>	<u>Title</u>
Vanguard	400 Devon Park Drive, Wayne PA 19087-181	

Jennifer Johnson
Signature and Title
Jennifer Johnson
Attorney for Applicant

Jennifer Johnson
Please PRINT Name & Title
Attorney for Applicant