**RESOLUTION NO 2014-08

RESOLUTION MEMORIALIZING THE GRANT OF AN ADMINISTRATIVE DESIGN CHANGE TO THE APPROVALS FOR THE DEVELOPMENT OF BLOCK 29 LOT 24

WHEREAS, Aura Development Group, LLC a limited liability company with address of 1010 Kings Highway South Building 1 Floor 1 Cherry Hill, NJ 08034 has made application for an administrative change to the Preliminary and Final major subdivision approval of lands identified as Block 29 Lot 24, to permit the project to be constructed in phases, to change the roadways from private to public roadways; confirmation of a minor subdivision (lot line adjustment) to convey lands to Edward Haynicz and for variances for signage required for the site; and

WHEREAS, The Applicant is the owner of the land and has appeared with the assistance of its attorney, Mr. Robert Swartz; and

WHEREAS, This parcel originally consisted of a 318 unit age restricted residential community. Preliminary subdivision approval of this project was granted on October 21, 2004 and memorialized by resolution 2004-26. Final subdivision approval was granted on October 18, 2006 memorialized by resolution 2006-32. This approval was granted a four year extension on August 15, 2007 memorialized by resolution dated 2007-37. A conversion of the age restricted requirement of the development to a market rate project was approved by this Board pursuant to NJSA 45:22A-46.3 et seq, on March 16, 2011 memorialized by resolution number 2011-13 dated April 20, 2011; and

WHEREAS, The conversion approval reduced the total number of housing units from 318 to 218 of which 174 units were to be single family homes and 44 units were to be affordable townhomes; and

WHEREAS, The Applicant now seeks an administrative design change to the existing approval to construct this project according to a phasing plan, to convert the roadways servicing the 44 units from private to public roads; to receive approval of a lot line adjustment to convey a strip of land to adjacent property owner, Edward Haynicz (Block 29 Lot 25) and variances for the required signage for the project; and

WHEREAS, The Applicant did not proceed on its request for site plan approval of a sales trailer; and

WHEREAS, The Applicant requested waivers from the requirements of the Elk Township Land Development checklist for Items 8; 11 and 38. The Board professionals recommended these waivers. Considering the limited nature of this application the Waivers were granted and the application was deemed complete by the Board; and

WHEREAS, The Board has received and reviewed the following documents:

a. Request for administrative change and supporting certifications
b. Community Signage for development 5 sheet set of plans dated 12/16/2013
c. Subdivision plans for Aura by CES sheets 1-37 last revised 2/11/2014
d. Review letter 5 by Fralinger Engineering, PA dated 1/27/2014
e. App-1 Drawing of the site identification sign proposed
f. App-2 Drawing of two site temporary signs
g. Review letter by Stan Bitgood, PE CME dated February 19, 2014
h. Review letter by Leah Furey Bruder, PP, dated February 11, 2014
i. Phasing Plan Aura I dated June 16, 2013 last revised 12/13/2013

j. Proof that taxes have been paid current

WHEREAS, it appears that the Applicant has followed all procedures in making its application, and that the application, plans and all documents and material submitted therewith were reviewed by Planning Board Engineer, the Planning Board Solicitor and Planning Board members, and were found to be complete and in conformity with all applicable laws and regulations; and

WHEREAS, the Board considered the reports and testimony of its Engineer, Mr. Stanley Bitgood, PE dated February 19, 2014 and February 11, 2014 and of its professional planner, Ms. Leah Furey, P.P., A.I.C.P., of Bach Associates, PC dated February 11, 2014 which reports are attached hereto as Exhibit "A" and The Board heard testimony from Michael Canuso, Aura Development Group, 1010 Kings Highway, South, Cherry Hill, NJ; John Canuso, Aura Development Group, 1010 Kings Highway, South, Cherry Hill, NJ; Rosie Wolk, PE, Consulting Engineers Services, 645 Berlin-Cross Keys Road, Sicklerville, NJ; and Henry Haley, PE, PP, Consulting Engineers Services, 645 Berlin-Cross Keys Road, Sicklerville, NJ as well as any interested members of the public; and

WHEREAS, the Board made the following findings and conclusions based upon the Applicant's testimony, representations and the application materials:

1. The lands are zoned RE Rural Environmental Residential and are part of a preliminary major subdivision approval amended to 174 single family units served by public roads and 44 affordable units served by a private roadway. The Applicant has made application for an administrative change to the Preliminary subdivision approval of these lands to permit the project to be constructed in phases, to change the roadways servicing the affordable units from private to public roadways, to confirm the lot line adjustment with the adjacent property owner Block 29 Lot 25 and for variances for signage required for the site.

2. The Applicant has agreed to comply with the requirements set forth in the review letter of the Planning Board Engineer and Planner and to modify the plans as outlined in the review letters.

3. The Applicant testified that the 44 affordable units will be constructed by Habitat for Humanity of Gloucester County.

4. A portion of the parcel in question is currently utilized by Mr. and Mrs. Ed Haynicz, owners of adjacent lot 25, as their driveway. The Applicant had agreed to convey this strip to Mr. Haynicz and this subdivision and conveyance was part of the original approval granted at the time of the conversion of this project from an age restricted project to a market rate project. The Board approved the perfection of the lot line adjustment. The adjustment will be shown on the recorded plat and a deed conveying the land to the adjacent property owner will be recorded immediately thereafter.

5. Applicant's engineer, Henry Hailey explained the roadway is not being reconfigured; rather the request is to make the road a municipal roadway system instead of a private road system. The roadway is standard size and the cul de sac is larger than required by RSIS and can accommodate emergency vehicles and school buses.

6. The Board noted that all the other roadways within the project are public roadways. The solicitor opined that it would be consistent with the spirit and intent of the Affordable Housing law that these units be integrated into the rest of the project and that their financial burden for the infrastructure be the same as the market rate units if not less. The Board Planner added it would be a

burden on an affordable housing HOA to maintain this amount of roadway and parking area defeating the purpose of Affordable Housing law.

7. Each affordable unit will be on its own lot with a home owners association responsible for all the open space areas and the trash receptacle area. The units do not have garages, and instead, there are also approximately 151 perpendicular parking spaces provided within the street area.

8. Because the roadways had been approved as private roadways the Applicant will need approval from the Township which must accept dedication of the roadway and cul de sac. The Applicant is advised that the Township may impose limitations on the areas it will be responsible to maintain and that the perpendicular parking may pose a problem. The Applicant is advised if the Township will not accept the roadways as configured with the perpendicular parking spaces situate within the right of way, then the Applicant must return to the Board to discuss.

9. The Applicant confirmed that the HOA for the affordable units will be responsible to maintain the common elements including trash facilities, sidewalks, traffic islands, parking areas, signage and common grass areas. The single family homes section will have a separate HOA and the HOA for the single family homes will be responsible for all of the basins servicing this project.

10. The Applicant shall submit to the Township Committee for their consideration a no parking ordinance to restrict parking in the cul de sac. Signage must be installed in the area restricting parking. The plans shall be revised to depict the required signage.

11. The Board finds that this change is not such a substantial change to the approval that additional public notice of this change request would be required. The Board granted this design change to make all of the roadways public subject to the conditions set forth in this resolution and as agreed to on the public record.

12. The Applicant proposed 14 phases for the project now known as "Aura" and "The Orchards". Three Phases for the affordable units and eleven phases for single family units. The Board professionals had no objection to the phasing plan submitted. The Board noted the phasing plan followed the section plan submitted as part of the original approval. The Applicant acknowledges that the affordable units must be installed during the construction of the overall project as required by law and as set forth on page four of planner's review letter dated February 11, 2014. State Statue NJAC 5:97-6.4 requires the phasing of the affordable units as follows:

Percentage of Market Rate Units completed	Minimum Percentage of Low and Moderate income units completed
25%	0
25% + 1 unit	10%
50%	50%
75%	75%
90%	100%

The Applicant agreed that the units would be constructed along this schedule.

13. The Applicant confirmed that the pump station would be installed prior to obtaining building permits for any unit in this project with the exception of the five model homes. The pump station is located in section I. The Applicant agreed to add description notes to the plan of what is

being built in each phase and that the plans will be revised to show all the construction details with the phasing.

14. NJ American is providing water and sewer service for this project. The water will be tied into the Glassboro water system as an emergency backup.

15. The Applicant agrees that no building permits will be requested for the individual residential dwellings until water and sewer is installed and operational.

16. The Board agrees that construction on the model units only can begin before the pump station is complete. It is a condition of this approval (which was voluntarily offered by the Applicant), that it or its successors in interest will not apply for the Certificates of Use or Occupancy on these model units until the pump station, the force main, the water main and temporary access to the station is built and water and sewer service is operational.

17. The Applicant's engineer testified that "System A" or "Basin A" is part of a system of basins designated as A1 & A2 on the plan, which flow into each other. All the basins are within System A and will be built simultaneously at the beginning of the project. The initial infrastructure; the required offsite work; the water vault system; the pump station and the basins will be built as part of the first phase.

18. The Applicant shall install temporary turn around areas to avoid dead end streets and to accommodate school buses and emergency vehicles where required by the Board Engineer and will revise the plans to show these areas and the construction details with the phasing. The revised plans shall be reviewed and approved by the Board professionals and emergency management personnel.

19. The Applicant represents that the grading for each phase of the project will be designed so that it can stand alone without creating a negative storm flow impact upon other phases of the project or the adjacent property owners. The Board Engineer will review and approve the grading of each phase. The Applicant agrees that if storm water and/or flooding issues are identified, the plans must be revised to the satisfaction of the Board engineer. The performance and maintenance guarantees posted for those phases containing a basin shall not be released until the disturbances in the other sections of the project that will drain into the basins are complete and permanent stabilization has been achieved.

20. The Applicant testified that the bonding for each section or phase will be set to cover the cost required to satisfy the County Soil Conservation District, the NJ Department of Environmental Protection and any other required governmental review of the storm water design.

21. The plans shall be revised to show the construction of the infrastructure with each phase of the project. These revisions shall be reviewed and approved by the Board engineer.

22. The Board found that the request to phase this project is not such a substantial change to the underlying approval as to require additional public notice and granted this design change to allow the phasing subject to the conditions set forth in this resolution and as represent on the public record.

23. The Applicant is proposing three signs. A site identification sign which will be 24 foot by 4 foot by 6 foot, labeled letter "E" on the plans and which will be located in the entrance island and will be double sided. "Aura" is the master plan name of the community and "The Orchards" is a

subsection of the Aura Community. The materials of the sign will be stone and slate with gold leaf lettering. Applicant stated the main sign would be lit by landscape spot lights which would be canned to prevent glare into the traffic lanes of the adjacent roadways.

24. The Applicant also requested 2 temporary signs that will be up for only as long as the model homes are open. A 5 foot by 10 foot builder directional sign (labeled letter "F" on the plan) will be located on Richwood Aura Road. This sign indicates who the builders are within the community and that the entrance is coming up. A smaller 3 foot by 6 foot sign (labeled letter "G" on the plan) is located on the entrance island behind the site ID sign and is more of a directional sign of where the model homes are located. The back of this sign will say "thanks for visiting."

25. Board engineer commented that the development ID sign would be included in the Bond, but not the 2 temporary signs. The HOA for the single family home portion of the community would be responsible for the maintenance of the structure and landscaping of the traffic island and all of the signage in the project including both the permanent site identification sign and the temporary signs.

26. The following variances pursuant to NJSA 40:55D-70(c) (2) are required for the requested signs: maximum area, height, set back, maximum number permitted (2 are temporary) and sign in right-of-way.

27. The Applicant confirmed that the signage in the development would not be used for any other advertising. No banners would be hung from them or other information displayed beyond that approved by this Board.

28. The Applicant shall provide details of the sign lighting to the engineer for his review and approval.

29. The Applicant must adjust the location of trees proposed to create the orchard aesthetic if the plantings interfere with any sight distances. Applicant agreed to coordinate any of the plantings with the Board engineer and planner and the Board professionals shall review and approve same.

30. The Board found that the request to install the signage will assist in the clear identification of the site and that the navigation within the site to direct the potential buyers to the sales offices within the model homes will enhance traffic safety and will not pose a substantial detriment to the public or the zoning ordinance of the Township. The variances were granted subject to the conditions set forth in this resolution and as represent on the public record.

31. The Applicant shall submit confirmation that the County has approved the road names proposed including "East" and "West" as shown on the plans.

32. The Applicant must contact the Planning Board office to settle any outstanding review escrow accounts prior to the signing of the final plat. The Applicant must pay any and all required fees that are due or may become due to the Township within ten (10) days notice thereof, including but not limited to settlement of any outstanding review escrow accounts.

33. The Applicant must comply with all representations made, either personally or through any representative, during the course of its application to the Board, and in all plans, documents or other materials filed or presented with the application and must satisfy all of the above conditions prior to the signing of the deeds for this specific subdivision.

34. To the extent that the plans submitted by the Applicant do not conform to the conditions of this approval, the Plans must be modified to reflect these conditions.

35. This plan may be subject to the review and approval of all other governmental entities or agencies with jurisdiction over this development. Evidence of these approvals must be submitted to the Township Planning Department and this office prior to the final signature of plans. All approvals must not be subject to appeal. This includes but is not limited to the Gloucester County Planning Board.

NOW, THEREFORE, BE IT RESOLVED by the Elk Township Planning Board, in the County of Gloucester and State of New Jersey that the Application for administrative change to the approvals to develop Block 29 Lot 24 as described above is hereby granted subject to terms and conditions outlined above.

Voting in favor: Afflerbach, Carter, Hughes, McCreery, Shoultz, Spring, White, Yenner, Goss

Attest:

Anna Foley

Anna Foley, Secretary

Elk Township Planning Board

Jeanne M. White

Jeanne White, chairperson

Certification

The undersigned hereby certifies that the above is a true copy of a resolution adopted by said Board on the 19th day of March, 2014, its decision of February 19, 2014.

Anna Foley

Anna Foley, Secretary

BACH Associat
ENGINEERS • ARCHITECTS •

Exhibit "A"

February 11, 2014

RECEIVED
FEB 18 2014
TOWNSHIP OF ELK
PLANNING/ZONING

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

Attn: Anna Foley, Board Secretary

Re: Aura Development Group, LLC
Variances for Signage and Administrative Changes to Subdivision Approval
Block 29, Lots 16, 17, 17.02, 20, and 24
Richwood-Aura Road
RE Rural Environmental Zoning District
Elk Township SP-14-01
Bach Associates Proj. # ET2014-1

Dear Chairperson and Members of the Board;

We have received the application for variances for community signage and for modifications to the approved Aura (formerly Grande at Elk) subdivision, submitted by Aura Development Group, LLC. The applicant (formerly CAN2, LLC) initially received preliminary subdivision approval for a 318 unit age-restricted residential community in October 2004, received final subdivision approval in August 2006, and received a four year extension of the approval in August 2007 (extension to October 18, 2012) for the development that had been known as "The Grande at Elk". In March 2011 the applicant received Planning Board approval to convert the approved development from an age-restricted residential community to a non-restricted development in accordance with N.J.S.A. 45:22A-46.3 through 46.16 (known as the "Conversion Law", signed into law in 2009).

The conversion application reduced the total number of housing units from 318 to 218, of which 174 are for single family homes and 44 are for affordable townhomes. The applicant has submitted revised compliance plans and has been working with the Planning Board's professionals to achieve resolution conformance for the "Aura I" development. The applicant has requested that the Board consider two "administrative" changes to the plans as described below. Further, the applicant has submitted proposed community identification signage for review. Variances are required for the proposed signs.

The property is currently farmed and has frontage on Richwood Aura Road (C.R. 667) and Ewan-Aura Road (C.R. 623). Access is only proposed from Richwood Aura Road. The site is within the RE Rural Environmental Residential district, and is surrounded to the south and west by other properties in the RE district, to the east by property in the R Rural Residential district and to the north across Raccoon Creek by properties in Glassboro Borough, which are being developed with age-restricted housing. Land to the south is currently farmed, but is the location of the proposed "Latham Park" development.

The purpose of this letter is to address the completeness of the application and to provide planning related comments and recommendations.

304 White Horse Pike • Haddon Heights, NJ 08035 • Phone (856) 546-8611 • Fax (856) 546-8612

Submission Items

The applicant has submitted the following items in support of this application:

1. Land Development Application dated January 17, 2014, Affidavit of Applicant, Affidavit of Ownership, Escrow Agreement, Disclosure Statement.

2. Application Narrative for "Aura-Phase I" prepared by Aura Development Group, LLC and dated January 16, 2014.

3. Tax Certifications dated January 24, 2014.

4. Sheets 6, 7, 27, 28 and 42 from Plan of Major Subdivision prepared by Henry J Haley, PE of Consulting Engineer Services and last revised December 13, 2013.

5. Temporary Sales Trailer Plan for Aura prepared by Henry J Haley, PE of Consulting Engineer Services and dated December 16, 2013.

6. Copy of Resolution No. 2011-13 for the Conversion Project.

7. Letter from John Canuso to Anna Foley dated February 4, 2014.

Completeness

The applicant has submitted the land development checklist for the sales trailer site plan application along with the application for sign variances and amended conditions. Since the sales trailer application is "on hold" we have reviewed the items needed for a variance application. If the applicant opts to move forward with the sales trailer site plan, then completeness will be reviewed for that application. **The application for variances and modifications to conditions may be scheduled for a hearing. The Planning Board will first consider the waiver requests, and if the waivers are granted the application for variances and amended conditions may be heard.**

- #8 requires the applicant to submit copies of all applications to and certifications of all outside agency approvals. *The applicant has indicated that this item is not applicable. Waiver is recommended.*

- #11 requires the source and date of a current or recertified survey (within the last year). *The applicant should confirm that no alterations have been made to the property since the survey was prepared.*

- #38 requires the applicant to submit site photographs. *These have not been submitted. Given the nature of this application, a waiver is recommended.*

"C" Variances for Signs

The standards governing signage are located in Section 96-60 of the Township Code. The applicant has requested variances for signage to identify the community and the builders within the community as set forth below.

Section	Required	Proposed	Compliance
96-60E (1) Permanent Subdivision Identification Sign			
Maximum Area	20 Sq Ft	30 Sq Ft for sign E 50 Sq Ft for sign F 18 Sq Ft for sign G	**Variance Required**
Maximum Height	6 Feet	4' 6" Feet for sign E 10 Feet for sign F 6 Feet for sign G	**Variance Required**
Placement – Minimum Setback	10 Feet	Within median in ROW (10 feet back from stop bar) for sign E and G 10 feet from curb for sign F	**Variance Required**
Maximum number	1 per entrance	3 total	**Variance Required**
96-60.D(5) Signs in ROW	No private signs permitted in Right-of-Way	2 signs within the new Orchard Boulevard Right-of-Way	**Variance Required**

Standard of Proof for "C" Variances

The applicant must provide testimony to justify the requested variances. For a C(1) variance, the applicant must demonstrate that the strict application of the zoning regulations to the property create a hardship or result in exceptional practical difficulties by reason of the exceptional shape of the property or the exceptional topographic conditions uniquely affecting the property, or the structures lawfully existing upon the property. For a C(2) variance the applicant must show that the proposed variance advances the purposes of municipal land use law and that the benefits of the deviation would substantially outweigh any detriments. In testimony at the hearing the applicant should address whether the proposed variances will substantially impair the intent of the Master Plan or zoning plan and whether there are any potential impacts to the public good.

The following comments are provided for the Board's and the applicant's consideration:

1. **Change of Condition for the Road Serving Townhouses.**

    a. As indicated above the applicant received approval for the conversion of the age restricted development in accordance with Resolution 2011-13. The conversion law required that 20% of the total number of units be set aside for low and moderate income households. Therefore, 44 affordable townhouse units are proposed as part of the development. Finding of Fact #17 in resolution 2011-13 provides that the converted development plan will eliminate the road that had been proposed to connect this development with the 450 unit Grande at Camelot development (located in Glassboro) and that the road constructed to service the townhome community "will be a private drive and not part of the municipal roadway system". The applicant now proposes that the road within the

townhouse portion of the development will be a public roadway.

b. At the time of the conversion hearing in March 2011 the applicant indicated that a Homeowners Association would own and maintain the private roadway serving the townhomes. The proposed layout includes perpendicular parking spaces, as well as trash enclosures within the right-of-way.

c. The applicant should explain the reasoning and rationale for the proposed change and how it is anticipated that public services will be delivered (trash collection, snow removal, etc) and how the parking spaces will be maintained (striping, signage, etc).

d. We did have concerns about the viability of an HOA funded by the townhouse community to maintain the roadway and provide public services, which could create problems for the Township in the future. If the HOA were created and then was underfunded, the Township would not have a means to address problems that could arise. If the roadway is public, the Township will be accountable for and have a plan for service delivery. If the road remains private, the residents will need to pay a monthly or yearly fee to the HOA, and the fee could undermine the affordability of the units. The units must meet certain affordability requirements or they will not satisfy the applicant's obligations in accordance with the conversion law and the approval granted by the planning board. Further, if the affordability requirements are not met, the Township will not be able to gain Fair Share credits for the units. Assuming that the applicant and Township can come to agreement on maintenance and service delivery issues, it may be a better long term solution for the road to be public.

2. **Phasing Plan.** When the conversion plan was approved in March 2011, the applicant had not proposed to phase the development. It was agreed that if a phasing plan was required, then a separate plan would be submitted. The applicant has provided a sectioning plan that includes a total of 14 sections (11 with single family homes and 3 with townhouses). We defer to the Board's engineer to comment on the engineering aspects of the phasing plan. We only request that the applicant confirm that the phasing and timing will comply with the requirements of N.J.A.C.5:97-6.4 in terms of the phasing of the affordable units as follows. This means that the affordable housing must begin to be completed concurrent with section 4.

Percentage of Market Rate Units Completed	Minimum Percentage of Low and Moderate Income Units Completed
25%	0
25% +1 unit	10%
50%	50%
75%	75%
90%	100%

3. **Signs.** The applicant has requested variances for the site identification signs as described above.

a. Though the copy area of Sign E is proposed to be 30 square feet, the sign will be mounted on a 24 foot long 4 foot high structure. The applicant should indicate the proposed materials for the structure. Stone or brick are recommended. We are not opposed to the variance for this sign given its low profile and the size of the community overall.

b. Typically signs identifying builders of a development are temporary signs. Proposed signs F and G identifying the builders within the development will be constructed of plywood. The applicant should indicate the intended time frame for the "Aura" signs that will list the builders. The applicant should indicate how signs F and G will be lit and the proposed color scheme.

c. Signs E and G are proposed to be located within the median on Orchard Boulevard. This is located in what will become a public (Township) right-of-way. It is recommended that a sign easement be provided and dedicated to the Homeowners Association for maintenance of the signs.

Please call with any questions. We reserve the option to make additional comments as more information becomes available.

Very truly yours,
BACH Associates, PC

Leah Furey Bruder

Leah Furey Bruder, PP, AICP

cc: Joan Adams, Esq.
Stan Bitgood, P.E.
Aura, LLC
David Oberlander, Esq
Henry Haley, PE
Robert Bower, PP

FEDERICI & AKIN, P.A.
CONSULTING ENGINEERS

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February 19, 2014
File# 14023

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

Re: Aura LLC, Phase 1 – Phasing
Block 29, Lots 16, 17, 17.02, 20, & 24 – Richwood Aura Road

Dear Chairman White and Members of the Board

I have received the following items for review of the request to permit construction of the subdivision in sections or phases. On the plan sheets 11 areas are numbered as sections.

Subdivision Plans for Aura by CES, sheets 1-37 last revised 2/11/14.
Review letter 5 by Fralinger Engineering, P.A., dated 1/27/14.

Overall the plans present a clear effective subdivision phasing plan and I generally agree with the proposed section limits. I offer the following comments on the request to construct in sections:

1. The sewage pump station, force main, water main, and temporary access to the station will be needed before any occupancy of dwellings within section 1.

   A. The plans should include notes regarding the required sequence and temporary access paving details leading to the pump station.

2. Along the southern property line of the tract, Lots 8 & 9 on Winesap Way are to be constructed in section 3. They will not drain to the rear effectively until the drainage system is extended through section 5 and 4.

   A. Either temporary drainage or grading should be designed for these lots or they

should be moved into section 5.

B. *Alternatively, the storm system along Empire Way East and extending to the rear of these lots should be constructed with sections 2 or 3 and should be called out as such.*

3. Lots 4 & 5 along Cortland Boulevard in section 2 will have no access to the eastbound side of the boulevard if the islands are constructed as part of section 2. Likewise lot 11 on the opposite side will have to cross to the wrong side on entering.

   A. *A temporary cut through should be provided, or the section 2 limit line should be moved to put these lots within section 4.*

4. The rear of lots 11-17 on Crispin Way are to be constructed in section 10 but are drained via storm piping that runs through section 11.

   A. *The plans should call out which section will include construction of the storm pipe to basin B2 from the rear of the lots 11-17 on Crispin Way.*

5. Basin A1, is to be constructed in section 1, and is to drain to basin A which is to be constructed in section 2. Basin A1 may need a temporary outlet.

   A. *The applicant's Engineer should address whether or not a temporary pipe or swale with an outfall is needed from its outlet to the Basin A outfall area before basin A is constructed in section 2, or toward that direction.*

6. Lots 2-4 along Winesap Way will pond water until grading in section 2 is done.

   A. *Temporary grading there as part of section 1 should be considered.*

7. *The plans should call out that in general, storm pipes along section lines will be constructed as part of the lower numbered section.*

Recommendations:

Upon satisfactory revisions or solutions to the above items, I would have no objection to the Board approving the request to construct the subdivision in sections.

If approved, the Applicant would be required to post performance and maintenance guarantees for each section in accordance with the Municipal Land Use Law. It should be noted that release of the maintenance guarantee, and perhaps the performance guarantee, for a given section that includes a basin, i.e. sections 1, 2 and 8, should not be allowed until the disturbances in other sections that will drain into the basin, are completed and permanent stabilization has been achieved.

The above review has been limited to the request to construct in sections. The general subdivision review comments in Fralinger Engineering's letter of 1/27/14 remain to be addressed before final approval of any of the sections is granted.

Very truly yours,

Stan M. Bitgood
Stan M. Bitgood, P.E., C.M.E.

Email copies:
Joan Adams, Esq. Board Attorney
Anna Foley, Planning/Zoning Secretary
Lea Furey Bruder, Board Planner
John Canuso, Sr. Applicant
Henry Haley, P.E., P.P., C.E. S. Inc. Applicant's Engineer

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www.fralinger.com

Reply to: ☒ Bridgeton ☐ Salem or ☐ Mays Landing

Albert A. Fralinger, Jr., PE, PLS & PP
J. Michael Fralinger, Sr. (1957-2009)
Charles M. Fralinger, PLS
Carl R. Gaskill, PE, PLS, PP & CME
Stephen J. Nardelli, PE, PP, CME & CPWM
Barry S. Jones, PLS & PP
Guy M. DeFabrites, PLS & PP
Stephen P. McKeich, PLS
Scott A. Adams, PLS
William J. Olbrich, PLS
Matthew Baldino, PE, CME
Robert A. Mulford, III, PE, CME
Corey R. Gaskill, PE, CME
J. Michael Fralinger, Jr., PE

Civil Engineering
Land Use Planning & Design
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Soils Investigation
Traffic Impact Studies
NJDOT Permitting
Phase I Environmental Studies
Permeability Testing
Septic System Design
Wetlands Delineation
Global Positioning Surveying (GPS)
Geographic Information Systems (GIS)
Planning/Zoning Board Representation

January 27, 2014

Aura Development Group LLC
Attn: Bob Bower
30 Washington Ave.
Suite B-4
Haddonfield, NJ 08033

Re: Aura – Major Subdivision
Block 29, Lots 16, 17.01, 17.02, 20 and 24
Elk Township, Gloucester County, NJ
Our Comm. No. 25436.02 –**Review #5 – Aura Major Subdivision**

Dear Mr. Bower:

I have received & reviewed the following:

1. Plans for the Aura – Major Subdivision, prepared by Consulting Engineer Services, Sheets 1, 3-42, 44, 47-51 & 52B-54 55 last revised 12/13/13; Sheet 2 last revised 11/18/13, Sheets 43, 45, 46, 52, 52A &55 last revised 10/07/13.

2. Aura – Roadway Improvements & Off-Site Utilities Installation Richwood-Aura Road (CR 667), prepared by Consulting Engineer Services, last revised 12/13/13.

3. Plan of Lots – Aura Sections 1 through 5, prepared by Consulting Engineer Services, dated 11/22/13.

4. Stormwater Management Report for Aura, prepared by Consulting Engineer Services, dated 02/24/03, last revised 10/10/13.

5. Maintenance Plan for Stormwater management Measures for Aura, prepared by Consulting Engineer Services, dated April 2013, last revised September 2013.

6. NJDEP Treatment Works Permit No. 13-0305 for Aura, dated 11/25/13.

7. Gloucester County Soil Conservation District Certification for Aura Phase 1 (Application #2013-106), Sections 1-5 & TH1-3, dated 12/9/13

8. NJDEP Flood Hazard Area Verification (0804-02-0006.3 FHA 130001), NJDEP Flood hazard Area Individual Permit (0804-02-006.3 FHA 130002) & NJDEP Freshwater Wetlands General Permit No. 11 (0804-02-0006.3 FWW 130001), all approvals dated 12/23/13.

9. Gloucester County Planning Board, Report of Action, Aura Development Group, LLC, Denied, dated 11/12/13.

All comments of my review letter dated 11/24/13 have been satisfied except for the following:

Lighting

4. The construction detail for the development entrance sign lacks specific details. Additional details/shop drawings must be provided. Said details/shop drawings should show the location/details of any sign lighting. Applicant has requested that the approval for any commercial signage (entrance signage, etc.) related to this project not be included as part of this approval and instead be subject to the construction code office review and approval process.

5. Applicant has provided a letter from Atlantic City Electric indicating that solar street lights are not available at this time.

Existing Survey & Proposed Subdivision

18. A signed and sealed copy of the surveys that the existing conditions plan is based on must be provided for the record file. These surveys must also be incorporated into the subdivision plan set.

20. Provide a separate geometry plan to clearly delineate all lots, rights-of-way, and easements. Submission of final plat will satisfy this item. At this time only the final plats for Sections 1 through 5 have been provided.

21. Metes & bounds for all lot, easement & R.O.W. lines must be provided, including chord/tangent/delta information for all curves. NJAC 13:40-5.1(f) & NJAC 13:40-5.1(m)1. This information must be provided on the existing conditions plan and the final plat. At this time only the final plats for Sections 1 through 5 have been provided and signed/sealed copies of the surveys that the existing conditions plan is based on have not been provided.

23. Corner markers not provided. All boundary corner markers found or set must be shown. NJAC 13:40-5.1f(6). This information must be provided on the existing conditions plan and the final plat. At this time only the final plats for Sections 1 through 5 have been provided and signed/sealed copies of the surveys that the existing conditions plan is based on have not been provided.

25. The point of beginning for each existing lot is not shown. NJAC 13:40-5.1f(4). This information must be provided on the existing conditions. At this time signed/sealed

copies of the surveys that the existing conditions plan is based on have not been provided.

27. Final Plats for sections 1 through 5 have been provided
    - 46:26B-2b(7) – Storm sewer easements must be provided across Blossom Lane adjacent to Lots 18 &19 of Block 29.03 (to self-extinguish when the final plat for Section 2 is filed) and along Woodlane Way adjacent to Lot 14 (to self-extinguish when the final plat for Section 3 is filed) on the Final Plat for Section 1.
    - 46:26B-2b(12) – Surveyors Certification(s) not signed on plats for Sections 1 through 5.
    - 46:26B-3b(8) – Plans must note that "By the filing of this map in accordance with the provisions of "the map filing law" reasonable survey access to the monuments is granted, which shall not restrict in any way the use of the property by the landowner." On plats for sections 1 through 5.

    Final Plats for Sections 6 through 11 have not be provided.

    If the applicant intends to file the Final Plats for each Section over the course of developing this project, instead of filing them all at the same time, then the applicant must present a phasing plan/schedule to the Planning Board for approval.

28. Verify that the proposed blocks and lots have been approved by the Tax Assessor. Applicant indicates that the plans have been submitted to the Tax Assessor for block/lot approval and will forward documentation of approval once obtained.

29. Provide documentation to verify that the Applicant is the owner of all the lots involved in this project (Block 29 Lots 16, 17, 17.02, 20 & p/o 24), acceptable to board solicitor for record file.

Stormwater Management Report

48. Post Developed Subcatchment B does not show the wet pond surface area as "impervious".

55. The Maintenance Plan for Stormwater management Measures provided does not comply with the requirements of §86-6.
    - §86-6b(7) - The Record Keeping and Administrative Procedures section must state that "The updated inspection, maintenance and repair plan and all inspection logs shall be submitted to Elk Township once per year."

    The applicant is advised that when the responsibility for stormwater maintenance is transferred from the Developer to the various Homeowners Associates, the Maintenance Plan for Stormwater Management Measures must be amended to include documentation of the HOA's agreement to assume this responsibility (§86-6b(4).

Additionally the Maintenance Plan for Stormwater Management Measures and any future revisions shall be recorded upon the deed of record for each property on which maintenance described in the maintenance plan shall be undertaken.

56. Applicant is advised that per §86-6H a Maintenance Guarantee for stormwater management measures, subject to the review & approval of the township solicitor and township engineer, is required..

Water/Sewer/Soil Erosion Plans/Details

103. This information was not reviewed and is subject to approval by outside agencies. Applicant indicates that documentation of each approval will be forwarded once obtained. Sewer approvals have been provided. Applicant indicates that the Water application has been submitted and was deemed administratively complete on 11/7/13, Soil Erosion approval has only been provided for Sections 1 through 5 of the Major Subdivision.

General Comments/Concerns

106. The applicant will be required to submit an Engineer's Estimate for all site improvements so that performance bond/inspection escrow deposit amounts can be established. An Engineer's Estimate has been provided and reviewed, a revised Engineer's Estimate must be provided.

109. Recommend that fencing be provided around Basins A2, B1 & B2. Each of these basing will have 3'+/- of standing water during the 100-yr storm event. Partially satisfied, applicant has agreed to submit revised plans with fencing around basins A2 & B1.

113. All outside required agency approvals must be provided.
    a. Gloucester County Tax Assessor – submitted per Applicant.
    b. Gloucester County Planning Board – denied 11/12/13, revised submission submitted 12/13/13 per Applicant.
    c. Gloucester County Soil Conservation District – Sections 1-5 approved 12/9/13.
    d. NJDEP Flood Hazard & Wetlands – approved 12/23/13.
    e. NJDEP Treatment Works Approval – approved 11/25/13.
    f. NJ American Water Company – submitted, Administratively Complete 11/7/13.

Should you have any questions, please feel free to give me a call.

Very truly yours,

Fralinger Engineering PA

Corey Ronald Gaskill, PE & CME

Cc: Anna Foley, Elk Township Planning Board Secretary
Leah Furey Bruder, PP, AICP
Joan Adams, Esq.
Kevin Costello and Elk Environmental Commission
Robert Swartz, Esq.
Henry Haley, PE

atlantic city electric
A PHI Company

428 Ellis Street
Glassboro, NJ 08028

September 27, 2011

Re: Solar Street Light

Dear Sir:

This letter is in response to your inquiry with regard for availability of solar street lights for your proposed project.

Please note Atlantic City Electric does not offer solar street lights at this time.

If you should have any questions, please feel free to call me at 856-863-7913.

Very truly yours,

Samuel Holder
Field Engineering Technician

FEDERICI & AKIN, P.A.
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February 11, 2014
File# 14023

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

Re: Aura LLC, Signage for Sales Trailer
Block 29, Lot 24 Richwood Aura Road

Dear Chairman Nicholson and Members of the Board

I have received the following items for review of the Temporary Sales Trailer Plan and the associated signage application:

Temporary Sales Trailer Plan, by C.E.S. dates 12/05/13
Email from Robert Bower, Aura LLC to the Township requesting to table the site plan application and to proceed with the signage only.

I offer the following comments on the Signage Application:

1. Elk Code Ss 96-60 addresses sign requirements.

   A. The proposed signs are greater than 50 feet from the proposed right of way intersection and over 100 feet from other signs. They are shown outside the front yard setback and appropriate sight triangles. The proposed locations are therefore satisfactory.

   B. The applicant should provide testimony on the schedule for construction of the development sign and Orchard Boulevard and should confirm that the temporary sales trailer and signs will be removed within one year and upon completion of the development sign.

   C. No illumination is shown on the plans other than trailer mounted flood lights. Testimony should be provided regarding the operation of the flood lights. It is

recommended that the flood lights be timed to comply with the above requirement, and that if desired, motion sensors could provide illumination after hours that would limited to 5 minutes upon activation of the motion sensor.

2. Ss 96-60D(13) requires that the address of the site be prominently included on the signs.

   A. Neither of the proposed signs complies with this requirement. It is recommended that the one or both of the signs have the street address number included with numerals not less than 4 inches in height.

3. Ss 96-60E The proposed sign panel sizes are 4ft x 8ft and 2.5 ft x 3ft. Neither the type or sizes of these signs is permitted in the residential zone.

   A. A variance is needed for both the sizes and type of signs within the residential zone. While the ordinance does not list temporary residential development sales signs as permitted, it does imply that such signs will may exist on a temporary basis at 7(j).

   B. The proposed sizes, 32 sf and 7.5 sf per side are comparable to the sizes permitted for other uses and appear to provide lettering that will be visible at or near the stopping distances for vehicles traveling on Aura-Richwood Road.

4. The code also requires landscaping around the base of signs and that sign style should be consistent within developments. Signs should be subordinate features relative to the principal structure.

   A. In this case, the sales sign should be dominant as easily read sales signs are critical to drivers having the time to detect and react and to enter the sales site with safe movements.

   B. The plans should show evergreen shrub landscaping around the base of the signs that will compliment and not obscure the signs. The proposed color scheme and lettering sizes should be shown on the construction plans. Otherwise the proposed signs appear to be consistent with the township Code.

5. The standard letter height for directional signs is a letter size of two inches plus one additional inch for each 25 feet of viewing distance.

   A. The 96 inch panel height with 7 primary lines of text will provide text heights between 6 and 10 inches. Thus the community name should be readable at or near the stopping sight distances on Aura-Richwood Road.

   B. The proposed signs appear to be typical of sales trailer signs within Elk and surrounding communities. The size and style are appropriate for visibility of the development and are unlikely to distract drivers or others.

Recommendations:

Upon the Board hearing satisfactory testimony by the Applicant regarding the illumination, landscaping, and timing issues mentioned above, I recommend approval of the proposed signs for installation with the proposed sales site improvements.

Note however, that the Applicant has requested that the sales trailer site plan be tabled. The proposed signs do not provide phone numbers or the address of an alternative sales site, e.g. the suggested sales office in Glassboro. I recommend that the Applicant submit sign details that would work with the offsite sales facility, if the applicant intends to proceed with that approach.

Very truly yours,

Stan M. Bitgood
Stan M. Bitgood, P.E., C.M.E.

Email copies:
Joan Adams, Esq. Board Attorney
Anna Foley, Planning/Zoning Secretary
Lea Furey Bruder, Board Planner
John Canuso, Sr. Applicant
Henry Haley, P.E., P.P., C.E. S. Inc. Applicant's Engineer