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Elk Township Combined Planning and Zoning Board

Regular Business Meeting

April 17, 2019

Minutes

Call to Order: meeting called to order at 7:00pm.

Roll Call:

Present: Matt Afflerbach, Bob Clark, Jay Hughes, Ed Poisker, Donna Nicholson, Richard Schmidt, Eugene Shoultz, Jeanne White, Al Richardson (alt. 1), Wayne Swanson (alt. 2)

Absent: Ed McKeever

Open Public Meeting Act: was read by the Board Secretary

Flag Salute: Chairperson led the flag salute.

Approval of Minutes:

- **March 20, 2019**

Mr. Shoultz moved to approve the minutes of March 20, 2019, Seconded by Mr. Schmidt. With all other members in favor, the motion was carried. Ed Poisker abstained.

Resolution(s):

2019-08- granting a variance from the minimum required lot area to Robert J. Barbaro, 108 30th Street, located at 1863 Willow Grove Road, block 51, lot 4.03. Application no.: ZB-18-09

Mr. Swanson moved to adopt resolution 2019-08. Seconded by Mr. Schmidt.

Roll Call:

Voting in favor: Afflerbach, Clark, Hughes, Nicholson, Schmidt, Shoultz, White, Swanson

Against: None **Abstain:** None **8-0-0**

➤ **Old Business:** None

➤ **New Business:**

Dan Smith, Preliminary & Final Major Subdivision (lot line adjustment), Completeness hearing followed by public hearing, Block 67, lots 23 & 25, Union Street. Application No. SD- 19-01

Dan Smith & Steven Smith, 220 Fishpond Road were sworn in.

The application is for a lot line adjustment between two lots. Because of the Township’s definition of a minor subdivision, this application is considered a Major subdivision. The Applicant’s last minor subdivision that included these lots was in 2015, less than 5 years ago, and therefore this Application is defined as a Major Subdivision under the ordinance definition.

The plans show the layout of the subdivision, consisting of conveying about 4 acres of land from Lot 24 to Lot 23. The remainder of Lot 25 will be about 2 acres in size, and Lot 23 will increase to about 12.4 acres. There are no variances. Dan Smith intends to build a home on lot 25.

Board Planner, Steven Bach, referred to his review letter dated, April 16, 2019 regarding the following requested waivers:

#8 Requires copies of applications to and certification of approvals from outside agencies. The Applicant should submit copies of any required applications/approvals to the Township.
A waiver is recommended for completeness only. The Applicant agreed to comply.

#21 The Applicant is required to submit a list of waivers requested. The Board's Planner has provided this list.
A waiver is recommended.

#22 The Applicant is required to submit a list of waivers and variances from the Elk Township Unified Development Ordinance. The Board's Planner has provided these items.
A waiver is recommended.

#29 requires an environmental impact statement per §96-44.
A waiver is recommended.

#30 requires a Phase I Environmental Assessment in accordance with § 62-A. The Applicant testified that there were no environmental concerns.
A waiver is requested.

#31 requires a Traffic Impact Study.
A waiver is recommended.

#33 requires statement demonstrating compliance with affordable housing requirements, as applicable, including section 70-4. The Applicant does not propose any new dwellings at this time. However, at time that as building permit is applied for, compliance will be required.
A waiver is recommended.

#37 requires drafts of proposed deed restrictions, easements or covenants. The Applicant did not foresee any deed restrictions, easements or covenants, but if any were to occur, the Applicant agreed to submit same to the Board's Attorney and Engineer for review and approval.
A waiver is recommended for completeness only

#38 requires the Applicant provide photographs of the site.
A waiver is recommended.

#40 requires the Applicant provide new structures.
A waiver is recommended as no new structures are proposed at this time.

#42 requires that the Applicant provide structures and wooded areas within 200 feet.
A waiver is recommended by the Board's Planner.

#44 requires the Applicant provide location, dimensions and arrangements of proposed streets.
A waiver is recommended as there are no proposed streets.

#45 requires that the Applicant provide parking.
A waiver is recommend.

#47 requires that the Applicant provide a landscape plan.
A waiver is recommended.

#50 through #60

Waivers are recommended by the Board's Planner.

#62 through #68

Waivers are recommended by the Board's Planner.

#70 requires a lighting plan.

A waiver is recommended.

#72 requires NJDOT permits, if applicable.

A waiver is recommended, as no NJDOT permits are required.

#73 requires the Applicant to submit a LOI or PE certification of no wetlands. Wetlands are located on the Subject Property. The Board's Planner deferred to the Board's Engineer.

A conditional waiver for completeness only & the Applicant agrees to comply.

#74 requires consistency with stormwater drainage requirements.

A waiver is recommended.

#75 requires that the Applicant submit a Utility plan.

A waiver is recommended.

#76 – 82

Waivers are recommended.

#83 requires curb cuts.

A waiver is recommended.

#84 requires cross sections and center line profiles of existing and proposed streets.

A waiver is recommended.

#85 requires items to be covered by a performance guarantee.

A waiver is recommended.

Board Engineer agreed with the waivers recommended by the Board's Planner and had no other items regarding completeness.

Mr. Afflerbach, moved to grant the waivers subject to conditions as discussed & outlined in the professional's review letters and to deem the application complete.

Seconded by Mr. Swanson.

Roll Call:

Voting in favor: *Afflerback, Clark, Hughes, Nicholson, Poisker, Schmidt, Shoultz, White, Richardson*

Against: None

Abstain: None

9-0-0

Public Hearing:

Dan Smith, Preliminary & Final Major Subdivision (lot line adjustment), Block 67, lots 23 & 25, Union Street. Application No. SD- 19-01

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 April 10, 2019. Mr. Bitgood pointed out that the Applicant must provide a drainage easement within each new deed with respect to Lots 23 and 25. Each deed must be

submitted to the Board's engineer for review and approval as to the legal descriptions and to the Board's attorney for review and approval as to the form of the deed, prior to a recording. The Applicant agreed to comply.

Open to public:

Mr. Hughes moved to open to the public, seconded by Mr. Schmidt.

With all members in favor, ***the motion was carried.***

Al Crittenden, 241 Union Street

Asked questions about drainage, the location of wetlands, and where to get a copy of the revised plan.

He did not oppose approval of the Application.

Close to public:

Mr. Afflerbach moved to close to the public, seconded by Mr. Hughes.

With all members in favor, ***the motion was carried.***

Mrs. Nicholson moved to grant preliminary & final major subdivision condition upon the items discussed and outlined in the Board's Professionals' review letters and further condition upon any required outside agency approvals. Seconded by Mr. Poisker.

Roll Call:

Voting in favor: Afflerbach, Clark, Hughes, Nicholson, Poisker, Schmidt, Shoultz, White, Richardson

Against: None

Abstain: None

9-0-0

➤ **General Public Portion**

Mr. Hughes moved to open the general public portion, seconded by Mrs. Nicholson.

With all members in favor, ***the motion was carried.***

With no comment from the public, ***Mrs. Nicholson moved to close the general public portion, seconded by Mr. Swanson.*** With all members in favor, ***the motion was carried.***

➤ **Correspondence:**

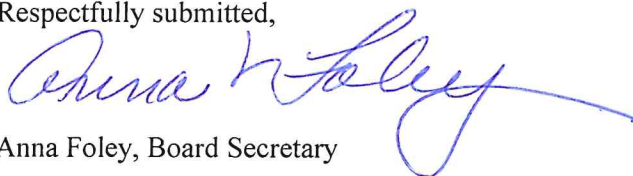
Board Secretary provided a 2018 Annual Report reviewing the Zoning Board of Adjustment's decisions on applications/appeals for variances. The Board determined there were no Zoning Codes to be addressed at this time.

➤ **Adjournment:**

Mr. Afflerbach moved to adjourn, Seconded by Mr. Clark. With all members in favor, ***the motion was carried.***

Adjournment time: 7:56 pm

Respectfully submitted,



Anna Foley, Board Secretary