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Elk Township Combined Planning and Zoning Board

Regular Business Meeting October 21, 2020

Minutes

Call to Order: meeting called to order at 7:08pm.

Roll Call:

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

Absent: Matt Afflerbach, Ed McKeever, Al Richardson

Open Public Meeting Act: was read by the Board Secretary

Flag Salute: Chairperson led the flag salute.

Approval of Minutes:

1) August 19, 2020

Mr. Shoultz moved to approve the minutes of August 19, 2020, Seconded by Mrs. Nicholson. Mr. Swanson abstained from the vote and with all other members in favor, *the motion was carried.*

2) September 16, 2020

Mr. Shoultz moved to approve the minutes of September 16, 2020, Seconded by Mrs. Nicholson. With all members in favor, *the motion was carried.*

Resolution(s):

2020-11: authorizing Wayne Streit, Esquire, to provide professional services as interim conflict solicitor for an application brought by Jeffrey and Sandra Tilden

Mr. Schmidt moved to adopt resolution 2020-11. Seconded by Mr. Hughes.

Roll Call:

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

Against: None

Abstain: None

8-0-0

➤ **Old Business:** None

➤ **New business:**

A letter application was made by Jeffrey and Sandra Tilden for an extension of time to comply with the terms and conditions of a bulk variance to permit the construction of a single family home on an existing lot (block 35, lot 1.11, 179 Railroad Avenue) by Resolution 2017-11 on March 15, 2017.

Mr. Tilden testified it was recently discovered that Elk Township has an ordinance (96-11.1) that states a variance will become null and void two years from the date the variance is granted unless a building permit is obtained. Additionally, this condition was not included within the Resolution of approval. They have recently entered into a contract to sell the property to a party who intends to build a single-family home on the lot but would need additional time under the contract to determine if the lot qualifies under the terms and conditions of the previous grant of variance and other applicable laws and regulations affecting the lot. The lot in question and the surrounding neighborhood has not changed from what existed in March of 2017.

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

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

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

Chairwoman White moved to grant the extension of time to October 21, 2022 as the Board concludes that the requested extension can be granted consistent with the intent and purposes of the New Jersey Land Use Law and the Unified Development Ordinance of the Township of Elk with no indication of any detrimental impact and conditional upon the Applicant or any successor owner of the lot complies with all of the conditions set forth in the previous approval of Resolution No. 2017-11, Seconded by Mr. Schmidt.

Roll Call:

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

Against: None

Abstain: None

8-0-0

General Public Portion

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

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

Zack Mason, 433 Mallard Lane: Mr. Mason inquired about a wetlands delineation notice he received from Mullica Hill DG, LLC and asked if the board knew anything about. Board Secretary directed Mr. Mason to contact the Municipal Clerk as she would receive the notice along with any wetlands plan. To date the Board Secretary had not received an application under that name.

Mrs. White moved to close the public, seconded by Mr. Scholtz.

➤ **Correspondence:**

No formal correspondence was received but the Secretary reminded everyone the next meeting will be on ***“Tuesday” November 10th.***

➤ **Adjournment:**

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

Adjournment time: 7:34 pm

Respectfully submitted,



Anna Foley, Board Secretary