Elk Township Combined Planning and Zoning Board

Regular Business Meeting

July 21, 2021

# Minutes

Call to Order:

Regular Business Meeting was called to order at 7:03pm.

Roll Call:

Present: Mr. Afflerbach, Mr. Clark, Mr.l-lughes, Mr. McKeever, Mr. Shoultz, Madam Chairwoman White, Mr. Swanson (alt. 2)

Absent: Mrs. Nicholson, Mr. Poisker, Mr. Schmidt, Mr. Richardson (alt. 1),

Open Public Meeting Act: was read by the Board Secretary

Flag Salute: Madam Chairwoman White led the flag salute.

Approval of Minutes:

1) June 1 6, 2021

Mr. Afflerbach moved to approve the minutes of June 16, 2021, Seconded by Mr. Clark.

Mr. Hughes abstained from this vote because he was absent at that meeting. With all other members in favor, the motion was carried.

Resolution(s):

2021 — 1 6-granting preliminary site plan approval, a bulk variance to permit an eight foot high fence where only a six foot high fence is permitted, and a design waiver from curbing and pavement, to Copart of Connecticut, Inc., regarding property located at 735 and 749 Jacob Harris Lane and being further shown as Block 66, Lot I .01 on the Tax Maps of the Township of Elk Application #SP-20-12

Mr. Afflerbach moved to adopt resolution 2021 - 16. Seconded by Mr. Clark

Roll Call:

Voting in favor: Mr. Afflerbach, Mr. Clark

Against: None Abstain: None 2-0-0

 Old Business: None

 New business:

Completeness Hearing:

Russo Land Holdings, LLC Major Subdivision (Elmwood Estates),

Preliminary & Final Site Plan Application

Daisy Ave Block 214.01, Lot 29

Completeness followed by Public Hearing, Application #SD 18-10

Representing the applicant was Attorney Jack Plakter of Fox Rothschild, Atlantic City, NJ.

The following individuals were sworn to provide testimony:

Mr. John Kornick, Consulting Engineers, 36 Tanner St #1 OOS Haddonfield. NJ 08033 Mr. Nate Russo, Russo Homes

Board Planner, Steven Bach of Bach Associates, referred to his review letter dated, June 7, 2021 and the Board's Engineer, Stan Bitgood of Federice & Akin's review letter dated July 16, 2021 regarding the following requested waivers:

Item #8 requires copies of applications to and certifications from all outside agencies. Waiver is recommendedfor completeness only.

Item the map/plan shall include signatures of the applicant/owner. Waiver is recommendedfor completeness only.

Item #12 requires certification and monumentation required by Map Filing Law. Waiver is recommendedfor completeness only.

Item #13 requires metes and bounds descriptions for lots and Rights of Way. Waiver is recommendedfor completeness only.

Item #19 requires proposed street names and that the tax assessor approve the new lot numbers. Waiver is recommendedfor completeness only.

Item#30 requires a Phase 1 Environmental Assessment report conforming to current ASTM standard in accordance with Chapter 62A. The applicant states that the report was filed, it is recommended that the applicant refile the prior report. Stan Bitgood, Board Engineer states that pesticides are not mentioned in the report, therefore either a new Phase I Assessment is recommended or the environmental experts should review the prior Phase 1 report, submitting a statement that they agree with it in all respects and specifically state that there are no indications in the records or on site of any use of pesticides on the site, nor runoff from adjacent sites that could have contaminated the site with pesticides. Waiver is recommendedfor completeness only.

Item # 33 requires a statement and demonstration of compliance with affordable housing requirements as applicable. In this case the applicant will be required to pay the mandatory development fee in accordance with the requirements of sections 70-4 (1 1/20/0 of equalized assessed value) in order to assist the Township in meeting its affordable housing obligations.

Waiver is recommendedfor completeness only.

Item # 36 requires a copy of any protective covenants, easements and restrictions of record and the current title policy. This information has not been provided.

Waiver is recommendedfor completeness only.

Item # 37 requires drafts of proposed protective covenants, deed restrictions or easements. Waiver is recommendedfor completeness only.

Item # 49 & 50 requires the location of existing trees or tree masses, indication general sizes, and species of these and a Tree Protection Plan showing the limits of clearing and in accordance with Township Ordinances. The applicant must provide additional information describing the character of the vegetation on site.

Waiver is recommendedfor completeness only.

Item # 52 method by which common/public open space or commonly held building or structure is to be owned and maintained. A copy of the Homeowners Association documents and easement and maintenance budget are required prior to review for final approval. Waiver is recommendedfor completeness only.

Item # 63 requires that cross sections and center-line profiles of all existing or proposed streets or water courses with dimensions at 50 foot intervals be submitted prior to approval. Cross sections for Holly Ct and Daisy Ave shall be submitted prior to approval. The applicant has provided center-line profiles on plan sheet 16.

Waiver is recommendedfor completeness only.

Item # 66 requires a written commitment from the Elk Township Municipal Utilities Authority of sufficient capacity to provide sewer and water service for the project when completed. A waiver is recommended as this area does not exist within a sewer service area.

Item # 76 requires the applicant to provide recreation facilities plan where applicable. Waiver is recommendedfor completeness only.

Item # 77 requires the size and location of proposed signs. Waiver is recommendedfor completeness only.

Item # 79 Municipal Developer Agreement between the developer and the municipality for redevelopment, general development plan or other subdivision or site plan where off tract improvements are contemplated. This may be provided as a condition of preliminary approval prior to review of final approval.

Waiver is recommendedfor completeness only.

Item #82 requires construction details required by RSIS, including cross section details for roads. Actual cross sections for both Daisy Ave and Holly Ct. shall be added to the plans prior to review for Final Subdivision Approval.

Waiver is recommendedfor completeness only.

Item # 84 requires a letter containing a list of items not completed or installed and to be covered by a performance guarantee, with quantities and cost of each item and the total cost of all items. Waiver is recommendedfor completeness only.

Both the Board Planner and Board Engineer had no additional items.

Mr. Afflerbach moved to grant the waivers and deem the application complete. Seconded by Mr. Clark.

Roll Call:

Voting in favor:

Mr. Afflerbach, Mr. Clark, Mr. Hughes, Mr. McKeever, Mr. Shoultz, Madam Chairwoman White, Mr. Swanson

Against: none Abstain: none 7-0-0

Mr. Kornick provided Exhibit A which was an Aerial Image and gave a brief overview of the proj ect.

Waiver for a passive type recreation( Walking Path) around the smaller basin in lieu of a Tot Lot

Mr. Bitgood adds that a fence around the larger, deeper of the two basins would be appropriate

Discharge of the storm drains would be on property toward Rt. 55

Sidewalks on both sides of the Cul de Sac

Mr. Hughes asked if the Cul de Sac will allow for a school bus to navigate and Mr. Bach answered yes it will accommodate a school bus.

No Parking in the "bulb" of the Cul De Sac and no parking on the street

This Cul de Sac includes both 3 and 4 Bedroom homes

Ranch and 2 Story homes will be included in this Cul de Sac

Mr. Bitgood asks if the Cul de Sac bulb could be flipped and reduce the Agriculture buffers needed. Mr. Bitgood asks that prior to final approval an exhibit be provided demonstrating how the agricultural buffers could be reduced

Mr. Bitgood says that a storm water pipe may have to be added to better comply with Storm Water Management Rules

Mr. Hughes had a question regarding the two bottom left lots and the septic system being turned due to the narrowness of the lot. Mr. Kornick answered that these lots are irregular sized lots and the driveway is in the correct position.

Mr. Kornick states that they will be clearing and grading the agriculture buffer on the two lots adjacent to the basin. They will be adding evergreen trees also.

Open to the Public:

Mr. Hughes moved to open to the public, seconded by Mr. McKeever With all members in favor, the motion was carried.

Nick Casey of the Quaker Group of Silvergate Associates has no objections to this application but he has issues with not disclosing the relief of agriculture buffers to future buyers. Mr. Plakter stated that they would make those disclosures to the buyers as well as to Mr. Taylor, Mr. Bitgood and Mr. Bach.

Mr. Bach asked if this disclosure would go out to all buyers or to just the buyers affected. Mr. Plakter said that only the buyers where relief was granted. But all buyers would be aware of the projected use of the property.

Mr. Russo objected to disclosing to all buyers due to the fact that it might discourage potential buyers. It would be a buyers duty to examine what may or may not be built on adjacent property.

Mr. Taylor asked if they would talk about it before they come back to the Board.

Mrs. Joyce Burnet of 805 North Brook Place Elk Twp asked if there is a correct buffer between the new cul de sac and the existing neighborhood. The Hiatus is land that no one owns. Mr. Bach answered that yes it is. Evergreens will be supplementing the existing vegetation in the hiatus. Mrs. Joyce thanked Mr. Russo for seeing this project through.

Mr. Afflerbach moved to close the public portion, seconded by Ed McKeever With all members in favor, the motion was carried.

Mr. Hughes asked if the Elk Township Right to Farm Ordinance was applicable to the properties across from Daisy Ave to Mr. Kornick. Mr. Kornick answered that Mr. Bitgood has a statement about this, which will be added to the final resolution.

Mr. Afflerbach moved to grant Preliminary Site Plan Application, seconded by Mr. Clark

Roll Call:

Voting in favor:

Mr. Afflerbach, Mr. Clark, Mr. Hughes, Mr. McKeever, Mr. Shoultz, Madam Chairwoman White, Mr. Swanson

Against: none Abstain: none 7-0-0

Mr. Afflerbach moved to enter into our General Public Portion, seconded by Mr. Clark With all members in favor, the motion was carried.

With no commentfrom the public, Mrs. White moved to close the public portion, seconded by Mr. Clark

Correspondence: none

Adjournment:

Mr. Afflerbach moved to adjourn, seconded by Mr. McKeever

With all members in favor, the motion was carried.

Adjournment time: 8:32pm

Respectfully submitted,

Ann Marie Weitzel, Board Secretary