**Elk Township Combined Planning and Zoning Board**

**Regular Business Meeting**

**October 20, 2021**

**Minutes**

**Call to Order**:

Regular Business Meeting was called to order at 7:02pm.

**Roll Call:**

**Present:** Mr. Hughes, Mr. McKeever, Mrs. Nicholson, Mr. Richardson, Mr. Schmidt,

Mr. Shoultz, Madam Chairwoman White, Mr. Swanson (alt. 2)

**Absent:** Mr. Afflerbach, Mr. Clark, Mr. Poisker,

**Open Public Meeting Act:** was read by the Board Secretary

**Flag Salute:** Madam Chairwoman White led the flag salute.

**Approval of Minutes:**

1. July 21, 2021

***Mr. Shoultz moved to approve the minutes of July 21, 2021, Seconded by Mr. Hughes.***

***Mrs. Nicholson abstained from this vote because she was absent at that meeting.***

***Mr. McKeever abstained from this vote because he was absent at that meeting.***

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

**Resolution(s):**

2021 – 17 granting Preliminary Major Subdivision approval and Bulk Variances to Russo Land Holdings, LLC, 403 Helms Avenue, Swedesboro, NJ 08085, regarding property located at Daisy Avenue, and being further shown as Block 214.01, Lot 29 on the Tax Maps of the Township of Elk

Application NO.:SD-21-03

***Mr. Hughes moved to adopt resolution 2021 - 17. Seconded by Mr. McKeever***

***Roll Call:***

***Voting in favor: Mr. Hughes, Mr. McKeever, Mr. Richardson, Mr. Schmidt, Mr. Shoultz, Mr. Swanson Madam Chairwoman White***

***Against: None Abstain: 1 7-0-1***

* **Old Business**: None
* **New business**:

Completeness Hearing:

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

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 Plackter of Fox Rothschild, Atlantic City, NJ.

The following individuals were sworn to provide testimony:

Mr. Steve Bagge, K2 Consulting Engineers, 36 Tanner St #100, Haddonfield, NJ 08033

Mr. Nate Russo, Principal, Russo Land Holdings

Board Planner, Candace Kanaplue of Bach Associates, referred to her 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 #10 requires signatures of the applicant/owner.

***Waiver is recommended for completeness only.***

Item #12 requires certification and monumentation required by Map Filing Law.

***Waiver is recommended for completeness only.***

Item #19 requires proposed street names and the new lot numbers be approved by the tax assessor.

***Waiver is recommended for completeness only.***

Item #23 requires proposed phasing and construction schedule for the entire project. The applicant has not provided information on phasing or scheduling of project.

***Waiver is recommended for 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 ½% of equalized assessed value) in order to assist the Township in meeting its affordable housing obligations.

***Waiver is recommended for completeness only.***

Item # 37 requires drafts of proposed protective covenants, deed restrictions or easements. HOA documents have been submitted, however the document is incomplete (see Board Engineer’s review of October 15, 2021). Board Engineer and Board Attorney to review HOA documents.

***Waiver is recommended for completeness only.***

Item #13 metes and bounds description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords and central ageless for all lots, center lines and rights of way, utility easements and centerline curves on streets. Need metes and bounds descriptions for lots and Right of Way.

***Waiver is recommended for completeness only.***

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

Mr. Hughes asked the Board Attorney Mr. Taylor for clarification on deeming the application complete.

***Mrs. Nicholson moved to grant the waivers and deem the application complete.***

***Seconded by Mr. Schmidt.***

***Roll Call:***

***Voting in favor:***

***Mr. Hughes, Mr. McKeever, Mrs. Nicholson, Mr. Richardson, Mr. Schmidt, Mr. Shoultz,***

***Madam Chairwoman White, Mr. Swanson***

***Against: none Abstain: none 8-0-0***

Mr. Bagge provided Exhibit A1, which was an Aerial Image and gave a brief overview of the project.

Mr. Baggee stated that there are now 3 Basins with 3 different sets of pipes running into them.

Also, 2 manufactured treatment devices on Daisy Ave that the water would drain into and be filtered

and then enter the catch basin. This was reconfigured to comply with DEP Rules and Regulations.

The Cul de Sac has been mirrored to the other side of the street from previous images to accommodate storm water pipes and easements.

Sidewalks have been added to both sides of Daisy Ave and entire Cul de Sac

A walking path has been added around the smaller basin with benches and a dog waste station in lieu of a Tot Lot

Mailbox clusters were added at the end of the Cul de Sac

The same general design was kept from the last time this was discussed

Mr. Russo would prefer individual mailboxes at each house and Elk Twp’s Engineer and Planner agree but it is ultimately up to the USPS to determine which will happen

Mr. Bitgood’s Review Letter and requested variances:

Section 96-47.1 – Agricultural Buffer

A double row of 6-8 foot tall evergreen trees will be added

Mr. Bitgood(Board Engineer) has no objections to this

Afffordable Housing: The applicant will comply with any and all applicable requirements regarding affordable housing rules.

Fencing around basin: No fencing around basin due to it not being required by the BMP and the basin will be normally dry in between rain events and if water does collect within the water will dissipate within 72 hours.

Discussion regarding the fence around the basin occurred.

Mr. Bitgood(Board Engineer) agreed with Mr. Bagee and asked that the 2 lots nearest the basin be allowed to fence their lot in and not be restricted by the HOA.

Mr. Bitgood(Board Engineer) asks that the landscaping be moved to the outside of the walking path.

Mrs. Kanaplue(Board Planner) will review the plan for landscaping.

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

Mr. Hughes asked if the road widths of Daisy Ave and Webster Drive will match up as the exhibits do not show this. Mr. Bitgood stated that jurisdiction would be with the Township Committee.

Mr. Swanson asked for clarification on MTD drainage pipe going to the basin.

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

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

***With no comment from the public, Mrs. White moved to close the public portion, seconded by Mr. Hughes.***

***Mrs. Nicholson moved to grant Final Site Plan Approval, seconded by Mr. Schmidt***

***Roll Call:***

***Voting in favor:***

***Mr. Hughes, Mr. McKeever, Mrs. Nicholson, Mr. Richardson, Mr. Schmidt, Mr. Shoultz,***

***Madam Chairwoman White, Mr. Swanson***

***Against: none Abstain: none 8-0-0***

***Mr. Hughes moved to enter into our General Public Portion, seconded by Mr. Schmidt***

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

***With no comment from the public, Mrs. White moved to close the public portion, seconded by Mr. Hughes***

Correspondence: none

***Adjournment:***

***Madam Chairwoman White moved to adjourn, seconded by Mr. McKeever***

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

Adjournment time: 7:51pm

Respectfully submitted,

Ann Marie Weitzel, Board Secretary