**Elk Township Combined Planning and Zoning Board**

**Regular Business Meeting**

**December 21, 2022**

**Minutes**

**Call to Order**:

Regular Business Meeting was called to order at 7:09 pm.

**Roll Call:**

**Present:** Mr. Hughes, Mr. Lucas, Mrs. Nicholson, Mr. Schmidt, Mr. Shoultz,

Mr. Richardson (alt 1), Mr. Swanson (alt 2), Madam Chairwoman White,

**Absent:**  Mr. Afflerbach, Mr. McKeever

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

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

**Approval of Minutes:**

November 16, 2022

Mr. Hughes asked that the minutes on page 8 be amended to accurately record his statement.

The minutes have been amended to reflect this change

***Mr. Swanson moved to approve the minutes of November 16, 2022,***

***Seconded by Mr. Richardson***

***Mr. Lucas recused himself from the vote***

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

**Resolution:**

**Resolution 2022 – 12 granting Final Major Site Plan Approval to Copart of Connecticut, Inc regarding property located at 735 & 749 Jacob Harris Lane, and being further shown as Block 66, Lot 1.01 on the Tax Maps of the Township of Elk, Application No.:SP-20-12**

***Mr. Shoultz moved to adopt resolution 2022 - 12. Seconded by Mr. Swanson.***

***Roll Call:***

***Voting in favor: Mr. Shoultz, Mr. Swanson, Madam Chairwoman White***

***Abstaining: Mr. Hughes, Mr. Lucas, Mrs. Nicholson, Mr. Schmidt, Mr. Richardson***

***For: 3 Against: 0 Abstain: 5 3-0-5***

**Resolution 2022 – 13 granting Minor Subdivision and Bulk Variances to Richard & Patricia Taylor, regarding property located at 360 & 364 Bridgeton Pike, and being further shown as Block 5, Lot 5.03 on the Tax Maps of the Township of Elk, Application No.: SD-22-03**

***Mr. Hughes moved to adopt resolution 2022 - 13. Seconded by Mr. Shoultz.***

***Roll Call:***

***Voting in favor: Mr. Hughes, Mr. Lucas, Mrs. Nicholson, Mr. Shoultz, Mr. Richardson,***

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

***Abstaining: Mr. Schmidt***

***For: 7 Against: 0 Abstain: 1 7-0-1***

**Madam Chairwoman White stated to the Board that Mr. Clark is no longer on the Planning & Zoning Board and the Mayor is seeking a replacement.**

**Completeness Hearing:**

1) Rhoads, Bulk Variance Pool.

212 Winesap Way Glassboro, NJ 08028, Block 29.02 Lot 6

Completeness followed by Public Hearing, Application #ZB-22-04

Mr. Rhoads represented himself at this hearing

Mr. Bitgood, Planning & Zoning Engineer is absent for tonight’s meeting but he has submitted his review letters.

Board Planner, Steven Bach of Bach Associates, referred to his letter dated December 8, 2022 and the Board’s Engineer, Stan Bitgood of Bryson & Yates review letter dated December 21, 2022 regarding the following requested waivers:

Item #6 requires Names and Addresses of witnesses

***A waiver is recommended.***

Item # 8 requires copies of applications to and certification of approvals from all outside agencies with jurisdiction over the proposal

***A waiver is recommended.***

Item # 10 requires the map/plan shall include Signature block for the Chairman and Secretary of the Planning Board

***A waiver is recommended.***

Item # 11 requires the source and date of current or recertified property survey within the last 1 year

***A waiver is recommended.***

Item # 16 requires the location map at a scale of or larger showing the entire tract, location of existing and proposed property/street entire subdivision/site plan and its relation to all features shown on tge Official Map/Master Plan & located within ½ mile of the limits of the subject tract

***A waiver is recommended.***

Item # 18 the Tax Map sheet number

***A waiver is recommended.***

Item # 21 requires a statement as to any application requirements for which waiver is sought, together with a statement of reasons why waivers should be granted

***A waiver is recommended.***

Item # 29 an environmental impact statement as per 96-44 of this chapter

***A waiver is recommended.***

Item # 47 Landscape plan in accordance with section 96-31C(20) and 96-32B(7) and buffering plan in accordance with section 96-47 showing what vegetation will remain and what will be planted (common and botanical name), indicating names of plants and trees and dimensions, approximate time of planting, method of planting, and corner sight distance triangles in accordance with 96-50

***A waiver is recommended.***

Item # 53 requires the applicant to indicate any historic structures located within 200 feet of the property

***A waiver is recommended.***

Item # 59 Location of Soil Borings to determine soil suitability and indication of whether topsoil will be transported to the site and /or removed and transported outside the municipal boundary

***A waiver is recommended.***

Item # 73 Letter of Interpretation for existence of wetlands

***A waiver is recommended.***

***Mr. Hughes moved to grant the waivers and deem the application complete.***

***Seconded by Mrs. Nicholson***

***Roll Call:***

***Voting in favor:***

***Mr. Hughes, Mr. Lucas, Mrs. Nicholson, Mr. Schmidt, Mr. Shoultz,***

***Mr. Richardson (alt 1), Mr. Swanson (alt. 2), Madam Chairwoman White***

***For: 8 Against: 0 Abstain: 0 8-0-0***

Mr. Rhoads stated that he is seeking a Bulk Variance to allow for a 14’ x 32’ in ground pool in his rear yard.

Mr. Rhoads stated that neighbors in his development have applied for and were granted variances for pools.

Mr. Bach, Planning & Zoning Engineer, stated that the variance being sought were from a pool setback that is required to be 25 feet from the rear and side yards, when a side yard setback of 22 feet and rear yard setback of 13 feet are proposed in addition to a variance from impervious coverage of 20% is required where 32.4% is proposed.

Mr. Bach stated from Mr. Bitgood, Planning & Zoning Engineer’s report, that Mr. Bitgood has no objection to impervious coverage of 32.4%.

Mr. Bach stated that in his letter as well as Mr. Bitgood’s review letter there are several conditions noted that the applicant has indicate that he will comply with.

Mr. Bach stated that the applicant has already started making some of the modifications.

Chairwoman White asked if Mr. Bitgood had a question about a pump

Mr. Bach stated that the applicant has agreed that the pool discharge for backwash water would need to be in a certain location and the applicant has agreed to that.

Mrs. Nicholson stated that there is a stormwater inlet nearby the discharge location.

Mr. Hughes asked for clarification on what review letters and dates of those review letter the Board was looking at.

Mr. Bach stated that Bach Review Letter dated 12/8/2022 and Bryson & Yates Review Letter #2 dated 12/21/2022 would be the review letters being referred to.

Mr. Hughes asked if the applicant understands what needs to be done to meet the conditions of approval.

Mr. Bach stated that yes he believes that the applicant is in full understanding.

Mr. Taylor stated that he spoke to Mr. Bitgood earlier today and he had no objections and everything in his review letters had been met by the applicant.

Mrs. Nicholson asked for clarification of the location of the discharge for the pool is located.

Mrs. Nicholson was directed to a new drawing that showed where the discharge is located.

Mrs. Nicholson asked if the discharge would be going directly toward the stormwater inlet.

Mr. Bach stated that it would be going through the grass first and have a chance to dissipate.

Mr. Bach referred to Mr. Bitgood’s review letter number 7A2 which states that the plan shall be revised to show the location of the pool backwash discharge, between 5 and 10 feet of the rear of the property line and at least 5 feet of the side of the property line. A pop up type discharge is recommended, provided the pipes are also provided with “T” into a suitable below frost line stone pit which can allow the pipe to empty completely so as to prevent freezing.

Mr. Rhoads stated that whatever he needs to do to be in compliance, he will do.

***Mr. Lucas moved to open to the public, seconded by Mr. Shoultz***

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

***With no comment from the public, Mrs. Nicholson moved to close the public portion,***

***seconded by Mr. Hughes.***

***Mr. Lucas moved to approve the Rhoad’s Bulk Variance for a Pool,***

***seconded by Mr. Schmidt***

***Roll Call:***

***Voting in favor:***

***Mr. Hughes, Mr. Lucas, Mrs. Nicholson, Mr. Schmidt, Mr. Shoultz,***

***Mr. Richardson (alt 1), Mr. Swanson (alt. 2), Madam Chairwoman White***

***For: 8 Against: 0 Abstain: 0 8-0-0***

Discussion ensued regarding on voting on a Resolution’s Memorialization

**Resolution 2022 – 14 granting Use Variance and Bulk Variances, Home Occupation Variance and Waiver of Site Plan Approval to Christopher Spera and Dorothy Crosbee, regarding property located at 836 Clems Run, and being further shown as Block 33, Lot 12.16 on the Tax Maps of the Township of Elk, Application No.: ZB-22-02**

***Mr. Shoultz moved to adopt resolution 2022 - 14. Seconded by Mr. Richardson.***

***Roll Call:***

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

***Abstaining: Mr. Hughes, Mr. Lucas, Mrs. Nicholson, Mr. Schmidt***

***For: 4 Against: 0 Abstain: 4 4-0-4***

***Mr. Shoultz moved to enter into our General Public Portion, seconded by Mr. Richardson.***

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

***With no comment from the public, Madam Chairwoman White moved to close the General Public Portion,***

***Seconded by Mr. Shoultz.***

Correspondence: ***None***

***Mr. Lucas moved to enter into a Closed Session, seconded by Mr. Schmidt***

***Discussion ensued***

***Chairwoman White moved to come out of Closed Session, seconded by Mrs. Nicholson***

***Mr. Lucas moved to reenter into the Planning & Zoning Meeting, seconded by Mr. Hughes***

***Adjournment:***

***Mrs. Nicholson moved to adjourn, seconded by Mr. Lucas***

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

Adjournment time: ***9:04 pm***

Respectfully submitted,

Ann Marie Weitzel, Board Secretary