

Elk Township Combined Planning and Zoning Board

Regular Business Meeting February 21, 2024

Minutes

Call to Order:

Regular Business Meeting was called to order at 7:00pm.

Roll Call:

Present: Mr. Goetsch, Mr. Hughes, Mr. Lucas, Mr. McKeever,
Mrs. Nicholson, Mr. Richardson, Mrs. Wheeler, Mr. Wolf,
Mr. Peterson (alt 1), Mr. Swanson (alt 2), Chairman Afflerbach

Absent: None

Open Public Meeting Act: was read by the Board Secretary

Flag Salute: Chairman Afflerbach led the flag salute.

Concept Plan Review: Mr. Wolf gave a brief report of the Concept Plan Review that took place prior to this meeting regarding Giangrante Minor Subdivision.

Approval of Minutes: January 17, 2024

*Mr. Hughes moved to approve the minutes of January 17, 2024
Seconded by Mr. Swanson*

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

Old Business: None

New Business:

Estate of Amy Marple, Lot Line Adjustment/Minor Subdivision
Blk 5 Lot 8, 9, 9.01, 496 & 502 Bridgeton Pike Mullica Hill, NJ 08062
Application No. SD-24-01
Completeness Hearing followed by Public Hearing

Matthew Robinson, Esq. of Robinson & Robinson 2057 Wheaton Ave Millville, NJ 08332 represented the applicant and executer Debra Wiberg and husband Dana Wiberg at this hearing.

Board Engineer, Steve Bach referred to the Engineer's and Planner's review letter dated February 14, 2024 regarding the following requested waivers:

Item # 13 requires metes and bound description showing dimensions, bearings, curve data, length of tangents, radii, arcs, chords and central angles for all lots, center lines and rights-of-way, utility easements and centerline curves on the streets.

Waiver recommended for completeness only.

Item # 33 requires a statement and demonstration of compliance with affordable housing requirements as applicable including §70-4.

Our office has no objection to a waiver being granted for this item.

Item # 38 requires site photographs, which the applicant has provided.

Our office has no objection to a waiver being granted for this item.

Item # 50 requires tree protection plan, limits of clearing in accordance with Township Ordinances

Our office has no objection to a waiver being granted for this item.

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

Our office has no objection to a waiver being granted for this item.

Item # 55 requires contours at 20 foot intervals for the entire tract and within 100 feet and conformance with the grading plan requirements in §96-66M prior to the issuance of any building permits.

Our office has no objection to a waiver being granted for this item.

Item # 57 requires a grading plan showing existing and proposed spot elevations, based upon the datum, at all building corners, all floor levels, center lines of abutting roads, top and bottom curbs, property corners, gutters and other pertinent locations sufficient to assure that the project will not have an adverse effect on the existing drainage pattern.

Our office has no objection to a waiver being granted for this item.

Item # 58 requires soil erosion and sediment control plan consistent with the requirements of the soil conservation district.

Our office has no objection to a waiver being granted for this item.

Item # 59 requires location of soil borings to determine soil suitability and indication of whether topsoil will be transported to the site and/or be removed and transported outside the municipal boundary.

Our office has no objection to a waiver being granted for this item.

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 (if within sewer service area)

Our office has no objection to a waiver being granted for this item.

Item # 73 requires the applicant to submit an LOI from the NJDEP.

Our office has no objection to a waiver being granted for this item.

The applicant has not requested the following waivers form the Land Development Checklist but they have not been provided:

Item # 36 requires copy of any protective covenants, easements and restrictions of record. Include current Title Policy.

Our office has no objection to a waiver being granted for this item.

Item # 48 requires Distance along rights-of-way lines of existing streets to the nearest intersection with other streets.

Our office has no objection to a waiver being granted for this item.

Item# 49 requires the location of all existing trees or tree masses, indicating general sizes and species of trees in accordance with Township Ordinances.

Our office has no objection to a waiver being granted for this item.

Mr. Lucas moved to grant the waivers and deem the application complete. Seconded by Mr. Richardson.

Roll Call Vote				Roll Call Vote					
Committee	Aye	Nay	Abstain	Absent	Committee	Aye	Nay	Abstain	Absent
Goetsch	Y				Wheeler	Y			
Hughes	Y				Wolf	Y			
Lucas	Y				Peterson (Alt. 1)				
McKeever	Y				Swanson (Alt. 2)				
Nicholson	Y				Afflerbach (Chair)	Y			
Richardson	Y								

For: 9

Against: 0

Abstain: 0

9-0-0

Mr. Robinson referred to the Tax Map of Blk 5 Lots 8, 9, 9.01 and stated that the Applicant is asking that 3 lots be turned into 2 via a Minor Subdivision.

Lot 8 is currently non conforming as it is undersized.

The Applicant would be increasing the size of Lot 8 by taking a portion of Lot 9 thus making it a conforming lot.

Lot 8 would then encompass where the Septic is located on Lot 9 thus making it a marketable property.

Lot 9 is Farmland Assessed and would take an acre from Lot 9.01 to keep the acreage up to continue its enrollment in the Farmland Assessed Program.

This Minor Subdivision would create 2 Total Lots from 3 Lots.

Steve Bach, Township Engineer, stated that no variances have been required and that several Technical Items are listed.

The applicant agreed to the Technical Items.

Steve Bach asked that when the Perfected Plans are submitted to have your surveyor put revision dates on them to make it easier to reference.

Steve Bach stated that the Applicant would need to affirm that the Agricultural Buffer would need to be vegetated consistent with the requirement of the Township Ordinances.

Debra Wiberg, Executer of the Marple Estate, was sworn in by Board Solicitor Brian Clancy.

Debra Wiberg testified that it is not her intention to disrupt any Agriculture Buffer in place at this time.

Debra Wiberg stated that in the front of Lot 9 corn is usually farmed at that location. 50 feet behind the Pole Barn (Back Field) is usually farmed as well.

Debra Wiberg stated that there is quite a bit of vegetation between Lots 9 and 9.01 and throughout what will be the rear of Lot 8.

Debra Wiberg stated that there is an irrigation pond as well as a Hedgerow and trees between what is currently Lot 8 and the house.

Steve Bach stated that an Agricultural Buffer will need to be added along the New Subdivision Line but along the Residential Property.

Mrs. Nicholson asked if the Farmland Preservation status will be affected by this new Subdivision.

Mr. Robinson stated that the Farmland is only Farmland Assessed and not Farmland Preserved, and it would be the applicant's responsibility to meet the requirements of the Farmland Assessed Program.

Mr. Hughes asked how long the stone driveway/easement had been in existence.

Debra Wiberg stated that it was granted for Residential Right of Way only.

Mr. Hughes asked Steve Bach if this would create any problems.

Steve Bach stated that the Lot Line does not impact the existing use.

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

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

With no comment from the public, ***Mrs. Nicholson moved to close to the public, seconded by Mr. Lucas.***

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

Mr. Lucas moved to grant a Minor Subdivision to the Estate of Amy Marple, (with the following additional conditions being met: resubmission of the perfected plans and an affidavit of the agricultural buffer to be consistent with the Township Ordinance along the property line) seconded by Mr. Richardson.

Roll Call Vote					Roll Call Vote				
Committee	Aye	Nay	Abstain	Absent	Committee	Aye	Nay	Abstain	Absent
Goetsch	Y				Wheeler	Y			
Hughes	Y				Wolf	Y			
Lucas	Y				Peterson (Alt. 1)				
McKeever	Y				Swanson (Alt. 2)				
Nicholson	Y				Afflerbach (Chair)	Y			
Richardson	Y								

For: 9

Against: 0

Abstain: 0

9-0-0

Sure Land Management LLC, Bulk Variance & Use Variance
 Blk 11 Lot 10, 834 Bridgeton Pike Mullica Hill, NJ 08062
 Application No. ZB-23-05
 Completeness Hearing Only

Steve Bach, Township Engineer, stated that the Mayor’s Designee, Mr. Lucas and the Township Committee Representative, Mrs. Nicholson must step out and not participate in this hearing.

Board Engineer, Steve Bach referred to the Engineer’s and Planner’s review letter dated February 15, 2024 regarding the following requested waivers:

Item # 1a. Completed Application form. The applicant requires a D(1) Use Variance application. ***This waiver is not recommended.***

Item #1b. Completed Checklist. The applicant has not provided a completed checklist. We have reviewed the checklist for compliance with the current application, however with the new Use Variance Application, this must be completed. ***A waiver is recommended.***

Item # 8 Copies of applications to and certification of approvals from all outside agencies with jurisdiction over the proposal. ***A waiver is recommended.***

Item #11 Source and date of current or recertified property survey prepared and sealed by a registered NJ Land Surveyor. (Prepared or certified within the last 1 year) ***This waiver is recommended for completeness only.***

Item # 18 Tax map plate within the plan title block.
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. The applicant has not indicated requested waivers.***
A waiver is recommended.

Item #35 ***Requires a table of existing and proposed zoning requirements. Lot area, building coverage, impervious coverage, number of employees and residents, and parking for them must be included.***
This waiver is not recommended. Parking calculations must be provided.

Item # 41 ***Requires the locations of existing wells and septic tanks.***
This waiver is recommended.

Item # 53 requires the applicant to indicate any historic structures located within 200 feet of the property.
This waiver is recommended.

Item # 54 Requires identification of abutting lands currently, or recently assessed as farmland or agricultural use.
This waiver is not recommended. Abutting farmland or agricultural uses should be depicted on the plan.

Item # 55 requires contours at 20 foot intervals for the entire tract and within 100 feet and conformance with the grading plan requirements in §96-66M prior to the issuance of any building permits.
This waiver is recommended.

Item # 67 Requires soil boring locations and results for proposed septic system.
This waiver is recommended.

Item # 73 Requires the applicant to submit an LOI from the NJDEP.
This waiver is recommended for completeness only. Applicant shall provide certification that no wetlands or associated buffers exist on the site.

Item # 77 Requires the size, type, copy and location of proposed signs.
This waiver is recommended.

Steve Bach, Township Engineer recommended to the Board that the application be deemed incomplete due to the 3 items that are not recommended to be waived, these items are # 1a, 35 and 54.

Mr. Hughes asked if Photos should be provided of Building Elevation/Size should be submitted.

Steve Bach stated that site photographs have no specific requirements.

***Mr. Hughes moved to grant the waivers and deem the application incomplete.
Seconded by Mr. Goetsch.***

Roll Call Vote					Roll Call Vote				
Committee	Aye	Nay	Abstain	Absent	Committee	Aye	Nay	Abstain	Absent
Goetsch	Y				Wheeler	Y			
Hughes	Y				Wolf	Y			
Lucas			Y		Peterson (Alt. 1)				
McKeever	Y				Swanson (Alt. 2)				
Nicholson			Y		Afflerbach (Chair)	Y			
Richardson	Y								

For: 7

Against: 0

Abstain: 0

7-0-0

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

Mr. Mark Almathias and his Father John Myslinski of 842 Bridgeton Pike, Mullica Hill, NJ 08062 own the property adjacent to the Sure Land Application.

Steve Bach, Township Engineer stated that any comments specific to that Application not be entertained due to the fact that we do not have standing in the application due to it not being complete and the application is not going forward this evening.

The only vote that did occur regarding that application was to deem it incomplete and no further action will be taken until the applicant returns and has the application deemed complete.

New Notice's of Hearing will need to be sent out by the applicant.

Mr. Richard Mood of 900 Bridgeton Pike, Mullica Hill, NJ 08062 own property across from the Sure Land Application.

Steve Bach, Township Engineer stated that Mr. Mood will be able to make comments specific to the application when they are here with a complete application.

***Mr. McKeever moved to close the General Public Portion, Seconded by Mr. Hughes.
With all members in favor, the motion was carried.***

Steve Bach, Township Engineer stated that the format of the Review Letters has changed and that Completeness will be a combined Review between the Engineer and Planner and then Engineering comments and then Planner comments all in one correspondence. This will make a clear, concise and direct Review of each application.

Steve Bach, Township Engineer stated that during the April 17, 2024 Planning & Zoning Meeting the Board will have to review the amended Aura 3 Redevelopment Plan for a determination that this plan is consistent with the Master Plan of the Township of Elk.

Correspondence: None

Adjournment:

*Mr. Swanson moved to adjourn, seconded by Mr. Wolf.
With all members in favor, the motion was carried.*

Adjournment time: *7:53 pm*

These minutes are a brief summary of the proceedings that took place during the Elk Township Planning & Zoning Board meeting held February 15, 2024 and should not be taken as verbatim testimony.

Respectfully submitted,

Ann Marie Weitzel, Board Secretary