



March 8, 2024

Elk Township Planning/Zoning Board
680 Whig Lane
Monroeville, NJ 08343

Attn: Ann Marie Weitzel, Board Secretary

Re: Filippo Cammarata
149 Railroad Ave
Block 35 Lot 4.01
Bulk Variances – Shed
RE Rural Environmental Residential District
Elk Township Application ZB-24-01
Bach Associates Proj. No. ETPB2024-3

Dear Chairman Afflerbach and Members of the Board:

We have reviewed the application for bulk variance at the above referenced lot. The application is for a bulk variance for relief to allow a 584 SF shed within the side yard setback on a property that contains a two story single family dwelling and associated site improvements.

The property is located on the western side of Railroad Avenue, south of the intersection with Whig Lane in the RE Rural Environmental Residential zoning district. Surrounding properties are wooded and agricultural in nature. The application requires a bulk variance to permit a shed in the side yard setback.

We have received the following materials in support of this application:

1. Notice of Appeal (Bulk Variance Application Form) and attachments (received by Elk Twp February 20, 2024).
2. Plan entitled "Final As-Built Survey For: 149 Railroad Ave Situated in Township of Elk, County of Gloucester, New Jersey", prepared by Ewing Associates, dated 11/30/23.

Completeness

The applicant has submitted the land development checklist. **The application is incomplete.** Most of the waivers are recommended or may be provided as a condition of approval.

- **#6** Names and addresses of witnesses. ***This waiver is recommended for completeness only.***
- **#53** requires the applicant to indicate any historic structures locate within 200 feet of the property. ***This waiver is recommended.***
- **#55** requires contours at 20ft intervals. ***This waiver is recommended.***

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- #67 requires the applicant to provide percolation tests and test borings. *This waiver is recommended.*

The above items must be provided prior to the Planning Board hearing for the application or waivers granted for the application to be deemed "Complete". If a waiver is granted for completeness only, the information shall be provided as part of the compliance submission.

Zoning and Use

In accordance with Section 96-71.B(4) Rural Environmental District permits all sheds as an accessory use "customarily incidental and subordinate" to the principal permitted uses. The shed, therefore, is a permitted use.

Zone Bulk Standards and "C" Variances

The property is within the RE Rural Environmental Zoning District which permits agricultural uses, single-family dwellings, public parks and playgrounds, and accessory uses that are customarily incidental and subordinate to the primary use on site. The applicant is requesting a bulk variance to permit an accessory structure to be setback 18.92 feet where a setback of 20 feet is required. The following table indicates the bulk standards for the entire lot based on the current RE standards.

Section	Required	Existing	Compliance
96-71D(2) Minimum Lot size	80,000 sf	189,065.7	Yes
96-71D(3) Front Yard Setback	50 feet	51.20	Yes
96-71D(4) Rear Yard Setback	40 feet	>40	Yes
96-71D.(5) Minimum Side Yard	20 feet/ 50 feet aggregate	66.9 feet / 163.49 feet	Yes
96-71D.(6)(a) Minimum Width at Building line	150 feet	252.57 feet	Yes
96-71D(7) Minimum Lot depth	200 feet	826.49	Yes
96-71D.(9)(a) Minimum Lot Frontage	135 feet	252.57	Yes

Section	Required	Existing	Compliance
96-71D.(10) Maximum Building Height	35 feet	Information needed	Unknown
96-71D.(11)(a) Maximum Coverage	15%	1.94%	Yes
96-71D(12) Impervious	20% max	4.12%	Yes
96-80.A.(3) Max sf accessory structure	≤ 2,400 sf	±584 sf	Yes
96-80.A.(6) accessory structure side yard setback	20 feet	18.92 feet	No
96-80.A.(12) Max height accessory structure	25 feet	Information needed	Unknown

Standard of Proof for “C” Variances

The applicant must provide testimony to justify the requested variances. For a C(1) variance, the applicant must demonstrate that the strict application of the zoning regulations to the property create a hardship or result in exceptional practical difficulties by reason of the exceptional shape of the property or the exceptional topographic conditions uniquely affecting the property, or the structures lawfully existing upon the property. For a C(2) variance the applicant must show that the proposed variance advances the purposes of municipal land use law and that the benefits of the deviation would substantially outweigh any detriments. The applicant should address whether the proposed variance will substantially impair the intent of the Master Plan or zoning plan and whether there are any potential impacts to the public good.

The following comments are provided for the Board’s consideration:

1. **Use.** The applicant should describe the proposed use.
2. **Variances.** The applicant and their professionals should be prepared to provide testimony to the Board and the Public at the hearing.
3. The following ‘C’ variances are required:
 - a. A variance from §96-80.A(6) where “Accessory structures between 200 square feet and 2,399 square feet must meet the side and rear yard setbacks for the zoning district...” and where a side yard of 20 feet is required and where a side yard of 18.92 feet is proposed.

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4. The applicant shall confirm that the height of the proposed shed shall be no more than 25 feet.

Any and all approvals shall be conditioned upon the applicant addressing the above comments and any and all concerns of the Planning Board contained in the approving resolution.

It shall be noted that any requirements noted above as "waived for completeness only" have been waived to allow the application to be deemed complete. These requirements shall be provided as part of the revised application materials unless waived by the Board at the scheduled meeting.

We reserve the option to make additional comments as more information becomes available.

Should there be any questions or if additional information is required, please contact the undersigned at (856) 546-8611.

Very truly yours,
BACH ASSOCIATES, PC



Steven M. Bach, PE, RA, PP, CME
President



Candace Kanaplue, PP, AICP
Associate

Cc: Christopher Dasti, Esq, Board Solicitor
Filippo Cammarata, Applicant