

Elk Township Combined Planning and Zoning Board

Regular Business Meeting June 19, 2024

Minutes

Call to Order:

Regular Business Meeting was called to order at 7:01pm.

Roll Call:

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

Absent: Mr. Hughes, Mr. McKeever, Mrs. Wheeler

Open Public Meeting Act: was read by the Board Secretary

Flag Salute: Chairman Afflerbach led the flag salute.

Concept Plan Review: None

Approval of Minutes: May 15, 2024

Mr. Richardson moved to approve the minutes of May 15, 2024

Seconded by Mr. Goetsch

Mrs. Nicholson abstained from this vote

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

Old Business: None

New Business:

Cheng, Major Subdivision
Blk 143 Lot 1, 7th & Douglas Street Glassboro, NJ 08028
Application No. SD-24-02
Completeness Hearing followed by Public Hearing

Brian Hall, of Ward, Shindle & Hall 196 Grove Ave Suite A West Deptford, NJ 08086 was sworn in and represented the applicant Cherena Cheng at this hearing.

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

Item #15 requires a statement providing an overview of the proposed uses of the land and improvements alterations, or additions. ***Waiver granted by the Board at the March 20, 2024 hearing.***

Item #19 requires proposed street names and new block/lot numbers approved by the tax assessor. ***Waiver granted for completeness only. The applicant shall provide.***

Item #29 requires an environmental impact statement as per §96-44. ***Submitted.***

Item #30 requires a Phase I Environmental Assessment report conforming to current ASTM standards in accordance with §62A. ***Submitted.***

Item #31 requires Traffic Impact Study prepared, signed and sealed by a licensed professional engineer in NJ. If a full traffic study is not needed, the Board may request a modified traffic impact statement. ***Waiver granted by the Board at the March 20, 2024 hearing.***

Item #32 requires a copy of Requests to Township Committee for any required ordinances related to the proposal (to invoke Title 39, etc.) ***Waiver granted for completeness only. The applicant shall provide.***

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

Waiver granted for completeness only. The applicant shall provide.

Item #36 requires Copy of any protective covenants, easements and restrictions of record. Include current Tile Policy. ***Waiver granted for completeness only. The applicant shall provide.***

Item #37 requires drafts of proposed protective covenants, deed restrictions or easements for review by the Land Use Board and its professional staff. **Waiver granted for completeness only. The applicant shall provide.**

Item #42 requires Structures and wooded areas within 200 feet of property line. **Waiver granted for completeness only. The applicant shall provide.**

Item #43 requires the existing and proposed use of all buildings and structures including bridges, culverts, paving, lighting, signs and grade elevations for each structure. **Waiver granted for completeness only. The applicant shall provide.**

Item #49 requires the location of all existing trees or tree masses, indicating general sizes and species of trees in accordance with Township Ordinances. **Waiver granted by the Board at the March 20, 2024 hearing.**

Item #50 requires tree protection plan, limits of clearing in accordance with Township Ordinances. **Waiver granted for completeness only. The applicant shall provide.**

Item #51 requires the relocation, design and dimensions of open space areas, conservation areas, buffer areas, pedestrian walkways and any recreation areas and facilities proposed by the developer. **Waiver granted for completeness only. The applicant shall provide.**

Item #52 requires the method by which common/public open space or commonly held building or structure is to be owned and maintained. **Waiver granted for completeness only. The applicant shall provide.**

Item #54 requires the identification of all abutting land that is currently assessed as qualified farmland. **Waiver granted for completeness only. The applicant shall provide.**

Item #62 requires the location of fire hydrants and streetlights. **Waiver granted for completeness only. The applicant shall provide.**

Item #68 requires floor plan and front elevation of all proposed principal buildings and contemplated accessory buildings and structures, and any elevations in public view. **Waiver granted for completeness only. If successful, the applicant shall submit Architectural Plans when Grading Plans are submitted.**

Item #70 requires a lighting plan showing the location, height, light distribution, design and distance from intersections of for all freestanding, building mounted, sign lighting and ground lighting. **Waiver granted for completeness only. The applicant shall provide.**

Item #76 requires Recreation Facilities Plan and details where applicable in accordance with section 96-55. In accordance with the Township Ordinance a tot lot is required for the proposed development. **Waiver granted for completeness only. The applicant shall provide.**

Item #78 requires where there is potential future development of adjacent parcels or undeveloped portions of the subject lot, locations of future pedestrian and vehicular connections. **Waiver granted for completeness only. The applicant shall provide.**

Item #79 requires a 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. **Waiver granted for completeness only. The applicant shall provide.**

Item #80 requires barrier free sub code requirements if applicable. **Waiver granted by the Board at the March 20, 2024 hearing.**

Item #84 requires a letter containing a list of all items not installed or completed and to be covered by a performance guarantee, with quantities and cost of each item and the total cost of all items. **Waiver granted for completeness only. The applicant shall provide.**

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

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

For: 8

Against: 0

Abstain: 0

8-0-0

Mr. Hall stated that the Applicant is asking that the 1 lot on Seventh & Douglas Street Block 143 Lot 1 be turned into 4 lots via a Major Subdivision. These four lots would be Residential Lots in the Moderate Density Zoning District which allows for Residential Homes.

Mr. Hall stated that they are not asking for any Bulk Variances.

Mr. Hall stated that they are asking for a Major Subdivision (four lots) and later, down the line the applicant or new owner would have a developer come in and make an application to build on the lots. At that time Grading and Architectural Plans would be submitted.

Joseph Mancini, PE, PP of TriState Engineering & Surveying 900 Route 168 Suite 13 Blackwood, NJ 08012 was sworn in by Brian Clancy, Board Solicitor.

Mr. Mancini pointed out the proposed Major Subdivision on an exhibit board. This was entered as Exhibit A1 Overall Site Plan Sheet 2 of 9 dated 1/19/2024 revised 4/30/2024.

Mr. Mancini stated that this project proposes to improve a portion of 7th Street to allow driveway access points consistent with a Rural Road. The Residential Site Improvement Standards allow for 20' wide but based on Elk Township's Ordinance they increased that to 22' wide.

Mr. Mancini stated that this project proposes paved improvements to extend the improved portion of Douglas Street and at the intersection of Reed Street a hammerhead turn around is proposed, for all vehicles but emergency vehicles specifically.

Mr. Mancini stated that the Moderate Density Zone requires 30' minimum front yard setback but it also requires a 62' average front yard setback. He stated that this is unusual to have such a big deviation between the minimum front yard and the average front yard.

Mr. Mancini stated that they are seeking a Bulk Variance to allow for a smaller front yard.

Mr. Mancini stated that they have reviewed the Bach Review Letter dated June 14, 2024 and are agreeable to make all the changes and provide all the additional information that was requested and feels that they would comply with the conditions if granted approval for this project.

Mr. Mancini stated that they are anticipating 2 story dwellings with 4 bedrooms and driveways and have included Rain Gardens for Storm Water Management. Each house would share in the Storm Water Management requirements. As per the State Statute, an HOA would be required.

Some wooded areas in the back of the lots would be preserved.

The Storm Water Management was designed with some excess impervious potential to allow for a pool or shed on the property without the homeowner coming in for a Variance.

Steve Bach, Township Engineer asked if that additional impervious potential was noted in the Storm Water Management Plan.

Mr. Mancini answered no that it is not currently, but will be added to the General Notes and Storm Water Calculations per lot as to what is allowed.

Mr. Swanson asked how a Rain Garden works.

Mr. Mancini gave an overview of a Rain Garden.

Mr. Bach stated that a tot lot was required but due to this not planned as a multi family(duplex, triplex, etc.) a tot lot is not required.

Mr. Bach stated that the only relief being sought is for the average front yard setback.

Mr. Mancini stated that he is referencing Ordinance 96-68 D3-B that states an average front yard setback of 62' is required. The plan proposes a front yard setback of 45'.

Mr. Bach stated that the Ordinance has a front yard minimum set back of 30' but then adds in an extra item that denotes the average of the front yards to be 62'. This is item #10 on page 7 of the Bach Review letter dated 6/14/2024.

Mr. Bach stated that this is Bulk Requirement that requires relief and he has no objections to this Bulk Requirement.

Mr. Mancini stated that regarding the C2 criteria, the shorter setback is more consistent with the surrounding area as the adjacent properties have an average of a 50' front yard setback. If they were to have a 62' setback, that would mean all the lots would have that and that would move the houses back 30' and be in the middle of the property or some would be 100' and some 30' which would not look good from street view. Also, having a reduced average front yard setback minimizes the amount of impervious area so longer driveways would not be necessary, which means less impervious and less Storm Water Runoff. It also allows to maintain the wooded area in the backs of the properties. If the houses were to be pushed back on the property, the grading and septic might encroach further into the rear area that were to be left wooded.

Mr. Mancini stated that those two things, more vegetation and less impervious are benefits to the public and the negative criteria for a C2 Variance would be to determine if a substantial detriment

to the public good exists and he feels that the houses would look fairly consistent with the neighborhood. There is also no substantial impairment to the intent or purpose of the zone and they meet all of the Bulk Requirements including the Minimum Front Yard but do not meet the Average Front Yard Requirement.

Mr. Mancini stated that he feels that the benefits outweigh any perceived detriments.

Mr. Bach asked if the stone area adjacent to Douglas St. in the hammerhead turnaround will be paved.

Mr. Mancini stated that yes, it will be paved.

Mr. Bach asked if Mr. Mancini could explain to the Board about the Rural Street requirements.

Mr. Mancini agreed and stated that a Rural Street has very few trips on the street with very little traffic that is allowed to be 20' wide with no curbing or sidewalks but with grading on each side and roadside swales.

Mr. Bach stated that this Subdivision meets all the criteria of a Rural Street and is appropriate if you look at the surrounding roadways, they are also Rural Streets.

Mr. Bach stated that the graded areas provide for the same slopes and same widths if later down the line someone wanted to put sidewalks in that area.

Mr. Afflerbach asked why the 60% rule is in effect in the zone.

Mr. Bach stated that he believes it was a carry over from when the Ordinance was amended in 2005. He asked the Board Secretary to request the Township Committee to introduce an Ordinance to remove that Average Front Yard Requirement of 62' from the MD Zone.

Mr. Swanson asked how wide the proposed street would be.

Mr. Mancini stated that the paved portion is to be 22' wide.

Mr. Bach stated that the State requirement is only 20' wide. He is much more comfortable with 22' wide as it provides for 2(12') lanes.

Mr. Swanson asked how wide the hammerhead turnaround is.

Mr. Mancini stated that the hammerhead turnaround is 22' as well. A turning template for a firetruck was run for that measurement to make sure K turns could be performed. They looked into a cul de sac turnaround but there was not sufficient right of way for that.

Mr. Bach stated that the State allows for hammerhead turnarounds when there is not sufficient right away for a cul de sac.

Mrs. Nicholson stated that the Phase 1 report did not find any environmental issues but they did mention a potential historic property, and asked if this was resolved.

Mr. Mancini stated that he has read that also and there is some evidence of a foundation and/or debris. They will follow up on that and report back to the Board if they find any Environmental Concerns.

Mr. Bach read the report and feels that it is not an area of concern.

Mrs. Nicholson read from the report that there was a building there sometime in the 1940's but has no historic significance.

Mrs. Nicholson moved to open the public, seconded by Mr. Lucas.
With all members in favor, ***the motion was carried.***

With no comment from the public, ***Mr. Swanson moved to close to the public, seconded by Mr. Lucas.*** With all members in favor, ***the motion was carried.***

Mrs. Nicholson moved to grant Preliminary and Final Major Subdivision Cherena Cheng, (upon building the developer shall submit grading and architectural plans, the hammerhead will be paved, the plans shall be revised to include the Storm Water impervious details, a deed restriction for Storm Water management by the HOA, a C2 Variance for the average front yard setback 62' is required, 45' is proposed and all the conditions from the 6/14/2024 Bach Review Letter) seconded by Mr. Wolf.

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

For: 7

Against: 1

Abstain: 0

7-1-0

Mr. Swanson voted No to this application and stated that he does not like the 22' width of the road even if the State approves it.

Mrs. Nicholson moved to open the General Public Portion, Seconded by Mr. Goetsch. With all members in favor, the motion was carried.

Mr. Goetsch moved to close the General Public Portion, Seconded by Mrs. Nicholson. With all members in favor, the motion was carried.

Correspondence: None

The next Planning & Zoning Meeting will be held on Wednesday, July 10, 2024 at 7pm.

Adjournment: 7:37pm

***Mrs. Nicholson moved to adjourn, seconded by Mr. Goetsch
With all members in favor, the motion was carried.***

Adjournment time: ***7:37 pm***

These minutes are a brief summary of the proceedings that took place during the Elk Township Planning & Zoning Board meeting held June 19 , 2024 and should not be taken as verbatim testimony.

Respectfully submitted,

Ann Marie Weitzel, Board Secretary