

AUG 05 2024



LAND DEVELOPMENT APPLICATION
ELK TOWNSHIP, GLOUCESTER COUNTY, NEW JERSEY

TOWNSHIP OF ELK
PLANNING BOARD

Please complete all sections of the application form and submit all items required by the Land Development Checklist for your application. If you are requesting a waiver for any item, the request must be in writing and include written documentation in support of your waiver request(s). Any application that does not have all items submitted, or a waiver requested, will be deemed incomplete.

DO NOT PUBLISH PUBLIC NOTICE OR MAIL NOTICE TO THE OWNERS OF PROPERTY WITHIN 200 FEET UNTIL YOU HAVE RECEIVED THE DATE ASSIGNED FOR THE PUBLIC HEARING FROM THE BOARD SECRETARY.

To be completed by Township staff:

Date Filed: 8-5-2024

Application Number: SD-24-04
Application/Escrow Fees: paid

Date Deemed Incomplete: _____
Date Deemed Complete: _____

Date of Public Hearing: _____
Resolution Number: _____

Check all applicable:

- New Re-submission Concept
- Minor Subdivision Major Subdivision Variance(s)
- Minor Site Plan Major Site Plan
- Preliminary Approval Final Approval Amended Other _____
- Residential Commercial Industrial

1. Subject Property

Block(s): 10 Lot(s): 26 Zone Designation: UD Tax Map page: 4

Property Location: 1499 Ellis Mill Rd

Dimensions: Frontage 1477' Depth 1318' Total Area 44.29 ac

2. Applicant's Name: Nate Russo

Company Name: Russo Land Holdings, LLC

Address: 403 Helms Ave
Swedesboro NJ 08085

Phone Number: [Redacted] email: [Redacted]

Applicant is a: Corporation Partnership Individual

Nature of Applicant's equitable/possessory interest in the land: owner

3. Property Owner's Name: Same as applicant

Company Name: _____

Address: _____

Phone Number: _____ email: _____

*All titled owners of the property must sign the application evidencing their consent to the application. Attach a separate sheet for signatures, if necessary, and provide a copy of the current deed of ownership.

4. Attorney's Name: William Horner

Firm: Horner + Horner, LLC

Address: 107 Market St
Salem, New Jersey 08079

Phone Number: 856 935 0958 Fax #: 856 935 1708 Email: wlh@hornerlaw.net

5. Engineer's Name: Larry Di Vietro

Firm: Land Dimensions Engineering

Address: 1 East High St
Glassboro NJ 08038

Phone Number: 856 307 7800 Fax #: 856 307 7805 Email: larry@landdimensions.com

For Site Plans:

Commercial Industrial Other _____

Land to be developed _____ acres

Building size: _____ # of parking spaces _____

Proposed use: _____

For Residential:

Area of entire tract 44.29 acres

Portion to be subdivided 44.29

Number of lots created 3 # of units planned _____

Proposed use: 3 single family lots

Does the application require any variances? Yes No
Does the application require any conditional uses? Yes No

Please attach a separate sheet with a complete description of the variances requested and the reasons for relief. Please attach a statement as to the ways in which your project satisfies the requirements of the conditional uses. Your statements should cite the applicable Ordinance(s). Include the appropriate fees in your application and escrow fees.

Does the site front on a county road? Yes No Route # 041
Does the site front on a state road? Yes No Route # _____
Is the Site within 200 feet of another municipality? Yes No Name: _____

List all outside agencies to which application has been made regarding the proposed development:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
 Yes (attach copies) No Proposed _____

***Note: Copies of All deed restrictions, covenants, easements, association by-laws, existing and proposed must be submitted for review.**

Present use of the premises: vacant land

Proposed use: breaking off 2 smaller lots

8. Applicant's Planning Consultant: N/A

Address: _____

Phone Number: _____ Fax #: _____ Email: _____

9. Applicant's Traffic Engineer: N/A

Address: _____

Phone Number: _____ Fax #: _____ Email: _____

10. List any other Expert who will submit a report or who will testify for the Applicant. (attach additional sheets if necessary)

Name: N/A

Field of expertise: _____

Address: _____

Phone Number: _____ Fax Number: _____

11. List all other witnesses who will testify at the public hearing on behalf of the Applicant. (attach additional sheets if necessary)

Name: N/A

Nature of testimony: _____

Name: _____

Nature of testimony: _____

12. **Subdivision:** Number of lots created (include remainder): 3

Number of proposed dwellings: 2

Site Plan: Area to be disturbed (square feet) _____

Total number of proposed dwelling units: _____

Commercial square footage: _____

Site Plan Waiver: Reason for request: N/A

Variance: Request is hereby made for permission to erect, alter, convert, use, a parcel contrary to the requirements of the Township Ordinances or for other relief as follows:
(specify which ordinance sections are violated):

13. Said property has dimensions of 1477.58' x 1318.15' and area of 44.29 and is improved with the following structures: none

(If known, so indicate; or indicate whether dwelling or building; stating use thereof)

14. If less than the entire lot is to be utilized for the purpose hereinafter set forth, the area and dimensions of the portion of the lot to be utilized are: _____

15. Size of proposed building:

Square footage of Building footprint: _____ Total Square footage: _____
Feet wide: _____ Height: _____
Stories: _____

16. Setbacks of building (corner properties have 2 fronts):

Front: _____ Rear: _____
Side: _____ Side: _____
% Building Coverage: _____
% Impervious Coverage: _____

17. Date property acquired: 3/22/24

Prevailing zoning at time of acquisition: LD

Current Zoning: LD

18. Has there been any previous appeal, request, or application to this or any other Township Boards or the Construction Official involving these premises? _____ Yes No

If YES, state the nature, date and the disposition of said matter and attach copies of all prior resolutions of this or any other Land Development Board.

19. For a variance - What are the EXCEPTIONAL conditions of property preventing the applicant from complying with the Zoning Ordinance(s) (i.e. the positive and negative criteria)?

N/A

20. For variances - Submit a statement of facts showing why relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance.

N/A

21. All applicants must submit a copy of the Land Development Checklist and provide all of the information required in accordance with checklist. If waivers are sought, the applicant should submit a list of requested waivers with an explanation of the request.

22. Waivers requested of Development Standards and/or Submission Requirements (attach additional pages as needed):

N/A

23. Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of premises (attach additional pages as needed):

Creating 2 smaller lots & leaving 1 large "mother lot"

24. Is a public water line available? Y N

25. Is public sanitary sewer available? Y N

26. Does the application propose a well and septic system? Y N

27. Depict the location of the proposed well and septic on the plan submitted and the locations of any existing wells and septic systems on properties within 500 feet of the location of the proposed wells and septic systems.

28. Type of construction (frame, stone, brick, cement, etc.) _____

29. Present use of existing building(s) and premises: _____

30. Total proposed dwelling units: _____

31. Total proposed professional offices: _____

32. Total proposed floor area: _____

33. Total proposed parking spaces: _____

34. Are there any off-tract improvements required or proposed? no

35. What form of security does the applicant propose to provide as performance and maintenance guarantees?

N/A

36. Other approvals which may be required and date plans submitted:

	Yes	No	Date Application Submitted
County Planning Board Approval	<u>X</u>		
County Health Department		<u>X</u>	
County Soil Conservation District		<u>X</u>	
Elk Municipal Utilities Authority		<u>X</u>	
NJ Department of Transportation		<u>X</u>	
NJ Department of Environmental Protection			
Stream Encroachment Permit			
Waterfront Development Permit			
Wetlands Permit			
LOI (letter of Interpretation)	<u>X</u>		<u>7/10/24</u>
Other _____			
Other _____			

I hereby consent to the filing of this application and consent to allowing Township representatives to perform on site visits. (Both signatures are required.)

Applicant's Signature: [Signature] Date: 8/1/24

Owner's Signature: [Signature] Date: 8/1/24

Date: _____

Sworn to and Subscribed before me this 15th day of August 2024.

GINA M. RUSSO
Notary Public, State of New Jersey
Comm. # 2429684
My Commission Expires 02/05/2028

[Signature]
Notary Public



September 13, 2024

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

Attn: Ann Marie Weitzel, Board Secretary

Re: Nate Russo
Block 10, Lot 26
1499 Ellis Mill Road
Minor Subdivision
LD – Low Density Residential District
Elk Township Application SD-24-04
Bach Associates Proj. # ETPB2024-16

Dear Chairman Afflerbach and Members of the Board:

We have reviewed the application and supporting documents submitted by Nate Russo for a minor subdivision to divide one existing lot into three proposed lots. The existing lot is located on the northwesterly side of Ellis Mill Road between Elk Road (CR 538) and Millstone Way. Existing Lot 26 is 44.12 acres of vacant wooded land. The parcel is located within the LD Low Density Residential District and is surrounded by wooded, agricultural, and residential properties. The applicant is not proposing any site improvements at this time.

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

1. Land Development Application for Minor Subdivision submitted August 5, 2024, Escrow Agreement, and Affidavit of Applicant and Ownership.
2. Plan entitled "Plan of Minor Subdivision, Block 10 Lot 26, Situate Elk Township, Gloucester County, New Jersey", prepared by Land Dimensions Engineering, dated 7-19-24, no revision.

COMPLETENESS:

The application is presently incomplete. The applicant has not requested the following waivers from the Land Development Checklist but they have not been provided:

- **#33** requires a statement and demonstration of compliance with affordable housing requirements as applicable including §70-4. **Waiver recommended for completeness only.**
- **#41** requires Location of existing wells and septic systems and distances between them, and on adjacent properties where required by the Board ***Our office has no objection to a waiver being granted for this 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.***
- **#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.***
- **#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 affect on the existing drainage pattern. ***Our office has no objection to a waiver being granted for this 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.***
- **#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.***
- **#67** requires If on-site sewerage disposal is required (septic system), the results and location of all percolation tests and test borings. ***Our office has no objection to a waiver being granted for this item.***
- **#73** requires A letter of Interpretation from the New Jersey Department of Environmental Protection. ***Our office has no objection to a waiver being granted for this item.***

If a waiver is granted for completeness only, the information shall be provided as part of the compliance submission.

LD Zone Bulk Standards

The properties are within the LD Low Density Residential which permits agricultural uses and buildings, single-family detached dwellings, public parks and accessory uses that are customarily incidental and subordinate to the primary use on site. The zoning standards are provided below.

Section	Required	Proposed Lot A	Proposed Lot B	Proposed Lot C	Compliance
96-69.D(2)(a) Max Lot Size	40,000	1,214,337	87,500	695,609	Yes
96-69.D(3) Min Front yard	40	888.49	350	264.4	Yes
96-69.D(4) Min Rear Yard	40	>40	>40	>40	Yes
96-69.D(5)(a) & (b) Min Side Yard	10/50	>10/50	>10/50	>10/50	Yes
96-69.D(6)(a) Min Lot Width at building line	150	792.98	300	209.7	Yes
96-69.D(7) Min lot depth	200	923.15	250	742.5	Yes
96-69.D(9) (a) Min Lot Frontage	135	>135	>135	>135	Yes
96-69.D(10) Max height	35	<35	<35	<35	Yes
96-69.D(11)(a) Max building coverage	20	<20	<20	<20	Yes
96-69.D(12)(a) Max total	25	<25	<25	<25	Yes

REVIEW COMMENTS

1. The applicant is not proposing any improvements to any proposed lots at this time. At the time of proposed improvements, the applicant shall comply with bulk standards of the zone or return to the board to request variances as may be necessary.
2. Per §96-47.1.B.(1)(a), "For all minor subdivision plans, each deed of conveyance for any of the subject lots shall include the following deed notice: 'Notice: On the date of the creation of this lot, Elk Township permitted and may continue to permit by ordinance, farming activities which some may deem offensive such as, but not limited to, aerial and ground application of pesticides, use of power-driven equipment, such as tractors and irrigation pumps, grazing of livestock, etc.'"

3. The applicant is not proposing any improvements as part of this application. However, it is noted that if the applicant disturbs more than one (1) acre of land and/or creates one-quarter acre or more of 'regulated impervious surface' or "regulated motor vehicle surface' or any combination, it will cause the application to be deemed a Major Development under the NJDEP Stormwater Regulations.
4. The applicant's Land Surveyor is responsible for ensuring that all lots, dedications and easements have proper closure and shall submit lot closure reports to our office for review.
5. The applicant shall submit legal descriptions of each proposed lot for review.
6. The plan shall note the date that a field survey was performed on this property.
7. A certification that the new lot number has been assigned by the tax assessor must be provided.
8. In accordance with Title 46 Chapter 26B-2.b.(7) "all permanent easements, including sight right easements and utility easements shall be shown and dimensioned." All existing and proposed easements shall be shown on the Minor Subdivision Plan.
9. Legal descriptions for all easements and proposed lots shall be submitted to our office for review.
10. All rights-of-ways and easements whether dedicated to public or private entities shall be filed by deed.
11. A note shall be added to the plans indicating the number of lots to be created by this subdivision.
12. The Plan shall list a point of beginning for each legal description submitted.
13. The plan shall list if any roadway widening is necessary for Ellis Mill Road. Ellis Mill Road is a county roadway and approval from the Gloucester County Planning Board is required.
14. The note on the plan states that the wetlands buffer shown is subject to review and final approval by NJDEP. Note #4 lists an LOI number, the applicant must provide information if this LOI is still valid or a new LOI is being requested.
15. The minor subdivision is based on a survey that was last revised in February of 2019. A certification that the survey is current must be provided.
16. Per Section 70-4.D. of the Township Code, the applicant will be required to provide a fee of 1.5% of the equalized assessed value for each new residential unit, to the Township's Affordable Housing Trust Fund.

Nate Russo
Block 10, Lot 26
1499 Ellis Mill Road
Minor Subdivision
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September 13, 2024
Page 5 of 5

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: Jeffrey D. Cheney, Esq, Board Solicitor
Nate Russo, Applicant/Owner
William Horner, Esq., Applicant's Professional

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