

Elk Township Combined Planning and Zoning Board

Regular Business Meeting July 10, 2024

Minutes

Call to Order:

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

Roll Call:

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

Absent: Mr. Hughes, Mr. Swanson (alt. 2)

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: June 19, 2024

Mrs. Nicholson moved to approve the minutes of June 19, 2024

Seconded by Mr. Lucas

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

General Business:

Memorialize Resolution: 2024 – 10 granting a Major Subdivision to Cherena Cheng, regarding property located at 7th and Douglas St, and being further shown as Block 143, Lot 1 on the Tax Maps of the Township of Elk, Application No.: PB-24-01

Mr. Wolf moved to adopt resolution 2024 - 10. Seconded by Mr. Lucas.

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

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

For: 7

Against: 0

Abstain: 2

7-2-0

Mr. Lucas and Mrs. Nicholson abstained from the vote as they were not present at the previous meeting when the Application was heard and voted on.

Old Business: None

New Business:

- 1. Considine Minor Subdivision/Lot Line Adjustment Block 36 Lot 9
111 Railroad Ave Application No. SD-24-02
Completeness followed by Public Hearing**

Board Engineer, Steve Bach, referred to the Planner and Engineer’s Letter dated July 3, 2024 and stated that the applicant has provided all the required information that is necessary for the application to be deemed complete, and asks that the board deem the application complete.

Mr. Richardson moved to deem the application complete. Seconded by Mr. Wolf.

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

For: 9

Against: 0

Abstain: 0

9-0-0

The Applicant, Steve Considine, was sworn in by Solicitor Brian Clancy.

Steve Bach, Twp Engineer, gave an overview of the application. A Minor Subdivision Application to divide one lot into two proposed lots. No Variances are required. Review comment #9 which asks for a deed notice to include the Right to Farm as per the ordinance. It is noted on the plan but will also need to be written in the deed. Mr. Bach stated that this is a compliant by right, Minor Subdivision for the Board’s consideration.

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

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

Mr. Lucas moved to grant a Minor Subdivision to Stephen Considine, (adhering to all the conditions from the 7/3/2024 Bach Review Letter) seconded by Mr. Wolf.

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

For: 9

Against: 0

Abstain: 0

9-0-0

**2. Dabney Bulk Variance for Pool and Fence Block 29.08 Lot 2
517 Empire Way Application No. ZB-24-03
Completeness followed by Public Hearing**

Board Engineer, Steve Bach, referred to the Planner and Engineer’s Letter dated June 13, 2024 where the Completeness Items are listed as waiver recommended or for completeness only. With those recommendations outlined in the Review Letter, Mr. Bach would ask that the application be deemed complete.

Mrs. Nicholson moved to deem the application complete. Seconded by Mr. Richardson.

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

For: 9

Against: 0

Abstain: 0

9-0-0

The Applicant, William Dabney, was sworn in by P & Z Solicitor Brian Clancy.

Steve Bach, Twp Engineer, gave an overview of the application, a Bulk Variance to permit the construction of an inground pool with a concrete walkway and fence at 517 Empire Way.

Mr. Bach noted that originally this was the Aura Community which was originally planned as an age restricted community with smaller lot sizes and received approval for conversion to a market rate family residential development in 2011 (Resolution 2011 – 13).

Mr. Bach stated that the Zoning for this application is RE – Rural Environmental which permits single-family dwellings and the associated use of a swimming pool.

Mr. Bach outlined the Variances needed for this application:

1. Impervious Coverage 596-71D(12) - The applicant is proposing an impervious lot coverage of 56.5% where 20% is the maximum lot coverage permitted. It shall be noted that the existing impervious lot coverage is 42.5%. **A variance is required.**
2. Swimming Pool Side Yard Setback 596-81 B(1) - The applicant is proposing a side yard setback of 10' to a swimming pool where 25 feet is the minimum side yard setback permitted for a swimming pool. **A variance is required.**
3. Swimming Pool Rear Yard Setback 596-81 B(1) - The applicant is proposing a rear yard setback of 10' to a swimming pool where 25 feet is the minimum rear yard setback permitted for a swimming pool. **A variance is required.**

Mr. Dabney stated that this pool has been a project since Covid and would be used for the kids entertainment. This would make their house a stay-cation place for their children to go to during the summertime.

Mr. Dabney stated that the deck will extend their rear exit which will be 4' off the ground with stairs going to ground level. The pool will be 11' x 31' with a concrete walkway around the pool. A fence will be constructed at the rear of their property linking up with the side neighbors' fences.

Mr. Bach asked if the Dabney's were in receipt of the Review Letter dated June 13, 2024 stating that any backwash from the pool would need to be contained on site using a popup type discharge or whatever is appropriate along with the fencing complying with any requirements for a pool.

Mr. Dabney agreed to all the conditions in the Review Letter dated June 13, 2024.

Mr. Bach notes that this review that the impervious coverage exceeds not only the ordinance but the design parameters outlined for the development itself. This exceedance does not rise to the level of a NJDEP Major Development Application but it exceeds the design parameters and would put an additional burden and tax the Stormwater Management System.

Mr. Bach states that the Homeowners Association did approve this improvement/modification by way of their letter dated May 2, 2024.

Mr. Bach states that if this application is approved that the homeowner will be required to obtain a Grading Application as a condition of approval.

Mr. Dabney agreed to all the conditions outlined in the Review Letter.

Mr. Bach stated that this application would be best guided by the C2 criteria for Variances which indicates that the Board must determine that 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.

Mrs. Nicholson asked about the noticing of the application and if the neighbors were notified.

Mr. Bach stated that notice was given to the neighbors.

Mrs. Nicholson stated that she had her biggest concern was the impervious area as it exceeds the basin design and the Twp will have a Stormwater problem.

Mrs. Nicholson asked if the existing property exceeds the impervious requirement.

Mr. Bach stated yes, the existing impervious coverage already exceeds the 20% of maximum lot coverage and also exceeds the impervious coverage that is demonstrated in the drainage calculation when this development was originally approved which is 34% per lot coverage for an age restricted development.

Mr. Bach stated that we have had several applications for this development and there are varying size homes on consistent sized lots. Some homes are bigger, some are smaller and that would impact the lot coverage from lot to lot.

Mrs. Nicholson asked what the percentage of the new concrete around the pool is and could that be porous pavement and could that help out with the percentages.

Mr. Bach stated that slightly less than half of the impervious coverage is coming from the new concrete around the pool.

Mr. Clancy asked if there was any concrete below the deck and Mr. Dabney stated that no concrete was planned for under the deck.

Mr. Bach stated that under our ordinances, decks are considered as impervious coverage, the DEP has issued guidance that for Stormwater purposes they consider decks as pervious coverage as long as they are open to the ground underneath and as long as there is gaps/spacing between individual boards.

Mr. Bach asked the applicant what the deck is going to be constructed of and Mr. Dabney stated that the deck will be made of Trex materials, not tongue in groove and below the deck will be open ground surface.

Mr. Bach stated that the concrete surround could be a pervious system such as pervious pavers with the appropriate underlayment.

Mr. Bach stated that if the applicant applied these two items, trex deck with no concrete below and pervious pavers that would mitigate the impact for the variance for impervious coverage.

Mr. Dabney stated that they would be willing to address those issues with the appropriate remedies.

Mrs. Nicholson asked if the fence across the back of the property would need an agreement to link up to the neighbor's existing fences.

Mr. Clancy, stated that no agreement would be needed, it is a common fence line but if the neighbor's fences were to come down it would be the responsibility of the applicant to be in compliance with the ordinance regarding pools and fencing.

Mrs. Wheeler asked if the applicant leaves beneath the deck dirt would that be ok.

Mr. Bach stated that as long as it drains into the soil anything would work, such as filter fabric, stone etc. as long as it is not impervious material.

Mr. Dabney stated that they had no plans for a hard surface under the deck.

Mr. Clancy asked how long the applicant has lived there and if there have been any drainage issues in the backyard.

Mr. Dabney stated that they have lived there for 8 years and have had no puddling etc.

Mr. Dabney stated that there are about 5 + pools in the neighborhood and he has spoken with quiet a few of those homeowners and they have had no problems with drainage issues, and the HOA president has a pool and had no issues granting permission for a pool.

Board President, Mr. Afflerbach stated that Mrs. Nicholson had no issues with drainage but with overwhelming the Stormwater Basin which would cost everyone money if that failed.

Mr. Lucas moved to open to the Public, seconded by Mr. Nicholson.

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

Chelsea Sharkey, 515 Empire Way, was sworn in by P & Z Solicitor Brian Clancy.

Mr. Sharkey handed out packets that contained pictures for reference as his wife was speaking.

Mrs. Sharkey stated that the quality of life, safety and the ability to raise her two young children would be impacted negatively by a pool next door to her.

Mrs. Nicholson asked if the deck in the packet of pictures belonged to her and was it the same height as the deck the applicant was proposing. Mrs. Sharkey stated yes, that was her deck and it is the same height as the proposed deck.

Mr. Clancy, Board Solicitor asked that Mr. Sharkey not testify from the back and to come up and get sworn in.

Matt Sharkey was sworn in by Board Solicitor Brian Clancy.

Mr. Clancy asked that the Packet of Pictures that the Sharkey's are referencing be marked as Exhibit P1(12 page document).

Mr. Peterson asked if they have spoken to someone, perhaps your builder, regarding the drainage issue.

Mr. Sharkey stated that they have spoken to their builder and he has come out to examine the problem and offered remedies such as drains, etc but the problem is the gas line runs in that area also.

Mr. Afflerbach asked how much space between the Sharkey's house and the property line.

Mr. Sharkey stated that there is 8 feet between their house and the property line.

Mr. Peterson asked if they have contacted the HOA regarding the water problem shown in the picture.

Mrs. Sharkey stated that the HOA is a little haphazard right now, they are having trouble getting board members so there is one person on the board and he has a pool so she felt that he would be in a difficult position to be a no vote.

Mr. Bach stated that the deck that is proposed would be considered a new structure and therefore needs a variance.

Mr. Bach asked to see the notice that was sent out to view the language used regarding variances.

Board Secretary, Ann Marie Weitzel, provided the public notice to Board Solicitor Brian Clancy for his review.

Mr. Clancy stated that the notice stated that any additional variances or waivers that the Board may deem necessary are also requested on the property.

Mr. Bach stated that the application can still continue with the note that there are now four variances being asked for.

Mr. Lucas moved to close to the public, seconded by Mr. Richardson. With all members in favor, ***the motion was carried.***

Mr. Lucas asked if the Board has ever delayed a vote to get more information.

Mr. Bach stated that we have asked applicants if they would like to table the vote. The option to the applicant is a up down vote or to ask the Chairperson for a continuance with no additional notice required until the next scheduled meeting.

Mr. Dabney asked why a new variance would be needed for the deck.

Mr. Bach explained that the current zoning is 20 feet setback and the deck would encroach upon the setback because the development was originally built for an age restricted community.

Mr. Dabney stated that he wishes to have a vote taken at this meeting.

Mr. Peterson asked if the applicant was going to run his pool pump 24 hours a day.

Mr. Dabney stated that he does not plan on running his pool pump 24 hours a day.

Mr. Dabney stated that the pump would probably be on the opposite side of the house.

Mr. Goetsch asked what the rear setback line for the deck would be.

Mr. Bach stated that the proposed deck would be 26 feet towards the rear yard where 40 feet is required and this will require a variance.

Mr. Goetsch stated that the equipment pad would come back from the house approximately as far as the house does. He asked if that concrete pad would need to have a set back also.

Mr. Bach stated that the equipment pad would be under accessory setbacks.

Mr. Bach referred to the Elk Twp Code book and determined that a minimum of 10 feet would be the setback and the property conforms to that measurement.

Mr. Goetsch asked what a C1 Variance exceptional practical difficulties and hardships are and examples.

Mr. Bach stated that a corner lot is considered an exceptional shaped lot, or a lot that is on a curve of a street. Also, a grade falls between the front and back yards of 10 feet or so would indicate an exceptional practical difficulty.

Mr. Goetsch stated that just because you have a small lot with as small back yard, you do not have exceptional circumstances under the C1 Variance. Mr. Bach agreed.

Mr. Bach stated that is why they would go with the C2 Variance where the benefits of advancing and approving the Variances, and does that outweigh substantially the detriments that the Variances would cause.

Mr. Goetsch asked if the proofs are for the positive, family and entertainment and the negative are the items addressed in the review letter.

Mr. Bach stated that the Board's job is to deliberate and if the opinion is that the benefits of the variances substantially outweigh the detriments created then it would be a yes vote.

Mr. Peterson moved to grant Bulk Variance for a pool, deck and fence with these conditions (*minimum rear yard setback where 40' is required existing is 31.1, 26' is proposed for the deck, *minimum side yard setback 20', 5.4' is there and 5.4' is proposed, *maximum impervious coverage 20' is required 42.5% is there and 56.5% is proposed, *swimming pool minimum setback to waterline(rear) 25 ft required, *swimming pool minimum setback to waterline (side) 25 ft required) seconded by Mr. Wolf.

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

For: 6

Against: 3

Abstain: 0

6-3-0

**3. Copart of Connecticut, Inc Preliminary and Final Major Site Plan with Use Variance
Jacob Harris Lane Block 66 Lot 1.04
Application Number ZB-24-02**

Mr. Bach stated that this application was deemed complete on May 15, 2024.

Jen Johnson of Flaster Greenberg, Cherry Hill, New Jersey, Attorney for Copart was sworn in by Solicitor Brian Clancy.

Mrs. Johnson stated that Copart's Application is asking to extend the prior use that was granted on Lot 1.01 to Lot 1.04, both located on Jacob Harris Lane.

This expansion would be for an Auto Auction Storage Yard in the M1 Manufacturing District.

This Lot is located on Jacob Harris Lane and is 4.4 acres. A small amount of this lot is located in Glassboro, NJ but no improvements in that section are anticipated. A letter was received from Glassboro, NJ stating that no approvals would be needed since the improvements would be happening in Elk Twp.

A Bulk Variance is asked for as well due to the fact that Copart would like to surround the site with an 8' fence for security purposes where our ordinance only allows for a 4' fence in the front of the building and a 6' fence around the side and rear of the property. This new 8' fence is what is currently around the site and would just be a continuation of that fence.

Mr. Tim Buzzell, Regional Manager of Copart of Connecticut, Inc. was sworn in by Solicitor Brian Clancy.

Mr. Buzzell stated that Copart is an online auction facility who auctions off vehicles on behalf of insurance companies, lease companies, rental companies, etc.

The site is currently used for car storage.

The auction is 100% online and the only time customers come to the site is when they are to transport the vehicle after purchase or when owners need to come and remove personal belongings from the vehicle before it is sold.

The vehicles in the storage area vary from salvage cars, rental cars to motorcycles, boats and campers.

Mr. Buzzell gave an overview of the process at Copart: the office will dispatch vehicles for pickup from body shops and dealerships and the vehicles will come to the site where the staff will inventory the vehicles and store them until the transferrable title documents are received from either the owner or insurance company. Once the title documents are obtained, the vehicle is placed for auction, online. Once the vehicle is purchased, it must be paid for within 2 days of purchase and arrangements made to transport the vehicle offsite.

The proposed new space will hold about 600 vehicles.

No new structures will be built on site, it will just be an extension of the parking/storage area.

No new employees will be added. They currently have 6 employees at this time.

The trash will only be from the office, no vehicle waste.

No new signage, lighting or septic will be added.

The plans in place for Lot 1.01 regarding spill prevention, drip prevention, prohibited activities and environmental reports will govern this new lot as well.

Mr. Bach asked about Dead End Access Aisles as noted in their review letter, will there be those dead end access aisles or will there be circulation.

Mrs. Johnson stated that will be addressed by their Engineer when he speaks.

Mr. Bach asked if there will be signage relating to the Spill Prevention Protocol on the new lot if approved.

Mr. Buzzell stated that yes, new signage related to the Spill Prevention Protocol will be added to the new lot.

Mr. Bach asked if the new fence will have the same electrical fence component for trespassing deterrent as the existing fence on Lot 1.01 and if so have that type of fence documented on the new plans.

Mr. Buzzell agreed to document the new fence with the electrical component on the plans.

Mr. Afflerbach asked if there was to be a new entry into the new storage space.

Mr. Buzzell stated that no new entrance will be made, you will enter through the original lot.

Mr. Afflerbach asked if new lighting will be needed for this new lot.

Mr. Buzzell stated that no new lighting will be needed.

Mr. Afflerbach asked if the increase of 600 cars will increase the traffic flow.

Mr. Buzzell stated that it will not increase the traffic flow.

Mr. Buzzell stated that Copart needs to expand due to there being more cars on the road and they would like to have that additional space.

Mr. Afflerbach asked if there will be more online auctions due to the increase of vehicle volume.

Mr. Buzzell stated that their auction schedule is set.

Mr. Buzzell stated that they are not increasing the daily volume coming into the facility but increasing the available space to put the vehicles.

Mr. Afflerbach asked how many vehicles are on site now between existing cars, proposed cars and the new lot.

Mr. Buzzell stated that he does not have that number.

Mr. Bach stated that this application, like the previous one, has areas where vehicles can go with no limitation on how close or far apart they are spaced along with access aisles so the application is not limited to how many vehicles, numbers or anything else, just stating where they can go. This application is for 600 vehicles in the area designated for vehicle storage.

Mr. Richardson asked to clarify that they have space for 600 more vehicles but they are not bringing in 600 more vehicles now.

Mr. Buzzell stated yes they have that space for 600 more vehicles but no intention of bringing in 600 more vehicles now.

Mr. Bach stated that they have space allocated for the storage of 600 more vehicles, if those vehicles were Mini's they could store more and if those vehicles were Suburban's they could store less.

Mr. Buzzell stated that one need for the additional storage space comes from delays in paperwork from DMV and when customers can pick up the vehicle.

Mr. Bach asked if any truck loading/unloading, staging, transports will happen on Jacob Harris Lane, this will happen on site.

Mr. Buzzell stated that no truck loading, staging or transports will happen on Jacob Harris Lane this will happen on site.

Mr. David Domen, Engineer with Marthon Engineering & Environmental Services, Swedesboro, New Jersey was sworn in by Board Solicitor Brian Clancy.

Mr. Domen showed on the exhibit the area to be expanded consisting of a Stormwater Basin and a Storage Yard.

Mr. Domen spoke about the 100 year flood plain and stated that that would be shown on the plans.

Mr. Domen stated that a 25' drive aisle will be added to connect the two lots.

Mr. Peterson asked what the proposed soil to be used will be.

Mr. Domen stated that they will be using DGA, Dense Graded Aggregate.

Mr. Domen stated that a legend of the cross hatch of the stone along with a Truck Turning Template will be put on the plan for reference.

Mr. Bach stated concern on an existing blanket drainage easement on an existing lot 1.01. He suspects it is a blanket easement to the benefit of Elk Twp for the drainage of Jacob Harris Lane.

Mrs. Johnson states that yes, the blanket drainage easement is for the benefit of Elk Twp for the drainage of Jacob Harris Lane.

Mr. Domen stated that only the landscaping area out front goes to the drainage along Jacob Harris Lane everything from the drive aisle goes to the basin.

Mr. Buzzell stated that the property is graded up from the road.

Mr. Buzzell stated that a separate, stormwater runoff drainage easement shall be provided for the portion of Jacob Harris Lane fronting the subject property and this easement shall benefit Elk Twp.

Mr. Buzzell stated that an LOI to the DEP was submitted in January of 2024. He also stated that they are outside of the Wetlands Buffer and will not need any wetlands permits.

Mr. Buzzell stated that they are going to remove the wall from around the basin and grade up into the site. He also stated that if a wall was to be constructed, all structural calculations and elevations will be provided.

Mr. Buzzell agreed to all the other technical items in the July 8, 2024 Review Letter.

Mrs. Johnson asked for a waiver for the Tree Protection Plan.

Mr. Bach stated that the DEP requires tree planning requirements regarding Stormwater Management. There is a pending Elk Twp Tree Replacement Ordinance that can be sent over. This Tree Protection Plan requirement cannot be waived.

Mrs. Johnson stated that the waiver for the Tree Protection Plan be stricken from the record.

Mrs. Johnson stated that they will be providing a Maintenance Plan for the Basin.

Mr. Buzzell stated that an application for Soil Erosion was sent in June of 2024 and an application for a county waiver for Site Plan review will be going in shortly.

Mr. Creigh Rahemkamp, Planner was sworn in by Board Solicitor Brian Clancy.

Mr. Rahemkamp stated that this particular Use is in the right place in the community, the M1 Zoning District as similar uses are permitted in this district.

Mr. Rahemkamp stated that this use advanced 2 Primary Purposes in the MLUL the first one being Purpose G – speaks to the need and supports the efficient functioning of used car market. Population is increasing so we need additional storage of vehicles, the amount of leased vehicles has increased vs the sale of vehicles over the last 20 years. And we are owning cars longer, meaning the used car volume has increased. Purpose M – speaks to the more efficient use of land to expand the existing facility instead of finding a new location for this facility. We do not want to frustrate the intent and purpose of Planning/Zoning Policy. This application does not frustrate the ability to attract uses to the M district, there is plenty of land in the M district we are not blocking that by this use and this use does not limit the ability of the land around it to be used as it is zoned. There is no substantial detriment to the neighborhood any more than a permitted use would.

Mr. Rahmekamp stated that the fence with the wire above is a continuation of the existing fence in the existing lot and it is aesthetically pleasing to have a screen so you won't see the cars along with the security benefits.

Chairman, Mr. Afflerbach asked if any of the members of the Board have questions, no one did.

Mr. Goetsch moved to open to the Public, seconded by Mr. McKeever.

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

Mr. Goetsch moved to close to the Public, seconded by Mr. Richardson

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

Mr. Bach asked the status of the improvements under the previous approved yard.

Mr. Buzzell stated that they are completed.

Mr. Bach asked that they call for Final Inspections to close this application.

Mr. Richardson moved to grant a Use Variance to Copart of Connecticut, 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				A	Wolf	Y			
Lucas				A	Peterson (Alt. 1)	Y			
McKeever	Y				Swanson (Alt. 2)				A
Nicholson				A	Afflerbach (Chair)	Y			
Richardson	Y								

For: 7

Against: 0

Abstain: 0

7-0-0

Mrs. Wheeler moved to grant a Bulk Variance (fence) to Copart of Connecticut, 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				A	Wolf	Y			
Lucas				A	Peterson (Alt. 1)	Y			
McKeever	Y				Swanson (Alt. 2)				A
Nicholson				A	Afflerbach (Chair)	Y			
Richardson	Y								

For: 7

Against: 0

Abstain: 0

7-0-0

Mr. Goetsch moved to grant Preliminary Site Plan Approval to Copart of Connecticut, 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				A	Wolf	Y			
Lucas				A	Peterson (Alt. 1)	Y			

McKeever	Y				Swanson (Alt. 2)				A
Nicholson				A	Afflerbach (Chair)	Y			
Richardson	Y								

For: 7

Against: 0

Abstain: 0

7-0-0

Mrs. Wheeler moved to grant Final Site Plan Approval to Copart of Connecticut, 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				A	Wolf	Y			
Lucas				A	Peterson (Alt. 1)	Y			
McKeever	Y				Swanson (Alt. 2)				A
Nicholson				A	Afflerbach (Chair)	Y			
Richardson	Y								

For: 7

Against: 0

Abstain: 0

7-0-0

Mr. Goetsch moved to enter the General Public Portion of the Meeting, seconded by Mr. Richardson.

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

Mr. Goetsch moved to close the General Public Portion of the Meeting, seconded by Mr. Richardson.

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

Correspondence: None

Adjournment:

Mr. Goetsch moved to adjourn, seconded by Mr. Richardson.

With all members in favor, the motion was carried.

Adjournment time: ***8:54 pm***

These minutes are a brief summary of the proceedings that took place during the Elk Township Planning & Zoning Board meeting held July 10, 2024 and should not be taken as verbatim testimony.

Respectfully submitted,

Ann Marie Weitzel, Board Secretary