



August 14, 2025

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

Attn: Ann Marie Weitzel, Board Secretary

Re: ARCR Home Builders, LLC
Block 168, Lots 2, 3.01, 3.02 & 3.03
0 Ninth Avenue & 532-536 Eighth Avenue
Minor Subdivision & Use Variance
Review #2 - Technical
MD – Moderate Density Residential District
Elk Township Application SD-25-01
Bach Associates Proj. #ETPB2025-3

Dear Chairman Afflerbach and Members of the Board:

We have reviewed the application and supporting documents submitted by ARCR Home Builders, LLC for a minor subdivision and use variance to consolidate four existing lots into two proposed lots with single family dwellings. The existing property fronts on both 8th Avenue and 9th Avenue between Fairview Road (VR 637) and Marion Street in within the MD Moderate Density District. The property's existing structures are to be removed and replaced with two (2) single family dwellings, resulting in a proposed density of 2.18 dwelling units per acre where a maximum of 1.5 is permitted in the MD District, which necessitates the requested use variance.

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

1. Land Development Application for Minor Subdivision and variance submitted April 21, 2025.
2. Zoning Board of Adjustment Use Variance Application Form Submitted April 21, 2025.
3. Land Development Checklist.
4. List of variances and waivers dated April 17, 2025.
5. Photograph exhibit.
6. Architectural Plans entitled "Westin II Model for Reference Only", prepared by Bishop & Smith Registered Architects, dated 11-05-20, no revision (6 sheets).
7. Survey entitled "Plan of Survey and Topography, 0 Ninth Avenue and 532-536 Eighth Avenue, Glassboro, New Hersey 08028, Lots 2, 3.01, 3.02 and 3.03 in Block 168 on Tax Map Sheet 38, Situate in the Township of Elk, Gloucester County, New Jersey", prepared by K2 Consulting Engineers, dated 3-02-25, no revision.

8. Plan entitled “Plan of Minor Subdivision of 0 Ninth Avenue & 532-536 Eighth Avenue, Glassboro, New Jersey 08028, Lots 2, 3.01-3.01 in Block 168, Situate in the Township of Elk, Gloucester County, New Jersey”, prepared by K2 Consulting Engineers, dated 3-20-25, no revision.
9. Plan entitled “Use Variance Plan, 0 Ninth Avenue & 532-536 Eighth Avenue, Glassboro, New Jersey 08028, Lots 2, 3.01-3.01 in Block 168, Situate in the Township of Elk, Gloucester County, New Jersey”, prepared by K2 Consulting Engineers, dated 3-20-25, no revision.

COMPLETENESS:

The application was deemed complete by the Board at a meeting on May 21, 2025.

OWNER/APPLICANT:

Applicant: ARCR Home Builders, LLC
 2001 College Drive, #19
 Clementon, NJ 08021
 215-559-1660

Owner: R&R Group Development
 1749 Delsea Drive
 Deptford, NJ 08096
 215-559-1660

ZONING:

The property is within the MD Moderate Density 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 following table indicates the bulk standards for the entire lot based on the current MD standards.

Section	Required	Existing	Proposed Lot A	Proposed Lot B	Compliance
§96-68D(2) Min Lot Size	20,000	40,000	20,000	20,000	Complies
§96-68D(3) Min Front Yard Setback ¹	30	19.3*	32	32	Complies

Section	Required	Existing	Proposed Lot A	Proposed Lot B	Compliance
§96-68D(3) Average Front Yard Setback ¹	62	19.3*	32**	32**	Variance
§96-68D(4) Min Rear Yard Setback	35	174	126	126	Complies
§96-68D.(5) Min Side Yard Setback	10	64.8	30	30	Complies
§96-68D.(5) Min Side Yard Setback aggregate)	25	241.8	60	60	Complies
§96-68D.(6)(a) Min Width at Building Line	85	200	100	100	Complies
§96-68D.(7) Min Lot Depth	100	200	200	200	Complies
§96-68D.(9)(a) Min Lot Frontage	75	400	200	200	Complies
§96-68D.(10) Max Height	35 ft	<35	<35	<35	Complies
§96-68D.(11) Maximum Building Coverage	30%	4.2	8.2	8.2	Complies
§96-68D(12) Max Impervious	35%	5.3	11.3	11.3	Complies

¹ Per §96-66H, "Except for corner lots, whenever there exists a conforming lot with a dwelling unit, where said lot has frontage on two rights-of-way, only the yard abutting the front facade of the dwelling unit shall be considered the front yard. The yard abutting the second street shall be considered a rear yard." Therefore the yard abutting 8th Avenue shall be considered the front yard and the yard abutting 9th Avenue shall be considered the rear yard.

VARIANCES:

Bulk Variance:

1. Average Front Yard Setback (Proposed Lot A) – Section 96-68.S.(3)(b) The applicant is proposing an average front yard setback of 32 feet where a minimum average front yard setback of 62 feet is required. **A variance is required.**
2. Average Front Yard Setback (Proposed Lot B) – Section 96-68.S.(3)(b) The applicant is proposing an average front yard setback of 32 feet where a minimum average front yard setback of 62 feet is required. **A variance is required.**

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.

Use Variance:

1. The applicant is proposing a density of 2.18 dwelling units per acre where a maximum of 1.5 dwelling units per acre is permitted. **A D(5) variance is required.**

Standard of Proof for “D” Variances

For “D” variances it is the applicant’s obligation to present the “Positive” and “Negative” criteria to justify the variance. The applicant must prove to the satisfaction of the Board that there are “special reasons” for the Board to exercise its jurisdiction to grant the requested relief, demonstrating that the site is particularly suited to the proposed use and that the proposal will advance the purposes of Municipal Land Use Law (N.J.S.A. 40:55D-2) and the Township’s Master Plan and Zoning ordinances (POSITIVE).

The applicant must also show that the variance can be granted without substantial detriment to the public good and that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance (NEGATIVE). The applicant should provide testimony demonstrating that the proposal will meet the variance criteria.

MINOR SUBDIVISION COMMENTS:

1. A note shall be included on the plan, stating how the subdivision will be filed with the county clerks office if approved.
2. The “owner’s certification” and the owner listed under the “notes” is different. The plan should be revised accordingly.
3. A certification that the new lot number has been assigned by the tax assessor must be provided.

4. Legal descriptions for all new lots shall be submitted to our office for review.
5. All rights-of-ways and easements whether dedicated to public or private entities shall be filed by deed.
6. The Plan shall list a point of beginning for each legal description submitted.
7. Note #13 should list if any variances were approved as part of the Use Variance application and list a resolution number.
8. The plan shall be revised to indicate the yard abutting 9th Street as rear yard.

GENERAL COMMENTS:

1. The applicant shall confirm in testimony that no access will be provided via Ninth Avenue. We recommend a deed restriction be provided for each proposed lot.

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: Brandon E. DeJesus, Esq., Board Solicitor
ARCR Home Builders, LLC, Applicant
R & R Group Development, LLC, Owner
Scott J. Good, Esq., Applicant's Attorney
John W. Kornick, PE, PP, Applicant's Professional

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