

Elk Township Combined Planning and Zoning Board

Regular Business Meeting

June 18, 2025

Minutes

Call to Order:

Regular Business Meeting was called to order at 7:06 pm.

Roll Call:

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

Absent: None

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 21, 2025

Mr. Goetsch moved to approve the minutes of May 21, 2025,

Seconded by Mr. Lucas.

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

General Business: None

Old Business:

1. **Memorialize Resolution 2025 -07 James Conner
Granting Bulk Variance for an Accessory Structure
Blk 29 Lot 5 775 Clems Run Glassboro, NJ 08028
Application No. ZB – 25 – 07**

Mr. Hughes moved to adopt resolution 2025 - 7. Seconded by Mr. Lucas.

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

For: 9

Against: 0

Abstain:

9-0-0

New Business:

1. **Township Directive to the Planning & Zoning Board concerning the 4th Round of Affordable Housing Obligations.**

Planning & Zoning Board Engineer, Steve Bach, spoke about the 4th Round of Affordable Housing Obligations.

Mr. Hughes moved to approve the 4th Round of Affordable Housing Obligations,

Seconded by Mr. Lucas.

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

For: 8

Against: 0

Abstain:

8-0-0

**2. Memorialize Resolution 2025 -08
4th Round of Affordable Housing Obligations**

Mr. Hughes moved to adopt resolution 2025 - 8. Seconded by Mr. Lucas.

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

For: 8

Against: 0

Abstain:

8-0-0

Unfinished Business:

1. Jai & Jas Real Estate, LLC Preliminary Major Site Plan – Phase 1

1092 Elk Rd Block 44 Lot 6

Application No. SP- 24- 01

Preliminary Approval

Mrs. Nicholson moved to reopen the public portion, seconded by Mr. Goetsch.

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

Chris Creta, 253 Daisy Avenue, stated that the proposed Fueling Station would lower Property Values which would not be reflected in the taxes. He also stated that he is concerned regarding the noise, air, water and ground pollution, tree removal and that the policing of the property would be up to the citizens of the township. He is against the 24/7 hours that were proposed.

Planning & Zoning Board Solicitor, Brandon DeJesus stated that the public who has not spoken at the last meeting should come up first and then the people who would like to speak again can come up and speak.

Frank Goss, 131 Railroad Avenue, stated that he is now speaking as a member of the Environmental Committee and he is concerned about the removal of trees and the pollution coming from diesel. He also feels that the plans should be arranged to put that on high ground because we do not know what Phase 2 is.

Jeff Huntsinger, 724 Buck Rd, states that his property is in the woods will be cleared around and it looks like they will clear right up to his property line, plus 100 feet away. He is concerned about the noise that will come with a 24/7 business. He would like a buffer or barrier wall installed that would stop the sound of the diesels

running. He would like his property, pond and woods to be protected. He is concerned about entering Buck Rd with the additional traffic. He asks if the applicant can provide their own security system.

Jim Bash, Engineer from Van Cleef Engineering, stated that they will comply with the tree replacement criteria as well as any buffer requirements. The area that was discussed earlier contains wetlands so the driveway would be configured as to avoid any environmentally sensitive areas, and DEP permitting would be obtained.

Steve Bach, Board Engineer, stated that as per their review letter dated May 14, 2025, Agricultural Buffers are required and the Applicant has agreed to this.

Jim Bash, Engineer from Van Cleef Engineering, stated that there are about 45-50 feet of trees before the lake that will remain.

Jason Hunt, 1852 Willow Grove Rd stated that he is a psychologist who moved from Sicklerville, NJ to Elk Twp and has 2 children. They moved away from Sicklerville, NJ due to the congestion, trees being cut down, and increased building. He and his family moved to Elk Twp to be around nature and farmland and not to be a part of another bustling city. He is opposed to a Truck Stop.

Lori Graves, 749 Whig Lane stated that she was born, raised and worked in Elk Twp and her grandfather farmed in the Twp. She is concerned about the crime associated with the Truck Stops. She states that this Truck Stop is not a good, clean ratable. She asked if there was an overlay of additional zoning for the Truck Stop.

Mr. Bach stated that there is no Truck Stop permitted in the C2 Zoning District. The Application before us is for a Fueling Station.

Lori Graves, 749 Whig Lane asks that the Board take into consideration, driving down Rt. 295 on a hot day, to watch the pollution come off of the trucks. She is concerned about the smell, noise, pollution and the fatalities on the roads. She stated that the Truck Stop will take trucks off of Rt. 55 onto the roads that are not built for that capacity. She would like to see good clean ratables.

Benjamin Miller, 1058 Elk Rd asks if it is a Fueling Station why will they be allowed to sit there for an hour? He is concerned about the runoff and his well and will someone pay to treat his well if it goes bad due to all of the pollutants. He doesn't want to look out of his back door and see that, add on to the existing gas station. He asked who would want this behind their house.

David DeClement, Applicant's Attorney, stated that this is not a Truck Stop, it is a Fueling Station.

Mr. Afflerbach, Board Chairman asked what the difference is between a Truck Stop and a Fueling Station?

Mr. DeClement stated that a Truck Stop has Shower and Sleep facilities as well as a place to have sit down food.

Benjamin Miller, 1058 Elk Rd, asks if there will be picnic tables outside the convenience store.

Mr. Bash stated that there will be no amenities like that proposed.

Benjamin Miller, 1058 Elk Rd, asks if there were to be amenities like that would that it then be considered a Truck Stop since there will be a place to sit down and eat.

Mr. Brandon DeJesus, Board Solicitor, stated that this is the Public Testimony Portion of the meeting and there cannot be back and forth between the applicant and the public. If the applicant's professionals choose to speak, they may but they do not have to answer questions.

Darlema Bey, 507 Arch St asked if the Environmental Protection Agency has done reports showing the Hazmat's because all of us have wells. There has been one incident a few years back involving drilling up and down Buck Rd for about 6 miles due to canisters leaking toxic waste. Any spills would hurt not only the folks over there, but large portions of Elk Twp. Are there Feasibility Studies?

Mr. Bach stated that the applicant submitted all the requirements of our checklist and as per previous testimony by the applicant, they have complied with all State Licensing Requirements for a Fueling Station, and they will have to provide all of those environmental assurances that were mentioned. If they are successful in obtaining a license with the State of NJ as a Fueling Station, then they will have to operate under all of the statutory requirements for a Fueling Station, which is over and above what is required by Elk Twp. The information that is being requested is not a part of the Township process but can be obtained through the State of NJ through an OPRA request.

Mr. DeClement stated that this is a Preliminary Site Plan Approval, and those items would not be done until they are ready for Final Site Plan Approval.

Quinn Collins, 839 Clems Run stated that he is opposed to the Fueling Station. He is concerned about the pollution, crime, noise and traffic impact on local roadways as well as the Township. He asked if it is just a Fueling Station why would there be parking spots for trucks.

Diane Alexander, 101 Railroad Ave stated that she is strongly opposed to the Fueling Station. She states there is already a gas station about a mile down the road that can be utilized. This Fueling Station will provide more traffic. She has a hard time entering onto Elk Rd from Railroad Ave, especially in the summer. Trucks fly on that road, almost hitting buses. She states that we are Elk Twp not Washington Twp and we came out here to live in farmland and raise our kids. She is concerned about pollution from this.

Tia DeFlavia, 741 Buck Rd states that she is concerned about the water, noise and light pollution from the Fueling Station. The plans state that the owners had done some Traffic Testing, but it was done during the winter months with no shore traffic and school was in. People come here to live rurally in a peaceful environment and all of us have a reasonable expectation of living in a Garden State that we share with wildlife.

Joe Collins, 701 Ferrell Rd states that he is the Aura School School Business Administrator as well as a resident of Elk Twp asked if the Traffic Impact Study has any consideration of the school buses plus that study misses the shore traffic. Are there any plans for protection of the school buses. He states that the County roads are not built for excessive amounts of weight from large trucks. He is opposed to this Truck Stop. He states that there have been several accidents with school buses at that intersection.

Todd Richardson, 741 Bridgeton Pike stated that he drives a truck for a living, and you do not want this Truck Stop here in Elk Twp. He states that there is crime, constant traffic at these places. This will depreciate the value of our houses.

Raymond McQuilken, 464 Christian Street stated that he has driven a truck for 39 years and over the road truck drivers are the filthiest people in the world. He stated that it is illegal to wake them when they are on their 10hr break and have them move their truck. He asked what happens when you have a tanker truck that has an accident.

Charles Hickerson, 643 Elk Rd stated that he is 100% against this Fueling Station. He is concerned about the project ripping 100 times more trees out than they say they will plant, the lake is right there if there is a spill, no shoulder to park on for a breakdown, jake break sounds will increase, the existing gas station is never that busy so that they need to open a Truck Stop that big, the existing roads cannot take this increase, taking away nature, Elk Twp does not have enough Police to keep up with this, spill will be a disaster and everyone has well water around here. They moved here to be around nature. The intersection is already a bad intersection with accidents.

Linda Bonns, 46 Thornwood Drive stated that she lives behind the existing gas station and trucks park there for hours. She is a school bus driver and while driving on Rt. 538 she already fears for her kids so the additional truck traffic will make it worse. She is against this Truck Stop.

Mr. Lucas moved to take a 5-minute recess, seconded by Mr. Hughes.

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

Mrs. Nicholson moved to reenter the meeting, seconded by Mr. Peterson.

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

Connie Nicholson, 20 Maple Ave stated that she was born and raised in Elk Twp, and she is concerned about the crime and trash at the Fueling Station. She asks why here for the Fueling Station, could it have been better suited for Rt.40 or a larger highway, somewhere that would allow a Truck Stop. She does not want to see this in Elk Twp.

Mary Wightman, 1885 Willow Grove Rd stated that they had moved here a few years ago to be in a more rural community and was shocked to see this. She is concerned about the sex trafficking that comes with Truck Stops and/or Fueling Stations. How do we make plans to not increase sprawl, could the land be used in another way.

Sean Reed, 9 Vivian Lane stated that the Traffic Study was done in January, and it does not capture all of the traffic that we would expect in that area. The Traffic Study stated that nothing would be built out until 2026 and does not include the future developments that are going to happen and the new growth. This will stretch the Fire and Police Departments. He is concerned about the long-term effects of the underground storage tanks because sometimes it is cheaper to walk away from it rather than remediate it. He urges the Board to consider all of these additional issues that would come with this especially since there is already an existing one in town right on the other side of Rt. 55. He is against this Fueling Station.

Rod Burgess, 1087 Elk Rd stated that the Truck Stop at Rt. 40 and Porchtown Rd has issues with tractor trailers not being able to swing in there and it is a traffic jam. This is the same setup as here, 2 lanes. The lanes are all blocked up and you can't go through the red light.

Letitia Hempsey, 748 Whig Lane asked what the owner's impact would be on the current community, as far as giving back to the community. Are they currently hiring anyone from the community? She stated that this is a tight knit community and everyone has each other's backs and is caring and considerate.

Christina Esposito, 1834 Willow Grove Rd thanked the Board for their time. She has reached out to a different traffic study company and asked when a traffic study should be done, and they said when the traffic is heaviest. She asks if the traffic study had taken into account pedestrians and bicyclists. She sees both of those on each of the roads this will impact. Could a new study be done in July when traffic is heaviest. She is also concerned about the kids using the bus stops. The roads in Elk Twp do not have bike lanes as other towns do and it is a big concern as some bicyclists have been hit by a vehicle. Jake breaking is also a concern. She and her family have moved to Elk Twp for the quiet/quaintness and has put her property into woodland management to save the trees.

Jennifer Hickerson, 643 Elk Rd stated that no one in the community is for this except the Board. Everyone has moved here because it is quiet/quaint and because of the agriculture and farmland. She does not understand how the Board can say this is a good idea for our community, because it is not. She stated that it is not good for the community, there is nothing positive coming out of it. The Board was voted in to uphold that standard and do good for the community and are failing us.

Chairman Matt Afflerbach stated that the Board is appointed, not elected and are a volunteer committee and they are here to decide if this application is proper or not. Nothing has been voted on yet and this is a Preliminary Approval.

Mr. Hughes stated that they are glad to volunteer to help our township and to hopefully make a difference and they are listening to all of the public who have come up to make a comment. They are also listening to the Board's Professionals as well as the State Law and the Ordinances of Elk Twp. No one has an agenda on the Board. The Board is hearing the concerns of the public.

Mr. Afflerbach stated that the Board is here to protect the community as well as the applicants. The Board Members take this job seriously and appreciate the comments from the public.

William H. Oglesby, 114 Stockton Ct. stated that the overflowing trash dumpster has been picked up except the trash behind it remains, the old pumps that have been there for months are still there and the piece of trash that is in front of their building that has been there for a few weeks is still there. He states that the public display (signs) of adult products which is sold at the convenience store for substances that are illegal to sell to minors is still there. He states that the applicant is not here at the meeting to listen and hear our concerns. He was at the last meeting, heard our concerns but nothing had been done. Why would we ever trust them to follow through on what they have said after this gets approved if they are not even doing it now.

Jack Killion, 949 Elk Rd states that he moved here 5 years ago because it was an agricultural town and the place that this is going to be located was orchards and now it has a dilapidated house and outbuildings. They owners have not maintained the house or outbuildings and overgrown and looks horrible. How can we trust them to maintain that property if they are not taking those steps on the existing property. He and his wife have issues with the existing gas station as far as being shorted change, being made to fill his own gas cans and his wife feeling uncomfortable with the attendants. He states that the truck traffic is getting heavier and the trucks are getting heavier and the damage that the trucks will damage the roads. He asked at the Twp Committee meeting if they were going to widen the intersection at Buck Rd and Elk Rd and they stated no, so that will become chaos. At the intersection of Willow Grove and Elk Rd, there have been a lot of trucks that have hit that telephone pole and have knocked out power to that area. He has children and do not want the Truck Stop down the street from them with the issues it may bring such as prostitution, drug use and human trafficking.

Mary Nicoletto, 945 Elk Rd stated that she is concerned about a Cannabis Warehouse on the property. She moved to Elk Twp from Sicklerville, NJ 31 years ago to be at peace and she doesn't want to be breathing in that as a 3-time cancer survivor. She doesn't want to move but she doesn't want to live with that going up and down my road. She states that she is in fear of the crime that will come down here. She also does not go to the existing gas station as they ask for a pin number for the credit card, they stare at her wallet in her car and they say they will keep the change when they go over the dollar amount when they pump the gas. She wants to retire here but will not do that with that coming here.

Jeffrey Forman, 123 Stockton Ct stated that his concerns are the same as everyone else. He is concerned about the wells as he has 4 young children, and his father-in-law is a well driller. He cited a number of people/companies that were involved in Upper Pittsgrove where there was an underground leakage and not being remediated.

Board Solicitor, Brandon DeJesus asked that Mr. Forman speak to his reason of his concern.

Mr. Forman stated his concern is the well waste remediation of issues tied to the owner of the existing gas station and how do we know that the water remains safe to drink.

David DeClement, Applicant's Attorney, stated that Balkar Sanni was named in that but was found to have no liability, zero and they should have not ever brought it against him.

David DeClement introduced himself as the Applicant's Attorney and introduced Jim Bash the Applicant's Civil Engineer as well as Andrew Ferrand the Applicant's Traffic Consultant.

Lori Graves, 749 Whig Lane stated that she loves this town and wants to make sure it is safe. She states that the Traffic Study says it is a Truck Stop and if it is not a Truck Stop why does it say that. When the truckers stop

they cannot start up again unless they have the time on their logs. If it is a Fueling Station, it could turn into these trucks sitting for many hours with pollution and crime.

David Wolf, 15 Covey Place states that 25 years ago he and his wife were looking for a home outside of an urban environment with some land, quiet and not a lot of noise, this proposal changes this. He can hear Rt. 55 and it is a drone, a constant noise but when the trucks get to a traffic light they rev up and it is a disruptive sound. He is concerned about the pollution, both light and smell and ground water. He is opposed to the project.

Jeff Allen, 210 Hollywood Ave states that there is nothing positive to benefit the Township with this project, it only benefits the owners. He is concerned about the pollution, if there is an accident at that station it will affect 1000's of homes in the area if it gets down into the aquifer and who will pay for the remediation? He also is concerned about Willow Grove and Buck Rd and Willow Grove and Aura Rd intersections with traffic trying to cross Buck Rd at any given time. Why was the Traffic Study done in January and not summertime with the shore traffic that is on the roads at that time. Our Twp does not need this project. He is concerned that this new project will turn into a trash heap like it is at the other gas station. His daughters will not go to that gas station as they are given looks, and they have been short-changed there as well. He is opposed to this application.

Stacey Booker, 101 Railroad Ave states that crossing Elk Rd to get to the Elephant Swamp Trail is dangerous and what happens when one of them is hit by a tractor trailer. She sees people not stopping for buses now so what will happen with the increase in truck traffic. She asks why this did not go to the Elk Twp Industrial Park off of Ellis Mill Rd, there is nothing back there and it is a perfect location for a Truck Stop.

Susan Belski, 817 Whig Lane stated that she is in support of everyone who has opposed this. She is concerned about the traffic, noise, pollution, riff raff and the problems with the current facility. She is opposed to this and wishes that the Board will vote against it.

David Sciocchetti, 98 Memorial Lane stated that he is one the Board of Directors of Lake Garrison Incorporated and has concerns about the traffic on the road which is at the moment is predominantly vehicular traffic but there will be a significant increase in Tractor Trailer traffic, but people are flying down Buck Rd. Why was the traffic study done in January and not in July, which is a problem with the traffic in front of Lake Garrison. He is concerned that the property touches on the stream that feeds Lake Garrison and that a leak from the facility getting into the stream and contaminating Lake Garrison which would close the lake and perhaps put Lake Garrison out of business if they were to close for the summer. He asked if there was an Environmental Plan done to show where the effluent would go and the risk of the tank failure and what would happen to the oil and gas that they are storing on site for the vehicles that they are servicing.

Steve Bach, Board Engineer, stated that there is always potential for any environmental incidents to occur but they will have to comply with any DEP regulations. This is for Preliminary Site Plan Approval, and they have not provided any NJDEP Land Use Permits yet.

Mr. Bash, Applicant's Engineer, stated that they have several Stormwater Basins on site and everything will flow to the South along Buck Rd.

Steve Bach asked Mr. Bash if they are required to mimic existing drainage patterns and then to reduce the peak runoff rate from the prescribed storms including the 100-year storm.

Mr. Bash answered yes, not only are they required to reduce the peak runoff, they have to treat it for water quality and meet ground water recharge requirements.

Steve Bach stated that they are not allowed to change the flow of where the stormwater goes or to increase the rate of which the stormwater goes.

Mr. Sciocchetti asked how big the tank was to provide the gasoline.

Mr. Bash stated that there are (3) 20,000-gallon tanks for gasoline and (2) 20,000 gallon tanks for diesel.

Mr. Sciocchetti asked if one of those tanks were to leak where would the gasoline go underground.

Mr. DeClement stated that these are double walled fiberglass tanks with an interstitial space with a monitor at the bottom of the tank and when that monitor hits the fluid it will go off. When the alarm goes off it is an audio alarm and a flashing red light and also sets the automatic shut off to the pumps. There is a secondary containment system which is like one water bottle with another water bottle around it and a probe at the bottom which alarms and shuts the power to the dispensers off. The lines to the dispensers go through a sump and they are double or triple walled. If the secondary containment fails, then the fuel will go into the soil and eventually into the aquifer if it is not remediated.

Mr. Sciocchetti asked if NJ has some event that will cause one of these tanks to rupture what happens to gasoline or diesel, will it find its way to Lake Garrison. Should we have a study regarding this.

Mr. Bach stated that there is no requirement under the Twp Ordinance for such a study and the Board always relies on the NJDEP for the regulation of fueling facilities.

Mr. DeJesus stated that this Board has no jurisdiction over the NJDEP and once they review and are satisfied there will be evidence of licensure.

Mr. Sciocchetti asked if there is an active application at the moment.

Mr. DeJesus stated that this is a Preliminary Site Plan Application, and the applicant does not have to obtain this permit yet but they will have to do this.

Mr. Bach stated that the State may require these to obtain a license.

Mr. Sciocchetti asked if there is any application in to the NJDEP.

Mr. DeClement stated that no, there is not an application submitted to the NJDEP.

Mr. Sciocchetti asked if the Twp anticipates having the NJDEP report prior to making any decisions.

Mr. Bach stated that it is not required but it will be condition of any approval and then a condition/prerequisite of any appearance of final approval, if they are successful this evening.

Mr. Sciocchetti asked if this is a Use of Right under Zoning.

Mr. Bach stated that it is a By Right Application ask presented and there was one variance that was presented but the applicant stated that they would demolish and remove that existing dwelling in its entirety thereby eliminating any variances from the application.

Mr. Hughes asked if these proceedings are allowed to be taped or recorded without our permission.

Mr. DeJesus stated that this is an Open Public Meeting so yes that is allowed and the Chairman, Mr. Afflerbach agreed.

Mr. Sciocchetti stated that his suggestions to the Board would be to request a more detailed Traffic Study to include Lake Garrison and a detailed Environmental Analysis to see what happens if one of the 20,000-gallon tanks fail.

Mr. Bach stated that the Board cannot exceed the requirements, and the applicant has submitted a Phase 1 Environmental Impact Report as part of their application but there is no requirement under our Ordinance to state what happens if there is a spill or something fails.

Mr. Afflerbach asked if the Board can ask the applicant for this.

Mr. Bach stated that yes, the Board can ask the applicant for this.

Mr. Lucas moved to take a 5-minute recess, seconded by Mrs. Nicholson

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

Mr. Lucas moved to reenter the meeting, seconded by Mr. Wolf.

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

Rod Wall, 131 Stockton Ct stated that he has a petition signed by 750 signatures of people who are against the Truck Stop. 600 of those signatures of from people who are in Elk Twp and the rest are from nearby people who are against this. He said that the Board has stated that it is out of their hands.

Mr. Afflerbach stated that no one from the Board has made a statement to that effect.

Mr. Bach stated that the applicant will have the opportunity after the Public Comment to make a summation, and the Board will have time to ask questions of the applicant's professionals and the Board's Professionals have time to refer the Board back to the application materials that they have prepared in their review letter and then finally the Board Solicitor will give the Board his opinion to the charge, meaning what the procedures as to reviewing the application and making a determination.

Rod Wall, 131 Stockton Ct stated that the Board in the future should relook at some of the Zoning and Codes that are out there. There are a lot of things that need to get tightened up so that things like this do not happen going forward and the community gets protected. He asked if this could be put out as a referendum and voted on by the community.

Mr. Bach stated that this is a Land Use Application, and this is a public hearing that is the forum for a Land Use Application, there is no other forum.

Mr. Wall stated that there is nothing here that benefits our community. He asked if the Traffic Study can be redone for many reasons. The landscapers/contractors who have a trailer will need to fill up at the gas side and when they are done, they will go to the truck parking spots but in order to do that they will have to go out to a main road to come back into the facility. He asks if the 2000 newly approved homes were included in the Traffic Impact Study and it would ramp up quickly after it goes in. He asks if someone from this area will be able to fact check that information before they get licenses or approvals.

Mr. Bach stated that they are the Elk Twp appointed Board Engineer and Planner who have issued a May 14, 2025, report which raises several of the same questions regarding the Traffic Impact Study as to when it was completed in terms of time of year and questions as to how many parking spaces regarding automobile and truck traffic. The Board will have to deliberate as to the Boards Professional's opinions represented in the review letter as well as the applicant and the applicant's professionals.

Mr. Afflerbach asked if the Board has the right to go out and commission their own study to compete against their study.

Mr. DeJesus stated that no, it is the applicant's application.

Mr. Bach stated that the Board will deliberate on the evidence that has been presented.

Mr. Wall stated that the application should ask for the disclosure of the background of the applicant, as far as if they have any liens or anything against them to understand what is being brought into the twp., good or bad.

Mr. Bach stated that our application is prescribed by Municipal Land Use Law, and the applicant does have to provide disclosure in terms of ownership, corporate entity. Anything that is required by law has been provided and submitted. We cannot go over and above what the Municipal Land Use Law says we can do.

Mr. Wall stated that he did not see any sidewalks on the plans.

Mr. Bach stated that no sidewalks are represented on the application materials.

Mr. Wall stated that there are ramps and sidewalks on all 4 corners for handicap use.

Mr. Ferranda stated that the County had installed those ramps.

Mr. Wall stated that when you put a development in around here it is a mandate that you put in sidewalks.

Mr. Bach stated that it is not a specific mandate in Elk Twp along County roads, but it is absolutely a mandate inside of a residential development that is prescribed under the Residential Site Improvement Standards.

Chris Creta, 253 Daisy Ave asked if a Truck Stop is allowed in Elk Twp under the C2 Zoning Ordinance.

Mr. Bach stated yes, that is correct.

Mr. Creta stated that New Jersey Administrative Code, Title 14 Chapter 29 of Subchapter 1.2 Definitions, has a definition of a Truck Stop as any retail dealer that provides service, predominantly to trucks and truck tractors as these terms are defined in NJSA Chapter 39 1-1.

Mr. Sciocchetti asked to clarify if the Twp is not authorized to seek additional technical expertise on the proposed development.

Mr. DeJesus stated that right now there is an application before the Board for Preliminary Site Plan Approval and the procedure is that the Board Engineer reviews everything that the applicant submits based on a checklist that the applicant has to meet and submit prior to the applicant is able to appear before the board. Based on the Engineers review and recommendations, he states to the board what is missing/lacking from that checklist and any deficiencies. The applicant has an opportunity to rectify that or to agree to those deficiencies, meaning that they will include that in their application as a condition of approval, if they are approved.

Mr. Sciocchetti asked if the Engineer were to determine that there was a technical issue beyond the scope of his/her staff, would the Engineer be able to recommend that we need additional expertise to help make this decision.

Mr. Bach stated yes.

Mr. Sciocchetti asked if this Board could grant Preliminary Approval.

Mr. Bach stated yes, this Board can grant or deny Preliminary Approval.

Mr. Sciocchetti asked if granted Preliminary Approval where does the process go.

Mr. Bach stated that the applicant would have to receive and perform everything on the record such as Land Use Approvals from the DEP, licenses from the State, Gloucester County Planning Board Approval and Gloucester County Soil Conservation District Approval, before they come back for Final Approval. If the applicant meets these conditions and comes back for Final Approval, they will be granted that Final Approval.

John McMichaels, 24th Avenue stated that the applicant did not perform a decimal sound test performed for this property. He suggests that they do another study on the decimals for the trucks off of Rt. 55.

Mr. Bach stated that the applicant had already agreed to comply with the State Statuary Requirements of 65 decibels during the day and 50 decibels during the evening hours. There is no requirement in our ordinance that we do outside sound studies.

Mr. McMichaels stated that the applicant is going to put up trees as a sound barrier which the sound goes right through. He suggests that we put a sound barrier, block wall as Rt. 295 has, so they will not have to listen to that sound. He stated that there had been an oil spill on Carl Ave about 25 – 30 years ago from the garbage trucks that were leaking into the ground and contaminated 4 residential wells. Just recently they said that the wells were ok, after monitoring, fixing and maintaining them. There was no hazmat back then, is there something in place when there is a leak at a gas station, and who can call them the hazmat to report this, the fire, police?

Mr. Bach stated that anyone can call hazmat, and spills are under the jurisdiction of the spill act. The Fueling Station's regulatory license with the state would prescribe how they would deal with any spills.

Mr. DeJesus stated that this application has been deemed complete and there is a 120-day deadline from the time it was deemed complete to when the Board has to make a decision. Due to the time being 10:35pm it does not seem like the Board will be finishing up on this tonight, the applicant will need to address a waiver for that 120-day deadline.

Mr. DeClement stated that the applicant is willing to waive the deadline to the July 16, 2025, meeting.

Rod Burgess, 1087 Elk Rd, asked if the Elk Twp Fire Departments handle a fire of that magnitude.

Mr. DeJesus stated that the Fire Departments are not part of this application, and they have not been brought in as a witness so they cannot testify to what they would do. But this question has been raised to the Board for their consideration.

Heidi Creta, 801 Clems Run stated that she and her husband had moved their family to Elk Twp from Philadelphia about 25 years ago to get out of the city and have more room and they love it here. She does not want to move and is hoping to retire here. She drives on Aura Rd, crosses Buck Rd to Willow Grove Rd to get to work and the morning traffic is a nightmare to cross Buck Rd. She experiences the same difficulty when coming home in the afternoon regarding crossing Buck Rd. She has sat at a stop sign for about 2 minutes waiting for traffic to clear to cross. She states that this will bring havoc to the Twp, and this will not benefit the residents of Elk Twp, and they do not want this.

Kelly O'Leary, 253 Daisy Ave, works as a nurse and she already hears the sounds from the traffic on Rt. 55 and she can't imagine the sounds that the trucks will bring while she is trying to sleep for her next shift. She feels safe where she is and she doesn't want to lose that feeling of safety because a Truck Stop is nearby.

Tom Frank, 1026 Elk Rd asks about Phase 2 and why there has been no talk about this. If there is not going to be a Phase 2 why would you crowd all of this towards the intersection, near the wetlands and waterways.

Mr. Afflerbach states that there was testimony regarding Phase 2.

Mr. Bach stated that there is a Phase 2 on the plans the applicant has no defined Phase 2 plans at this time.

Mr. Afflerbach stated that Phase 2 would have to come back before the Board.

Tom Huntsinger, 1066 Elk Rd asked about tree removal Ordinance that Elk Twp has adopted stating that they would have to replace every tree that has been taken out.

Mr. Bach stated that the Elk Twp Tree Removal Permit Application is based on that Ordinance and is on the website. There is a certain number of exemptions based on the area of the parcel and there is a prescribed tree replacement of the number of trees, the caliber, diameter of existing trees and what the replacement trees have to be.

Mr. Huntsinger asked what the diameter would be to differentiate trees from bushes.

Mr. Bach stated that the diameter would be 6 inches.

Mr. Huntsinger asked how they would figure out how many trees there are in that area.

Mr. Bach stated that a tree survey will have every tree over 6 inches be documented by the applicant.

Mr. Huntsinger stated that would be like a fox telling how many eggs are in the hen house.

Mr. Bach stated that the Tree Replacement Ordinance will be reviewed by the Zoning Officer and the Twp Engineer. This application will be reviewed and meet the standards of our office.

Mr. Bach stated that the applicant will comply with all aspects of the Tree Replacement Ordinance of the Twp and this will be a matter of approval from the Twp prior to returning for Final if they are successful at obtaining Preliminary Approval. The plans will be updated to show where these trees are going.

Mr. Huntsinger stated that he thinks it would be easier if they left more trees in the buffer/pond area than trying to place them somewhere else.

Mr. Bach stated that the Board cannot tell the applicant what to put in their application.

Mr. Huntsinger stated that at the intersection of Buck and Elk Rds., when the orchard was still there, they pulled cars & trucks out of the orchard because vehicles were pushed onto the orchard property due to accidents. Now that there are no trees to stop the vehicles, they could run right into those gas pumps.

Mr. Sciocchetti asked what the Board is allowed to do and not do. If there was a fire at the facility, the people who would know how to respond to those questions are not part of the review process. He would want to know from the people who would be responding to a fire how many fire departments would need to respond and do they have the ability to respond effectively.

Mr. DeJesus stated that the Fire Departments is not a party to this application, and no one has called them as a witness.

Mr. Sciocchetti asked if the Board under the Zoning Ordinance permitted to request from the Fire Department that they evaluate their ability to respond effectively to a conflagration of 20 some trucks at this facility.

Mr. Bach stated that in their review letter dated May 14, 2025, that outside agency approvals including the Elk Twp Fire Official review and/or approve, and/or defer to the entity that has jurisdiction, and this would be a condition of any Final Approval if they receive Preliminary Approval. The Fire Official is the Gloucester County Fire Official.

Mr. Sciocchetti asked if this Board has the authority to request that before they make their decision.

Mr. DeJesus stated that this is a Condition of Approval, but that review will not come in now to give the Board information. This application is for Preliminary Site Plan approval first. If the applicant wants to bring in the Fire Department they may do so.

Mr. Bach stated that there is no ability for this Board to have prerequisite approval from an outside entity. The Board cannot compel the applicant to do so.

Mr. Afflerbach stated that the Gloucester County Fire Official will review the application if it passes Preliminary Approval.

Mr. Hughes moved to adjourn this application until July 16, 2025, seconded by Mr. Lucas

With all members in favor, the motion was carried.

Mr. Lucas moved to enter the General Public Portion of the meeting, seconded by Mrs. Nicholson.

With all members in favor, the motion was carried.

Rod Wall, 131 Stockton Ct asked what Board/Committee handles changes to the Twp Ordinances and Code Book.

Mr. Bach stated the Twp is required to do a Master Plan reexamination every 10 years and the Twp is not due for that until 2026. At that time the Master Plan reexamination is referred to the Planning/Zoning Board and give recommendations back to the Twp Committee. The Twp Committee at any time can introduce Ordinances to change Zoning Ordinances and then refer it to this board for consistency with the Master Plan. Any concerns with Ordinances should be taken to the Twp Committee.

Mrs. Nicholson moved to close the General Public Portion of the meeting, seconded by Mr. Hughes.

With all members in favor, the motion was carried.

Correspondence: None

Adjournment:

Mr. Lucas moved to adjourn, seconded by Mrs. Nicholson.

With all members in favor, the motion was carried.

Adjournment time: ***11:05 pm***

Respectfully submitted,

Ann Marie Weitzel, Board Secretary