



September 12, 2025

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

Attn: Ann Marie Weitzel, Board Secretary

Re: Amtech Fence LLC
Block 6, Lot 32
541 Bridgeton Pike
Use Variance
Review #1 Completeness & Technical
LD Low Density Residential District & NCO Neighborhood Commercial Overlay
Elk Township Application ZB-25-01
Bach Associates Proj. #ETPB2025-6

Dear Chairman Afflerbach and Members of the Board:

We have reviewed the application and supporting documents submitted by Amtech Fence, LLC for a use variance to allow a deck and fence superstore consisting of warehouse storage, office use, wholesale fence and deck sales, and outdoor storage of products and inventory.

The existing property fronts on Bridgeton Pike, north of the intersection with Moods Road. It is within the LD Low Density District and the Neighborhood Commercial Overlay. No improvements are proposed to the property. The property generally contains one (1) 3,380 sf of existing office / warehouse building and two additional warehouse buildings. The applicant is seeking a use variance only at this time and if required and will submit a site plan application in the future. The proposed uses are not permitted in the LD or NCO Districts, which necessitates the requested use variance.

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

1. Zoning Board of Adjustment Use Variance Application Form Submitted July 25, 2025.
2. List of waivers.
3. Photograph exhibit.
4. 8 1/5 inch plans entitled "June 14, 2021 Site Plan situate 541 Bridgeton Pike Plate 2, Block 6, Lot 32, Township of Elk, Gloucester County, New Jersey", prepared by Ransom Consulting LLC, dated June 14, 2021 and unsigned (6 sheets). **Plans are illegible and unsigned.**

COMPLETENESS:

The application is presently incomplete. The applicant has requested waivers for the following Land Development Checklist items:

- #8 requires copies of applications to and certification of approvals from all outside agencies with jurisdiction over the proposal (Gloucester County, NJDEP, NJDOT, Soil Conservation District, etc.) ***Our office has no objection to a waiver being granted for completeness only.***
- #9 requires that the plat/plan shall be prepared under the supervision of and be signed and sealed by a licensed New Jersey land surveyor, professional planner, professional engineer or registered architect in accordance with the provisions of N.J.A.C.13:40-7.1, et seq. **Waiver not recommended.**
- #11 requires the source and date of current or recertified property survey prepared and scaled by a registered NJ Land surveyor (prepared or certified within the last 1 year). **Waiver not recommended.**
- #15 requires statement providing an overview of the proposed uses of the land and improvements, alternations, or additions. **Waiver not recommended.**
- #25 requires that plans shall be prepared at a minimum scale of one (1) inch equals fifty (50) feet. If the entire plan does not fit on one sheet, an overall plan with entire tract on one sheet shall be included at a smaller scale (1"=100' or 200'). **Waiver not recommended.**
- #27 requires north designation by arrow on each sheet. **Waiver not recommended.**
- #35 requires a schedule of mandated and provided zoning district requirements, including total acreage, lot area, lot width, lot depth, yard setbacks, building coverage and square footage, lot coverage, open space area, density and parking. Anticipated number of residents or number of employees should also be included. **Waiver not recommended. Only information provided is number of employees.**
- #41 requires location of existing wells and septic systems and distances between them, and on adjacent properties where required by the Board. **Waiver not recommended.**
- #43 requires the existing and proposed use of all building and structures including bridges, culvers, paving, light, signs and grade elevations for each structure. **Waiver not recommended.**

- #55 requires Contours at 20 foot intervals for the entire tract and within 100 feet (USGS Topographic maps are sufficient) and conformance with the grading plan requirements in section 96-66M prior to the issuance of any building permits. **Waiver not recommended.**
- #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 ***Waiver recommended for completeness only. The subject property is adjacent to NJDEP mapped wetlands. Applicant shall provide documentation as to if any wetlands or wetlands buffers exist on the subject property.***

We have determined that the application is **INCOMPLETE** at this time. The above items must be addressed for the application to be deemed "Complete" and scheduled for a public hearing. If a waiver is granted for completeness only, the information shall be provided as part of the compliance submission.

OWNER/APPLICANT:

Applicant: Amtech Fence, LLC t/a Deck & Fence Superstore, LLC
541 Bridgeton Pike
Mullica Hill, NJ 08062

Owner: BROSB4CEOS, LLC
5950 Route 42
Turnersville, NJ 08012

ZONING:

The property is within the Low Density (LD) and Neighborhood Commercial Overlay (NCO) 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 subject property was the subject of a March 1990 approval by the Elk Township Zoning Board of Adjustment to allow the operation of a wood chipper and the sale of garden supplies and wood mulch (Resolution attached for reference). It is also noted that the subject property was the subject of a March 1991 amended approval by the Elk Township Zoning Board of Adjustment that restricted the subject property to only one driveway entrance (Resolution attached for reference).

VARIANCES:

Use Variance:

1. The applicant is proposing a deck and fence superstore consisting of warehouse storage, office use, wholesale fence and deck sales, and outdoor storage of products and inventory deck and fence superstore with outside storage where such uses are not permitted in the LD or NCO Districts. ***A D(1) variance is required.***

2. The applicant has provided limited information as to the proposed use of the subject property. The applicant should be prepared to provide testimony in support of the use variance at the hearing. Information about the proposed deck and fence superstore consisting of warehouse storage, office use, wholesale fence and deck sales, and outdoor storage of products and inventory:
 - a. Operation of the subject property
 - b. Hours of operation for each use
 - c. Number of employees
 - d. Trash and recycling disposal
 - e. Ingress and egress
 - f. Parking / truck storage
 - g. Area to be dedicated to outdoor storage
 - h. Proposed signage
 - i. Buffering
 - j. Subleasing as it observed that "Repo Specialists" are currently utilizing a fenced portion of the subject property. Also, it was observed that several tractor trailers under various ownership are utilizing the subject property.

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.

GENERAL COMMENTS:

1. The applicant shall confirm in testimony that no access will be provided via the small portion of the property that fronts on Moods Road. We recommend a deed restriction be provided.
2. If a use variance is granted, then the applicant should be required to submit a site plan application.

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
Amtech, LLC, Applicant
BROSB4CEOS, LLC, Owner
Dante Parenti, Esq., Applicant's Attorney
Consulting Engineering Services, Applicant's Professional

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6/32
3/21/90

RESOLUTION GRANTING USE VARIANCE TO
LINDA AND DAVID FAZIO

WHEREAS, David and Linda Fazio have applied to the Zoning Board of Adjustment for a use variance to operate a wood chipper and the sale of garden supplies and wood mulch on property owned by John Fazzio for property located on Route 77 and also known as Block 6, Lot 7 on the Tax Map of the Township of Elk; and

WHEREAS, a public hearing was held on March 21, 1990; and

WHEREAS, the Zoning Board of Adjustment carefully considered the following:

1. Application
2. Land survey prepared by Land Survey Co., dated 8/4/89.
3. Letter dated 9/14/89 from Linda Frank.
4. Report dated March 8, 1990 from Thomas Scangarello, P.P.
5. Report dated October 12, 1989 from James F. Sickels, Jr., P.E.
6. Report dated March 15, 1990 from James F. Sickels, P.E.
7. Environmental Assessment Statement prepared by Manufactured Recycling Systems Inc.
8. Special report on soil concern prepared by applicant.
9. Letter prepared by Thatcher and McNeil dated February 12, 1990 addressing concerns of October 12, 1990 letter.
10. Testimony of the applicants, the municipal planner and

municipal engineer; and

WHEREAS, the Zoning Board of Adjustment makes the following findings of fact and conclusions of law:

1. The applicant proposes to operate a wood chipper for the purpose of recycling wood products as well as the sale of garden supplies and wood mulch. The proposed site consists of 27.24 acre parcel also known as Block 6, Lot 7 on the Elk Township Tax map and is located on the east side of Mullica Hill-Bridgeton Pike (State Highway 77) just north of Moods Road.

2. The site is located in an AR (Agricultural Residential Zone). Such zone does not permit the uses proposed by the applicant.

3. The applicant testified that they intend to use a number of machines in the proposed business including a stump grinder, a screening machine, a front end loader and two wood chippers. A plot plan submitted with the application indicates the addition of a 2400 square foot pole barn and store with a 400 square foot store. The applicant provides 16 parking spaces.

4. The applicant testified that there would be one driveway for both uses but then agreed that there would be two separate driveways for the use associated with the sale of garden supplies and wood mulch and the actual wood chipping use.

5. The plot plan proposes two mulch storage areas, one with 80,000 square feet and the other with 70,000 square feet. The mulch areas will be enclosed with white pines.

6. Adjoining the property are residential uses. However, the applicant testified that all such uses were occupied by family

members. The land across Route 77 is vacant wood land. It is the finding of this Board that the area is generally low density agricultural and that the proposed wood chipper is set back over 200 feet from the nearest property lines.

7. The applicant testified that approximately 400 to 500 trucks per year would use the site.

8. The applicant testified that they were willing to abide hours of operation.

9. Some concern was raised with noise levels. Federal guidelines provide that noise levels in excess of 75 decibels at the property line are not permitted. The applicant provided a noise impact study which indicated noise levels of 79 to 84 decibels 100 feet from the wood chipper. The applicant testified that the wood chipper would be located no closer than 200 feet from the property line.

10. It is the finding of this Board that special reasons exist to permit the wood chipping operation. It is the finding of this Board that such use, with certain restrictions as contained in this resolution, is compatible with agricultural uses. The area is primarily low density agricultural. The only residences located nearby are owned by the operators of the wood chipping business. It is the further finding of this board that the public will benefit from the recycling nature of the use.

11. The Board further finds that special reasons exist to permit the sale of garden supplies and wood mulch. Such uses are consistent with the surrounding agricultural uses as well as the wood chipping use.

12. Finally, for the reasons stated above, it is the finding of this Board that the granting of this variance will be without substantial detriment to the public good and will not substantially impair the zone plan and ordinances of Elk township.

NOW THEREFORE BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT of the Township of Elk that a use variance be granted to the applicants for the operation of a wood chipper and the sale of garden supplies and wood mulch subject to the following terms and conditions:

1. All testimony and representations made by the applicants to the Board at the time of the public hearing.
2. Subdivision approval from the Planning Board.
3. Site Plan approval from the Planning Board.
4. That noise levels shall not exceed 75 decibels at the property line.
5. That there shall be no offensive odors at the property line.
6. That there be separate driveways for the wood mulching operation and the sale of garden supplies and wood mulch operation.
7. Substantial compliance with all plans submitted by the applicant.
8. There shall be no composting on the site.
9. There shall be a buffer of white pine trees around the two designated mulch areas.
10. There shall be sufficient fire controls and rodent control plans as approved by the Planning Board with the site plan.
11. The hours of operation shall be limited for the wood

chipper operation from 8:00 a.m. to 4:30 p.m. Monday through Friday and the store shall operate from 8:00 a.m. to 6:00 p.m. Monday through Friday, Saturday from 8:00 a.m. to 9:00 p.m. and on Sunday from 8:00 a.m. to 12:00 p.m.

12. The only materials permitted to be recycled are yard waste consisting of brush, stumps, trees, tree trimmings, grass trimmings and leaves, all of which create mulch. Items such as concrete are expressly forbidden. This list is meant only to illustrate, not to limit the forbidden items.

13. The store is limited to the sale of garden supplies such as wheelbarrows, mulch, wood chips, stone, slate, decorative items, flowers and other items traditionally found in gardens and yard use.

14. Gloucester County Planning Board Approval.

15. State Department of Environmental protection approvals, if needed.

16. State Department of Transportation Approvals.

17. Gloucester County Soil Conservation District approvals.

ZONING BOARD OF ADJUSTMENT
ELK TOWNSHIP

MOTION TO APPROVE USE VARIANCES

Those in favor:
Those opposed:

MOTION TO APPROVE RESOLUTION

Those in favor:
Those opposed:

The foregoing is a true copy of a Resolution adopted by the Board of Adjustment of Elk Township at its regular meeting of as copied from the minutes of said meeting.

MARYANN ASHENFELTER

6/32
3/20/91

RESOLUTION GRANTING MODIFICATION TO
DAVID AND LINDA FAZZIO

WHEREAS, David and Linda Fazzio have applied to the Zoning Board of Elk Township for modification of a variance for property located on Route 77 and also known as Block 6, Lot 7 on the Tax Map of the Township of Elk Township; and

WHEREAS, a public hearing was held on March 20, 1990; and

WHEREAS, the Zoning Board of Adjustment has carefully considered the following:

1. Letter application from Frank Thatcher, Esq. dated 2/21/91.

2. Letter dated 2/19/91 from Nick Kline of the New Jersey Department of Transportation.

~~3. Testimony of the applicant; and~~

WHEREAS, the Zoning Board of Adjustment makes the following findings of fact and conclusions of law:

1. In its original variance, the Zoning Board of Adjustment required two driveways be provided.

2. After hearing the recommendation of the Department of Transportation and reviewing the plans, it is the opinion of the Zoning Board that a single driveway to the site would be preferable.

NOW, THEREFORE BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Elk that the modification of the original variance to Linda and David Fazzio be granted so as to permit one driveway entrance. The original Resolution shall in all other terms and respects shall remain in effect.

ADOPTED at a regular meeting of the Zoning Board of Adjustment of the Township of Elk held on Wednesday, March 20, 1991.

ZONING BOARD OF ADJUSTMENT
ELK TOWNSHIP

BY: _____
DANIEL HAYNICZ, Chairman

Attest:

Mary Ann Ashenfelter, Secretary

ROLL CALL VOTE

Those in favor:

Those opposed:

The foregoing is a true copy of a Resolution adopted by the Zoning Board of Adjustment of Elk Township at its meeting on March 20, 1991, as copies from the minutes of said meeting.

6/31

WILLIAM B. SPARKS

ATTORNEY AT LAW
P.O. Box 417
45 COOPER STREET
WOODBURY, NJ 08096

March 25, 1991

Thatcher & McNeil
Attn: Frank W. Thatcher, Esq.
105 N. Black Horse Pike
Runnemede, NJ 08078

Re: Elk Township Zoning Board of Adjustment
David and Linda Fazzio

Dear Frank:

Please find enclosed a copy of a Resolution adopted by the Elk Township Zoning Board on March 20, 1991.

If you have any further questions, please contact me directly.

Very truly yours,
/s/ William B. Sparks

WILLIAM B. SPARKS

WBS:sc
cc: Maryann Ashenfelter, Clerk
Elk Township Zoning Board